



Speech by

Liz Cunningham

MEMBER FOR GLADSTONE

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LOCAL GOVERNMENT AND OTHER LEGISLATION (INDIGENOUS REGIONAL COUNCILS) AMENDMENT BILL; LOCAL GOVERNMENT AMENDMENT BILL

Mrs CUNNINGHAM (Gladstone—Ind) (4.30 pm): I rise to speak in this cognate debate. Firstly, I wish to make a couple of comments about the Local Government and Other Legislation (Indigenous Regional Councils) Amendment Bill. I want to put on the record that I acknowledge that the councils that are predominantly covered in this bill—or perhaps wholly covered by the bill—lie within the electorate of Cook. However, the comments that I want to make are based on the material that I have read and that which has been emailed to me.

I would be interested in the minister's comments in relation to the feelings of the Indigenous councils to the proposed changes. I may have outdated information—and I acknowledge that that may be the case—but I received some information from some of the councils which indicated some concern about the changes that were proposed in this legislation. I would be interested in the minister's comments in relation to more recent consultation with those councils.

I have had the privilege of being in the Torres Strait islands only for the LCARC 'Hands on Parliament' consultation process. But I have relatives who are Torres Strait Islanders and I know that they have a strong connection to the region. Irrespective of that, many Aboriginal and Torres Strait Islander people have very discrete groups of relatives, friends and clans. Sometimes they find that losing that identity is a challenge and one that they find difficult to accept. So I would be interested to hear from the minister of any recent comments by the Islanders in relation to this legislation and their acceptance, or the acceptability, of the proposed changes.

The other matter that I want to deal with relates to the Local Government Amendment Bill. I am going to use as my terms of reference the minister's second reading speech. I will do this because I have listened to the debate, both in the chamber and on the monitor, since it commenced after lunch and I have been very cognisant of the fact that a number of speakers have been challenged on the relevancy of their contributions. I would like at least to endeavour to remain relevant to the second reading speech.

The second reading speech states—

The bill seeks to remove provisions preventing local governments from undertaking polls about local government reform. This is consistent with the position formally on the record in this House that the government—together with the great majority of Queensland councils—is moving on and making local government reform happen.

Much of the import of the Local Government Amendment Bill was carried by regulation with the imperative that any councils that ran plebiscites in relation to boundary changes and amalgamations would be dismissed summarily. I opposed that. I still remain of the view that we in great measure lost an important part of our democracy through these local government changes.

There were members in this chamber who stood up and argued for the local government amalgamations and the format that the government proposed. As a former local government member, I found the proposals reprehensible and repulsive for no other reason than they refused the opportunity for

the community to comment on the proposals. Local government, by its very nature, is close to the community. It is the community, in concert with state and federal governments, that funds the local government process. State governments give grants to local councils. The federal government, through FAGs, gives grants to local councils. Fundamentally, I believe that, in the main, councils administer those funds well and responsibly.

Additionally, I believe that a lot of the debate that was carried on in relation to the amalgamations was done so on the basis of misinformation. Had the polls been allowed to be held, I believe they would have showed overwhelmingly that the community wanted the status quo. I know that the then minister for local government would have had the view that he was looking to be progressive and that he was looking towards the future. But I believe that that fails to take into account the mindset of many in the community. They want progression—they are not troglodytes; certainly not in my region—but they want a connection with their local councils and that will be retained if the local councils are able to relate to their local communities. The Local Government Amendment Bill removed the provisions that allowed local councils to consult with their communities. I believe that bill is one of the most significant indictments on this government in relation to the democratic process that we have seen in the recent past.

As I said, the second reading speech stated—

This is consistent with the position formally on the record in this House that the government—together with the great majority of Queensland councils—is moving on and making local government reform happen.

I have a great deal of regard for the current local government minister as a person and for his administration of previous portfolios. So I do not make this comment in relation to the current minister. Local councils throughout Queensland are moving on in relation to the local government reform simply because, while not fatalistic, they recognise the reality of the situation. The three councils that are to be amalgamated in my region are the Gladstone, Calliope and Miriam Vale councils. The Gladstone council has a significant debt load. The Calliope council and its constituency had rated itself into a position where the debt had been reduced to zero. The debt that was accumulated past that was for major infrastructure, and it was about \$4 million. I think the Gladstone council's debt is about \$26 million. I am less familiar with the Miriam Vale council, but I believe that that council carries some debt. Certainly, that council has accrued debt in relation to its desalination plant.

Despite the urgings of many in the community, the Calliope council did not take up the federal government's offer for a plebiscite on the forced amalgamations and, as the minister said, is moving on and making local government reform happen simply because it did not want to expend money on a plebiscite that would achieve nothing. The message was clear from the previous local government minister that nothing would change: the forced amalgamations were going to go ahead and that, despite the money that would be expended through the plebiscite, the council could achieve nothing other than put on the record the opposition of the majority of the community in Calliope. Let me say here very clearly that I have not heard from anyone in Calliope shire who is in support of this forced amalgamation. They wanted, however, to have their say.

The second reading speech goes on to say—

The laws have been passed, the boundaries are in place and we are looking to the future.

I believe that that future will be one of disadvantage in a number of areas for local councils, both newly created and amalgamated. Those disadvantages will include minor things. I wonder whether previous local government ministers and their bureaucrats recognise that local councils will now certainly incur greater payroll tax debt. I believe that the Calliope council and the Miriam Vale council were under the payroll tax threshold. The Gladstone City Council was over the threshold. With the amalgamations, the new council will be over that payroll threshold. Therefore, that council will pay more in payroll tax.

Calliope Shire Council and Miriam Vale Shire Council were able to access the regional lending library facilities, so they did not have to buy a bank of books. The lending library provided them with titles and they were regularly turned over. Gladstone City Council, because of its population base, was over that threshold and they had to buy their own titles. Now with the amalgamated council they will have to procure their own books, albeit after that transitional period.

For those who think councils are getting on with it they are, but it is not because they have a choice; it is because they have been legislatively obligated to do so. Unlike the state government, they are mature enough to recognise the needs of their community and they do not want to be seen to be wasting money. It reflects not the maturity of government but the maturity of councils, councillors and their staff. The minister's second reading speech goes on to say—

Smart councils have started the transition to more stable, more sustainable and more streamlined local governments.

I wonder what 'more stable' means. Certainly they will be larger councils. They will be more impersonal. We have gone from three councils with all the councillors who represented their communities knowing their communities to a mega council with eight councillors and a mayor. When I was on the Calliope council—and it has not changed since I left—when it came to rates time the rates notices would be sent out and the councillors would sit down a month or so later to have a look at those rates bills that

were in arrears. If councillors knew of extenuating circumstances that could have contributed to the non-payment of rates, they were raised at the council meeting and those names were pulled off lists where perhaps collection facilities were going to be implemented, and those individuals were given an extra amount of time. For example, an individual may have a family member who had recently become deceased. It could be the mother, the father or the child. No doubt that family was diverted from the normal run-of-the-mill issues that had to be dealt with. Councillors who knew of a bereavement or of extenuating circumstances in a family could raise those circumstances at a council meeting and the collection on those outstanding rates would be delayed for another month to give that family time to cope with their circumstances.

With these mega councils I believe a lot of that personal touch will be gone. It may be more stable, it may be more efficient in terms of cold, hard efficiency, but whether it is closer to the community and reflects community ideals and values is, I believe, something up for debate. I am not sure what the minister means by 'more sustainable and more streamlined local governments'. In most councils 'more streamlined' means less personable. The minister's second reading speech goes on to say—

These councils are to be commended for taking a lead in transitioning local government arrangements for the communities they were elected to serve.

They should be commended. In spite of the politics that should surround these changes, in spite of the abhorrent method that was used to institute the changes, these councils, the councillors and the staff in particular have said, 'We are not going to change the status quo and, for the benefit of the community that we represent and work for, we will go ahead and we will make the changes that are necessary.' In most councils throughout Queensland that are affected by major council amalgamations, staff are leaving. It is very difficult for them to retain a core staffing level with the skills base to properly operate councils. If you are one of three CEOs and you can see the writing on the wall potentially for your position and another position comes up in New South Wales or Victoria or somewhere, you would take it. They are jumping ship hell, west and crooked, and the councils and the community are the losers for that. I have spoken to a number of people in councils and they are saying the same thing: their ability to retain qualified and capable staff is diminishing simply because of the changes and the way that those changes were implemented.

Councils will continue to serve their communities because they have a heart for them. A lot of the debate that occurred when the original bill was introduced was about councillors who had their snouts in troughs who were there for the dollars and that was really related to only the very major councils, and perhaps only the councils in the south-east corner. Certainly with the rural and regional councils, particularly the non-political councils, the councillors may have received a meeting fee and they may have received out-of-pocket expenses but they certainly did not receive anything that was close to a wage that reflected the time that they put into the job. They are transitioning local government arrangements for the communities they were elected to serve not because they adhered to or acquiesced to or agreed with the previous local government minister's aspirations for local government. They are doing it because they care. The minister's second reading speech says—

This bill confirms the stated position of the government and I commend it the House.

I think that says it all. It is the stated view of the government, not of the community, not of local councils and councillors, because the bill that we are debating did not allow the councils and the councillors to have a say. It just says that it reflects the 'stated position of the government'. The stated position was to get rid of a lot of councils that operated well, that represented their communities well, that represented individuals well. This bill reflected the demise of democracy in the sense that previous legislation said communities would have a say in amalgamations, that amalgamations would not be forced, that they would only occur with the concurrence of the communities affected, that there would be consultation and, indeed, that there would be a vote on whether the amalgamation would occur.

This bill that we are now debating, the Local Government Amendment Bill, took all of that away because it took away the rights of local governments to undertake polls of their communities whom they represent to find out their views, and at the time the penalty was the dismissal of the council. I believe the minister who presented this bill to the parliament should over time hang his head in shame. I believe that in local government circles he will be remembered not with affection and respect but for the move that he made on the democracy in local council.