

Office of the Mayor



Ref: 14/07/004

25 July 2018

Committee Secretary
Economics and Governance Committee
Parliament House
George Street
BRISBANE QLD 4000

By email only to: egc@parliament.qld.gov.au

Dear Committee Secretary

Personal Submission addressing the *Draft Local Government (Dissolution Of Ipswich City Council) Bill 2018*

I lodge this submission in opposition to the *draft Local Government (Dissolution of Ipswich City Council) Bill 2018* (the Bill) which seeks to dissolve the Ipswich City Council and appoint an interim administrator in the place of its duly elected Councillors.

I believe the Minister for Local Government, Minister for Racing and Minister for Multicultural Affairs (the Minister), proposes a course of action that:

- a) Creates an extreme precedent by introducing a piece of legislation to bypass existing action in the Supreme Court and to deny natural justice to a group of people who have faced no legal charge; and
- b) Is unnecessary as there are adequate remedies within existing legislation to take action where substantive evidence exists.

Excluding the Mayor, the current councillors of the Ipswich City Council, some of whom have only been elected in recent years, have not been charged with any criminal or civil offence and remain dedicated to serving the Ipswich community.

The act of halting Supreme Court deliberations relevant to this matter, by simply rewriting Queensland law to achieve the Government's intent, undermines the basic principles of our legal and parliamentary systems and is an affront to democratic values that are important to all Queenslanders.

It appears the Minister is pursuing a course of action based on guilt by association, or guilt by non-evidence based public opinion. By the standard I perceive the Minister is applying, should this be applied at a Queensland Parliamentary level, prior or future occasions where a sitting member of Government is charged with an offence (still to be proven) the whole of the sitting Government should also be dismissed by association. Clearly this would be ludicrous, however it highlights the inequity inherent in this proposed bill.

By its own admission, the Queensland Government has drafted a bill that denies the most directly affected individuals an opportunity to be heard on the matter or to be afforded procedural fairness before the legislation is passed.

The Bill does not provide an avenue for review or appeal of the decision to dissolve the Council and appoint an interim administrator, nor does it consider any form of compensation for the affected individuals who are about to be permanently tarnished by this action.

This precedent, while time bound, still represents a significant breach of the principles that underpin our democratic society and the fundamental principles of our legal system that every Queenslanders relies on as a fair and level playing field.

As an elected officer I believe all Queensland councils, in particular, should be wary of the precedent set by a State Government that can craft legislation at its discretion to dissolve a council without providing the opportunity for fair review or recourse for councillors or constituents. By this precedent, any future government could use such legislation or the threat of such legislation to manipulate the fair and reasonable actions of such councils to suit their political or policy agenda.

The drafting and introduction of the Bill has been done in haste and, while it purports to represent the interests of the Ipswich community, gives no consideration to the welfare of innocent parties or the consequences of depriving a city of its elected officials.

I believe it is beholden on the Committee to also give consideration to the reasonable and responsible range of actions that are already available to the Minister within current legislation. This includes the previously commenced "Show Cause" processes. If there are matters of such extreme merit and substance as to render the continuation of the existing Ipswich City Council untenable, such a process allows the Minister to proceed while also demonstrating the inherent principles of natural justice and democratic process.

I urge the Committee members to give due and proper consideration to the significance of creating such a precedent to target any innocent subgroup of the Queensland community in such a brutal and undemocratic way.

I strongly urge the Committee to advise the Minister to seek a more just and democratic path forward in the interests of the reputation of Queensland as a place of fairness and democratic process, and in the material maintenance of good democratic process.

Yours faithfully



Cr Greg Christensen
MAYOR