




Speech By
Hon. Stirling Hinchliffe

MEMBER FOR SANDGATE

Record of Proceedings, 10 October 2017

MOTION

Citizen's Right of Reply

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Leader of the House) (9.42 am), by leave, without notice: I move—

1. That this House notes report No. 173 of the Ethics Committee and the recommendations of the committee that a right of reply be incorporated into the *Record of Proceedings* and that the relevant entries in the tabled papers database on the parliament's website include a cross-reference to the page number of the *Record of Proceedings* where the response is incorporated; and
2. That the House adopt the committee's recommendation and incorporate the right of reply into the *Record of Proceedings* and the relevant entries in the tabled papers database on the parliament's website include a cross-reference to the number of the *Record of Proceedings* where the response is incorporated.

Question put—That the motion be agreed to.

Motion agreed to.

RESPONSE BY IPSWICH CITY COUNCIL, TO STATEMENTS CONTAINED IN DOCUMENTS TABLED BY THE MEMBER FOR CAIRNS, MR ROB PYNE MP, ON 14 AND 16 JUNE 2017

On 14 June 2017, the Member for Cairns, Mr Rob Pyne MP, tabled a document titled "Ipswich Inc" which included the following statements made under the heading 'Washing Money links':

There is an unresolved controversy over the transfer of land from the Springfield Land Corp to ICC to approved sporting complex for the Brisbane Lions AFL Club that was rejected by ICC staff when lodged by Springfield Land Corp but approved within 24 hours when ICC lodged same application. A week later a \$15,000 donation went to Pisasale's campaign fund and the Springfield Land Corp saved \$15,000 in lodgement fees;

ICC entered an arrangement with the Newman LNP Govt [sic] for car parking for the Springfield Rail Station in which a tender by then CEO Carl Wulff was unlawfully awarded for the road works to a company he was associated with;

Ipswich City Council owns several development companies which are developing a number of projects throughout the City including the CBD development. This is done with no transparency and it is unclear whether they are trading as insolvent as ICC has had to write off funds associated with them. The Boards of these companies are made up of Mayor Paul Pisasale, Cr Paul Tully, Cr Andrew Antenolli, CEO Jim Lindsay and the CFO. It is unknown if they take Director's fees, meeting allowances and expenses, etc but it is known that they have travelled overseas extensively under the guise of these companies travelling First class and sometimes hiring private jets; There is no public reporting on these matters;

There is a conflict of interest to be both the developer and the approving body of developments. ICC staff will not contradict their bosses in refusing a town planning application. Councillors who are also these company Directors do little to remove any conflict of interest in Council Chambers apart from acknowledging any conflict of interest. The standard response is that the decisions are made under delegation. But is delegation by the Councillors and Directors to Council officers that can be changed at any time. These practices are highly unethical to say the least.

Jim Lindsay the current CEO and Carl Wulff the previous CEO both purchased units off the plan from the same building company that won contracts with the ICC owned Ipswich City Developments. This led to Wulff resigning from Council when he rented out that unit for a friend from Melbourne whom he appointed to undertake flood recovery work. The rent was paid for by ICC and other government agencies.

It's well known that Pisasale, and other Councillors, pressure local businesses for freebies from hair cuts to meals, drinks to electrical goods, for them, and their families.

Ipswich Council has a program of funding community groups that is completely haphazard that relies not on any needs analysis or consideration of process but on Councillors patronage. Community groups are then often pressured into giving Pisasale or the Councillors time to speak to the crowd and announce their donation. The community group is then later asked to submit paperwork to lawfully receive the funds they had already been given by cheque.

Council staff are also upset that funds provided for 2011 Flood Relief for infrastructure was [sic] used on unflooded roads. These funds were redirected to fulfil promises made by Councillors at previous elections.

Council staff are also concerned that the minutes of Council meetings are deliberately misleading and difficult to find, track and understand on decisions of development applications, hence the ratepayers give up trying to find out the scope and impact on the local community like traffic increases and water runoffs.

Its [sic] widely known that if residents write disparaging or negative Letters to the Editor to the Qld Times they are phoned up and abused and/or have Councillors turn up on their doorstep very early in the morning intimidating and threatening them to cease.

It is known the considerable numbers of staff have been paid out by Council to cover up inappropriate behaviour of male Councillors to female staff, or staff raising concerns about accountability and asset management. This includes a former Chief of Staff of Pisasale who took indefinite sick leave unable to handle the stress. Council staff have had to access stress leave or have simply left.

It is known that Councillors have attended a Local Government Seminars primarily for Councils which have local aerodromes [sic]. Ipswich Councillors claimed their local aerodrome was RAAF Base Amberley even though it was Commonwealth controlled.

It is known that Cr Paul Tully's wife worked for Manos Developments whilst he was planning Chair of ICC overseeing developments of that company without a declaration of interest. Corrupt staff of ICC have washed similar dirty money by employing wives and other family members of developers and successful tenderers as that's how it's done in Ipswich;

Council staff are often disgusted by Pisasale and other Councillors general lack of regard or inappropriate use of Council processes, culture of bullying/sacking and silencing staff who raise issues.

On 16 June 2017, the Member for Cairns tabled a document 'Ipswich City Council marked 'Tabled with permission Ipswich Ratepayers and Residents Association'' which included the following statements:

We would like to draw the attention of the State government to the untenable situation in Ipswich City Council caused by lack of transparency or accountability and excessive grey corruption. There has been a long term culture within the Council of entering into questionable relationships with developers (and others) which has cost the community and the environment dearly.

In some cases the Council have issued small fines but more often than not, ICC give retrospective approval for whatever non-compliance Cleanaway have committed.

ICC have a habit of repeatedly turning a blind eye to cases of non-compliance of license and permit conditions by Cleanaway.

It is also frustrating when the Mayor and Councillors make false statements in the local media claiming that Koala numbers are increasing in Ipswich.

Over the past 12 months, the Ipswich Ratepayers and Residents Association Inc, have tried unsuccessfully on numerous occasions to get answers to various questions from all 10 Ipswich Councillors. On every occasion IRRA Inc sends a request to each Councillor which is followed by a reply that they do not respond to our questions and that our question has been referred to ICC CEO, Jim Lindsay. The questions asked have included what the costs were for each Councillor Divisional office, how much each Councillor spends on advertising themselves and their office and how much each Councillor gives in grants and donations to community organisations.

IRRA Inc members have received less than satisfactory answers from Mr Lindsay. In fact it could be said that he appears to do his best to deflect any scrutiny of the Council and Councillors.

There are so many other problematic and questionable issues related to Ipswich City Council including a lack of accountability of ICC's tree offset program, the Cherish the Environment Foundation, lack of any climate change policy, as well as perceived conflict of interest with Councillors on the boards of the Ipswich City Properties and Ipswich City Developments companies.

Also on 16 June 2017, the Member for Cairns tabled an untitled document which contained the following statements:

At last report there was \$2,238,000 sitting in the account which is in the name of a Charity registered to the Council.

Last year Ratepayers put in \$79,000 (ICC budget) or the Rates paid by about 10 householders into this "Charity"

The Charity appears to be hidden away from the Auditor General and has not been Audited by Auditor general. In Fact [sic] when a constituent contacted the Auditor General they did not know of its existence.

The constituent went to the Office of the Charity and the sign is on the door, but the office is unattended. Council staff in the area did not know of it and have never seen anyone in the office.

When the constituent called the number of the charity it went to the ICC switch, they did not know of the charity.

One of the Councillors is a board member of the charity.

Other members include a Developer finance company owner.

This Charity has all their meetings "via EMAIL" No minutes of the meetings are published to the public.

The Charity changed its constitution to include developers as members.

The Charity is not registered on any of the environment charity registers in Qld or Australia.

It is a registered charity for Koalas, but it is not registered on any government charity registrar.

The Money going into this charity is by regulation required to be put in a Local government Trust account.

The Charity has no employees and no staff, but spent \$90,000.

CITIZEN'S RIGHT OF REPLY

The Ipswich City Council (the Council) rejects all aspersions or imputations that it has in any way acted illegally or improperly in respect of the allegations which give rise to false imputations which amount to allegations of systemic and gross maladministration.

The Council wishes to assure the House that at all times in the course of its business it has acted lawfully and in good faith and the majority of the matters raised have either been investigated by Council, or via external agency for investigation and assessment.

Complaint handling

The Council has a comprehensive complaint handling policy in place titled "Complaints Management Process Procedure" which is publicly available online via the Council's website. This policy sets out not only the handling of grievances and resolution through to the processes of managing and handling complaints from the lowest level but to the most serious. It provides follow up procedures and mechanisms in accord with recognised international standards on complaint management.

In essence, the Council handles all complaints in accordance with applicable laws, based on the substance or gravity of the conduct alleged in the complaint, the evidence (if any) proffered in its support, and any need for external referral in any circumstance.

Independent scrutiny

Additionally any complainant may take their complaint about the Council or its staff and/or Councillors, directly to a number of properly constituted independent bodies such as the Queensland Crime and Corruption Commission, the Ombudsman, the Local Government Remuneration and Disciplinary Tribunal or the Queensland Police Service. The Council has a practice of total co-operation (in accord with the law) toward all independent investigative bodies at all times when any complaint may be subject of assessment or investigation.

The Council will as a matter of policy, refer any substantive complaint to the appropriate investigative body as required by law upon its receipt. As an adjunct, the Council will also refer any complainant to the appropriate body to receive complaints as the circumstances dictate. In matters where any complaint is received by the Council either about its own conduct or that of its Staff or Councillor/s which may be investigated by the Council, the complainant will be provided with a written acknowledgment of complaint and will be advised in writing of the outcome of any investigation or action. Further should there be any additional avenue upon which a complainant may pursue their complaint, the Council will advise the complainant in writing of such right.

Codes of Conduct

The Council has promulgated a Code of Conduct for employees publicly on its website. It is specifically stated:

The Code of Conduct for Employees seeks to set standards which the public has a right to expect are the minimum standards which should apply to all employees of Council.

Accordingly, Council recognises that not only must the actions of employees be above reproach, they must also be seen to be above reproach. Such a situation leads to public confidence in the system of local government.

Councillors are bound to ethical behaviour and decision making pursuant to the provisions of the Local Government Act 2009 and the independent complaint handling, investigation, review and determination mechanism by the Local Government Remuneration and Disciplinary Tribunal, as established under Division 6 of that Act. The Council ensures periodically, and particularly following any election for Councillors, that all incoming Councillors are made familiar with the applicable codes of legal and ethical behaviour as required in office.