




Speech By  
**Andrew Powell**

**MEMBER FOR GLASS HOUSE**

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**LOCAL GOVERNMENT (COUNCILLOR COMPLAINTS) AND OTHER  
LEGISLATION AMENDMENT BILL; LOCAL GOVERNMENT ELECTORAL  
(IMPLEMENTING STAGE 1 OF BELCARRA) AND OTHER LEGISLATION  
AMENDMENT BILL**

 **Mr POWELL** (Glass House—LNP) (4.09 pm): I too rise to speak in the cognate debate on the Local Government (Councillor Complaints) and Other Legislation Amendment Bill 2018 and the Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Bill 2018. I must start where a number of my colleagues have also started, including the member for Mermaid Beach, and that is by expressing my disappointment that this has been made a cognate debate—that is, these two bills are being debated together. In effect, the debate has been guillotined. These are two very important bills that deserve separate contributions by all members of the House rather than members trying to squeeze the contributions into one.

I am also disappointed that whilst there is much good in these bills, Labor has again, for no other reason than base politics, overreached. I, like all Queenslanders and many in this chamber today, have expressed bitter disappointment with the actions of a small but significant number of local government elected officials and staff who have brought this upon the state of Queensland. They have done much to damage the reputation of elected officials not only at the local government level but also across all three tiers of government in this state.

No-one will defend fraudulent, corrupt or dishonest behaviour, except perhaps the Labor Party when it involves one of their own ministers such as Gordon Nuttall. No-one else will defend fraudulent, corrupt or dishonest behaviour in any profession, but especially not when it comes to our community's elected representatives. What is more, all Queenslanders rightly question, as they should, political donations that pose a corruption risk.

Interestingly, in results of a poll reported in the *Courier-Mail* today the majority of Queenslanders can distinguish between what does and does not constitute a corruption risk. Indeed, Queenslanders want authorities to track down and ban wrongdoers rather than ban whole industries from donating outright. Interestingly, Queenslanders perceive that risks come not only from industries such as the property industry but also from the gaming and alcohol industries and the unions. The risk is not just with the property industry.

That brings me to the legislation at hand. Let me go back to why this has come about. Following the Queensland local government elections on 19 March 2016, the Crime and Corruption Commission received numerous complaints about the conduct of candidates in several councils, including Gold Coast, Ipswich, Moreton Bay and Logan. Consistent with the CCC's responsibilities to investigate and prevent corruption and promote integrity, the CCC commenced Operation Belcarra.

The CCC tabled its report on 4 October 2017. It made 31 recommendations, including: a parliamentary committee review introducing expenditure caps for local government elections; require real-time disclosure of electoral expenditure; prohibit candidates from receiving gifts, including

donations from property developers; and require changes so that after a councillor declares a conflict of interest other persons entitled to vote at the meeting are required to decide whether the councillor has a real or perceived conflict of interest in the matter and whether the councillor should leave the meeting room.

What is interesting is that this all relates to local government. As I have said, Queenslanders do not have a problem with that. I do not have a problem with that. There is a very clear linkage between donations and potential outcomes, particularly when it comes to property and development applications. What we have here is overreach. In its submissions on these bills, the CCC stated—

The inquiry terms of reference did not include state elections. Consequently the Belcarra Report recommendations did not involve any detailed specific consideration of corruption risks in state elections and decision-making. Accordingly, the reforms depart from the scope of the Belcarra Report recommendations.

The chair of the CCC, Mr Alan MacSporran QC, stated—

In an ideal world, and my personal view would be, you would ban all donations, but the High Court has said, and the law is, that there needs to be an evidence based response which is proportional to the threat identified.

He went on to state—

... we said in one line in the early part of our report that the government may wish to consider translating or expanding it to the state sector. We did not mean by that that it is an automatic translation, what we meant is that it needs to be considered in that sector, which should be an evidence gathering exercise, public consultation, sufficient to get a sense of what is really happening in that area. There is no reason in principle why the measures should not translate to the state, but that needs to be considered because absent consideration of it there is a potential successful challenge to the constitutional validity of the measure. That is the concern we simply had, that you cannot simply automatically translate it without giving it due consideration.

Yet here we are not only giving it due consideration but actually turning it into law. That is a complete and utter overreach from what the CCC actually intended.

I would like to use a local example to demonstrate the risk of influence and corruption around property donations and development applications. The Sunshine Coast Regional Council has recently received a development application to build a petrol station directly opposite the Maleny State School at the entrance to Maleny. I and the residents of Maleny do not necessarily have anything against petrol stations, but this is simply the wrong spot. Not only is it on a main road directly opposite a school, it is directly in the line of sight as people enter Maleny. It is not the kind of statement that the community wants to be sending, particularly to the tourism and the drive tourism market.

Let me be clear. The assessor of the development application is the Sunshine Coast Regional Council and not the state government. The state government does have an assessment role because the development is on a main road and opposite an Education Queensland facility. As such and rightly so, some 600 residents of the Maleny community have now written to Minister Bailey about this. I will take the rulings of the Speaker and not table these letters for posterity because I understand Minister Bailey has a copy of them. However, I will table a copy of the submission made to the Sunshine Coast Regional Council by the group No Fuel Opposite Our School Ever led by Angie Kelly.

*Tabled paper:* Submission to Sunshine Coast Regional Council opposing Development Application MCU18/0111 [\[668\]](#).

These residents have written to Minister Bailey. I have written to Minister Dick, Minister Bailey and Minister Grace. As I have explained to the residents and as these ministers will attest, only in the rarest of exceptions will a state agency refuse a development application of this nature. It is more likely to condition the consideration by the council. Even more rarely would a minister, let alone any other politician, become involved in that decision.

The community and I will fight this development application, but ultimately the decision as to whether it is approved or not rests with the Sunshine Coast Regional Council. I ask that ministers Dick, Bailey and Grace give consideration to the concerns raised by the community and give that advice back to the Sunshine Coast Regional Council in helping them make their decision. The decision ultimately rests with the Sunshine Coast Regional Council not the state government.

This example demonstrates that, as the CCC rightly identified, there is potentially the risk of corruption at the local level but none at the state level. Why are those opposite undertaking this overreach in the bill before the House today? As others have said, it is for no other reason than politics. They know it has and will continue to cruel other political parties other than their own which relies on significant donations from the unions.

Let us take the politics out of it and we can all agree on the legislation before the House. Let us either remove the overreach to the state realm that is included in the bill that we are debating this afternoon or do what Queenslanders want and include other industries, specifically trade unions, into those industries banned from donating to political parties.

Other members have already pointed out the level of influence that the unions have had over this government. It is quite staggering, to be blunt, to see the level of influence over appointments to boards, appointments to roles, the protection of militant unions and their actions, changes so that people have access to union workforces and the changing of the trading law. All of this can be directly linked back to requests made by the unions and linked therefore to the support that the Labor government is receiving from those unions. Let us take the politics out of it. We should either remove the overreach that includes the state government in these laws or even this up and accept the amendments to be moved by the member for Toowoomba South.