




Speech By
Michael Hart

MEMBER FOR BURLEIGH

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 HART** (Burleigh—LNP) (2.14 pm): It is amazing that the Premier comes in here and says that she is all for transparency and accountability and then basically tells us that these bills will pass this week. As members of parliament we are entitled to give our views on bills. We see once again with this cognate debate that our rights as members of parliament are being cut back.

Government members interjected.

Mr DEPUTY SPEAKER (Mr Stevens): Order! Those on my right, the member will be heard.

Mr HART: For these two very important bills we get only five minutes to address each bill. While they may be connected in that they are both about local government, they are on completely different subjects. One would think that if the government is to be transparent and accountable then it would want members of parliament to express their views.

The Premier comes in here and tells us that, regardless of how we feel, what we say and the debate that goes on here, she will have her way in the end. Is it not the height of arrogance for the Premier to come in here and tell us that? We are the parliament of Queensland. We have a right to be heard. We have a right to our opinion. I will not stand for anything else, I can tell members opposite that.

This seems to be a habit that this government has got into recently. We saw only last sitting week that the debate on the vegetation management bill was guillotined.

Government members interjected.

Mr DEPUTY SPEAKER: Order! The member will be heard.

Mr HART: They do not like it when they hear the truth. They just do not like it. They guillotined the debate. They are attempting to shorten this debate. From the tone of the Premier's comments on these bills, it may be that she intends to guillotine this debate. Let us see what happens.

This is not a new issue. We heard today that 326 pages of complaints were made to the Deputy Premier when she was the minister for local government.

Government members interjected.

Mr HART: For the benefit of those up the back in the cheap seats, I point out that we heard this morning that there were 326 pages of complaints. We do not know how many complaints there were. We have not seen the RTI because the government wants to charge a lot of money for it. There may well be 326 individual complaints there. We do not know what they are. This is the open and transparent government that will not give out this information. We heard from the member for Bundamba that she made verbal complaints to the Deputy Premier and other ministers over the last few years. We do not know what has happened to those either.

As I said, this government has a habit of bringing in legislation and not giving members of parliament the appropriate time to go through it. In 18 minutes they changed the electoral laws, for example. Now we see some amendments to this legislation that are apparently urgent. We were given those to look at only yesterday. They will make a significant change to the way in which the minister in particular can deal with council officers.

As everybody in the House knows, I come from the Gold Coast and we have our issues there. There have been rumours about what has been happening with the council there. I have some very good friends on the Gold Coast City Council and I am sure that they have been doing the right thing. There will be a proper inquiry, so we will wait and see. I still do not see why the minister needs to move amendments that will give him these sorts of powers and flexibility.

What concerns me is the public interest amendments that the minister intends to move. Again, we seem to have a lot of issues with the government making determinations on all sorts of different things but without defining exactly what they mean. On the public interest amendments, the minister's explanatory notes state, 'Relevant factors in determining "public interest" may include but are not limited to the following factors'—and the first dot point is 'complying with applicable law (both its letter and spirit)'. I agree with that—tick. I am happy with that.

The next dot point is 'carrying out functions fairly and impartially'. Who is going to be the judge of that? Will it be the minister alone? That is a real concern to me. The next one is 'complying with the principles of procedural fairness/natural justice'. I will tick that one off as well. I am happy with that, even if it is only the minister who is making that decision. The next one is 'acting reasonably'. I think there is a hole in that one that you could drive a truck through. I think the minister is a good minister and I have faith in his decision-making process, but there are whole lot of other ministers over there who I have no faith in to make determinations.

Government members interjected.

Mr DEPUTY SPEAKER (Mr Stevens): Order! The House will come to order.

Mr Hinchliffe interjected.

Mr DEPUTY SPEAKER: Member for Sandgate, you are interrupting when the chair is speaking. It will not be tolerated.

Mr HART: A prime example of that was yesterday when we listened to the member for Maryborough. The member for Maryborough talked about previous personnel on the Fraser Coast council—and I will be careful about what I say here—whom he did not like. That person is no longer there. There is now someone there he does like apparently. You have to wonder whether, at the end of the day—

Mr SAUNDERS: Mr Deputy Speaker, I rise to a point of order. I would like the member for withdraw. His comments are offensive and I would like him to withdraw. He is misleading the House.

Mr DEPUTY SPEAKER: Member for Burleigh, withdraw, please.

Mr HART: I withdraw, Mr Deputy Speaker. Of course, there is a place where the member could raise this if he thinks I have misled the House. If he bothers to go back and look at the *Hansard* from yesterday—

Mr SAUNDERS: Mr Deputy Speaker—

Mr DEPUTY SPEAKER: The member was not misleading the House.

Mr SAUNDERS: I rise to a point of order. I did not refer to the other individual. I said that it was good to have a man of integrity—

Mr DEPUTY SPEAKER: That is not a point of order, member for Maryborough.

Mr HART: In proving my point, in terms of acting reasonably as a public interest check, I do not think those on the other side can be relied upon to have that sort of power, so I do not accept that.

The next dot point is 'ensuring accountability and transparency'. Quite frankly, I do not think this government understands what accountability and transparency is. That has been proven over and over again by some of the statements of premiers and various ministers, especially those responsible for energy in this government and the last government. In terms of transparency and accountability, we need look no further than mangocube6—I had to get that in there somewhere. In terms of 'ensuring accountability and transparency', I cannot tick that one off.

The next dot point is 'exposing corrupt conduct or serious maladministration'. I can tick that one off, absolutely. The next one is 'avoiding or properly managing private interests conflicting with official duties'. Again, I agree with that. I think there are some things that are perfectly acceptable.

The last dot point is 'community confidence in a local government and/or its councillors'. That goes to my point. I am really concerned that there may come a time when a member of parliament takes exception to something that has been done by a member of a local government and therefore says that they have lost community confidence and that we should throw them out—that we should sack them or take whatever punishment the minister at the time thinks is appropriate. I just do not see that as being appropriate at all.

For those of us in politics, perception is everything. There is a perception that political donations from developers is a problem in local government. There is no perception out there that that is a problem at the state level. It has not been proven, so this is a complete overreach by this government. The reason the government is doing this is to change the balance here as far as political donations are concerned. It knows that like-minded developers may be inclined to donate to the LNP rather than the Labor Party. The figures that were made available by the ReachTEL survey the other day tell us exactly that. It is an issue in a local government area. It is not an issue at the state level. This is purely about changing the balance and taking unfair advantage of one party over the other. This is not reasonable. We should not be going there.