



Speech by

JULIE ATTWOOD

Member for MOUNT OMMANEY

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LOCAL GOVERNMENT LEGISLATION AMENDMENT BILL

Mrs ATTWOOD (Mount Ommaney—ALP) (6.13 p.m.): I rise in support of this bill and commend the minister and her department for the amount of consultation involved in getting to this stage. Extensive consultation occurred after an initial discussion paper was released in 1999. In 2002 draft legislative proposals and an associated consultation paper were released and public comment was invited. Nearly 500 hard copy consultation kits comprising the consultation paper and draft bill were distributed to local government councils, members of parliament, peak representative bodies, other associated government departments and agencies and other interested people and organisations. Over 1,200 copies of the consultation paper and over 1,700 copies of the draft bill were downloaded from the department's web site. Ongoing consultation with the Local Government Association and the Brisbane City Council occurred during development of these amendments.

The bill amends the City of Brisbane Act 1924 and the Local Government Act 1993 to improve the accountability of local governments and provide them with greater flexibility when raising revenue while clarifying the intended purpose of some provisions relating to revenue raising. The bill also amends the Local Government (Queen Street Mall) Act 1981 and the Local Government (Chinatown and The Valley Malls) Act 1984 to ensure that the Brisbane City Council can effectively deal with unauthorised vehicles in Brisbane city malls and enables the council to utilise the state penalties enforcement regime for enforcement of prescribed offences under the malls acts and local laws supplementing the acts.

The accountability of local governments will be improved by developing new requirements for a revenue policy and a revenue statement to better inform the public about the principles underlying revenue raising measures and to explain revenue measures used in forming the budget. Greater flexibility in the use of local government revenue powers will be obtained by providing separate heads of power for local governments to set commercial charges and regulatory fees and in relation to the making, levying and recovering of rates and the granting of rating concessions.

To implement the core of the bill, the minister has indicated that the department will update the department's revenue raising manual that provides guidance to local governments to reflect the proposed amendments. The department will also conduct local government information sessions throughout the state. These sessions will be eagerly sought by local governments in the future if they are to implement the provisions in time for the start of the 2003-04 financial year. The amendments to clarify BCC's power to remove illegally parked vehicles from the Queen Street Chinatown and Valley Malls have been developed having regard to existing powers under section 100 of the Transport Operations (Road Use Management) Act 1995, which give councils power to remove vehicles from roads in certain circumstances. Under this act, where a vehicle has been removed an owner may apply to the chief executive officer of a council for its return and, if rejected, there is provision for a person dissatisfied with the decision to appeal the decision to a Magistrates Court. The town clerk must refuse to release the vehicle unless satisfied that the applicant has a legal right to possession of it and has paid any expenses relating to its removal. Also, if the town clerk refuses an application, a written notice must be given to the applicant stating the reasons for the decision and advising them that they can appeal to a Magistrates Court within 28 days. I commend the bill to the House.