




Speech By
Colin Boyce

MEMBER FOR CALLIDE

Record of Proceedings, 16 May 2018

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

 **Mr BOYCE** (Callide—LNP) (2.55 pm): I rise to speak on the Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Bill 2018 and the Local Government (Councillor Complaints) and Other Legislation Amendment Bill. I oppose prohibited donations at a state level, and I support the CCC's Belcarra recommendations for local government and electoral reform as well as the amendments to be moved that will expand the provisions to union donations for local and state government elections.

The bill seeks to prohibit donations from property developers for both local government and state government elections and allow councillors to vote on whether another councillor's conflict of interest or material personal interest should preclude them from participating in council discussions and voting on the matter. Penalties are severe, with unlawful acts and omissions attracting fines of up to \$50,000, or two years imprisonment. Knowing acts to circumvent the law will attract fines of up to \$190,000, or 10 years imprisonment.

I have some personal experience in local government as do many of my colleagues. I was a councillor on a local government some years ago, being a small rural council pre council amalgamations. Incidentally, it was supposed to have resulted in more efficient and better service delivery. However, where I come from, the council amalgamations have delivered absolutely the opposite. Nonetheless, all of the councillors that I have come into contact with are diligent people who have a desire to achieve the best outcomes for their communities.

In my electorate of Callide I have to deal with five local government areas on an ongoing basis, those being Bundaberg Regional Council, Gladstone Regional Council, North Burnett Regional Council, Western Downs Regional Council and Banana Shire Council. It is not fair that all of these diligent councillors in these councils are paraded around as being people who are open to misconduct and so forth. By and large they represent their communities in the best possible way.

The large city councils have become politicised and open to influence from outsiders, which we have seen recently. The honourable member for Bundamba also spoke passionately about the effect of this on her community. I would exercise caution in allowing councillors the power to vote one another out of a discussion; I believe it is fraught with danger. It would allow one political influence to dominate another, which in my view is unacceptable. It should be the responsibility of the democratically elected councillor to declare their conflicts of interest and take full responsibility for them.

Mr DEPUTY SPEAKER (Mr Stevens): Member for Callide, one moment please. Members in the House, there is far too much audible conversation and it is carrying right across the room. You might think it is quiet only in your area, but it is coming right across the room. Please desist or move outside.

Mr BOYCE: With regard to the banning of property developer donations at state elections, there are issues. The CCC has made it clear in their written submissions that this bill goes beyond the CCC recommendations. If the government would consider banning certain donations from state elections a proper review or inquiry would be ideal.

It seems to me that this particular issue has become politically motivated. If you removed a political donation income stream from a particular candidate or a particular political party then you would have a political advantage, so banning donations from one section of the community—in particular, property developers—seems to be grossly unfair. Are we to conclude that all property developers are corrupt? That, in my opinion, is not so. The Premier should accept the advice of the independent chair of the CCC and undertake an inquiry into state political donations before introducing bans at a state level.

The amendment suggests that we should expand the banning of property developer donations to include union donations for local and state government elections. It is clear to me that union influence is rife in the current government. If this were not so then the honourable minister, Mr Bailey, would have no problem allowing scrutiny of his mangocube email account.

I will tell members how union influence works in the real world through personal experience. As many members may know, I am a welder by trade and I have spent many years working on big construction jobs throughout Australia. I have also worked in the mining industry. What happens there is people buy a union ticket whether they like it or not, and the reality is that they risk losing their job if they do not. The law states that it is not compulsory to have a union ticket; however, that is not the case in practice. If they do not have financial membership in a union, their workplace becomes untenable and then the company gets rid of them. That is the reality.

To put that into context with what happens in the political system, if unions applied the same methodology to those on my left who hold significant positions in the government, they would be under constant scrutiny from the union movement. If they do not toe the union line do they risk losing their positions? I am quite sure that unions that donate large amounts of money would want political influence and a political say. The chair of the CCC, Mr Alan MacSporran QC, raised concerns about these laws. He said—

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.

...

... 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.

We should have the inquiry into state political donations that was recommended by the independent chair of the CCC and promised in a previous parliament by the current Premier. This course of action will allow the government to be as transparent and accountable as they continually profess to be.