

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

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Advocating responsible planning and governance in Queensland

20 January 2023

Committee Secretary
State Development and Regional Industries Committee
Parliament House, George Street
Brisbane Qld 4000

Email: sdric@parliament.qld.gov.au

Dear Committee Secretary

SEQ Community Alliance submission on Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022

The SEQ Community Alliance Association Inc. (SEQCA) welcomes the opportunity to make a submission to this inquiry.

SEQCA's membership includes various community associations in south east Queensland. Our members work collaboratively to advocate for improved planning and governance with a particular focus on local government in southeast Queensland.

The SEQCA supports generally the Government's actions in undertaking various reforms to improve local government in Queensland in response to Crime and Corruption Commission (CCC) investigations: Operation Belcarra and Operation Windage.

We consider that the health of local government in Queensland has benefitted from electoral legislation enacted in recent years to:

- Ban political donations from property developers;
- Require prompt on-line disclosure of political donations; and
- Require disclosure of election expenditure.

Capping local government election expenditure

We support the objectives and general approach of the Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022.

Proposed expenditure caps

In general, the proposed caps are supported.

The caps for very small councils in Queensland appear to be too high but this is unlikely to be a problem.

There appears to be no documented rationale explaining why the expenditure caps for Brisbane City Council elections are so much higher than caps for other large southeast Queensland local government areas.

The effect of these higher caps for Brisbane City Council elections is likely to be that it will be more difficult for independent candidates to break into Brisbane's local government than if the caps were aligned with those applying elsewhere in southeast Queensland.

We propose that the caps for Brisbane City Elections be determined using the same method as will apply to the other large southeast Queensland councils.

Associated Entities and Third Parties

It is possible that the distinction between associated entities and third parties may not be well understood by some in the community. We suggest that this matter be explored by the Committee with consideration given to various examples of each category and that the distinction be explained fully with reference to real world or hypothetical examples in the Committee's report.

Penalties

The various penalties for offences which are included in the Bill appear to be reasonable and should deter election participants from not complying with the introduction of expenditure caps.

If the legislation is adopted, we expect that information provided by the Government and the Electoral Commission of Queensland (ECQ) will make it easy for election participants to understand their obligations and the consequences of any non-compliance.

Reporting

If the objectives of this legislation are to be fully achieved, it is important that information about the actual expenditure of election participants is readily accessible.

In addition to making disclosure returns available on the ECQ's Electronic Disclosure System, we request that the ECQ be required to publish publicly a final report for each election which includes the total expenditure by each election participant.

This report deadline for publication of this report should be included in the legislation and the deadline should be set reasonably such that there has been time for election participants to complete their disclosures plus a reasonable amount of time for ECQ to complete its follow up activities and then compile a report.

Review

If enacted, the legislation should be the subject of a formal review by the responsible parliamentary committee. This review should be commenced within 12 months of the 2024 election date and any appropriate legislative amendments should be enacted at least 12 months before the next (2028) local government election date.

Conclusion

The SEQCA would be pleased to provide further information to the Committee including by attendance at a committee hearing.

Yours sincerely

Chris Walker

President

SEQ Community Alliance