

**INQUIRY INTO THE IMPACT OF EXPENDITURE CAPS FOR LOCAL  
GOVERNMENT ELECTION CAMPAIGNS**

**Name:** Cr Khal Asfour

**Date Received:** 14 September 2018

14 September 2018

Our ref: CREQ-26-5406

The Hon Dr Peter Phelps MLC  
Chair  
Joint Standing Committee on Electoral Matters  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

Dear Dr Phelps

**Re: Submission – Inquiry into the impact of expenditure caps for local government election campaigns**

I am pleased to provide you with this submission on the impacts of expenditure caps for local government election campaigns and thank you for the opportunity.

I note the terms of reference and make this submission in accordance with these terms:

*That the Committee inquire into and report on the impact of the expenditure caps for local government election campaigns on local government areas and wards with different populations, with particular reference to:*

- a) *Whether the current expenditure caps are adequate;*

The caps as they currently stand are inadequate for a City and Ward as large as mine.

The Bankstown Ward of the Canterbury Bankstown Local Government Area (LGA) had, as at 31 July 2017, the close of the electoral roll prior to the local government elections of that same year, 44,060 electors. As an endorsed candidate running on a group ticket, if that election were held today my group would be subject to a cap of \$30,000.

By way of an example, with approximately 28,000 households, the cap as it currently stands would not be sufficient to fund a mail-out to each household. This is not a cap that allows for a fair scheme.



In setting a cap, consideration must be given to more than just the number of electors. Again, using my example, owing to the diverse, multi-cultural community that I am proud to represent, to ensure I maximise the opportunity for my residents to be informed and to participate in the electoral process, it is not sufficient to place an advert in a single newspaper or single radio station. Indeed in the last general local government election, I placed advertisements in over 10 ethnic newspapers and radio stations. On top of this I incurred additional expenditure having ads for radio translated into other commonly spoken languages in Bankstown.

These costs are above what you might expect to incur in less diverse LGAs and wards within the State, but they must be considered if the Scheme is to be a fair one.

In addition to my concerns outlined above, I also hold grave concerns for the barrier to entry these caps pose for new candidates.

When a candidate or group nominate for a first term, it is normal that there is an additional outlay for campaign collateral – core-flute signs, A-frames, graphic design of letterhead, t-shirts etc. As a councillor that has now been elected, I have that collateral to use in future elections, but a candidate nominating for the first time will need to acquire this and while it is true that a candidate could potentially acquire these outside of the expenditure cap period, this also presents risks for candidates if they fail to be preselected, or their circumstances change.

*b) Whether the number of enrolled electors in a ward or local government area is the best method to calculate expenditure caps;*

I agree with the objective of the *Electoral Funding Act 2018 (the Act)* in respect to the need to establish a fair scheme for electoral funding. I would suggest that one of the tests of fairness is whether the scheme permits an equitable opportunity across the State for participation in the democratic process.

Examining my own ward again, the number of electors and the current cap would see a permissible maximum expenditure of \$0.68 per elector. Comparing this with a small, divided council, for example Waverly and looking specifically at the Hunter Ward, owing to the substantially smaller population, the permissible maximum expenditure per elector would be \$2.75.

I take the view that, with over four times the permissible expenditure available, there is a substantially greater potential for electors in the Hunter Ward of Waverly LGA to participate in the democratic process than for those electors in my ward of Bankstown. That simply cannot be considered, by any measure, to be fair.

As it currently stands, I am firmly of the belief that the only way to ensure equity of opportunity and thus a fair outcome, is to tie the cap proportionally to the enrolled electors in a ward.

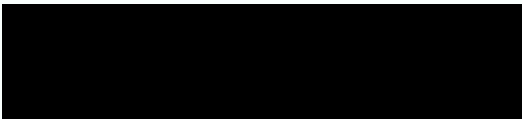
*c) Whether the current divisions around the number of enrolled electors on which the expenditure cap is calculated are adequate*

I hold the view that the divisions are an ineffectual attempt to provide a flexible approach to the considerable differences in populations of LGAs across NSW.

The reason they are ineffective is that, as I understand it, at present there is no single undivided LGA or ward within NSW with an elector population of greater than 200,000. Simply put, if this is to be the means to provide flexibility, the threshold is far too high.

Again, I thank you for the opportunity to make this submission. I would be happy to address the Committee at a future public hearing if it would assist the Committee with their Inquiry.

Yours faithfully,

A solid black rectangular box used to redact the signature of the Mayor.

Clr Khal Asfour  
**MAYOR**