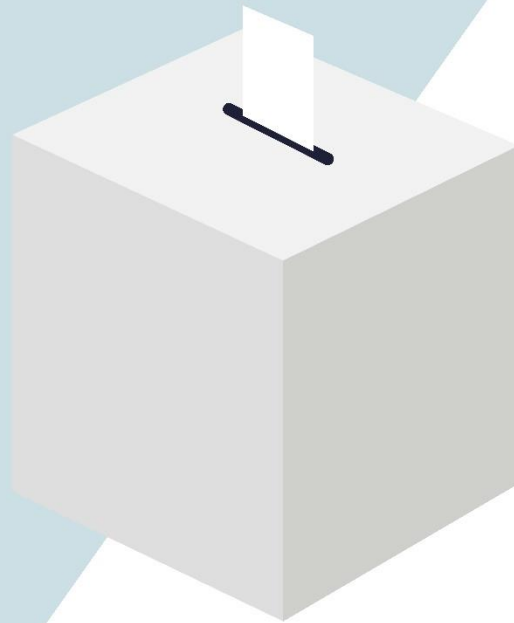




Electoral Commission
QUEENSLAND



2020
LOCAL GOVERNMENT ELECTIONS
Service Plan for Aurukun Shire Council

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This report is available for downloading from the ECQ website ecq.qld.gov.au.

Enquiries and requests for a paper copy of this document may be directed to:

Electoral Commission of Queensland

Telephone: 1300 881 665

Website: ecq.qld.gov.au

Email: ecq@ecq.qld.gov.au

Post: GPO Box 1393 BRISBANE QLD 4001

Purpose

This Aurukun Shire Council Election Service Plan builds on the Electoral Commission of Queensland's (ECQ) *2020 Local Government Elections Service Plan*¹, and gives an overview of the activities the ECQ will undertake to deliver the Aurukun elections to citizens enrolled in the local government area, including those who are temporarily not residing in Aurukun.

Background

The ECQ is conducting elections for all mayors and councillors of Queensland's 77 councils in March 2020.

The Aurukun Shire Council is an undivided local government area located in far north Queensland (refer map at **Attachment 1**) with 810 enrolled citizens as at 28 February 2020.

Following a significant incident in late 2019, approximately 350 Aurukun citizens have left the local government area and are now temporarily residing in a variety of other locations. The ECQ understands this settlement situation remains very dynamic. A further serious incident also occurred in late February 2020, unrelated to the conduct of the election.

These incidents present certain challenges to the ECQ in delivering a safe, secure, accessible, fair and transparent election for the Aurukun Shire Council, including acceptable workplace conditions for the temporary polling officials the ECQ engages to deliver the election. However, advice from the council and a variety of Queensland Government agencies has confirmed the desirability of proceeding with a poll on 28 March 2020, and the Electoral Commissioner has decided to do so, noting that powers exist under the *Local Government Electoral Act 2011* for changing nomination day or polling day (section 38), or suspending (section 52A) or adjourning (section 53) the poll should this be required at any time.

Overview of the ECQ's service offer

In order to ensure all eligible electors can take part in the Aurukun Shire Council elections, either as a candidate or as a voter, extensive planning and engagement has been undertaken by the ECQ. This has included ongoing liaison with the council and with Queensland Government agencies on an appropriate service delivery model.

The result is that Aurukun's current circumstances require a unique election service plan, one that still allows the ECQ to properly discharge its functions and meet its obligations to electors.

¹https://www.ecq.qld.gov.au/data/assets/pdf_file/0020/7463/2020-Local-Government-Elections-Service-Plan.pdf

In this regard, the services to be offered in the Aurukun Shire Council elections include:

1. an awareness-raising campaign, with a specific initial focus on enrolment, candidate nominations, and postal voting
2. appointment of polling officials to conduct the election
3. managing the application and certification process for candidate nominations
4. provision of voter services
5. vote counting
6. declaration of results
7. post-event compliance activities.

1. Awareness-raising campaign

To raise awareness of the election and to inform temporarily non-resident electors of the channels available to them to nominate for either mayor or councillor, a flyer (**Attachment 2**) was developed with the Department of Aboriginal and Torres Strait Island Partnerships (DATSIP) and the Department of Local Government, Racing and Multicultural Affairs (DLGRMA). The flyer was made available on local Facebook pages, and placed on community noticeboards. The DATSIP shared the flyer to all regional areas where Aurukun residents are known to be residing. A similar flyer was produced to highlight how to apply for a postal vote (**Attachment 3**) – more detail about why this channel was promoted is outlined below.

A short Facebook video² outlining the nomination and enrolment process was also prepared for promotion by Black Star Radio, which reaches all of the towns where Aurukun citizens are known to be residing, as it is a trusted source of information in regional Aboriginal and Torres Strait Islander communities.

The ECQ worked with the DLGRMA to develop its *So you want to be a councillor?*³ candidate training program. This included co-delivering training sessions in certain communities, including in Aurukun on 25 and 26 February 2020. In Aurukun, that also included the participation of an experienced and culturally capable officer from the Australian Electoral Commission (AEC). This training was critical from the ECQ's perspective to ensure all potential candidates in that location understood requirements that relate to both nominating and campaigning as a candidate (e.g. establishing a dedicated bank account; disclosing gifts, loans, and electoral expenditure).

As the ECQ progresses through the election period (22 February to 28 March 2020 – the full election timetable is at **Attachment 4**), targeted Facebook and Black Star radio advertising will continue to highlight forthcoming milestones (e.g. close of nominations, ballot paper draw, and voting options).

² <https://www.facebook.com/electoralcommissionqld/videos/1201403560192444/>

³ <https://www.dlgrma.qld.gov.au/so-you-want-to-be-a-councillor.html>

Closer to the early voting period, a Voter Information Card will also be sent to the postal addresses of all enrolled electors who are intending to vote in person at a polling booth. The card lists the voter's council area and features a barcode that enables election staff to quickly mark voters off the electoral roll and issue ballot papers in an efficient manner.

2. Appointment of polling officials

An open merit recruitment process was undertaken to secure the ECQ's Returning Officers (RO) for the 77 local government elections⁴. A culturally capable RO was appointed from this group for Aurukun but was not able to continue in the role and subsequently resigned. A new RO was subsequently appointed by the Electoral Commissioner, supported by an Assistant RO who resides in Aurukun, and they have responsibility for vote taking, vote counting, and advising the Electoral Commissioner about the declaration of the results. They will be assisted during the early voting period and on election day by other polling officials, who are being sourced via the ECQ's Expression of Interest process for working at an election⁵. It is highly likely that these officials will not be residents of the Aurukun Shire Council to ensure there is no potential for perceived or actual conflicts of interest to arise.

3. Candidate nominations and how-to-vote cards

Candidate nominations

Candidate nominations opened on 22 February, and closed at 12pm on Tuesday, 3 March 2020. There is one mayoral position and four councillor positions in the Aurukun Shire Council.

The Assistant RO resides in Aurukun and accepted nominations from resident Aurukun electors on behalf of the ECQ. Nominations received have been accepted and certified by the Assistant RO and the ECQ in its head office in Brisbane. All candidate nominations are publicly available on the ECQ website as required by law upon their certification by the ECQ⁶.

Temporarily non-resident electors were advised by Queensland Government agencies, particularly through the distribution of **Attachment 2**, that should they wish to nominate as a candidate then their nomination form and associated deposit fee of \$250 could be submitted in person, or via email, to the Cairns RO Hub at 248-250 Hartley Street, Bungalow.

In addition, the DLGRMA offered one-on-one candidate training to anyone in Cairns who wished to nominate as a candidate given the mandatory nature of this requirement, and in

⁴ https://www.ecq.qld.gov.au/_data/assets/pdf_file/0023/7466/Local-Government-Elections-2020_Returning-Officers_28.2.20.pdf

⁵ <https://www.ecq.qld.gov.au/elections/working-at-an-election>

⁶ See *Nominated candidates* drop-down at <https://www.ecq.qld.gov.au/elections/election-events/2020-local-government-elections>

acknowledgement of the difficulties for displaced persons in accessing and completing this training.

Upon certification of the required number of nominations, the election proceeds to a ballot draw. This is a public process that randomly assigns candidates their order on the ballot paper. The ballot draw was conducted in Cairns on Wednesday, 4 March 2020 by an Assistant Returning Officer appointed for this purpose.

How-to-vote cards

Candidates may produce how-to-vote cards. The ECQ must approve all how-to-vote cards before they can be distributed to voters on a day that ballots may be cast. This approval is required for both the early voting period and on election day. How-to-vote cards need to be submitted for approval and approved by the ECQ seven days prior to their intended distribution.

The ECQ will engage directly with all nominated candidates to ensure they are aware of the legal requirements that relate to how-to-vote cards, and the statutory timeframes associated with their approval by the ECQ.

4. Voter services

An essential part of the awareness-raising campaign is about the voting system in use in each local government area. For the **Councillor elections**, this is governed by whether the council is divided or undivided. As the Aurukun Shire Council is an undivided council, the **first-past-the-post system of voting**⁷ will be used to elect the four Councillors. The **Mayoral election**, however, is held using the **optional preferential voting system**⁸. Polling officials will be available to electors to explain the differences between these systems to complement information already available on the ECQ website.

The full range of voter services are available to Aurukun Shire Council electors. Comprehensive detail about each type of service is available in the *2020 Local Government Elections Service Plan*⁹, and includes:

- ECQ Service Centre – this is a call centre that is available by free phone (1300 881 665) or email (ecq@ecq.qld.gov.au) to any candidate or elector who has a query about the election. The call centre is open 8.00am to 6.00pm Monday to Friday and 9.00am to 4.00pm on Saturdays.
- Spatial services – provision of both an interactive map which shows the locations of polling booths and a static map of the Aurukun Shire Council local government area.
- Enrolment service – assisting electors to check or amend their enrolment or understand how to enrol for the first time, in collaboration with the AEC.

⁷ See *First-past-the-post voting* at <https://www.ecq.qld.gov.au/how-to-vote/voting-systems>

⁸ See *Optional preferential voting* at <https://www.ecq.qld.gov.au/how-to-vote/voting-systems>

⁹ https://www.ecq.qld.gov.au/data/assets/pdf_file/0020/7463/2020-Local-Government-Elections-Service-Plan.pdf

- Early voting service – this will be for the two days on 26 and 27 March 2020 between the hours of 10am-2pm at the Wo’uw Ko’alam Community Centre (corner of Tal Tal Street and McKenzie Drive)¹⁰.
- Election day voting service – this will be on 28 March 2020 between 8am and 6pm, and also held at the Wo’uw Koa’lam Community Centre¹¹.
- Postal voting service – electors must apply for a postal vote, with the application period starting on 22 February and ending on 16 March 2020 at 7pm.
 - **Note: This is the only legal voting service available to electors in an undivided council on election day if they are not currently residing within the local government area. It is therefore considered the most practical service for temporarily non-resident electors.**
 - An elector can ask for a postal vote to be sent to any address; it does not have to be their enrolled address.
 - The ECQ will ensure that polling booths in communities where non-resident Aurukun electors are currently living have ‘voting offices’ where postal votes for the Aurukun Shire Council election can be securely deposited.
 - Electors can then return their completed ballot paper by placing it in an Australia Post letter box at any time (e.g. as soon as they receive it, during the early voting period), or depositing it at an identified ‘voting office’ before or on election day.
 - Applicants also have until 5pm, 7 April (10 days after election day) to return their postal vote, though the ECQ suggests they be provided as early as possible to assist with a timely declaration of results.
 - Council and Queensland Government agencies will also be assisting the ECQ to undertake targeted media/communications to ensure non-resident electors for whom contact details are available are aware of this option and how to access it. The flyer (**Attachment 3**) contains more information.
- Accessible services – a range of services are also available for those who require them, including telephone voting for eligible electors, elector visitor (at home) voting, and translation and interpreter services.

Noting that the ECQ has powers to suspend or adjourn a poll subject to certain triggers, the Queensland Police Service (QPS) has undertaken to provide up-to-date intelligence about any conditions which might indicate that those conditions are present (e.g. the threat of, or the occurrence of, a riot or open violence; circumstances that pose a serious risk to the health or safety of persons at the polling booth).

The QPS has also undertaken to provide a police presence around at the community centre in Aurukun during early voting and on election day.

¹⁰ The council has offered to provide transport to those electors who require it to support their attendance.

¹¹ As above.

5. Vote counting and declaration of results

The ECQ will conduct the count according to the requirements set out in Division 7 of the *Local Government Electoral Act 2011*. General information about vote counting is available in the *2020 Local Government Elections Service Plan*.

For the **Mayoral elections** conducted under the **optional preferential voting system**, voters must mark the box next to at least *one* candidate and then have the option to number *some* or number *all* of the other candidates in order of preference. All the first preferences are then counted and if no candidate receives more than 50 percent of the votes, the candidate with the least number of votes is excluded and any of their votes with a second preference is distributed to the remaining candidates. This process continues until a candidate receives more than 50 percent of the votes and is elected to the council.

In **undivided councils, Councillor elections** are conducted under the first-past-the-post voting system. This means that voters must mark the *same number of boxes as there are councillor positions* to be elected. The votes from all the ballot papers are counted and the candidates with the most votes, up to the number of councillor positions available (four for Aurukun Shire Council), will be elected to the council.

The **vote counting service for the Aurukun Shire Council** is for the preliminary count of early votes and election day votes to be conducted on Saturday night (28 March 2020) in Aurukun by polling official staff. This preliminary count is the first (unofficial) count. These votes will then be taken to Cairns, along with any postal votes received within Aurukun, and the official count will be conducted in Cairns at the RO Hub by the Aurukun RO. The official count will include all early votes, election day votes, postal votes, and any other votes cast (e.g. via telephone voting).

In some instances, it may not be possible for the ECQ to declare an election result until the final cut-off for the return of postal votes on 7 April 2020. If the result is too close to call and it is mathematically possible that the result may change due to outstanding postal votes, the ECQ must wait the legislated 10 days for postal votes to be returned to ensure that all votes are counted.

The ECQ website will update as counting occurs and results declared progressively as counting is finalised.

6. Post-event compliance

The ECQ will conduct post-election compliance activities to ascertain whether any electoral offences under the *Local Government Electoral Act 2011* were committed. This is standard practice for all elections. The ECQ's primary goal is to achieve compliance by electoral participants, rather than needing to take compliance action. Should there be any apparent electoral offences, the ECQ will decide in collaboration with other agencies what an

appropriate and proportionate response is in accordance with the ECQ's *Compliance and Enforcement Policy*¹². This is important to the conduct of a fair and transparent election.

Common examples of such offences include:

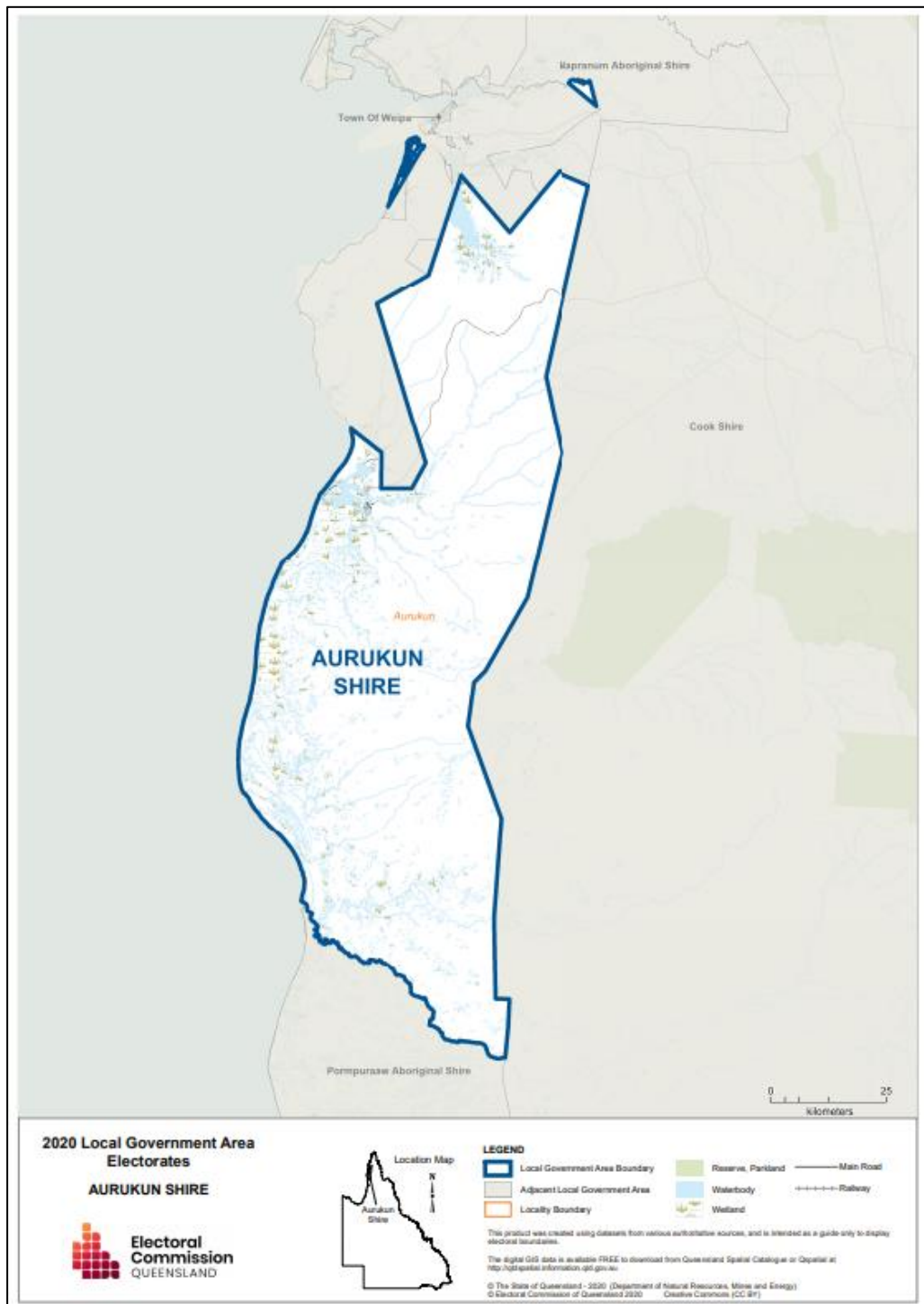
- Apparent failure to vote – given that voting is compulsory, ensuring that all apparent instances of a failure to vote are investigated and resolved (either through the acceptance of what is known as a 'valid and sufficient' reason for not voting, or through the issue of Penalty Infringement Notice). **Note: non-resident Aurukun electors who may have difficulty voting should contact the ECQ to discuss their individual circumstances.**
- Apparent multiple voting – given that voting at an election more often than a person is entitled to is a misdemeanour with a maximum penalty of 2 years imprisonment, ensuring that all apparent instances of multiple voting are investigated and resolved (for the ECQ, this means preparing a brief of evidence for referral to the QPS).
- Disclosure obligations – ensuring candidates comply with their real-time disclosure obligations, as well as submit their election summary return (which details gifts or loans received and electoral expenditure incurred during the election disclosure period) by Monday, 13 July 2020.

¹² https://www.ecq.qld.gov.au/data/assets/pdf_file/0018/2637/Compliance-and-Enforcement-Policy-Funding-and-Disclosure.pdf

Attachment 1

Map of Aurukun Shire council area

<https://ecg.gov.sharepoint.com/:b:/r/sites/publicaccess/Documents/Local%20Government%20Maps/Aurukun%20Shire.pdf?csf=1&e=Z6OXXf>



Attachment 2

Call for nominations, flyer for Aurukun electors



28 March 2020

LOCAL GOVERNMENT ELECTIONS

AURUKUN RESIDENTS

Nominations Open 22 February

Are you interested in being a candidate in the Local Government elections? If you are interested in representing your community you can nominate to be a candidate for Councillor or Mayor in these elections. Councillors play an important role in shaping the future of their communities.

Anyone can stand as a candidate in these elections if you:

- Are enrolled to vote in your Local Government area (Council)
- Obtain the signatures of 6 people enrolled to vote in the area you seek to represent (i.e. Aurukun)
- Pay a \$250 candidate deposit (refunded if you receive 4% of the primary votes cast)
- Lodge a nomination form with ECQ or your local Returning Officer by midday on 3 March


Nomination forms are available on the ECQ website at www.ecq.qld.gov.au from 22 February, or people in Cairns can drop into 248-250 Hartley Street, Bungalow. For help call us on 1300 881 665 or you can contact [Ray Sambo on 0427 294 979](#).

Before you nominate you must complete mandatory candidate training provided by the Department of Local Government, Racing and Multicultural Affairs. Training can be completed online at the Department's website at www.dlgrma.qld.gov.au or a face-to-face session may be able to be arranged in Cairns. Ray Sambo will be able to provide you with contact details to arrange face to face training if you would prefer that rather than online training.

BE HEARD | ENROL and VOTE | NOMINATE

Attachment 3

Postal voting application flyer for temporarily non-resident Aurukun electors



2020 LOCAL GOVERNMENT ELECTIONS
AURUKUN VOTERS
TEMPORARILY LIVING ELSEWHERE

Apply for a POSTAL VOTE before 7pm, 16 March

Do you usually live in Aurukun but aren't staying there now? You can **have your say** in the 2020 local government elections **and vote** for the Aurukun Shire Council.

Apply for a **POSTAL VOTE**:

- call the Electoral Commission Queensland (ECQ) (free call) on 1300 881 665
- go to the ECQ office at 248-250 Hartley Street, Bungalow, Cairns
- apply online at the ECQ website ecq.qld.gov.au/postalvote
- call ECQ using the phone at the Aurukun Shire Council support office during office hours at 200 McLeod Street, Cairns North, up until 4.15pm on 16 March
- visit a Department of Aboriginal and Torres Strait Islander Partnerships office to get help to complete your postal vote application – for office locations see datsip.qld.gov.au/people-communities/regional-centres.

Election day is Saturday 28 March

You must complete your personal vote before 6pm on election day. Then mail your postal vote to the ECQ in the reply-paid envelope as soon as possible, or drop it into the Returning Officer at 248-250 Hartley Street, Bungalow, Cairns, or at a polling booth.

2020 LG ELECTIONS | THE DAY TO HAVE YOUR SAY

Attachment 4

Aurukun Shire Council election timetable – local government elections 2020

1. 4 March to 19 March – How-to-vote card review

The ECQ will review all candidates' how-to-vote cards between 4 March and 19 March. How-to-vote cards must be accepted by the ECQ before they can be distributed to voters during local government elections. How-to-vote cards accepted by the ECQ will be available on the ECQ's website.

2. Postal vote applications open

Anyone can apply for a postal vote. If you are away from Aurukun temporarily and you would like to postal vote, you can apply at ecq.qld.gov.au/postalvote.

3. 16 March – Postal vote applications close

Postal vote applications open on 22 February and close at 7pm on Monday 16 March. Voting must be completed by 6pm on election, 28 March. The ECQ must receive postal votes no later than 5pm Tuesday 7 April for them to be included in the vote count.

4. 16 March – Early voting begins

Early voting for Aurukun is on Monday 26 and Tuesday 27 March between 10am and 2pm at the Wo'uw Ko'alam Community Centre (corner of Tal Tal Street and McKenzie Drive).

For all information about early voting go to ecq.qld.gov.au.

5. 28 March – Election day

Election day is on Saturday 28 March and polling booths will be open from 8am to 6pm at the Wo'uw Koa'lam Community Centre.

6. From 29 March – the official vote count and declaration of the results

After the close of polls at 6pm on Saturday 28 March, the ECQ does an unofficial preliminary count of the votes. The official count begins as soon as is practicable. This may take up to 10 days (until 7 April) for postal votes to be returned and for the vote count to be finalised.

Results will be published on the ECQ website and the election results for individual councils will be declared progressively.