



Speech by

**Shane Knuth**

**MEMBER FOR CHARTERS TOWERS**

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## **LOCAL GOVERNMENT AND INDUSTRIAL RELATIONS AMENDMENT BILL**

**Mr KNUTH** (Charters Towers—NPA) (5.37 pm): In rising to speak to the Local Government and Industrial Relations Amendment Bill, I must say that I am baffled as to why this bill needs to be introduced as the federal government, with the support of a humbled federal coalition, has introduced legislation into the federal parliament to abolish WorkChoices. In its legislation this government has left out employees of Queensland's largest council, a Liberal council which employs 7,000 workers. They are not covered in this bill. It is interesting to look at why the government has chosen to exclude the Brisbane City Council.

This problem began on 17 April 2007 when the Beattie government, with its massive majority, rammed through parliament legislation that forced local councils across the state to amalgamate. That decision was one of the greatest attacks ever in the history of Queensland on a democratic tier of government, rural communities and the workforce. Local councils have been the engine that drives Queensland communities, providing infrastructure, jobs and administration, and local decisions are made through grassroots knowledge. While this government has failed to deliver basic services resulting in health, energy and other crises, it is unbelievable that it has the gall to force amalgamation on councils that have the proven capability to deliver both efficiently and financially. The state government has tried to create a distraction from its own incompetence.

Federal legislation is about to be passed revoking WorkChoices, so there is no need to waste time on this legislation, which is being pushed and rushed through like the previous local government legislation was on 17 April last year. This legislation also changes the status of councils from being constituted as corporations to being some invisible, unknown body that not even the government knows what it is called, and that is bad medicine. This government has created the perception that it is introducing these laws to protect the workforce from WorkChoices. However, the rail unions are saying that this government is using WorkChoices to reduce the workforce that will result in possible unsafe work practices. I table the front page of the *Northern Miner*.

*Tabled paper:* Copy of a newspaper article from The Northern Miner titled 'Toe cutter targets jobs'.

An article from that paper states—

Railway jobs in Charters Towers and the mid-west are under the greatest threat in more than a decade.

The Rail, Tram and Bus Union (RTBU) has discovered a plan to slash hundreds of jobs by reducing rail services throughout western regional Queensland.

RTBU northern district organiser ... said the union believes the plan has been developed by senior Queensland Rail (QR) officials, with the backing of the Transport Minister ...

Two senior rail union officials, who were briefed on the proposal that has been called Project Rebus, were told it has the potential to eliminate 800 to 12000 jobs statewide.

The RTBU said—

... rail staff and the community representatives have been alarmed at the possible reduction in rail services—

**Mr DEPUTY SPEAKER** (Mr Wendt): Order! Member for Charters Towers, I am trying to understand the relevance of your speech. I would like you to come back to the terms of the bill.

**Mr KNUTH:** The relevance to the bill is right here. It says it right here in this article, and this is a very important message that I am trying to get across. The *North Queensland Register*, which I will table, states—

QR management has informed the union that they intend to introduce driver-only operation, with self-driver relief provisions over the Hughenden to Cloncurry corridor.

The RTBU has successfully argued against this proposed practice in the past but union officials fear the government will use the new style of QR management with the support of Workchoices legislation to have all changes implemented.

*Tabled paper:* Copy of a newspaper article titled 'End of the line feared for NW rail'.

We thank God that WorkChoices is going to be thrown out, because the state government may use WorkChoices to target Queensland Rail employees. I ask the minister for transport to acknowledge this. It is a very serious issue—up to 1,200 jobs are targeted at present. I ask the minister to recognise the 'toecutter' who has been there to implement this program—

**Mr MICKEL:** Mr Deputy Speaker, I rise to a point of order. What is the relevance of this to the local government legislation? This is a personal attack on the CEO of Queensland Rail. It defies logic to me that this has anything to do with local government.

**Mr DEPUTY SPEAKER:** Order! There is no point of order, Minister. But I would ask the member to come back to the bill at hand.

**Mr KNUTH:** Okay, but we must acknowledge this because this is about protecting council workers. The rail union believes that the state government and Queensland Rail are going to use WorkChoices to eliminate up to 1,200 jobs. It is very important to bring this to the attention of the House. It is important that this House knows that.

**Mr DEPUTY SPEAKER:** Order! Member for Charters Towers, I ask you again to come back to the bill and discussion here right now.

**Mr KNUTH:** I will, Mr Deputy Speaker. This legislation is about control. This government's socialist centralist idealism believes in control over all departments and Queensland. However, in the past local government had autonomy to make local decisions. Local governments would often bypass the state government for assistance from the feds. This state government could not handle the fact that local councils had the autonomy, so since April last year we have seen disastrous legislation introduced to destroy local councils and communities. That is why this government got rid of the hospital boards that functioned well. I will not go into that.

How can local councils be strengthened when the area to be governed—for example, the Belyando Shire Council—expands from 30,000 square kilometres to 60,000 square kilometres, when the distance to be governed expands from 160 kilometres to 360 kilometres and when the number of local representatives reduces from 31 democratically elected representatives to just nine? There is no doubt that these forced local council amalgamations will see the state government dictate whatever happens in local communities, which will create another crisis for the people of Queensland to deal with.

This legislation is rushed legislation and there is no need to put it through. The federal legislation is about to be passed revoking WorkChoices—as Kevin07 has promised, and I am sure you believe in Kevin, don't you?—so there is no need to waste time on this legislation.

**Mr Mickel:** You just told us WorkChoices was going to affect QR. Make up your mind.

**Mr KNUTH:** This is very important. As well, this legislation also changes the status of councils from being constituted as corporations to being some invisible unknown body that not even the government knows what it is called. Even the Scrutiny of Legislation Committee raised concerns in the current *Alert Digest*. Paragraphs 11 and 12 state—

11. There is some ambiguity in relation to the legal liability of local government councillors, and the effect of the bill on the rights and liabilities of those engaged in legal relations with local governments.
12. The most significant consequence of removing the corporate status of the local governments in Queensland is to abrogate their status as a separate legal entity. Instead, they will be constituted by the councillors elected to each Council. So whenever the Act refers to a local government, it effectively refers to the group of elected councillors who comprise the local government. These councillors are thereby rendered liable for all the activities of their local government.

I believe that this is serious and dangerous legislation. The paragraph continues—

The status of a local government is effectively converted into an unincorporated statutory association whose councillors assume all the rights and liabilities of the local government. It is therefore imperative that the bill provides full legal protection for the councillors.

Yet it says here that this bill does not appear to have that. In other words, there is a lot of concern about the liability for councillors, CEOs and senior officers; maintaining councils' significant autonomy and

independence in respect of day-to-day actions without involvement of the state; and perceptions of councils as statutory authorities subject to significant government directions and control. As I said before, WorkChoices is already in the process of being thrown out in the federal parliament, so this bill did not have to be introduced. I wanted to bring this to the attention of the House.