



Speech by

## Stirling Hinchliffe

MEMBER FOR STAFFORD

Hansard Wednesday, 5 September 2007

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### LOCAL GOVERNMENT AMENDMENT REGULATION (NO. 2) 2007: DISALLOWANCE MOTION

**Mr HINCHLIFFE** (Stafford—ALP) (8.01 pm): I rise to speak against the disallowance motion that has been moved by the member for Warrego. To suggest that this is not a new matter before the parliament is frankly a bit of an understatement. This ground has been trampled over quite a bit. I have to say that this disallowance motion surprised me.

I thought that the member for Warrego was in favour of plebiscites and against fines and the dismissal of councils. It would appear, however, that by moving to disallow the regulation as made by the minister that the member for Warrego and his supporters are seeking to ensure that the provisions related to fines and the dismissal of councils are permitted.

**Mr Seeney** interjected.

**Mr DEPUTY SPEAKER** (Mr Hoolihan): Order! Member for Callide!

**Mr Hobbs** interjected.

**Mr DEPUTY SPEAKER**: I remind the member for Warrego that he has already been warned.

**Mr HINCHLIFFE**: I think it is worthwhile going back over some of the ground surrounding local government reform and the issues pertinent to the disallowance motion. Honourable members will recall that a number of councils outlined their intention to hold polls on the recommendations of the Local Government Reform Commission. This was viewed by the government, quite rightly, as a waste of council and ratepayer resources. The recommendations of the Local Government Reform Commission are not subject to referendum provisions. The determination of local government arrangements is clearly a matter for the state parliament—this parliament. The House has made this clear through the passing of the Local Government and Other Legislation Amendment Bill and the Local Government Reform Implementation Bill earlier this year. There should be no question about this.

The opposition has suggested that the government is afraid to debate the reform legislation again. I think some reference to the results of the votes on both of those occasions would indicate that the government has nothing to fear in that context.

**Mr Seeney** interjected.

**Mr DEPUTY SPEAKER**: Order! Member for Callide!

**Mr HINCHLIFFE**: But it appears to me that there is a question about this. Non-government members in the House seem to think that this matter should be decided by street marches—an interesting proposition from the National Party in this place. They also supported referenda or plebiscites once upon a time.

The independent commission has determined the proposed boundaries of local governments in Queensland. In the same way that federal and state electoral boundaries are not subject to referenda it is not appropriate for polls to be held on recommendations of an independent commission on local government boundaries. In an attempt to ensure that councils did not waste ratepayers' money on a

pointless exercise, the Local Government Reform Implementation Act made provision to prevent councils from conducting polls about local government reform matters. These provisions for dismissal and other sanctions were intended to save ratepayers from the unnecessary, frivolous expenditure involved in conducting plebiscites which have no bearing on the outcome of the boundary reform. At the end of the day, the results of these polls will not change the boundaries. The new boundaries are now law.

We hear all sorts of reflections on academics who are supposedly great Labor supporters. I think the honourable member for Warrego does not know Dr Ken Wiltshire as well as I do. He is one of my former lecturers. He was certainly no great supporter of Labor governments in the past and continues to show that he is not necessarily a great Labor supporter today. I wonder in his list of people who he wants to claim as great Labor supporters who are out there now criticising the government whether he wants to include the bishop that he made reference to as being some form of Labor hack.

In the context of the debate around the issue of holding plebiscites about local government boundaries we saw a desperate and slippery Prime Minister inject himself into a range of state government matters across the country over the last month or so. On local government arrangements in the state of Queensland he recently injected himself into what is clearly a matter for this parliament to determine.

I note the comments of the federal member for Maranoa, Mr Bruce Scott, in the 1 August edition of Cunnamulla's *Western Star*—

Mr Beattie's plan for these drastic amalgamations should have been highlighted to the people of Queensland prior to the 2006 Queensland election so they could exercise their democratic right on polling day with all the information about future plans for the State.

That is an interesting proposition from the federal member for Maranoa. I ask members to consider this quote with a couple of key phrases changed. It would read, 'Mr Howard's plan for WorkChoices should have been highlighted to the people of Australia prior to the 2004 federal election so they could exercise their democratic right on polling day with all the information about future plans for the country.'

I ask members opposite: where was our referendum on that issue? But I respect our Constitution and I respect the decision of the House of Representatives, the decision of the Senate and, indeed, the decision of the High Court of Australia. It is clear, however, that the so-called conservatives are happy to rip up our Constitution.

With constitutional propriety in tatters at the Prime Minister's feet, with him determined to waste federal taxpayers' money on these pointless plebiscites, the Queensland government, quite reasonably and sensibly, has now decided it will not take action against those councils undertaking polls on local government reform. The provisions that seek to prevent councils undertaking polls on local government reform have been expired by regulation and approved by the Governor in Council on 30 August.

Effectively, the opposition, through this motion for disallowance of the regulation, has a position where it would like to have councillors subjected to fines and possible dismissal if they conduct a referendum.

**Mr SEENEY:** I rise to a point of order, Mr Deputy Speaker. I find the member's dishonesty offensive and I ask that his comments be withdrawn.

**Mr DEPUTY SPEAKER:** Order! There is no point of order.

**Mr SEENEY:** I find that offensive and I ask that it be withdrawn.

**Mr DEPUTY SPEAKER:** Order! It has to be a personal reflection. There is no personal reflection and there is no point of order.

**Mr HINCHLIFFE:** As I was saying, with this motion for disallowance of the regulation the opposition's position is that it would like to have councillors subjected to fines and possible dismissal if they conduct a referendum which the Local Government Association of Queensland, and indeed the opposition, have been encouraging them to do. To that effect, I table a copy of a recent article from the *Queensland Country Life* which highlights this.

*Tabled paper:* Copy of article from Queensland Country Life, dated 30 August 2007, titled 'Vote on forced amalgamations'.

While the shadow minister and the LGAQ are actively out there encouraging councils to have a referenda, in this chamber the shadow minister is actually trying to stop a regulation that will allow them to do so without potential fine and dismissal.

**Mr HOBBS:** I rise to a point of order. That is a personal reference. It is absolute lies, and I ask that it be withdrawn.

**Mr DEPUTY SPEAKER** (Mr Hoolihan): I would ask the member for Warrego to clarify his point of order.

**Mr HOBBS:** I would like to, Mr Deputy Speaker. The member for Stafford mentioned my name and said that I was encouraging councils to have a referenda, yet I was trying to stop this government from bringing in legislation that would allow councils to do so without dismissal. That is not the case. He knows that we have been quite clear that we do not intend—

**Mr DEPUTY SPEAKER:** Your clarification of the point of order is sufficient. There is no point of order.

**Mr HOBBS:** Mr Deputy Speaker, I find it offensive. He mentioned me as the shadow minister and I ask for it to be withdrawn.

**Mr DEPUTY SPEAKER:** Do you withdraw?

**Mr HINCHLIFFE:** I withdraw any reference to the shadow minister. But I will reiterate that the opposition has been out there encouraging councils to have these referenda and now the opposition comes into this chamber and is actively trying to stop a regulation that will allow councils to have those referenda without potential fines or dismissal. It is extraordinary in the extreme but bizarrely typical of this opposition. I note that across the length and breadth of Queensland genuine supporters of sound progressive local government are getting on with the transition process. That is the view and attitude of the minister. That is the view and the attitude of this government. Alternatively, there are some who are continuing a cause that is in law lost and, at the most ridiculous, where plebiscites are being held in local authorities which are not the subject—

Time expired.