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22nd March, 2018

Committee Secretary,
Economics and Governance Committee
Queensland Government

RE: Submission

To Whom It May Concern,

Please find the attached 2 pages regarding my submission in relation to the Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Bill 2018. My submission was originally forwarded late last year to LACSC, in regards to the 2017 Bill, and I understand that it would be beneficial to resubmit this document for current consideration.

This submission relates to the policy objective referring to recommendations outlined within the CCC's Report Operation Belcarra – A blueprint for integrity and addressing corruption in local government.

The CCC investigations uncovered a number of issues that became evident during the 2016 Local Government Elections, and as a resident of Ipswich I have become exceptionally aware of the need for a major overhaul of the current legislation.

My understanding is that the two main issues relating to the proposed legislation involve :-

1. Banning donations from Property Developers and Prohibited Donors
2. Conflicts of Interest

I have undertaken an extensive amount of research into links between Election Disclosure Return Donors, Councillors and Development Applications relating to Ipswich City Council.

Unfortunately, due to time constraints my responses in regards to the Belcarra Bill are quite limited. None-the-less, I would hope that you consider the input that I have provided, and give careful consideration to reviewing and expanding certain areas of the proposed legislation. It is extremely important to implement the proposed legislation and subsequent amendments, but this process should not be rushed. Otherwise loop-holes will be found, and those "in-the-know" will take full advantage where they can – thereby eliminating a fair and equitable system for all.

Regards,

Terry Winston

Issue 1 – Proposal to Ban Property Developer & Prohibited Donor Donations

Property Developers

“Property Developers” is a very broad and generalised term.

Although the proposal to ban property developers is good in theory, this is a “One Size Fits All” solution to a complex and challenging issue, and in my opinion will not work.

It becomes apparent that the first point of reference is to obtain a clear and concise definition of a “Property Developer”, and the exclusion should encompass all entities associated with developments (of any kind).

Large development companies such as [REDACTED] (aka MUR Land No.1), [REDACTED] and [REDACTED] were highly visible in their donations to a number of Ipswich candidates from not only the 2016 Election, but previously in 2012.

However, careful review of donations made to all candidates in Ipswich reveals a “diverse donor base”, with a number of entities involved in various aspects of Land Development – whether it be owners or planners of large residential, commercial, retail, project management or even short-term Reconfiguration of a Lot (RAL) to facilitate future projects. Additionally, spouses / relatives of donors have also been involved in development applications, under the guise of an irrelevant business name.

Perhaps with the intention of trying to deflect attention away from one large contribution, donors have also attempted to split their donations, using different company entities and names.

Examples as follows :-

[REDACTED] (Same postal address)
[REDACTED] (Same physical address)
[REDACTED] (Donor from Qld, but also is Chief Financial Officer of a South Australian Company)

Methods of identifying related entities should also be given careful consideration. The most obvious is to include both a physical and postal address, as well as full listing of all directors of the company, and branches.

This is most important, as I have found that while cross-referencing Development Applications, it wasn't until I conducted an ASIC search on a seemingly unknown Business Name, that I found the directors of a multi-million dollar project at Booval were the same ones who had made donations to 2 Candidates.

Issue 1 Cont'd

Prohibited Donors (For Local Gov't Elections)

I also suggest banning of donations from the following :-

- Unions
- Members (Both Sitting or Ex) of / and Political Parties
- Professional Entities associated with Council i.e. Legal & Accounting Firms *
- Companies associated with Tendering & Contracts with Council
- Businesses planning to / conducting ERA's (Environmentally Relevant Activities)
- Waste Disposal Companies (Specifically for Ipswich City Council) – Either Dumping or Recycling.

* Eg. Ipswich - Two Accounting Firms ██████████ made campaign contributions. Both of these accountants have "inside" professional involvement with Council.

- ██████████ provided "services", namely compilation of the Financial Statements for a Registered Charity ██████████
This Charity was established as a partnership / joint venture with ICC involving "Bio-Banking" of ██████████ to contribute to Environmental Offsets as a result of development. The Charity's directors include an ICC Councillor as well as an ex high ranking ICC Senior Executive (COO). Additionally, the Charity Secretary is also a long-term ICC employee.
- ██████████ – Has been an external member of ICC Audit Committees for a number of years.

Issue 2 – Conflicts of Interest

All Election Campaign Donations (either monetary or in-kind) are to be deemed to be a Conflict of Interest. As such, affected Councillors are required to declare the Conflict of Interest at the beginning of a meeting, and when the relevant matter is to be discussed, must leave the room until the matter has been decided upon.

It is evident from many years of previous Ipswich City Council's Minutes of Meetings, Conflicts of Interest are declared, however parties involved come to the conclusion that "because of the relatively minor nature of the perceived conflict they can properly participate in the discussion of the matter and vote in the public interest".

This is totally unacceptable.