



Recognising and upholding excellence in local government

Mail: PO Box 105
Coolum Beach QLD 4573
Mobile: 0417 577 881
Email: mail@oscar.org.au

18 December 2019

Mr Greg Hallam

CEO LGAQ

RE: ICEO establishment by LGAQ for 2020 elections

Dear Mr Hallam /Greg,

This letter is written on behalf of OSCAR (Organisation of Sunshine Coast Association of Residents). OSCAR is a *non-partisan and not-for-profit umbrella/peak organisation covering resident and community organisations on the Sunshine Coast and Noosa local government areas (LGAs) in South East Queensland*.

In your letter of 7 November 2019 in response to a request (29 October 2019) from OSCAR (Organisation of Sunshine Coast Association of Residents), re the group being chaired by retired judge Justice Robertson you stated that, and I quote:

This newly created role will serve as a completely independent entity and office, separate to the Local Government Association of Queensland and Queensland local governments.

The media release of 4 December 2019 re the ICEO states, and I quote, that:

The ICEO has been funded by the Local Government Association of Queensland (LGAQ). However, it will operate at arm's length from the peak body via a service company owned by the senior partners of a Brisbane law firm.

Given this statement OSCAR requests that LGAQ respond to the following questions. These questions are outside the purview of the ICEO.

1. When this initiative was first established? I understand the concept may have been raised and approved by LGAQ some years ago but never implemented. Was the current iteration of the concept endorsed by a vote of members on the conference floor or member councils at their respective Ordinary Meetings?
2. Was a paper prepared re this initiative for councils to consider prior to the 2019 Annual Conference or the period when a vote may/may not have been taken?
3. If the answer to the above questions is NO then who made the decision to go ahead with this initiative and on what grounds?
4. OSCAR asks, why LGAQ would invest rate-payer money in such an initiative without elected councillors being consulted and explaining such to their constituents?
5. The media release makes reference to a *service company owned by the senior partners of a Brisbane law firm.* When interviewed on ABC radio at the end of the Annual Conference Justice Robertson commented that the "team" would include lawyers from King and Co. This was confirmed today by the PR Company who put out the media release.
 - Is it not a fact that King and Co are the legal representatives for LGAQ?
 - Would such a relationship between the legal firm King and Co and the service company owned by the senior partners and LGAQ be considered a Perceived Conflict of Interest at best and maybe a Material Personal Interest (MPI) at worst?

6. Remembering that LGAQ is funded by Local Governments from rate-payers, so for all intents it is community money being used to fund this initiative, what then is the budgeted cost of this initiative?
7. Has LGAQ as the proponents of this initiative considered the potential unintended consequences of such an initiative? That is, that new candidates may be fearful of a judge and team of lawyers potentially monitoring everything candidates say, that they may feel intimidated and decide not to stand for election? (This question casts no aspersions on the character of Justice Robertson or the King and Co Lawyers).
8. Does LGAQ acknowledge that this initiative might reduce the pool of candidates at a time when local government needs a robust election process and renewal throughout the system? Such renewal is particularly significant is it not, given what has happened in relation to the behaviour of a number of councils and the ensuing criminal charges?
9. Incumbent councillors already have a distinct advantage over new candidates as they have access to information and knowledge of their respective councils, including information made in closed sessions. However, it has been reported to me that in some Councils even current councillors when seeking financial information are not provided with the information they seek. One might ask how a candidate, for example, on the Sunshine Coast, where there have been 204 closed sessions over the term of the current council, can verify a statement about an issue where the decision relating to that issue was made in a "closed session". As these decisions are confidential and would require a motion of the relevant council to release any documentation and decision, and as the LG will be in caretaker mode in February 2020, how can any alleged "fake" information relating to "closed sessions" be investigated, verified or disclosed by the ICEO?
10. Why would LGAQ consider such an initiative when there are legal avenues, the Crime and Corruption Commission and the Queensland Electoral Commission who have the power to prosecute any candidate for making dishonest or untrue statements?

OSCAR waits in anticipation for your response to these questions?

Yours faithfully,

Melva Hobson PSM

President

OSCAR (Organisation of Sunshine Coast Association of Residents)