



Speech by

## Peta-Kaye Croft

MEMBER FOR BROADWATER

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### LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT BILL

**Ms CROFT** (Broadwater—ALP) (2.30 pm): I rise to speak in support of the Local Government and Other Legislation Amendment Bill. The introduction of this bill is good news for residents of the Gold Coast who felt that following the 2004 council elections they had been duped and misled by some candidates who had not fully declared important aspects about their campaigns. Following the 2004 council elections, two articles published in the *Gold Coast Bulletin* revealed what many had assumed—that is, despite candidates stating that they were independent in policy and funding of their election expenses, the article told of funds being pooled with the intention of developing a voting bloc of elected councillors. The feedback I and my office received following the revelations was that residents felt somewhat offended that they had voted a particular way under a false understanding that a candidate was completely independent. Residents were outraged that there was a denial by these candidates that they had done anything wrong.

With funding contributions by developers kept a secret by being deposited into a trust account, local residents could only interpret the activities as being deceptive and sneaky. Residents in my area became more interested in the role such elected councillors then played in planning decisions and were concerned that their needs meant little compared with those of contributing developers. What developed in the minds of residents is simple. There was a perception that candidates had been fully funded by developers to become a bloc to vote to approve projects. The councillors elected were considered part of a bloc and not independent. Gold Coast residents have often indicated through letters to the editor and correspondence that they wanted their representatives to indeed be independent. It is acknowledged that party-affiliated individuals have and can stand for election. In this case they declare their affiliation and then it is up to residents to decide if that is an influencing issue or not. My office was inundated with calls and correspondence calling for the candidates involved to be sacked. My colleagues and I met with the then minister to bring to her attention those concerns. Following this, the minister called for the CMC inquiry to begin to investigate the circumstances surrounding the 2004 Gold Coast City Council elections.

The CMC inquiry allowed for the public and aggrieved residents to complain to the CMC about the misleading statements and activities they were aware of involving a number of candidates. The CMC inquiry, while it revealed much of the intricate relationships between parties who contributed funds and the so-called independent declarations, also recognised the community's lack of confidence in election procedures and accountability. The CMC inquiry was held from September 2005 to February 2006, with a final report being tabled in the state parliament on 11 May 2006. The government's response to the report was the acceptance of nine of the 19 recommendations, eight with modifications and two were rejected as redundant or inequitable.

I now want to comment on a couple of those recommendations and how the implementation of them will meet the bill's objectives of ensuring more accountability within local government and during elections and restoring community confidence in local government activities. The Local Government Act will be amended to require disclosure of the name of a trust fund or foundation making a gift or, in the case of a person donating via a trust fund or a solicitor or accountant, the name and address of that person. This will avoid situations like the last Gold Coast City Council election where the real donors hid behind ambiguous trust accounts. Other important amendments included in this bill are the new requirements for

groups of candidates as recommended by the CMC. They include registration of groups of candidates and requirements for an agent. The new requirements mean that the group of candidates will only be able to undertake campaigning and fundraising activities if the members have registered as a group at nomination. There will be hefty fines for candidates who do not meet these requirements for group registration. These provisions ensure that local government voters know the alignment of councillors prior to the election.

The bill also includes amendments that further align local government elections with state elections, and these include the requirement of independent and group candidates to have specific accounts for election purposes; to define conflicts of interest and require councillors to identify and declare them; and demand greater standards of disclosure, including third-party expenditure returns, donor returns, loans, gifts and fundraising. One of the other key aspects of the bill that I am pleased to see is the introduction of caretaker conventions and also that some information about councillors is now required to be publicly available. These amendments will be of great benefit. Gold Coast city residents deserve to see their city under good governance, and I commend the bill to the House.