

14 March 2011



Queensland Integrity Commissioner
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Attn: Dr David Solomon AM



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Subject – Submission for Lobbying Legislation & Code Review

Dear Sir,

As requested in your correspondence dated 3 February 2011 and further to your briefing sessions to Council 4 March 2011, the Fraser Coast Regional Council would like to make the following submissions in relation to your upcoming review of Legislation (chapter 4 of Integrity Act 2009), the Lobbyists Code of Conduct and the NSW Independent Commission Against Corruption (ICAC) recommendations for reform.

The ideal outcome of the review would be for Local Government to be exempt from the requirements of dealing with third parties (lobbyists) and the need to maintain and ensure the ongoing completion of a register detailing all contact. This is seen as a major administrative exercise and one that is very difficult to enforce across Council.

Since amalgamation, Council has been very focused on rebuilding its customer service levels and encouraging the community as a whole to contact Council to query matters. As an example, if Council was unable to deal with a third party in relation to a development application, because they were not a registered Lobbyist, this would adversely impact on our service levels as well as the perception of Local Government in the community.

As discussed, it would be very difficult for an individual to identify at what point an individual may become a lobbyist as opposed to contributing to the development application process.

Should it be decided that Local Government is not to be exempted from the requirements, the following suggestions are provided;

- That the requirements be limited to Elected Officials and Chief Executive Officer. The rationale for this is due to the fact that Officers within Council are governed by the policies established by the elected members and are only delegated to act within these parameters. ie Council Officers are able to approve development applications only if they are consistent with the planning scheme, if an application is not this is required to be submitted to Council for consideration. Under the Local Government Act the authority to make decisions and therefore be ultimately influenced rests with the Elected Officials and Chief Executive Officer.
- Councillor Codes of Conduct (whether Model or Council specific) should include a reference to the Lobbyist requirements in support of the Local Government principles as contained in the Local Government Act 2009.

- That the requirement for the lobbyist register be removed or at the least the level of detail contained within the register be reviewed or removed so as to not cause an unnecessary administrative burden and introduce an additional layer of red-tape.

In respect to the exemptions we strongly recommend that the existing exemptions to who is considered a lobbyist eg community organisations is retained, to ensure the effective delivery of local services to the community.

As a final point, it is considered that the overall process would benefit from the establishment of an online training module for local government employees and Councillors to undertake, prior to agreeing too or attending meetings with registered Lobbyists.

Thank you for the opportunity to review the process and provide input. As I understand, the Local Government Association will also be providing a submission on behalf of Local Government.

If you require any additional information, please do not hesitate in contacting me directly on 07 4197 4457.

Yours faithfully



Lisa Desmond
Acting Chief Executive Officer
Fraser Coast Regional Council

Reference: Docs #2001192