



Speech by

**JEFF SEENEY**

**MEMBER FOR CALLIDE**

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**LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT BILL (No. 2)**

**Mr SEENEY** (Callide—NPA) (3.52 p.m.): In participating in the debate on the Local Government and Other Legislation Amendment Bill (No. 2), I wish to support the comments made by the shadow Minister for Local Government and Planning, the member for Warrego, concerning four-year terms for local governments. As most honourable members know, I have a background in local government. I probably understand it well enough to know that there is a diversity of opinion about this initiative. I tend to lean towards supporting four-year plans. Although I am not particularly passionate about this issue, I think it is probably a good idea, given the way that Government at all levels has developed. The time frames being placed on projects, both State Government and local government, mean that very few, if any, major projects can be completed in one three-year term. That in itself is a convincing argument for four-year terms. Any group of people elected at a State or local government level deserve a chance to have sufficient time to implement their program.

Without wasting the time of the House and repeating the points made by the member for Warrego, suffice to say that I lend my support to the point that the issue should have been decided by a referendum. I have cast my mind back to the time leading up to this proposal, and I do not recall any great initiative coming from local government itself. I do not recall any great grassroots desire, campaign or major expressions of opinion that this was a pressing issue or a high priority for them. It seems to be something that was conceived in the Minister's office or by the Minister. Perhaps in his summing up he may be able to correct me if I am wrong. As far as I was aware, it certainly was not an initiative that arose from local government. It seems to have been a bright idea that somebody had one day and which was pursued in a rather, as some people consider, cynical fashion in that the so-called public consultation was not genuine consultation. The people who were most affected really did not have much input into the decision at all.

Be that as it may, the whole point is: why could it not have been decided by a referendum? No reason has been advanced as to why the proposition could not have been put to the people at the next local government elections. No argument has suggested that there was an urgent need for this initiative. It seems only logical that, if we are going to consider this type of issue, the people most affected should get to have a say and the people in the local government areas should get to make the decision. I would be interested to hear the Minister's comments in his reply or particularly during the Committee stage, when we will be moving an amendment, as to the arguments against holding a referendum. Was a referendum considered as part of the initiative to introduce four-year terms? If it was considered, why was it rejected? Why were the people of Queensland not given the option to express their point of view about whether or not four-year terms were a good thing from their point of view? It behoves the Minister to explain that.

The other aspect of this legislation about which I wish to comment are the changes being proposed to the equal employment opportunity rules that local governments have been required to meet. This is probably a step in the right direction, but it is only a small step. I suggest that the Minister should have taken many more steps and thrown this whole thing out. I well remember back in 1995, when I was part of the—

**Mr Mackenroth:** The former member for your seat had two and a half years to do that if she wanted to, and she didn't.

**Mr SEENEY:** I thank the Minister for the comment. I can assure him that the arguments that I am about to put to the House and the Minister were certainly put to the former Minister by me. I hope I am more successful in convincing the current Minister than I was in convincing the previous Minister. The fact remains that this equal—

**Mr Mackenroth:** You would have been one of the councillors that referred to this as "EIEIO".

**Mr SEENEY:** I can assure the Minister that it was referred to by lots of terms in local government circles, many of which do not bear repeating in this House.

**Mr Hobbs:** I wonder how the Left Wing would go over there with the factions. I wonder how they'll go.

**Mr SEENEY:** That is always a bit of a problem.

**Opposition members** interjected.

**Mr DEPUTY SPEAKER** (Mr D'Arcy): Order! I am sure the member is quite capable of making his own speech.

**Mr SEENEY:** Thank you for your protection, Mr Deputy Speaker.

As the Minister said, Local Government Amendment Regulation (No. 3) 1995 quickly became known as the "EIEIO" regulation. It was greeted in the local government circles that I was involved in at the time initially with absolute disbelief. People said, "They have to be kidding." It arises from trying to impose a one-size-fits-all requirement on local governments in Queensland. Local governments across Queensland are incredibly diverse. They range from the Brisbane City Council, which has a huge corporate structure, through to some very small and limited rural councils. Applying this type of measure across-the-board produced some absolutely absurd results. The purpose of the regulation was stated as being to promote equality of employment opportunity in local governments. But equality of employment opportunity is required of all employers in our society. The Anti-Discrimination Act ensures that everyone has equal employment opportunity no matter where they work. The question that comes to mind—and I put this to the former Minister and just about everybody else with whom I have had this argument—is: what is so special about local government? Why does it need a particular regulation? Is the implication that local government is somehow avoiding its responsibilities under the Anti-Discrimination Act?

**Mr Mackenroth** interjected.

**Mr SEENEY:** We can have a discussion about this later on if the member likes, but I do not think that anything could be further from the truth, especially in the case of rural shires.

Paragraph (a) of the definition of "target group" used in this particular regulation states that it means people of Aboriginal or Torres Strait Islander descent. I would like to see some figures done in some of the rural councils. I think that some of them would have the highest ratio of that particular target group of any employers that I could possibly think of. The second group under the definition of "target group" is people who have migrated to Australia and the third is people with certain disabilities. Of course, under the definition of "target group" the one that always causes huge amusement in local government circles is paragraph (d); it is right at the end. It is one word: women.

No matter which particular industry one is in right across Queensland, the attitudes of society have changed to such a degree that anybody who tried to avoid their obligations under the anti-discrimination provisions and discriminated against women in terms of employment would very quickly find themselves in a lot of trouble. That is even more so in local government because it is answerable every three years to its electors, the majority of whom, in most cases, are women. It is absolutely impossible to understand why this particular regulation was implemented in the first place and why it was seen as necessary.

**Mr Lucas:** Why don't you get on to social issues? I always find you most rational when you debate them.

**Mr SEENEY:** I enjoy debating with the member for Logan.

**Ms Struthers:** Lytton.

**Mr SEENEY:** The member for Lytton. I get them mixed up. They all represent Brisbane. They all should be called the members for Brisbane; they have no idea what happens outside of Brisbane.

That is the point with this particular piece of legislation: local government business is spread across the entire State. What happens in local government circles in Brisbane is a world removed from what happens in local government circles across the State. In rural shires, the whole business of local government is so different, and none of the members opposite understand that. None of them have a clue. Whether they are the member for Lytton, the member for Logan or the member for whichever other Brisbane suburb, they are all the same. They are like a group of clones. They do not have a clue.

**Mr DEPUTY SPEAKER** (Mr D'Arcy): Order! The honourable member will address the Chair. If he gets on with his speech we might be able to understand him a little better.

**Mr SEENEY:** As I said, I do not believe that this particular amendment goes far enough at all. When debating amendments to the Local Government Act, it would have been a good time to raise the question of why this whole area of equal employment opportunity needs to be treated any differently in local government than in every other area of employment. As I said amongst the interjections, in every other area of employment employees are protected by the Anti-Discrimination Act, and so they should be. Why is it necessary in the area of local government to have a particular regulation that requires every local government to go through this crazy process that places a huge administrative burden on local councils across the State?

It is interesting to see the great pains that the Government goes to in respect of this particular regulation. Section 36B of the regulation states—

"Nothing in this division is to be taken to require an action incompatible with the principle that recruitment, selection, promotion and transfer are to be dealt with on the basis of merit."

If that is not stating the obvious, one would have to wonder what was. How on earth the Government justifies the very existence of the rest of the document in terms of that section is a bit beyond me. Just in case some of the members from the Brisbane suburbs—as I said before, they are all from Brisbane—are not aware of what is involved in this, I point out that this is something that exercises a fair bit of time in local government circles. It is not something that can be done particularly easily. The regulation sets out eight steps that have to be followed. It states—

"A local government must take the following steps in developing its EEO management plan ... "

This stuff is really bureaucracy gone mad. There is a little social engineer sitting down somewhere writing this stuff without any concept of what it actually means out there at its point of application. It states—

"Step 1—Issue policy statement and keep employees informed

...

Step 2—Nominate person to have EEO responsibility"

In small rural shires, there are probably four or five people in the administration section. There is the CEO and a deputy CEO, who doubles as an accountant—or an accountant who doubles as a deputy CEO—someone who does the rates, someone who does the mail and that is about it. There are four, five or six people. I can think of plenty of shires that have administrative staff of that number. They probably have 40-odd people who work out on the plant—in the road crews—and the water crews and the gardening crews. They have to nominate a person to have EEO responsibility and give them the responsibility of doing it. Then that person has to consult with the trade unions. For pity's sake, most of the local government work force west of Toowoomba and north of Noosa have not seen a trade union representative for as long as they can remember and, what is more, they do not want to, yet the person who has been given this job has to consult with the trade unions.

**Mr Cooper** interjected.

**Mr SEENEY:** That is right.

Step 4 is to consult with the employees. This particular person has to then call a meeting of the 30 or 40 people that the council employs—get them all in the depot and have a meeting—and let them know about the implementation of the EEO management plan. I have actually seen one of these meetings. Everybody got together and they were going to be told about this. They started off blank-eyed and wondering what it was all about and ended up in hysterics— absolute hysterics—that this type of thing was being proposed.

Then step 5 is to collect statistics. The person who has been given the EEO responsibility has to collect statistics. They have to go and ask those 30 or 40 people, "How many of you fit in the target group?" It is pretty easy, I guess, to work out how many are women. That is probably not really hard to determine. It is a bit hard to verify in some cases, but it is not hard to determine.

Then they have to work out whether any of these particular people have one of the types of disabilities that have been listed in the definition of "target group". They have to go around asking, "Have you got an intellectual disability? Have you got a physical disability? Do you fit under paragraph (b)? Are you of Aboriginal extraction or of Torres Strait Islander extraction?" If honourable members can imagine the sort of stupidity involved in trying to do that amongst a work force of the type I have just described, they will understand why the meeting that I went to degenerated into hysterics.

After the statistics are collected, step 6 is to review policies and practices. So this particular person has to examine the local government's policies and practices about employment matters to identify whether there are patterns of inequality of opportunity for members of the target groups or

policies or practices unlawfully discriminating against members of those target groups. If that were the case—and it should not be, and I am not suggesting for a moment that we should allow that sort of discrimination, but if it were the case—it would be covered by the Anti-Discrimination Act just as those types of practices in every other workplace in the State are and should be. Once again, there is nothing different about local government. There is nothing different about local government work forces or workplaces.

In regard to step 7, the legislation states—

"Step 7—Set objectives and implementation strategy

Set qualitative and quantitative objectives consistent with the purposes of this regulation and develop a strategy for implementing the EEO management plan to achieve the objectives."

What a great use of the English language! Can members imagine somebody sitting in a shire office in Eidsvold or Taroom with a work force of 35 or 40 people being given the task of setting qualitative or quantitative objectives consistent with the purposes of that regulation and developing a strategy for implementing the EEO management plan to achieve the objectives?

**Mr Paff** interjected.

**Mr SEENEY:** The Brisbane City Council can do it, because they have buildings full of bureaucrats who have nothing better to do. It is a world removed. That is the whole point. The people who write this stuff and the people who take great delight in interjecting during this debate do not have a clue about the differences among shires. They all represent suburbs of Brisbane. They believe that the world starts and ends in that particular setting. I assure them that it does not.

Step 8 is to assess implementation. The person who has been given that job has to monitor and evaluate the implementation of the EEO management plan to assess whether the objectives have been achieved. That is where the regulation becomes absolutely absurd. We were instructed that the only way to assess whether those objectives had been achieved was to trace the changes in the statistics. If 30 people were employed and two of them had a disability, the only way to meet the objectives was to employ another person with a disability or more people of Aboriginal or Islander extract—

**Honourable members** interjected.

**Mr DEPUTY SPEAKER** (Mr D'Arcy): Order! The honourable member has had enough help with his speech.

**Mr SEENEY:** I certainly appreciate any help that I can get at any time. However, I suggest that the input that I am receiving from the members opposite could not be viewed as helpful by any interpretation of the definition of the word "helpful".

There are few things in local government that are as absurd as the requirements of this equal employment regulation. I can only say to the Minister very genuinely that he should have taken the opportunity at this time of amending the Local Government Act to do away completely with this absurdity.

**Mr Mackenroth** interjected.

**Mr SEENEY:** I cannot hear what the Minister is saying, so I cannot respond.

Time expired.

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