



Speech by

HOWARD HOBBS

MEMBER FOR WARREGO

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LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT BILL

Mr HOBBS (Warrego—NPA) (4.26 p.m.): This Bill proposes changes to the Local Government Act 1993 for law-making processes, the conduct of elections and the disclosure of election gifts and further miscellaneous amendments. The City of Brisbane Act 1924 is also being amended, with provisions for the Brisbane City Council to arrange for the Electoral Commission of Queensland to take responsibility for the conduct of council elections. The Bill deals with the Local Government (Aboriginal Lands) Act 1978 in respect of sunset provisions and also deals with the Fire and Rescue Authority Act 1990.

The Bill contains amendments to the national competition framework for local government, including a one-year extension for transitional provisions. This extension will give councils and State Government more time to work through the necessary implementation for the provision of infrastructure and services such as water and sewerage.

I notice in the Minister's second-reading speech concerns expressed about the behaviour of a few councils who are sending misleading messages about NCP. It is disappointing that this is the case. However, the overall impact of NCP has been felt in rural Queensland more than in the big end of town. I can fully understand why NCP is blamed for most things that go wrong, particularly in rural shires.

Let us look at the electricity industry, where we once had staff all over Queensland maintaining the infrastructure such as powerlines, improving power output when demand grew in some areas and being available for call-outs when the power went off. Six years ago we had the cheapest non-hydro power in mainland Australia and now it is the dearest, besides South Australia. We would have been able to export power. Now we will have to import it. The powerlines, our lifeblood, are splintered, rotten and failing. This has been caused by a combination of events, from the Goss Government not planning and building power stations to National Competition Policy and consecutive Governments taking too much from the industry to fund the State Budget. Reliability and maintenance of electricity in Queensland is going backwards. National Competition Policy has to take some responsibility for that—not a lot, but some.

The situation is the same in the area of communications. It is no wonder local governments try to blame a lot of the things that go wrong on NCP. For instance, many residents throughout the west are unable to watch the State of Origin series this year. It will be the first time in years that they cannot. Are we going forwards or backwards? We are almost in the year 2000 and we cannot even watch the State of Origin, but we could in the past. We should understand why people get cranky about that.

Responsible local governments should tell the story the way it is. If they are doing a restructure on their own behalf and not as a response to NCP, they should make it quite clear to their ratepayers and their employees. This Bill provides amendments to give local governments absolute provision for a charge or a special rate. The Ombudsman has ruled in some cases, where complainants have questioned the validity of these special rates, in favour of the residents. One case involved the rate levied on land-holders of the Moreton Bay islands by the Redland Shire Council. No-one would dispute the good intention of a special rate to improve the services of the bay islands. However, because of the poor subdivision and the division within land-holders of the area, it is easy to understand why the objection was made.

I take this opportunity to talk about some of the problems that are evolving on the Moreton Bay islands, particularly Russell Island, Lamb Island, Macleay Island and Karragarra Island. Members should be aware of the Russell Island scandal that happened many years ago, when people were sold land that, in fact, was under water or tidal. Some of those blocks still exist. However, many have been resumed, bought out or surrendered by the owners. But the problem still exists. Quite simply, there are many more blocks available for habitation in those areas than the islands can sustain.

The State Government and the Redland Shire Council commissioned the southern Moreton Bay islands planning strategy, which is an in-depth study of the region and proposals for future habitation of those islands. The problem is that, because of the uncertainty, land values have dropped dramatically. Many land-holders have not been contacted about what was proposed in the strategy, and a lot of anger has been generated in the area. People are angry because they have not been informed. My view is that all land-holders should have been notified with their rates notices. That would have been one opportunity to let them know what was happening. This Bill will allow that to occur, as well. It could have been done before, but this Bill will clarify any figures in relation to special rates or whatever the case may be. The information that has been provided so far has never really spelt out clearly that land is going to be resumed—and resumed at prices of approximately \$5,000 per block, which in many cases is much lower than the original purchase price.

I have raised this issue a number of times in Parliament—from the Estimates last year to questions and statements in the House—but at this stage no decision has been made on what the Minister is proposing to do in relation to the strategy. Soon he will have to make some sort of a decision as the responsible Minister. The values of the land and some of those people's homes have dropped while he has been the Minister. That is not fair in anyone's language.

Mr Mackenroth: At least I made a decision to get the report, which sat on the other Minister's desk for a year, off the desk and out to the public.

Mr HOBBS: It did not come out for a year. It only came through in August 1998. If I recall correctly, it was commissioned in 1996.

Mr Mackenroth: No, it was there on my desk when I got there in June.

Mr HOBBS: The point is that the report has been done. We are all in agreement on the process. It is now in the Minister's court. He cannot really allow the devaluation of Queenslanders' assets, and unless some action is taken very soon he will be presiding over the Russell Island scam Mark II. That is the problem that the Minister has to face.

The Bill before the House allows the Redland Shire Council to, once again, levy the residents of the bay islands, and the Ombudsman will not be able to save them this time. I understand that the Ombudsman disallowed the previous levy because some of those people were not going to get a benefit in that year. So if local governments in the future do wish to impose a levy, they must have an implementation plan to show that there will be benefits for those people who pay the levy. For instance, if there is no benefit for some people in some parts of the shire, that levy should not apply.

The Bill also includes an amendment to clarify that a minimum general rate levy does not apply to any parcel of land to which section 25 of the Valuation of Land Act 1944 applies. This relates to changes that I made to the Valuation of Land Act when I was the Minister for Natural Resources whereby developers and the department agreed on a new formula for valuing developmental blocks. In the past, with a block of, say, 20, a new valuation had to be done for the remaining 19 blocks each time one was sold. This was a costly method for the department. It was slow and inefficient for the developer, and the compromise was for a valuation to be done on the whole developed area in the Stage 1 project for a value on an undeveloped basis less a percentage of that value. However, as blocks then were sold, the percentage discount was not applied. The problem arose when some councils were applying the minimum rate, which was, in fact, higher than the valuation of the undeveloped blocks. Therefore, there was no benefit to the developer. This is a timely amendment.

Local governments will also have greater flexibility in their discounting practices as a result of amendments in this Bill. This will give councils flexibility in cases where widespread flooding may occur and ratepayers will not be able to meet the deadline to obtain the discount for paying their rates. A good example of that is what happened last year in north Queensland, and there have been plenty of occasions such as that, even in my time. I recall that councils were in a real dilemma; they knew that they should be allowing a discount but, under the Act, they were not allowed to.

Further amendments are made to the local law-making process. As a result of the NCP process, all local laws are to be reviewed. This amendment is timely in that it provides for regulation to be made to set drafting standards for local laws, including the application of the fundamental legislative principles in the Legislative Standards Act 1992. It also contains a requirement for local government to lodge a compliance certificate as part of this State's interest check certifying that the proposed local law has been drafted in accordance with the standards. The Bill also provides ongoing review mechanisms for local laws which should ensure that they are updated and relevant. There are many local governments

which, in their present review of local laws, are finding that some of the local laws are, in fact, over 100 years old and totally irrelevant.

The fixing of a common cut-off date for the closure of the rolls for local government elections as 31 January in an election year is a positive step. Presently, for those who have a postal vote, the cut-off date is 31 December. However, complications can occur for those people who change enrolments between 31 December and 31 January and go from a council that is having a normal ballot to one having a postal ballot. A lot more pressure will be put on the Queensland Electoral Commission to make sure that the rolls are, in fact, out on time. And we will have to make sure that this does occur, because if it does not then the cut-off date of 31 January will, in fact, have to be changed to an appropriate date by which the rolls can be updated and sent out to those local authorities with adequate time for the election process to proceed.

The Bill also amends the City of Brisbane Act 1924 to enable the Brisbane City Council to arrange for the Electoral Commission of Queensland to take responsibility for the conducting of the Brisbane City elections. The town clerk is responsible for running the council elections, and what is proposed here is that, if the council resolves to enter into an agreement with the Electoral Commission and an agreement is breached, the elections would be conducted by the commission on a fee-for-service basis. I think that is quite reasonable. It is up to the BCC and the Electoral Commission, and if they come to that arrangement, that is fine.

The Bill also amends the regime in relation to disclosure by successful candidates and disclosure by groups of election candidates that are not endorsed by a registered political party. I often question the validity of much of this information, as usually the ones who use it tend to be either the media or one's political opponents. But at the end of the day, in this day and age of open disclosure, one has to make sure that not only is the right thing done but that it is seen to be done.

There is also provision in this legislation for the Brisbane City Council to have added flexibility in purchasing arrangements, which would bring it into line with other local governments. That is quite reasonable. The Local Government Association purchasing authority, for instance, is one mechanism through which councils are able to obtain machinery or whatever they require via a very rigorous tendering process, and that flexibility can be passed on to the Brisbane City Council, as well.

It is a good system. There is an opportunity to ensure that local businesses do not miss out. Local companies and even some councils can put in tenders and, in the final result, those tenders are fairly close to the mark. Instead of the article or the service being purchased out of town, it should be possible for the local merchant to undertake the job. We have to try to encourage councils to use local suppliers.

The Local Government Association of Queensland is an efficient support body for local government. Finance is tough at the moment. Financial arrangements made by the Local Government Association have been very positive. Money is pretty tight for such things as roadworks. Local governments need everything going for them.

We saw a disappointing situation recently in which the opportunity of a lifetime was lost. This was a chance to get some real money into local government by way of the GST package that was proposed for Queensland. Local government would have benefited by some \$500m within the first 10 years if this package had been accepted. That amount of money is not to be sneezed at. It was one of the biggest single funding packages for untied grants that local governments in this State have seen. The deal was negotiated for Queensland by the Government and the coalition. The funding was to be distributed by way of a fixed arrangement. However, that money has gone. It has gone because the deal was sunk by the Labor Party, the Australian Democrats and Senator Harradine. We have now seen the Australian Democrats come up with a proposal which will take the majority of that funding boost away from local governments.

The Minister for Local Government had the opportunity to tap the Labor Party senators on the shoulder and say to them, "Hey guys, here is \$500m for local government in Queensland over the next 10 years. Can you help us out?" Maybe the Minister did that; maybe he did not. Maybe he will tell us during his summing up.

Mr Lucas: Did you tackle Mal Colston?

Mr HOBBS: Our guys have been talking to everybody to try to get this thing through. Perhaps the Minister will tell us about any communications with Mal Colston. The money has gone. We have lost it. We did not see a great deal of support from those opposite helping us to get the money. Perhaps the Minister has an alternate funding package which will restore that lost money.

I was in local government at the time when Bob Hawke did away with the fixed arrangement in relation to income tax sharing for local government. The measure was in place for a while, but it was eventually dropped by Mr Hawke. That was a big blow to local government.

The GST package was the chance of a lifetime for local government, but it has now gone. Even the diesel fuel rebate was worth \$18m to local government across Queensland. That sum has now been cut in half. The big losers will be the Gold Coast, the Sunshine Coast and the metropolitan areas of Brisbane and Ipswich. The Brisbane City Council was very supportive of knocking out the GST. That really makes one wonder how some people think in relation to funding.

I understand that the Minister has said the Act will be amended in the area of private certifiers and that this will clarify preliminary approvals for particular developments. I have no problem with that. There are other minor amendments to the Act which are supported by the coalition. The Opposition supports the Bill and I commend it to the House.
