




Speech By
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MEMBER FOR MAIWAR

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**LOCAL GOVERNMENT (COUNCILLOR CONDUCT) AND OTHER LEGISLATION
AMENDMENT BILL**

 **Mr BERKMAN** (Maiwar—Grn) (2.37 pm): I rise to make my contribution on the Local Government (Councillor Conduct) and Other Legislation Amendment Bill 2023. Local councillors are tasked with some of the biggest decisions that affect people's everyday lives—what our homes and streets look like, how far we have to walk to find somewhere to kick a ball, if we can cycle safely to work and whether our local shops are fast-food chains and megasupermarkets or small, independent businesses. It is vital that those decisions are not coloured by inappropriate conduct or corruption. The Greens will be supporting this bill. It makes some good and sensible changes to the councillor conduct complaints system as recommended by the committee's inquiry, albeit changes that are clearly based on an assumption that the status quo is pretty much the best we can hope for.

The key thing that this bill does is create a new process for preliminary assessment and dismissal of councillor conduct complaints in a range of circumstances, including where it is not in the public interest or where the conduct occurs in a personal capacity unless it is corrupt conduct. There is no doubt that the current system needs an overhaul. Right now, the complaints processes are choked up with complaints that are clearly politically motivated, vexatious or a question of conduct that would be far better left to voters' discretion. There is a pretty clear example in former Greens councillor and now mayoral candidate Jonathan Sriranganathan.

Jonno has been dragged through the so-called independent councillor conduct complaints process for what are clearly just political disagreements. He has been accused of misconduct for social media posts about how property investors should not leave homes empty during a housing crisis and calling out the institutional racism and violence of Australian police—observations that have been made by no less than commissions of inquiry in this state. I would suggest that those are examples of appalling abuses of process that have affected Jonno. Just because the major parties do not have the courage or conviction to speak out or stand up on issues like this does not mean it is a matter of formal councillor misconduct. It is up to voters to decide if moral conviction is something they would like to see in their representatives.

What these changes should not amount to though is a get-out-of-jail-free card for corrupt councillors to have their complaints dismissed at the preliminary assessment stage before it is able to be revealed as corrupt. I am supporting this bill because I am hopeful that the changes will generally reduce the pursuit of matters that are not in the public interest and that would be best left to voters without allowing matters that may amount to corrupt conduct to slip through the cracks. However, let's not lose sight of the gaping abyss because, ultimately, this bill is little more than tinkering at the edges of a system that is fundamentally incapable of facilitating decisions in the best interests of people who live in our cities and regions.

The Office of the Independent Assessor was brought in in 2018 against the backdrop of rife corruption that saw the entire Ipswich City Council dissolved and multiple workers and elected representatives serving prison sentences. Following its investigation, the CCC released a public report

exposing culture and corruption risks in local government. That report is absolutely explicit about three of the most serious manifestations of the poor culture in that council, and I want to address each of those in turn because this bill does nothing to address those risks more generally.

First, the culture produced 'a lack of oversight and accountability for expenditure and public resources'. Let's not pretend that is isolated to the dissolved Ipswich City Council. This government, for example, still will not tell us how much it is paying for Cubic, its new privatised public ticketing system, despite numerous requests. Why that would need to continue to be hidden is beyond me.

Second, the CCC's report criticised the 'use of mechanisms which allowed avoidance of scrutiny of actions and requests for information under the Right to Information Act'. It reminds me of the piles of redacted documents on my desk regarding 'commercial-in-confidence' deals between this government and its casino mates who have been handed prime riverfront land, transferred to freehold by this same bill, for an undisclosed sum of money and an undisclosed supposed benefit to the people of Queensland. It reminds me of the deal with the Olympics organising committee to, in collusion with the LNP-led city council, keep some of the most significant spending and other decisions about our city in decades secret. This government is still hiding behind these excuses at every opportunity, just as the CCC was so critical of.

The third thing the CCC report raised was a culture of 'inappropriate relationships between the council and the private sector, in particular property developers and contractors'. This one is the kicker, because this government is still unwilling to ban cash-for-access meetings or do anything about the stranglehold that developers have over our cities. They refuse to introduce a developer licensing scheme. They refuse to fix the developer donations loophole which allows companies controlled by a property developer to make political donations.

In my electorate of Maiwar, there is a vacant block sitting derelict in the heart of population-dense Toowong. Back in 2020, the LNP-led council approved a development application from SDC, a company which is owned by the sole shareholder of McHomik Investments—a company that happens to have donated over \$6,000 to the LNP. That development proposed no affordable housing, breached height limits and privatised land that was previously slated for public greenspace under council's long-term infrastructure plan, but the LNP council was only too happy to offer multiple concessions to this developer. Again, this company was closely connected to one of their donors. That included moving a bus stop out of their way—all the way up the street. It included abandoning the requirement for the developer to deliver an urban common as public space and it relocated council's new park proposal around the corner on top of existing homes.

Now that the Aviary development has fallen over, after years of delays and uncertainty, the empty site is sitting behind fences, the bus stop is still 'temporarily moved' up the street—all the way up the hill from the train station and the shopping centre—and a new owner is promising more so-called luxury towers that will price out long-term residents. Meanwhile, the community is crying out for public, affordable housing and desperately needs a new school, public greenspace and community facilities. While developers are still given a free pass to unduly influence council decision-makers, the needs of the community will be put last time and again in favour of the major parties' developer mates. Yet this bill does nothing about that kind of corrupt conduct.

Today this government will talk about preventing corruption and tonight they will sit down to their dinners, drinks and fundraisers with their property developer mates. They say they care about stopping corruption, but that does not include the kind that they keep legal so they can benefit from it.

We will support this bill because the small changes may help reduce the tribunal from being overloaded with frivolous, vexatious and irrelevant complaints, and other changes such as publishing tribunal decisions will improve transparency. However, let's be clear: the real corrupt conduct—the kind that makes our cities less livable and ordinary people's lives harder—is still legal. It is not subject to scrutiny by the Councillor Conduct Tribunal or any of the political establishment. Without genuine, transformative change, the critical decisions that local governments make about our lives will continue to be corrupted by their own self-interest, their corporate donors and the property developers that run this city.

Mr Deputy Speaker, I ask for your indulgence given that I have some time left on the clock. I would like to make a personal comment to the camera. My dear parents are tragic enough that they occasionally watch Parliament TV. My mother is going in for a really significant operation tomorrow to remove a rare and aggressive cancer. I just wanted to say: we love you, Mum. We are thinking of you. We hope you get well quickly. Juno and I will come and visit you on Friday, God willing.

Mr DEPUTY SPEAKER (Mr Lister): The House wishes her well, I am sure.