



Speech by

Andrew Cripps

MEMBER FOR HINCHINBROOK

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LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT BILL

Mr CRIPPS (Hinchinbrook—NPA) (9.19 pm): I rise to make a contribution to the Local Government and Other Legislation Amendment Bill. The bill was introduced originally to address matters that arose as a result of the CMC's report into the 2004 Gold Coast City Council election, a department of local government, planning and sport review of the 2004 local government elections in general, and as a result of the reviews that were being undertaken as part of the government's Size, Shape and Sustainability initiative. Obviously, following the controversial decision announced yesterday in this place by the Beattie government regarding the derailment of the Triple S process and as a result of the amendments foreshadowed by the minister for local government, the bill takes on a very different complexion.

The bill amends the Local Government Act 1993, the City of Brisbane Act 1924, the Electoral Act 1992 and the Local Government (Community Government Areas) Act 2004. The original intention of the bill was to increase public confidence in the election process at a local government level. Until yesterday, the bill may have succeeded with this stated aim, but confidence is now rapidly disintegrating within local government circles across Queensland. The bill is now the instrument by which the Beattie government will deliver its marching orders to many local government authorities and hardworking councillors across the state of Queensland.

The original part of the bill proposes a wide range of changes to the way local government elections are conducted with respect to guidelines about how candidates can conduct themselves and about the roles of various institutions during local government elections. I am going to offer a few comments about those proposed changes because they deserve some attention. It is a shame that the amendments foreshadowed by the minister have been attached to them.

With respect to the proposal to create a caretaker period for local councils, I am not fully convinced of the appropriateness of this measure without some flexibility being provided to accommodate the circumstances of individual councils. Communities expect local councils to be responsive to community needs. Local government is the level of government that is the closest to the people. With respect to local government, as opposed to Queensland state elections or elections for the Commonwealth parliament, the dates for local government elections are fixed in the month of March every four years, so there is less of an opportunity to exploit council decision making for political benefit in the lead-up to an election. Decisions designed to extract a political benefit can be easily exposed as stunts when an election date is fixed.

If the government is committed to introducing a caretaker period, the minister might like to consider giving individual councils an opportunity to have some input into individually determining the length of the caretaker period, depending on the individual nomination periods. As I said, local government is the level of government closest to the community and this means that it needs to be responsive to the community needs at any given time. As such, any caretaker arrangements imposed on councils ought to be carefully considered for any inadvertent disadvantages that it may impose on communities. Indeed, as far as accessibility of local government is concerned, I fear reduced accessibility will be one of the real negatives forced on local communities when the Beattie government dumps its new local government boundaries on the people of Queensland.

With respect to the proposal to introduce a code of conduct for candidates contesting local government elections, such a code would be effective in providing a level of guidance for local government candidates, particularly first-time candidates, as to what is and what is not appropriate behaviour for candidates during a campaign. The code for candidates contesting state elections would probably be an effective model. On the matter of donations to campaign funds for local government elections, I am comfortable with the requirement being proposed in the bill for enhanced disclosure on the part of candidates, donors, broadcasters and publishers to similarly disclose any contributions made to the campaign funds of candidates in local government elections, bringing those contests more in line with the disclosure requirements associated with state elections.

Four local government authorities are covered in whole or in part in my electorate of Hinchinbrook. Members will be aware that in this place I represent part of the Johnstone Shire Council. On the afternoon of Thursday 8 February this year, the minister for local government came into this parliament and moved a motion to dismiss the Johnstone Shire Council. At that time I made two points which I genuinely believed the minister would take on board and accept as reasonable requests in light of the very significant decision that he had taken to dismiss the Johnstone Shire Council and the predicament of the shire.

The first point I made was that I felt strongly that the government should undertake an extensive education program about how the installation of an administrator affects the governance of the Shire of Johnstone. Secondly, and more importantly, I said very clearly to the minister that he should be conscious of the fact that in 2006 this community had struggled, and it continues to struggle, following the devastation caused to that area by Cyclone Larry.

I told the minister that it was incumbent upon him to act in good faith, especially with respect to critical issues pertaining to the government's Size, Shape and Sustainability initiative which involved the Johnstone Shire and the Cardwell Shire. I said that it would be vitally important that the administrator establish very strong links with the community that are representative and reflective of the attitudes of the community with regards to the Triple S process, given that he was not an elected representative. The prospects of the Johnstone Shire Council, the Cardwell Shire Council and, indeed, all councils and ratepayers across Queensland to determine their own future have now been steamrolled by the government.

I register my disappointment with the minister's actions yesterday as they relate to the Johnstone Shire and what happened earlier this year. I feel that to a certain degree he has failed to uphold the statement that he made when responding to the contributions of several members in this House during that debate. According to *Hansard*, on that day the minister said—

I think it is important and indeed incumbent upon me, the government and the department of local government to make sure that we can in fact provide every support to the residents and indeed to the administrator, Mr Webb.

Taking into consideration what occurred yesterday, I am now left with the feeling that to a certain degree he was being disingenuous when he made those remarks. Now the plight of the Johnstone Shire ratepayers and residents has become even more desperate. Instead of being faced with the obvious challenge of moving through the Triple S process without an elected council—although that is no reflection on Mr Webb, who I believe is doing a good job in difficult circumstances—they will now have their future decided by a government appointed commission.

The Cardwell shire and the Johnstone shire were partners in the Triple S process. I acknowledge that, as far as timeliness for furthering the Triple S process is concerned, those two councils may not have been as far down the track in their negotiations as other council groups were. However, it is also true that in 2006 no two other councils were as seriously affected by Cyclone Larry, which is when the Triple S process began. Certainly in 2006 the Johnstone shire faced tremendous challenges and spent much time, energy and effort in literally putting the shire back together. Therefore, it should have been expected that there would be limits to the ability of those two councils to further the Triple S process as it related to them.

In recognition of those challenges, it is only reasonable to take the view that the Cardwell and Johnstone shire councils deserved more time to progress the Triple S process. The time lines set down by the Beattie government for completing the Triple S process were tight for all councils across Queensland. For the Cardwell and Johnstone shires, they were plainly unrealistic given the enormous difficulties that those shires faced in 2006. However, the state government has not recognised those patently obvious circumstances and has imposed its one-size-fits-all view of the world on those struggling communities.

In the southern part of my electorate, the Hinchinbrook Shire Council and the Thuringowa City Council are members of the North Queensland Regional Organisation of Councils known as the NQROC. All six councils that make up the NQROC tackled the Triple S process together. They have advanced the Triple S agenda significantly, working towards a more effective sharing of resources and establishing long-term partnerships between their councils as requested by the government. I know that the councils in the NQROC have put a considerable amount of work and effort into the Triple S process, because I have been speaking to them and they have told me so.

The councils are deeply perturbed by the decision of the government that was announced yesterday to abandon that process. The NQ ROC really grasped the bull by the horns when presented with the Triple

S process and did everything that it was asked to do to move it through the process. Its award for compliance with the wishes of the Beattie government is to be ignored and betrayed.

I express my dismay at the sudden announcement by the government yesterday that it will force Queensland local councils to amalgamate without going through a process of consulting local communities affected by the changes. I join with my colleagues from the coalition in condemning the Beattie government's plan to ride roughshod over councils and force amalgamations within a time frame of only months.

The Queensland coalition will maintain its long-held policy stance to oppose the forced amalgamations of local government authorities. We will continue to respect the rights of individual councils and their ratepayers to determine boundary changes or amalgamations with other local councils.

As the member for Warrego and the Leader of the Opposition have already said, amalgamations may be right for some councils but not right for others, and there should not be a one-size-fits-all approach to local government. The councils and ratepayers of the affected shires should make those decisions free of standover tactics from the government.

The government committed itself to working in partnership with councils through the Size, Shape and Sustainability process, but its announcement yesterday shows that it has not been honest about its intentions. Local councils and ratepayers have every reason to be outraged at the duplicity and arrogance of the Beattie government.