



**Correspondence:**  
 Chief Executive Officer,  
 Whitsunday Regional Council,  
 PO Box 104, Proserpine QLD 4800  
 P: 1300 WRC QLD (1300 972 753)  
 F: (07) 4945 0222  
 E: [info@whitsundayrc.qld.gov.au](mailto:info@whitsundayrc.qld.gov.au)  
[www.whitsundayrc.qld.gov.au](http://www.whitsundayrc.qld.gov.au)  
 ABN 63 291 580 128

For further information please contact: Paul Fendley - Chief Staff Officer  
 Direct dial no.: [REDACTED]

21 May 2019

Committee Secretary  
 Economics and Governance Committee  
 Parliament House  
 George Street  
 Brisbane Qld 4000

By email: [egc@parliament.qld.gov.au](mailto:egc@parliament.qld.gov.au)

Dear Sir/Madam,

**RE: Local Government Electoral (Implementing Stage 2 of Belcarra) and Other Legislation Bill 2019 - Call for submissions**

Thank you for the opportunity to provide a submission on the Local Government Electoral (Implementing Stage 2 of Belcarra) and Other Legislation Bill 2019. Whitsunday Regional Council (Council) values the opportunity to comment on such significant proposed reforms to the local government legislative framework.

Council acknowledges the need for improvements in light of the Independent Panels inquiry report regarding the conduct of the 2016 local government elections and the Crime and Corruption Commission's 2017 Operation Belcarra report. However, Council hold reservations regarding a number of proposed reforms published by the Queensland Government.

The proposed reforms to the local government legislative framework include:

Proposed Reform	Whitsunday Regional Council Submission
Implementing real time disclosure of electoral donations.	Council supports this proposed reform in principle.
Requiring candidates to undertake training as a condition of their nomination.	Council supports this proposed reform in principle but requests clarification as to who will conduct the proposed training and how it will be funded.

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Requiring candidates to disclose particular interests when nominating as a candidate, including membership of a political party providing that candidates can only participate in group campaign activities where they are members of a group or political party (for greater transparency regarding cooperative or collective campaigning activity).	Council supports this proposed reform in principle and further asserts that candidates should be held to the same standard of conduct and accountability as current Councillors seeking re-election.
Requiring candidates to provide details of dedicated campaign bank accounts when nominating and prohibiting candidates and groups of candidates from using credit cards to pay for campaign expenses.	Council supports this proposed reform in principle and further asserts that candidates should be held to the same standard of conduct and accountability as current Councillors seeking re-election.
Refining the processes for managing a conflict of interest, to provide councillors with more certainty and clarity (including introducing prescribed conflicts of interest).	Council is committed to transparent decision making in the public interest but rejects that the proposed reform will provide more 'certainty and clarity' regarding conflicts of interest, as it represents a further change in a short period of time regarding how Councillors should conduct themselves regarding conflicts of interest.
Requiring further information around declaring gifts, loans, donations and third-party expenditure, and prescribing additional notification requirements to clarify and support compliance with disclosure obligations.	Council supports this proposed reform in principle.
Amending the councillor complaints framework to streamline investigations where there are related allegations of corrupt conduct, and applying the council complaints framework to the Brisbane City Council (BCC) in addition to all other local governments.	Council supports this proposed reform in principle.
Prescribing additional integrity offences.	Council supports this proposed reform in principle.
Strengthening the existing State intervention powers in in chapter 5, part 1 of the Local Government Act 2009 and applying the full suite of State intervention provisions to the BCC.	Council supports this proposed reform in principle.



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<p>Removing powers of mayors (other than for the BCC) in relation to budgets, the appointment of senior executive employees and directions to the chief executive officer and senior executive employees and providing for a record of directions issued by the mayor to the chief executive officer.</p>	<p>Council supports the sharing of responsibility amongst the full Council in relation to the budget process, noting that this is current LGAQ policy.</p> <p>Council would prefer that the status quo is maintained regarding the balance of Mayoral powers.</p> <p>Nonetheless, if there is to be a change to powers, Council believes it is important for the CEO to consult with the Mayor and Councillors regarding the appointment of senior executive staff.</p> <p>Furthermore, Council also asserts that these changes are not based on the outcomes of either the Belcarra Report nor the Soorley Report and as such are not substantiated in the government's reform agenda.</p>
<p>Improving access to information for all councillors and providing for greater transparency regarding BCC decision-making.</p>	<p>Council supports this proposed reform in principle.</p>
<p>Extending the prohibition on publishing or distributing election material during a caretaker period to include local government-controlled entities and prescribing additional decisions that councils are prohibited from making during a caretaker period.</p>	<p>Council supports this proposed reform in principle.</p>
<p>Mandating full preferential voting for mayoral and single councillor elections.</p>	<p>Council does not support <u>compulsory</u> preferential voting in local government elections.</p>
<p>Refining postal vote processes and addressing other operational electoral matters to support more flexible and transparent administration of voting, and to align the State and local government electoral systems (including amendments to allows prisoners who are serving a sentence of less than three years' imprisonment to vote, consistent with the Commonwealth position following the High Court decision in Roach v Electoral Commission [2007] HCA 43).</p>	<p>Council supports this proposed reform in principle.</p>





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<p>Introducing new requirements relating to councillors' registers of interests, to align with the requirements applying to State Members of Parliament and clarifying that a proposed 'local government change' could request multi-member divisions.</p>	<p>Council supports this proposed reform in principle.</p>
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I would like to take this opportunity to thank you for the invitation to provide comment and look forward to hearing from the outcomes of this consultation.

Yours faithfully

A handwritten signature in black ink, appearing to read "A. Willcox".

Andrew Willcox  
MAYOR

