




Speech by  
**John Grant**

**MEMBER FOR SPRINGWOOD**

Hansard Tuesday, 13 November 2012

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## **LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr GRANT** (Springwood—LNP) (4.08 pm): It is with sincere pleasure that I rise to speak in support of the Local Government and Other Legislation Amendment Bill 2012, to share some thoughts and to say how much pleasure it was to work with you, Mr Deputy Speaker Ruthenberg, and all the other members on the committee through this bill. It is particularly pleasurable because we can watch ministers respond to the work that committee members have done. That response gives us confidence that the time and effort that we put in is not being wasted. That is really very much appreciated.

This is indeed an interesting topic. I wish to start by comparing the ethos of Labor—the philosophy of Labor, the manner in which Labor thinks—with the way the LNP thinks. I want to speak firstly to the issue of councillors losing their jobs if they run for higher office. On the one hand Labor in the past saw the threat of local government members who provided strong opposition to some of its philosophies, law making and other activities and responded with the strong arm of the law with an exclusive attitude and an exclusive spirit trying to stop them from getting in. Let us compare that spirit, that ethos and that philosophy with that which we are displaying today—one of openness and fairness to both Labor councillors and LNP councillors. Let them both compete. Let there be an openness and inclusiveness, one of equity for both political persuasions in that whoever is best can bring their experience into this House. So I commend the minister and cabinet for bringing this particular change. On a personal note, the seeds of Labor's demise were sown back in those years when it brought in that spirit of exclusivity and pushing away because of the indigence that grew within me that a state government would do such a thing to this state. From the day that was done, the conviction and the strength to try to get into this place to change it grew within me.

I turn now to the topic of a mayor preparing a budget. I could not help but think about the relationships in local government, and of course one cannot help but think about the one in which one has served. I think firstly of the relationships between the councillors—the team of 10 or the team of 12 and the mayor and the potential for the fracturing of those relationships. Then on the other hand one thinks of the empowering effect of what we are doing to empower the mayors of local governments to display leadership, to give direction, to untie their arms, to change the direction that a previous local government was going in by virtue of previous budgetary preparation methods. I think, too, of the relationship between the mayor and the CEO in local governments. This one will require some adjustment. However, it is critical that the elected members can change the direction of a local government if they choose to and not be hamstrung by processes whereby councillors can be, shall we say, divided and conquered by the bureaucracy, because in that way direction by the elected members is circumvented. This will no longer be the case.

Any other concerns that I had about giving such powers to the mayor have in fact been answered. One must never think that across the state mayors are going to get into a room with whomever of the senior officers they want to advise them and set that budget with no consultation and then only two weeks before budget day hand it down to councillors. Indeed, that is not going to happen in any single case because the cold, hard reality is this: if the mayor does not carry with him or her enough of the team of councillors, that budget is not going to be the budget. So there is the balance between enough power and

not too much power. With too much power you will get a dictatorship, and that is not what any of us want to support.

In respect of councillors having the right to obtain and request assistance in obtaining information on all divisions, that is totally appropriate. We were not overly swayed by what went on in Brisbane City Council, member for Gregory. Again we thought across the state, just as you like us to do.

**Mr Johnson** interjected.

**Mr GRANT:** Yes, there are a few out there. The first responsibility of all elected councillors is to govern and make decisions for the good of the whole and second to that responsibility is to make decisions for the good of his or her division, where divisions exist.

On the matter of councillors being allowed to have full-time employment within government, the committee had a fairly difficult time trying to divide between the different scenarios across the state, because indeed in some distant places we felt that councillors who were part time would have a totally different situation compared to those on the Gold Coast, Brisbane, Logan, Ipswich, Moreton Bay and all of the larger centres. I would say good luck to any councillor who is full time in those big cities who thinks that they can hold a full-time job, because if they do he or she probably will not be re-elected. So once again there is the balancing effect of this legislation. The checks and balances exist within that.

I want to make some comments on the issue of noise emanating from houses. The number of calls that I received over the years about noise from houses and how the police response would be to go around to that house and tell them to wind down the noise only to find that a very short time later after leaving the noise would back up again and the frustration that that led to is very real within my experience. With regard to the concept of allowing a local government to make a law to deal with this, we are giving them enough rope to get it wrong, but on balance we have to have a lot of faith in councillors who make those laws. I do not want to see a situation occur where local governments make laws which get put in the hands of younger police officers who think they are doing the right thing to raise revenue from fines and that type of thing but instead fine an owner when it is only a tenant who is making the noise. Imagine yourself the owner of a home. You have no control over what the tenants do—no control whatsoever. I raise this issue to sound a warning and sound a little bit of advice to local governments that they should not make the mistake of making a law which lets an unjust decision be made. It should be sheeted home only to those responsible for generating the noise, not an owner who has no control whatsoever in the scenario of a normal tenancy agreement for a home.

I want to finish on the issue of the previous government's ethos, practice and philosophy in the area of conflicts of interest. What a farce it was to be advised as a councillor by the Integrity Commissioner and the chairman of the CMC! When this conflict of interest legislation first came in, I made a decision that I wanted to be able to make decisions on whether we supported my sporting groups and my community groups and not have to remove myself, so I withdrew as patron of all of the clubs that I was a patron of. However, we were all advised that even if we had recently resigned as a patron essentially relationships existed and there was still a conflict of interest because of those heart ties in the past while doing our responsibility as elected members looking after the cricket club, looking after the Neighbourhood Watch and fighting for some public funds for the extension to the community centre building et cetera. The next thing I want to recount is the farce that it made of full council meetings. We were in and out like yoyos at those council meetings and at times it had to be ordered with such scientific precision to ensure that certain people with conflicts of interest could be out and back in again to keep the quorum for the next decision. It appears to me that that type of thinking and philosophy came from a group of people whose culture had sunk so low that they were just switched on to catching those who tried to go under the radar and behave in that fashion. I cannot work it out in any other way. I think the culture of the previous government affected its very thinking and caused it to go chasing shadows and chasing people trying to catch them when there was no need because there was no wrongdoing whatsoever.

So it is a privilege to be part of a government that is giving back to local governments the ability to get on with the job that they were elected to do. I thank the committee chair. I thank the staff who have indeed served the committee very well. I think that as we proceed in our work on committees a measure of how thoroughly we do our work in those committees—and indeed it was good to hear input from members of the opposition; it sharpened our thinking and it sharpened our ideas—will be reflected in the minister's responses to the recommendations that come from the committees. So I recommend the bill to the House.