




Speech By  
**Ray Stevens**

**MEMBER FOR MERMAID BEACH**

---

Record of Proceedings, 10 May 2017

### **LOCAL GOVERNMENT ELECTORAL (TRANSPARENCY AND ACCOUNTABILITY IN LOCAL GOVERNMENT) AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr STEVENS** (Mermaid Beach—LNP) (5.48 pm): I rise to speak to this bill, which covers the local government electoral system and the roles and applicable rules affecting the state government, local councils and building certifiers in the planning and building of our communities.

The local government electoral system, particularly in relation to donations received by local candidates, has recently been well covered and canvassed by Gold Coast news providers, with the Crime and Corruption Commission concluding its hearings into the Gold Coast City Council election in late April. This is the second inquiry into a Gold Coast City Council election that I have been a witness to. In fact, I had, let us call it, a minor supporting role in the witness stand in the previous inquiry that the Crime and Corruption Commission held into the Gold Coast City Council election. That was an absolute waste of time as well. More later.

These hearings follow on from the CCC's 2015 report into transparency and accountability which contains a number of recommendations that this bill seeks to implement surrounding when donations need to be declared, at what monetary amount donations need to be declared and creates consistency with the Councillors' Register of Interests gift disclosures which is \$500 for candidates and third parties rather than having two different amounts of \$200 or \$1,000.

I cannot let this opportunity pass, in the much heralded steps towards transparency by the Labor Party government at this current time in terms of the inquiry that has just been held on the Gold Coast, without drawing to the attention of the House the disclosure return for a candidate or group of candidates in the 19 March 2016 election. I will table both of these documents shortly. This is third-party donations from the Construction, Forestry, Mining and Energy Union, Construction and General Division, Queensland Northern Territory Divisional Branch: Penny Toland \$3,700 gift in kind; Penny Toland \$14,761; Penny Toland \$172; Penny Toland \$46; Penny Toland \$8,872. The list goes on to an amount of almost \$38,000 donated from this union to one Penny Toland, former Labor candidate on the Gold Coast and supposedly independent candidate for mayor. Guess what? Here is the disclosure by Penny Toland, former Labor candidate for Broadwater on the Gold Coast. Surprise! No disclosure of \$38,000 from the unions.

When this Labor government comes in here and says this inquiry is all about transparency and accountability, that does not apply to the unions and Labor candidates. Councillors tell me that there is another candidate who was asked by the CCC to do an interview, refused point blank to do that interview and was not subpoenaed to appear at the inquiry. This inquiry does not have anything to do with what happened at the 2016 elections and who gave what and who did not give anything; this inquiry is all about laying the turf so that this government can bring some new legislation into the House that bans developer funding of the LNP in particular and of all council candidates. Mark my words, that will be in here before the next election comes forward.

What we have is a false inquiry. They called the LNP member mayor of the Gold Coast City Council, Tom Tate, but why was Penny Toland not called to the inquiry? Why was she not a witness when she did not disclose anything? Why? I cannot believe this witch-hunt into transparency on the Gold Coast is being used by this holier-than-thou Labor government trumpeting openness and accountability when their own ex-members do not get called as witnesses to inquire into what happened in the 2016 election. The unions will have complete exemption from any donations in any future legislation coming to this House. I table those two documents.

*Tabled paper:* Electoral Commission of Queensland Disclosure Return for a Candidate or a Group of Candidates—in the name of Penny Toland, dated 19 March 2016 [681].

*Tabled paper:* Electoral Commission of Queensland Disclosure Return for a Third Party/Donor—in the name of the Construction, Forestry, Mining and Energy Union, Construction and General Division, Queensland Northern Territory Divisional Branch, for the period 7 February 2016 to 19 March 2016 [682].

Another key recommendation from the CCC report resulted in the bill's creation of a head of power to allow for real-time declarations of local government political donations to match the state donation requirements that already exist. This will be a significant change as noted within the CCC report. Candidates are required to disclose campaign donations within 15 weeks from polling day. There is no requirement to disclose donations on or before polling day. This would seem to hamper voters' ability to make an informed decision about a candidate on polling day. What if we knew if Penny Toland was getting \$38,000 from the CFMEU? How would that go down on the Gold Coast in relation to openness and transparency by this Labor Party trumpeting its new laws in relation to local councils, which they love beating up on? There have been several councils involved in this inquiry. The only outcome, I can assure members, will be that new legislation that I mentioned previously.

Changing the 15 weeks after polling to a real-time electronic register will be a major change to the Local Government Electoral Regulation 2011, providing consistency for Queenslanders to understand when political candidates or representatives must declare items of significance and where our Queensland voters can find that information.

Further, I would like to bring to the attention of the House, as my LNP colleagues have done, my concerns in relation to self-funded local government candidates who are political party members but not political party endorsed candidates, which I believe is a very important distinction. Endorsed candidates are provided with support financially and through non-monetary ways by political parties, or in Labor's case unions they represent, and are only seen in Queensland within the Brisbane City Council jurisdiction. This contrasts sharply with the rest of Queensland that sees only individual candidates who stand on their individual values and platforms, who may or may not have a support team available to them.

The bill as currently drafted does not make such a distinction, with the Department of Infrastructure, Local Government and Planning advising that the legislation would apply to political party members and not just endorsed candidates. This poses a concern, as under the legislation self-funded local government candidates should, after the election, arrange for funds to either be held in a special account for future campaigns, be donated to charity or just quietly returned to a political party if the candidate is a member of that party—essentially funding a political party that the original donators may not support or even be aware that the candidate is a member of. I would call on the minister and the Palaszczuk Labor government to clarify what they intend by this change, as with the exemption of Brisbane City Council, no political party runs endorsed candidates for any other council.

Further amendments within the bill provide clarification to the prohibitions on incorporated associations holding or receiving campaign funds where those funds are intended to benefit, either directly or indirectly, the member. However, these prohibitions do not affect interstate organisations or unions, clearly protecting the Palaszczuk Labor government's future donators while they seek to influence local government election outcomes to suit their needs. This is a clear oversight by the minister who has failed the Queensland public and the CCC and should be viewed with apprehension in relation to the Gold Coast City Council and other regional councils that border New South Wales and the Northern Territory. It would be conceivable for an incorporated association to establish just over the border in New South Wales to primarily support a member. I am sure that that will be an outcome of this failed legislation. I hope the minister has plans to ensure that incorporated associations outside of Queensland are required to comply with the spirit of these amendments.

It was with disappointment, almost a feeling of suspenseful woe, that my LNP colleagues and I discussed the Electoral Commission of Queensland cost recovery amendment clarifications. I go back to my time in local government when the local council funded their elections appropriately and got the job done appropriately. Then it got taken over by ECQ. The price tripled and we did not get the results. Members saw at the last local government election the mess that came out of ECQ right across Queensland and the debacle that was the local government election. I see this bill as a precursor for more Labor Party trickery in relation to donations to political parties, making sure those on the other side of the House stay in their union backed seats.