



Speech by

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MEMBER FOR WARREGO

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COMMUNITY SERVICES LEGISLATION AMENDMENT BILL

Mr HOBBS (Warrego—NPA) (3.38 p.m.): It is a pleasure to speak to the Community Service Legislation Amendment Bill. The policy objectives of the Bill are aimed at detailing powers of intervention by the State in the affairs of Aboriginal and Torres Strait island councils. The Bill describes how such powers are to be exercised.

This amendment is reflected in the Local Government Act 1993. Other councils throughout the State operate under this Act. I believe that we are heading in the right direction in relation to applying one set of general principles by which all councils should be able to operate. I understand the difficulties that face many of the Aboriginal and Torres Strait island councils. We have to work our way through the process.

Even though we might like to see the process succeed quickly, in many instances that cannot be done and we must do the best we can. We have to work with the various communities in order to achieve that goal.

Another policy objective is to assist Aboriginal and island councils which are in financial difficulty. The legislation allows for the appointment of financial controllers. The legislation will limit the areas of council expenditure and forestall insolvency and the dissolution of councils.

We have all seen the unsatisfactory unqualified audit reports that have been presented in the past. It is good to see that the situation is improving. However, more work is required in that area. This legislation should put in place some better principles which will allow that to happen. We must have improved accountability across the board. I believe this is occurring in a lot of Aboriginal and island councils.

The legislation allows the revocation or suspension of a council, but only in limited circumstances. For instance, the Governor in Council may by regulation appoint a financial controller for an Aboriginal council if the Minister is satisfied that the council has made a disbursement from a fund that is not provided for in the council's budget or that it has made a disbursement from grant moneys for a purpose other than the purpose for which the grant money was given. This legislation will make the system better. It will allow the appointment of a financial controller to assist these people in relation to the financial management of their council, which is a large responsibility.

I thought that the contribution made by the member for Beaudesert in this debate a little while ago was excellent. Because of his knowledge of the Aboriginal communities as a long-time former Minister for Family Services, his good standing in those communities and the fact that he was a teacher at Bamaga, I was very interested to hear what he had to say. The member has a great affection and understanding for a lot of people in that area.

In relation to the dissolution of a council if that, unfortunately, did occur, the legislation states that the Governor in Council may by regulation dissolve an Aboriginal council if the Minister is satisfied that the council has acted unlawfully or corruptly or has acted in a way which puts at risk its capacity to exercise properly its jurisdiction of local government, or is incompetent, or cannot properly exercise this jurisdiction of local government. That is fairly self-explanatory. Really, in terms of any council, those provisions should apply. In fact, at various times for various reasons many mainland councils across the State have been faced with those same provisions. Those councils may not have faced the same difficulties as an Aboriginal or island council, but the Minister should have the option to be able to

dissolve a council. Sometimes for various reasons problems arise and communities can implode. There needs to be someone with the authority to be able to come in and try to assist the community resolve the difficult issues that they may face.

The legislation also allows the Minister to make accounting standards to prescribe the principles of financial management and accountability to be observed by Aboriginal and island councils. I think that is quite a relevant point in that, in the past, the accounting standards of some of those councils have not always been exactly up to scratch. Certainly, in that regard this legislation will make a difference. I believe that the standards contained in this legislation will define quite clearly what is required by those councils and the guidelines within which they have to work. It also sends the message to the general public that these are the rules and that all councils have to abide by them.

Another objective of the legislation is to provide a simpler system of financial management for Aboriginal and island councils by allowing councils to amend budgets. That occurs in other councils. There is no reason why that cannot happen in relation to these councils. It is just that the checks and balances have to be in place to make sure that the financial management is carried out properly. I certainly recognise the big job that many of those Aboriginal councils have to carry out. As the member for Beaudesert said, those councils face a lot of other social issues that other councils do not have to face. The lifestyles and the culture of the people who live in those communities are different. Many people do not perhaps understand that until they have become involved with the communities, they have visited the communities and have talked to the people about the various issues that they face. In that way, people get to understand that the people in those communities do things a little differently. They can still achieve their objectives, it is just that they approach them differently. We must understand that and respect their different ways of approaching issues.

Another difficulty facing the councils in those remote areas is getting qualified staff, such as chief executive officers and other positions. In many instances, those councils are located in isolated places and sometimes it is really difficult to get people to work there. That is disappointing, but that is just the way it is. Even areas such as Charleville, Longreach and other areas in central Queensland find it difficult to attract specialist people. However, we have to make sure that we do the best we can to attract those people. Generally speaking, a lot of specialist people who go to work in those areas are very dedicated. That is certainly a big plus for the councils. So although sometimes we might not get the most qualified person for a remote council, we will get someone who is there because they want to be there. That certainly does make a big difference.

Some of those services provided by the Aboriginal community council areas are also difficult to administer. For example, the councils have to run the beer canteens and suchlike. In that regard, those councils have a big responsibility. As we have seen, sometimes the situation in those areas gets out of control, but generally speaking the councils do a pretty good job. Some councils run their areas better than others. However, it is our job to make sure that we lift the standards of all of those councils and provide the resources that they require in relation to roadworks and water and sewerage facilities.

Some of those island communities experience problems in relation to rising water tables. It is very hard to get adequate water facilities into those areas. Believe it or not, some islands in the Torres Strait do not receive an adequate rainfall. One would think that it would rain all the time in that area. However, in the winter months, it does not rain all that much. Unless a quite reasonable reservoir is put in place, it is difficult to provide an adequate water supply throughout the dry period. To provide such a water storage facility, it is a matter of finding the best location and who owns the land. Sometimes, the site has to be lined so that the water does not get away or is not contaminated by the rising water table. That is a very difficult task.

The septic systems, which most of those communities in that area use, cause some real difficulties. In fact, I was really quite amazed to find out how far behind many of those island communities were in relation to their sewerage system. In some cases, they are still putting sewage onto the beaches and the tide takes it away. We have to try to work harder to stop that. Over the past couple of years, a good package has been put together to alleviate that problem. I hope that that package is still under way, because we cannot have that practice continuing. If we did allow it to continue, the whole area is likely to become more polluted. Those communities live in a beautiful part of the world and we have to make sure that we do what we can to assist them as much as possible.

I would like to raise another issue which occurred recently at Thursday Island in relation to Uzu Air. Unfortunately, an Uzu Air Cessna Caravan crashed on one of the islands. As a result, the Civil Aviation Safety Authority cancelled the licence of that airline. The basis for that cancellation was that that airline was taking passengers when it was not licensed to do so. Of course, as is typical of CASA, there was not a lot of logic behind the whole decision. The reason why Uzu Air was not able to get a licence to take passengers was that the dimension of the airstrips would not meet the standards set down by CASA. Unless the sea fell or the islands rose, there was no way in the world that the

dimensions of those airstrips would ever get to the stage at which they would reach the dimensions set down in the book.

Try as hard as they might, the issue took months to resolve. Eventually, they found that there was no reason why the licences could not be issued. They tried to drum up a few examples of breaches of the Civil Aviation Safety Authority legislation, which was very weak indeed. However, at the end of the day, the only outcome has been that they have made it harder for people on those island communities to communicate. Even some communities on mainland Australia, the gulf and Cape York, relied on the plane to bring mail and stores. Indeed, they could hop on the plane to fly to Cairns, Cooktown, Thursday Island or wherever. During the wet season, those people were not able to communicate with other communities. They did not have access to the sorts of services that others throughout Australia take for granted.

The way that the issue was handled was an absolute disgrace. CASA made an assumption that the aircraft that crashed was not maintained properly. I understand that when the mail plane came in to land, another aircraft was parked on the strip and it had to fly around again. Unfortunately, that is when it crashed. The pilot was not at fault at all. In fact, the pilot was endorsed as a multi-engine aircraft pilot. He had aerobatic experience and was a Grade 1 instructor as well. There was nothing wrong with his ability. There must have been a mechanical failure. Unfortunately, such things happen from time to time.

Basically, the Opposition supports the legislation. The shadow Minister will move some amendments that we believe will tighten up the legislation and make it a little better. We have to try to put in place the best and the simplest rules possible to ensure that the Aboriginal communities and councils have good, clear guidelines to follow. In this way, they can hold their heads high and run those communities in the best and most efficient way possible for the betterment of all those in the communities.
