



Speech by

CARRYN SULLIVAN

MEMBER FOR PUMICESTONE

Hansard 25 February 2003

LOCAL GOVERNMENT LEGISLATION AMENDMENT BILL

Mrs CARRYN SULLIVAN (Pumicestone—ALP) (4.51 p.m.): I rise to support the amendments outlined in the explanatory notes and second reading speech made in the House late last year. The Local Government Legislation Amendment Bill seeks to amend principally four acts—the City of Brisbane Act 1924, the Local Government Act 1993, the Local Government (Queen Street Mall) Act 1981 and the Local Government (Chinatown and The Valley Malls) Act 1984. Also, the bill makes some slight changes to the Integrated Planning Act 1997.

COBA and LGA amendments provide local government with more appropriate flexibility in revenue raising, improve the accountability of local governments in revenue raising, and will go a long way in clarifying the intended purpose of some current provisions pertaining to that revenue raising.

The Minister for Local Government and her staff have worked diligently to conduct evaluations of sections of the LGA to make sure it remains an up-to-date legislative structure that caters for an efficient, effective and accountable local government system. In May 1999 a discussion paper was released for comment. It covered general and technical issues relating to local government revenue raising powers, including the flexibility afforded to them to respond to community needs and adequate transparency in their decision making processes. The paper also covers some proposals for legislative change arising from a 1998 Ombudsman's report, with its findings being used as the foundation for the compilation of this bill.

The bill will assist in improving the workability of the COBA and LGA in relation to the making, levying and recovery of rates and the granting of class rating concessions, which could be of great benefit to rural areas that have been affected by hardship—the drought is a good example—as local governments will be able to provide for a class action without the need for individual applications, as occurs now. Amendments will not only improve the accountability of local government by developing new requirements for a revenue policy and statement to make the public more aware about the principles underlying revenue raising measures; they will also provide for a separate head of power for local governments to set commercial and regulatory charges by resolution or by local law.

The proposed changes to the Local Government (Queen Street Mall) Act and the Local Government (Chinatown and The Valley Malls) Act will achieve two things. Firstly, they will clarify that Brisbane City Council has the authority to remove illegally parked vehicles in these pedestrian malls and, secondly, they will repeal provisions providing for a penalty infringement notice regime for prescribed offences under the two acts and local laws supplementing these acts. The Scrutiny of Legislation Committee's *Alert Digest No. 1 of 2003* confirms—

Whilst these provisions impact on the rights of owners of the relevant vehicles, the committee—
of which I am proud to be a part—

considers that, given the purpose of the malls, the conferral of the powers is not unreasonable.

I support this bill and commend it to the House.