

**Submission
No 128**

INQUIRY INTO ELECTORAL AND POLITICAL PARTY FUNDING

Organisation: Friends Of Warringah

Name: Mr Ian Hehir

Telephone:

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Friends Of Warringah Inc
PO Box 2021
Dee Why 2099
friendsofwarringah@hotmail.com

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Ref. Submission: Parliamentary Inquiry into Electoral Reform.

The Chair Parliamentary Inquiry into Electoral and Political Reform,

Friends of Warringah is a umbrella group for community groups in Warringah and lobbies on local government issues.

At a meeting on 5th July 2006 representatives from six community groups and other interested residents unanimously supported a Charter Of Political Reforms For Warringah.

The Charter was presented to council on the 15th August 2006 where the Administrator, Dick Persson, asked the General Manager to bring a report to council regarding it's possible implementation .

In the reports legal advice suggested that the charter may breach the electoral act .

Follong this the administrator endorsed a limited version of the code a voluntarily pecuniary interest and funding disclosure register for the upcoming council election.

We, The Friends Of Warringah, call on this Inquiry to recommend changes to the electoral act to allow for the implementation of The Charter Of Political Reforms.

We believe that in the interest of greater transparency, funding disclosure, pecuniary interest disclosure and political affiliation disclosure are essential to voters candidate information and to the overall democratic process.

Yours faithfully
Ian Hehir
Vice President
Friends Of Warringah.

Friends Of Warringah Meeting 5th July 2006

Motion.

That this meeting of Warringah citizens strongly endorses the Charter of Political Reform. We believe the Charter is an effective and practical document that addresses fundamental problems in our political system. The Charter tackles important issues in our political and electoral system such as inappropriate and hidden developer influence, and the lack of transparency of the political backgrounds, financial interests and property interests of candidates. These are issues of utmost importance for Warringah Council and our community. Therefore, we call upon the Warringah Council Administrator Dick Persson to ensure the Charter of Political Reform is adopted as council policy and have it implemented before the next Council elections.

CHARTER OF POLITICAL REFORM FOR WARRINGAH COUNCIL

1) All council candidates will be asked to make a public commitment not to accept any direct or indirect donations from property developers and persons with commercial real estate interests.

Immediately on announcing their candidature, all those aspiring to public office will be asked to sign a statutory declaration committing themselves to such a principle.

2) That the true original source of all donations over \$500 or equivalent in-kind to a councillor, candidate, group or party be fully disclosed. Before accepting any donation, the candidate, group or party must inform the donor that this information will be publicly disclosed.

3) That all candidates be asked to voluntarily fully declare all their business and property interests before the election. These declarations to be made available for public scrutiny within 7 days of formal candidature.

4) A councillor candidate, group or party must ensure all auction fundraising donations over \$500 or equivalent in-kind are fully disclosed before the election.

5) A councillor candidate, group or party must immediately declare during the campaign and before the election any incoming donations over \$500 or equivalent in-kind. The Council will administer an up-to-date public declaration that includes financial donations received that are over \$500 or equivalent in-kind and promises of any forthcoming donations.

6) Councillor candidates are to be asked to declare by statutory declaration any current or previous membership of any political parties within the last

4 years.

7) Political 'trust funds' or the like, set up to benefit any candidates, sitting councillors, groups or political parties should be fully disclosed within 1 week of its creation. The original source of all trust fund donations over \$500 or equivalent in-kind to be disclosed.

8) Councillors must act with due diligence to ensure they are aware of any donations over \$500 or equivalent in-kind made to their respective parties at state or federal level. A councillor whose party receives a donation at state or federal level must not vote on a matter that delivers a financial advantage to that donor. The councillor must treat the matter as a conflict of interest, just as if the donation was made directly to that councillor.

9) This Charter is to be administered by the Council. All the information on donations, party membership and financial interests of candidates must be collated on statutory declarations, and signed by those candidates. The council administration will ensure all the statutory declarations are on public view at the council, on the council website and published a week prior to and the day prior to the election in the Manly Daily.

10) The definition of Property Developer in the Charter is: any person or body that carries out or has as one of its principal objectives the carrying out of development within the meaning of the Environmental Planning and Assessment Act 1979 "more or less" on a continuous or repetitive basis with a view to making a profit (whether or not a profit is made).

or

Definition 2

Meaning of "major developer"

(1) In this Part, major developer means a person who has, in any 5-year period, lodged a development application or applications relating to the carrying out of development on any one or more parcels of land if the estimated cost of carrying out the development (as specified in the development application or applications) totals \$5,000,000 or more.

(2) Subsection (1) does not apply to the carrying out of development on a parcel of land if it is intended that at least 75 per cent of the total floor area of any buildings on the land after the development has been carried out will initially be occupied by the person carrying out the development for a period of at least 12 months.

(3) For the purposes of subsection (2), an intention to occupy land must be evidenced by a letter or other document stating that intention submitted to the consent authority in connection with the relevant development application or by a statutory declaration.

(4) Despite subsection (1), a person is not a major developer on any particular day if, in the period of 5 years immediately preceding that day, no development application has been lodged by the person that would have contributed to the person being a person to whom subsection (1) applies.

(5) If a corporation is a major developer, every director of the corporation is taken to be a major developer.

(6) In this clause, development and development application have the same meanings as in the Environmental Planning and Assessment Act 1979.