



Southern Downs
REGIONAL COUNCIL

Our Ref: PGG:JMC:13.34

27 January 2017

Research Director
Infrastructure, Planning and Natural Resources Committee
Parliament House
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BRISBANE QLD 4000

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Dear Sir/Madam

Local Government Electoral (Transparency and Accountability in Local Government) and Other Legislation Amendment Bill 2016 submission

I refer to the recent invitation for submissions regarding the *Local Government Electoral (Transparency and Accountability in Local Government) and Other Legislation Amendment Bill 2016*.

Southern Downs Regional Council considered the proposed Bill at the General Meeting on 25 January 2017 and resolved the following:

THAT Council approve the proposed submission regarding the Local Government Electoral (Transparency and Accountability in Local Government) and Other Legislation Bill 2016 and forward to the Queensland Parliamentary Service's Infrastructure, Planning and Natural Resources Committee for consideration.

Please find attached Council's submission for consideration. Should you have any questions in relation to this submission, please do not hesitate to contact me

Yours faithfully

A large black rectangular box redacting the signature of David Keenan.

David Keenan
Chief Executive Officer

**Southern Downs Regional Council submission regarding the
Local Government Electoral (Transparency and Accountability in Local Government) and
Other Legislation Amendment Bill 2016**

The Southern Downs Region is located in the high growth Region of Southern Queensland and covers an area of approximately 7,120 square kilometres. The last local government election for the Region was held in March 2016 and was conducted by the Electoral Commission of Queensland using postal voting only. The Minister for Local Government approved the postal ballot in August 2015. In this election, there were 25,254 registered voters.

Southern Downs Regional Council wishes to address Part 4 of the *Local Government Electoral (Transparency and Accountability in Local Government) and Other Legislation Amendment Bill 2016* (the *Bill*) which includes various amendments to the *Local Government Electoral Act 2011*, in addition to some general comments regarding local government elections.

Clause 25 (2) and 26 (2) – Requirement for candidates or groups of candidates to operate dedicated account

It is understood that this is a new requirement for candidates and groups of candidates who operate a dedicated bank account to, if an amount is unexpended at the end of the disclosure period, the amount or part of the amount:

- a. be kept in the account for another election campaign by the candidate; or
- b. if the candidate was a member of a political party, be paid to the political party; or
- c. be paid to a charity nominated by the candidate.

While the charitable benefits to this proposed amendment is commendable, it is felt that the payment of unexpended amounts to a charity (should the candidate not contest another election or be a member of a political party) could be onerous to self-funded candidates. Historically, the majority of candidates in the Region's local government elections have been self-funded, therefore the implementation of this clause will potentially have a large impact on potential candidates for future local government elections in the Region. It is anticipated that this clause may deter good quality self-funded candidates or at the very least, limit their total spend on election campaigns to avoid any onerous donation requirements.

Clause 29 (2) – Local Governments responsible for expenditure for conducting local government elections

The proposed insertion of this new clause raises concerns about transparency and forcing the conduct of the election to be cost prohibitive to local governments. Should the further recovery of costs be undertaken by the Electoral Commission of Queensland (ECQ), Council would require full disclosure of all costs. Additionally, if the conduct of elections is continued to be outsourced by local governments, the organisation taking on the role eg ECQ should provide a fixed cost estimate, rather than what recently occurred where local governments had to make a "guesstimate" on the cost of the election, which included a potential refund or subsidy for the inclusion of the question on four-year terms. Local government needs to know the cost of elections in advance so this can be accurately included in budgets and forecasting.

Alternatively, Council strongly advocates for local governments to become the responsible authority for the conduct of local government elections. This would potentially reduce the cost to conduct elections, due to the utilisation of existing Council staff and resources. Council believes that local government authorities have the capacity, experience and capability to successfully run local government elections. Should this occur, Council recommends that the Chief Executive Officer (CEO) be the Returning Officer for the elections. Council believes that having the CEO as the Returning Officer also offers the benefit of potentially reducing the voter confusion which was evident in 2016. Voters generally took their complaints to the Council but had to then be referred to the ECQ, which created delays and caused voter frustration. It also created the impression that Council was 'blame-shifting'.

Conclusion

Council welcomes the opportunity to provide input into the *Local Government Electoral (Transparency and Accountability in Local Government) and Other Legislation Amendment Bill 2016*. The concerns outlined above relating to the donation of unexpended funds to charity and the responsibility to pay all ECQ costs for conducting elections represent Council's current position and your considered deliberation of this submission is appreciated.

Submission from:

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