



Speech by

LEX BELL, MP

MEMBER FOR SURFERS PARADISE

Hansard 25 February 2003

LOCAL GOVERNMENT LEGISLATION AMENDMENT BILL

Mr BELL (Surfers Paradise—Ind) (4.46 p.m.): I rise briefly to support this bill. I do believe, though, that there may have been one or two opportunities missed. I have no problem with the provision that the Brisbane City Council would have powers to remove illegally parked vehicles in the Queen Street Mall, the Chinatown Mall and the Valley Mall. That seems to be quite reasonable, but I wonder why it is limited to those particular malls.

I would have thought that a wider provision might have been appropriate, enabling local authorities who have gazetted malls wherever they be to have similar powers of removal of vehicles. Perhaps there is something in the Local Government Act of which I am unaware, and I would be grateful if I am wrong for the minister to put me right on that. Otherwise, I cannot see any difference in principle between the Brisbane City Council removing a vehicle that is hazardously parked in one of the three mentioned malls and the Gold Coast City Council removing a hazardously parked vehicle from Cavill Mall.

I also see another opportunity that may be lost. I see no difficulty with the provisions in this bill relating to the levying of charges by local authorities, but I see nothing—and again I stand to be corrected—which might give local authorities the ability to change their charges part way through a financial year. As I read this, the provision that has been standing hitherto that the charges must be adopted for the financial year, normally in the budget but now possibly by resolution, remain fixed for the full financial year. I can see that there needs to be a certainty for a full financial year in relation to rates, but so far as charges are concerned it is my submission that there could be changing circumstances part way through a financial year as it applies to the levying of charges, for example, charges for water.

In times of drought it might be necessary for emergency arrangements to be made to acquire water at a much higher charge from some other source, and it might therefore be reasonable for that extra charge to be passed on to the consumer. The same could apply with parking. There could be a situation where a parking charge might be reasonable at the commencement of a financial year but, due to changed circumstances in part of a financial year it may be appropriate, quite acceptable and quite reasonable to change the parking charges in a particular place. Something I have always found a little difficult for local government is the inability to make changes to charges part of the way through a financial year, however compelling the reasons might be.

Again, I cannot take any objection on principle to the provision of a revenue policy, but I am concerned that local government, bit by bit, is being somewhat hamstrung by a whole lot of policies. Not only is there the corporate plan and a revenue policy; there are a whole lot of other policies which, in the name of accountability, mean that the councillor of the day—he or she might have been elected at a by-election and not present when these policies were first adopted—finds himself or herself somewhat hamstrung in doing what he or she believes to be right.

There is a balance situation. Perhaps something of that occurs in the ability under subsection (3) of section 106B to amend the revenue policy at any time during the financial year. I am happy to see that appear, but I wonder whether there will be guidance to local authorities in the form of perhaps pro forma revenue plans, in the same way as there are with model local laws, that would help local authorities. Also, perhaps the revenue policy may be in itself sufficiently flexible to enable various changes as circumstances do change from month to month. All in all, I am quite happy with the bill. I certainly will be supporting it.