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**From:** [REDACTED]  
**Sent:** Monday, 25 January 2021 7:06 PM  
**To:** Committee, EM (REPS)  
**Subject:** Submission Cth Joint Standing Committee on Electoral Matters concerning funding and disclosure for Review of the Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Act 2018

## SUBMISSION

Cth Joint Standing Committee on Electoral Matters concerning funding and disclosure for Review of the *Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Act 2018*.

Political donations from property developers and mining and gas companies should be prohibited donations for the following reasons:

1. Western Australia has NO third party appeal rights (TPARs) against development, subdivision or zoning approvals. It is the only state in such a parlous statutory position, because it fosters corruption through influence peddling by donating property developers who when they get what they want from lobbying and donations cannot be taken to an Administrative Appeals Tribunal for review of an unmeritorious approval but can go there for review of a meritorious refusal. This has turned WA into a poorly developed nightmare with little regard to the public or welfare of its citizens from property development. WA Inc., notwithstanding the Royal Commission, is alive and well in WA, noting WA Inc Royal Commission Report by three eminent jurists, at para 1.2.4 stated: *"The electoral processes must be fair. Public participation in, and support for, candidates, parties and programmes is to be encouraged. However, electoral laws should aim to prevent sectional interests from purchasing political favour, and to prevent those seeking election from attracting support by improper means."*
2. *"...serious weaknesses and deficiencies in our system of government. Together, they disclose fundamental weaknesses in the present capacity of our institutions of government, including the Parliament, to exact that degree of openness, accountability and integrity necessary to ensure that the Executive fulfils its basic responsibility to serve the public interest. This is not to deny the essential strengths of the concepts of representative democracy and responsible government which Western Australia has inherited."*: WA Inc Royal Commission Report para.1.1.31 12 November 1992 . The influencers should be denied any and every opportunity to influence a government to make decisions without integrity or merit or public benefit.
3. Some states and territories have limited or ineffective TPARs against development approvals, which is a big problem for the above reasons.
4. Australian political and electoral donations destroy public trust in govt decision-making
5. Mining and gas companies ramped up their spending on political parties in recent years to outstrip property developers and other big donors . Why do they do it? To buy influence which compromises the integrity, ethics and respectability of government decisions, donations lead to greater access and influence.
6. Enormous amounts of money and in-kind donations donated by sectors whose very existence depends on the issuing of government permits is highly problematic for public trust in the democratic process, and incentivises corruption and dare I say in the current climate "sedition".
7. The Palaszczuk Labor government passed laws in 2018,"backdated until before the 2017 Queensland election" banning property developers from donating money to state and council politicians, candidates and parties. QLD Supreme Court decision highlights the many reasons for this beneficial pro-integrity law reform
8. The QLD Supreme Court said much about the importance of such legislation to rebuild citizens' trust in government decision making. The Court's findings against the AIP by showing the purpose of preventing corruption and undue influence in government is consistent with a free and democratic

society based on human dignity, equality and freedom: *The Australian Institute for Progress Ltd v The Electoral Commission of Queensland & Ors* [2020] QSC 54.

9. Deloitte reports that \$45 billion could be added to the Australian economy by improving national ethics.
10. Deloitte found that Australia faces a perfect storm of an economic deficit, a global pandemic, an uncertain future of work, and long-term social and environmental change around the climate crisis and aboriginal reconciliation. To navigate this perfect storm in a Post Trumpian era, we need a government committed to a strong ethical framework that clearly and transparently produces decisions on merit with integrity, noting that improved ethics doesn't just prevent ethical failures, it improves bottom line: see "The Ethical Advantage from the Ethics Centre" <https://ethics.org.au/theres-something-australia-can-do-to-add-45b-to-the-economy-it-involves-ethics/> accessed online 30 October 2020
11. The federal government's Integrity Framework – if they have one and they should – must prohibit electoral and political donations from property developers and the resources industry who profit from the citizen's resources at the expense of the citizens, taxpayers and public resources. A functional effective federal government Integrity Framework that prohibits electoral donations from people and bodies needing favours from government decision-making will build respect for government and improve government productivity, which is sorely needed in these times.

Yours faithfully  
Sandra Boulter

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