

Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022

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Submitted by: Cr Jenny Hill, Mayor of Townsville City Council
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Submitter Comments:



Mr Chris Whiting MP
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Chair of the State Development and
Regional Industries Committee
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Via email – sdric@parliament.qld.gov.au

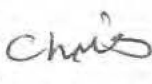
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12 January 2023

Dear Mr ~~Whiting~~, 

**RE: Local Government Electoral and Other Legislation (Expenditure Caps)
Amendment Bill 2022**

Thank you for the opportunity to make a submission on the *Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022*.

At the outset, I support the objectives of the Bill, and the efforts to make local government elections a contest of ideas and vision for local communities, rather than a battle of bank accounts.

The sliding scale provisions are, in my view, the fairest option, particularly in larger local governments, and minimise grotesque amounts of electoral expenditure being incurred without unjustifiably limiting the implied freedom of political communication as established by the common law.¹

The cumulative effect for caps in groups of candidates, in my view, encourages groups of candidates to be transparent in declaring their association. As someone who has previously led a fully disclosed group of candidates in the past, and competed against candidates who did not disclose their group-like behaviour in accordance with legislation, this is particularly welcome.

¹ *Lange v Australian Broadcasting Corporation* [1997] HCA 25; *Unions NSW v New South Wales* [2013] HCA 58; *McCloy v New South Wales* [2015] HCA 34.

I welcome clarification on when the expenditure caps will be calculated – on 1 July the year prior to a local government election. I know this has been of concern to many incumbent and prospective councillors across the State.

I also welcome the provisions that people who flout the new expenditure cap rules will be deemed to have committed a serious integrity offence. Those who do not conduct themselves in a lawful manner during an election should rightfully be met with significant penalties.

This leads to my main concern regarding the enforcement of these measures, as well as other amendments to local government electoral law in Queensland over the past five or so years, which is that there is insufficient policing and enforcement, as well as insufficient awareness of recent legislative reforms, amongst frontline Electoral Commission of Queensland (ECQ) staff about these provisions. I am hopefully that the committee will reinforce the need for appropriate enforcement and resourcing to ensure these changes in its deliberations.

I once again thank the Committee for the opportunity to submit my views on the *Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022*.

I also wish to convey my wishes to the committee staff, committee members and yourself for a happy and prosperous 2023.

Yours sincerely,



Cr Jenny Hill
Mayor of Townsville