

The Main Beach Association

Sharing a vision for Main Beach and The Spit

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Local Government (Implementing Belcarra) and
Other Legislation Amendment Bill 2017

Electoral Act
273 Prohibited Donor

Our organisation is firmly of the belief that the draft definition does not go far enough in preventing developers and related entities such as town planners, engineers, builders and so on, from donating to candidates. Nor does it take into account recent gifts to candidates that allows them to put some of their income into their electoral fund.

A telling case study on the flow on effects of political donations at Local Government level is provided by the [REDACTED] application for a high-rise development at Mariners' Cove on the Southport Spit. (We will not go here into the well documented details about the close connections between [REDACTED] and Federal MP [REDACTED].)

It is very clear to observers of Gold Coast City Council affairs that [REDACTED] cash donations to [REDACTED] and [REDACTED] in the March 2016 Council elections were intended to stack the Council in order for it to approve non-compliant developments, particularly the [REDACTED] development. It was notable that the Council decision on [REDACTED] was delayed for twelve months in the hope that planning regulations on The Spit could be changed to allow for high-rise development.

In addition to cash donations from the [REDACTED], assistance in kind through corflutes, printing and robot calls was provided to several candidates through [REDACTED]. Of particular interest to my Association was the assistance provided to candidates [REDACTED] and [REDACTED], and [REDACTED] was announced at the very last minute before nominations closed.

[REDACTED] support for the [REDACTED] development was particularly egregious given that his own planning officers had come up with 14 substantial reasons why the development application should not be approved. As for [REDACTED], it is widely believed that he was persuaded to stand for Council in order to prevent one of several strong candidates from representing the most important division on the Coast—certainly in terms of development potential.

Despite the best efforts of councillors who had received assistance from [REDACTED] and the [REDACTED], [REDACTED] was unable to persuade the majority of the Council to approve the [REDACTED] application, so moved to defer a decision for 12 months—a period which has now passed.

However, the [REDACTED] case is not over by any means. (It is of particular significance as The Spit is public land zoned 3 storeys, and a constant target of both local and foreign developers. If the three-storey height limit is breached by one development, the precedent will have been created for other high rise development.)

[REDACTED] recently tasked his Technical Advisory Group, comprising representatives of several developers, including [REDACTED], to advise on building height increases. A copy of this heavily redacted report, which was shown on the recent Four Corners program, 'All that Glitters', proves that there is indeed a secret recommendation for high rise buildings of up to 25 storeys on The Spit.

We hope that this case study will help your committee to appreciate the wider implications of donations to councillors, in cash and in kind, by developers and related entities.

On the Gold Coast, this issue and the others addressed in the draft legislation, have led to deep distrust in a Council that has more than two years to run.

Time does not permit us to address specifically issues in the Local Government Act such as: S175D, conflict of interest; S175E conflict of interest at a meeting; and S1751 (2)

However, as frequent observers of Council meetings, our members can attest to the need for significant reform in all of these areas, including tightening up of some of the wording of the draft legislation and ensuring that councillors who have a conflict of interest in a matter before council that is to be voted on have to remove themselves from the Chamber while the discussion and voting takes place.

Our Association has spent nearly two years fighting off proposals for inappropriate developments on The Spit and other areas of Main Beach, with enormous community support. It is our hope that stringent tightening up of both the Electoral Act and the Local Government Act would lead to a lessening of the perception of corruption in the Gold Coast City Council.

On a different issue our association also had occasion to lodge a very serious complaint against [REDACTED]. This complaint was referred to the council [REDACTED] to determine, as was the law at the time. Naturally he found in favour of [REDACTED]. Therefore, we welcome the appointment of an independent arbitrator to determine the outcome in future similar cases.

Yours faithfully.

A handwritten signature in black ink, appearing to read 'David Hutley', with a stylized flourish at the end.

David Hutley
President
The Main Beach Association