

From:
To: [Infrastructure, Planning and Natural Resources Committee](#)
Cc:
Subject: Submission: Local Government Electoral (Transparency and Accountability in Local Government) and Other Legislation Amendment Bill 2016
Date: Monday, 30 January 2017 9:56:19 AM
Attachments: [pastedGraphic.pdf](#)
[ATT00001.htm](#)

Dear Members of Infrastructure, Planning and Natural Resources Committee,

As a resident of the State of Queensland and an elected representative Councillor Division 10, Redland City Council, I would like to make the following submission to on behalf of myself, my family and like minded residents.

Please implement the recommendations of the Crime and Corruption Commission as per their 'Transparency and accountability in local government' Report.

It is increasingly apparent that there is a trending 'drift' away from the democratic commitment to 'the best interest of the majority of people over the long term';

To be clear:

* Electoral Representative democracy generally transfers responsibility for managing the affairs of the state or local government FROM the general public TO successful candidates.

* When candidates choose to run as truly 'independent' and unaligned individuals, receiving no political donations (or apparent support within 'teams' from those who do receive monies or favours) they are on a level playing field.

* However, when vested interests support certain candidates, these candidates necessarily become morally or strategically aligned to their benefactors via 'quid-pro-quo' arrangements that are almost certainly likely to be at odds with the greater majority (in certain instances), as their allegiance has been effectively hired by the backers.

* This places increasing pressure on the community interest, as parties, and teams or other political alliances gather together to present the vested interest's view as 'preferred', without necessarily being transparent, unless they are specifically and increasingly required to do so with detail.

* Add to this the fact that modern council Mayors tend to spend large amounts of money to campaign across an entire city, region or shire, and the capacity for their moral obligation to those backers can significantly impact the outcome of events, both in decision making and drafting proposed strategies.

* Furthermore, in relation to the subtle and potentially significant impact that Mayors (who choose to receive funds from donors) can have within an organisation and city: e.g. There were changes made in the LGOLA Bill, introduced to parliament on 13 Sep, 2012, giving Mayors significantly increased powers to direct officers; (and the Bill is silent on whether there is a specific requirement to keep a record of any subtle or overt 'directives' given to 'senior executives' that might allow councillors or RTI access to ensure all suggestions were in line with council/community best interests.

See below:

Clause 124 of the bill introduced amendment of the Local Government Act 2009 to section 170

(Giving directions to local government staff) by omitting section 170(1) and (2):

(1) The mayor may give a direction to the chief executive officer.

Note - See section 258 for the prohibition on the mayor delegating this power

(2) However, no other councillor may give a direction to the chief executive officer.

and inserting at (1) "The mayor may give a direction to the chief executive officer or

senior executive employees’.

Section 170 (3) No councillor, including the mayor, may give a direction to any other local government employee was renumbered to section 170(2).

" Clause 124 is not included in the bill's explanatory notes (not all clauses have explanatory notes).

" The bill also introduced Clause 166 an amendment of section 258 (Delegation of mayor's powers) by varying:

(1) A mayor may delegate the mayor's powers to another councillor of the local government.

(2) However, the mayor must not delegate the power to give directions to the chief executive officer.

by inserting in (2) However, the mayor must not delegate the power to give directions to the chief executive officer or senior executive officers.

" The bill introduced a number of other amendments including the above-mentioned amendment to the Local Government Act 2009 and these amendments were effective on 22 November 2012.

As the Local Government Act 2009 applies to all local councils in Queensland, the amendments were applicable state wide.

" The amendment to section 170 does not include any provision for individual councils to adjust the terms or interpretation.

* With extra power to direct officers, with potential favouritism among elected 'team members', with moral obligation to ensure backers are rewarded by policy or decision making, and without a requirement to keep records and present them in an open public place, then the machinations of electoral representative democracy may well be encouraged to occur ' behind closed doors', which is not what your committee should encourage.

* If a mindful representative of community values follows my suggestion that these changes (without increased scrutiny, reporting and changes to encourage good governance, such as those proposed in the CCC Report), could be interpreted by unscrupulous souls who are not held to account for their transactional obligations, there is likely to be an inevitable and continued 'drift' away from 'the best interest of the majority of people over the long term' toward the vested interests of invisible power-brokers, financial backers and campaign donors, at the expense of the dutiful tax payer & rate payers of any jurisdictional area.

Therefore, I urge you to support and implement the balance of findings and recommendations of the CCC Report to ensure the future of Queensland Electoral Representative Democracy continues to inspire faith in the community whom we represent, serve and must plan for an ethical and sustainable human future.

Kind regards,
Paul Bishop

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Paul Bishop
Actor for Change &
Chief Inspiration Officer