




Speech By
Daniel Purdie

MEMBER FOR NINDERRY

Record of Proceedings, 15 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 PURDIE** (Ninderry—LNP) (3.34 pm): I rise to make a contribution 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 support the sensible amendments put forward by the member for Toowoomba South and I support the submission put forward by the member for Warrego. I agree with my colleagues particularly relating to recommendation 20 of the Crime and Corruption Commission Belcarra report as it relates to property developer donation bans and the government overreach by extending it to include state government elections.

In a written submission to the Economics and Governance Committee during our examination of this legislation, the Chairman of the CCC, Mr Alan MacSporran QC, stated—

The Belcarra Report is the result of an exhaustive consideration of evidence gathered by the CCC's Operation Belcarra Inquiry concerning particular local government elections ...

He goes on to say that the current reforms as they related to recommendation 20 depart significantly from the intended function of that recommendation.

The government significantly departed from the CCC's recommendation for the purpose of blatant political manoeuvring to give itself an unfair advantage at the then imminent and pending state government election. This is evident by the bill being introduced on 12 October 2017 and then flagging that the legislation would be retrospective to that date. Even the CCC noted that on this date there was no local government election on the horizon. In fact, the next local government elections are not planned until March 2020, but history shows a state government election was called 17 days later. I think it is clear for all to see that this legislation was hastily written and introduced on 12 October for the sole purpose of assisting the Labor government at the imminent state election.

During the recent committee examination of this legislation a number of issues were identified, particularly information provided to the committee from CCC Chairman, Mr MacSporran QC. Further to what we heard earlier from the member for Toowoomba South and as I touched on a second ago, in Mr MacSporran's submission to the committee he also raised serious concerns relating to the constitutional validity of this legislation being extended to the state and cited High Court precedence, stating that the Belcarra investigation's terms of reference did not include state elections. Mr MacSporran went on to say—

... 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 ...

He went on to say—

... the CCC did not contemplate that the proposed reforms would be introduced without preliminary review to identify and mitigate corruption risks in state elections and decision-making. A proper public consultation process is highly desirable.

The High Court has said—and the law is—that there needs to be an evidence based response which is proportional to the identified threat.

I submit that there has been no threat identified at the state level that relates to property developer donations.

Another issue that became clear during the committee process that also gives weight to the argument that this legislation was hastily written and introduced into parliament before the then imminent state election is that the Queensland Law Society, represented by Mr Bill Potts, was struggling to understand the definition of a property developer and the inclusion of the word 'regular'. Mr Potts said—

... what indeed is a property developer? For example, if I have a block of land, which I break into three pieces—subdivide effectively—and start building houses, which I then sell, I am told that I may be, under the bill, a regular applicant, with 'regular' holding its ordinary meaning of effectively more than once.

Like many Queenslanders, I have bought, renovated and sold a number of properties. Am I now banned from contributing to my own campaign, or buying a table at a political function? Even the Queensland Electoral Commission admitted that it has no guidelines to help interpret and enforce this legislation. The Property Council of Australia, the peak body representing the Queensland property industry, which employs 331,400 Queenslanders—Queensland's largest non-government employer—raised concerns about its industry being unfairly targeted and the subsequent reputational damage. The property industry pays \$11.2 billion in taxes, which is 53.7 per cent of all Queensland taxes, but now a lot of people who work in or who are associated with this industry can no longer have equal involvement in the state political arena.

Many industries stand to benefit from state government decisions, not just the property and development industry—mining, aged care, health, energy and, importantly, the unions. The CFMEU has a long history of operating outside the law. Currently, a number of its officials are before the court. The High Court has said that there needs to be an evidence based response that is proportional to the identified threat. I suggest that the CFMEU is the only group that would hold up in the High Court as a reason to ban state government donations. A headline on the *Courier-Mail* website right now, after doing exclusive polling on this issue, is that the legislation should be withdrawn immediately.

Mr Madden: You read the *Courier-Mail*?

Mr PURDIE: I just did at lunchtime. I think the government needs to stop listening to its masters at the CFMEU and start listening to the people of Queensland.