




Speech By
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MEMBER FOR BURNETT

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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 BENNETT** (Burnett—LNP) (12.25 pm): I rise to make a contribution to the cognate debate of the Local Government (Councillor Complaints) and Other Legislation Amendment Bill and the Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Bill. In relation to the Belcarra bill, at the outset I advise that I am opposed to the prohibited donor laws at the state level for all the reasons that have been articulated during the debate. I support the CCC's recommendations in relation to local government electoral reform. All of us on this side of the House understand how important that is.

I will support amendments to be moved to expand the ban to union donations for local and state government elections. I know that this legislation is controversial, but we cannot support legislation that effectively bans one group in our community but not another, especially when that ban is being used to nobble a political opponent and especially when one group will lose more than another group in terms of fundraising.

We know from recent ReachTEL polling that the public thinks the government's solution is incomplete and unjust and excludes good people and organisations from full participation in the political process while it leaves some people and organisations free to improperly influence elected officials. This clearly creates a cynical political position. Why are we not having conversations about improper influence from donations across-the-board? Why are we not discussing things such as full public funding, which would remove any perception of undue influence?

I know that Queenslanders want this government to accept the advice of the independent CCC chair and undertake an inquiry into state political donations before introducing bans at the state level. Clearly, there is strong support from Queenslanders for a broader discussion on political donations. I know that many would prefer to see corporate entities, such as companies and unions, that commit significant illegal acts banned from donating to political parties. This is the best solution, not what is being proposed in this legislation. With the inference that property development is the one industry that wields so much influence, would we not be better to target organisations that regularly break the law and are allowed to donate to political parties—for example the CFMEU, which has incurred court fines of nearly \$15 million in recent years, has been described by a Federal Court judge as the most recidivist corporate offender in Australian history and was found by the trade union royal commission to have committed a wide range of abuses?

We know that support for banning donations from lawless organisations is extremely high across-the-board. This is an area that needs to be investigated more thoroughly. It appears obvious from responses to the questions posed in recent community engagement surveys that some sort of fit-and-proper person test should be applied to corporations and perhaps even individuals who donate


to political parties and candidates. It should be noted that, under the government's proposed legislation, someone with a criminal conviction of less than three years would be able to donate to a political party but a property developer with not so much as a traffic fine to their name would not be able to.

We know from recent industry community engagement that many agree the best way to deal with corruption is effective policing, not blanket bans over whole industries. This is a common-sense point of view and it is in line with what most would regard as the principles of justice. We do not punish groups for individual crimes, only individual criminals. I thought even those opposite would be appalled if members of a whole community were punished because of the misdeeds of one or two people. The chairman of the Crime and Corruption Commission has warned the state government that its legislation to ban property industry donations could be successfully challenged in the High Court if it does not conduct public consultation on it.

I will outline some of the conclusions from the recent ReachTEL polling. If the government believes that the notion that public perception that donations from an industry sector could be tainted is a proper basis for banning donations from that industry, then anti-corruption legislation should include other industries. The responses show that the public perception is that some donations from the following industries are corrupt: gambling, 76 per cent; the property industry, 73 per cent; unions, 63 per cent; the alcohol industry, 60 per cent; and law firms, 51 per cent. It is likely that similar perceptions of other industries would result if they were tested.

The public overwhelmingly—60 per cent in favour and only 15 per cent against—believes that it would be better for offenders to be identified and charged rather than banning entire members of an industry from donating. This indicates dissatisfaction with the government's approach and possibly with the enforcement provided by the CCC and the police. Any donation legislation should include an objective test that would outlaw donations from organisations like the CFMEU that commit significant illegal acts. A massive 87 per cent of respondents supported this position compared to only 2.7 per cent opposed.

The Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Bill that we are discussing is as a result of a flawed process and was opportunistically introduced in the run-up to the last election. It is retrospective legislation that prevented members of the property industry from supporting candidates of their choice while giving members of the industry free rein. Unless the commission has information that is not publicly available to date, no property developer has been charged with corrupting an elected official in Queensland since George Herscu in 1990. Operation Belcarra itself did not uncover any wrongdoing by property developers, so why the heavy hand? Why the overreach in banning property developer donations in state elections? The CCC made it clear in its written submissions that the bill goes beyond the CCC's recommendations and, if the government were to consider banning certain donations to state elections, a proper review or inquiry would be the best way to go.

 **Mr BENNETT** (Burnett—LNP) (12.42 pm), continuing: I was talking about the overreach of influence into state elections. In its written submission the CCC made it clear that, in terms of the government banning certain types of donations during state elections, the bill goes beyond what the CCC recommended. The CCC commissioner argued that there was no evidence of trade unions improperly influencing the process. During the public hearing into the bill the commissioner stated—

The unions have been forever, as you know, public supporters of the Labor Party openly. Their funds are routinely disclosed. We found, as part of our investigation, no evidence that they were improperly influencing the process. What they did was transparent, part of the democratic process and not potentially corrupt in the sense that we are talking about, as opposed to the perception that is routinely recognised from developers in that same sector over a long period of time.

For me, this statement stands out in that it limits the proof of union corruption to this particular investigation, but this particular investigation found no proof of corruption by developers either. This is not the basis for distinguishing between the two. It is evident in this statement that the commission relied on claims that there is a perception that developers corrupt the election process. The commissioner has a different standard of proof for developer donations than he has for union donations.

As the recent ReachTEL poll demonstrates, the public perceives unions as corrupting the process. Some of that perception may derive from information other than that coming from the Belcarra inquiry, such as the trade union royal commission, or a news report from the *Courier-Mail* with the headline 'Unions hoping to cash in on poll pledges'. The article states—

Union bosses are warning Anastacia Palaszczuk to honour commitments Labor made to them, issuing blatant reminders of how they helped the party secure an unlikely win on January 31.

One high-profile figure boasts about how his union 'supported' seven successful Labor candidates and the fact that two of them now sit in Cabinet with the Premier.

Gary Bullock, who heads left-wing union United Voice, even went so far as to refer to the members and ministers as 'United Voice MPs'.

There is more to be said about union influence. Unions have control over who gets into cabinet. Retail trading hours were changed to support the shoppies. On it goes. It has been suggested that the commission has unfairly used different standards to judge different donors.

I want to address the debacle that is the definition of 'property developer', or the lack of. We know from the public hearings into this bill that no-one was able to outline the guidelines by which a property developer would be defined. Instead, references were made to the interpretation by the ECQ. It has been reported that the ECQ was unable to be questioned at the public hearings held by the committee. That is exactly what Labor wanted. It wanted complete chaos and disruption throughout this whole process. We now hear that a corporation is an engaged business that is regularly involved in making relevant planning applications.

During the committee process members raised concerns about the ability of the ECQ to make these determinations about prohibited donors. I raise this issue because, as a registered builder, from time to time I dabble in construction activities, mainly the construction of residential units, and I may well be captured as a prohibited donor. As someone who predominantly funds their own campaign, I find this legislation, which has expanded on the recommendations to include state elections—expanded on them to capture me—offensive.

I will move on to councillor complaints. The LNP does not oppose this part of the legislation. Of course, everyone in this House has expressed their regret at the recent disappointing events involving the conduct of certain councillors. Although there were a very small number of councillors involved, their conduct has contributed to the situation where the community's confidence in local government and their local government representatives has been eroded.

The LNP members are completely committed to working closely with the LGAQ and liaising with the councils in their areas. We want to encourage a smooth adoption of the new councillor complaints system and monitor progress on how well it is meeting its stated objectives and the new legislative framework. I know and acknowledge that the local governments in my area share many of the same goals of the LNP: to create jobs, provide safe and livable communities and build the roads and bridges that we need.

In closing, I want to assure my region that I give my strong support to the local councils in my area, the Gladstone Regional Council and the Bundaberg Regional Council. I support the work they do and the values they hold. The councillors do a terrific job in my community and I want to give a shout-out to them all. I want to continue to work with them for the benefit of our region. That is why the LNP supports this part of that legislation.