




Speech By
Brittany Lauga

MEMBER FOR KEPPEL

Record of Proceedings, 3 June 2015

LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT BILL

 **Mrs LAUGA** (Keppel—ALP) (10.13 pm): Tonight I rise in the House to speak in favour of the Local Government and Other Legislation Amendment Bill. I thank the Deputy Premier for her hard work and dedication to this legislation—legislation that will restore fairness and transparency to local government elections, legislation to support industry, legislation that will see the continuation of the very important Queensland Reconstruction Authority. The parliamentary Infrastructure, Planning and Natural Resources Committee examined the Local Government and Other Legislation Amendment Bill 2015 after the bill was referred to the committee on 27 March 2015. The committee would like to thank those who briefed the committee, provided submissions and participated in the inquiry. In particular, the committee acknowledges the assistance provided by the Department of Infrastructure, Local Government and Planning, the Department of Transport and Main Roads, the Queensland Reconstruction Authority, the Local Government Association of Queensland and the Queensland Electoral Commission.

In March 2015 the Local Government Association of Queensland and the Queensland Electoral Commission were consulted with regard to the proposed amendments by way of an exposure draft of the bill. Both the LGAQ and ECQ supported the amendments. The Transport and Infrastructure Council also voted to support the delay of the commencement of the registration scheme. The committee unanimously supported the proposed amendments to the Heavy Vehicle National Law Act 2012 and the Queensland Reconstruction Authority Act 2011. The majority of the committee supported the proposed amendments to the Local Government Electoral Act 2011.

The bill proposes to remove the default position of the chief executive officer of a local government being the returning officer and instead enables the ECQ to appoint returning officers. Under the new proposed section 9 of the bill, the ECQ may appoint a person as a returning officer for a local government election unless that person is a minor, a member of a political party or the CEO of a local government for which the election is to be held. Despite these restrictions, the ECQ may appoint a CEO of the local government as the returning officer if the CEO is not a member of a political party and the ECQ considers the CEO is the only person with experience in conducting elections who is reasonably available to be appointed as the returning officer—that is, if the CEO is the only person reasonably available in a community to perform the role with the necessary experience in conducting local government elections, provided the CEO is not a member of a political party. This approach ensures every community, including smaller communities, have an RO with the necessary capabilities to perform the role. The amendments are introduced to remove the potential for a conflict of interest for CEOs and a perceived conflict of interest. As local government CEOs work closely with elected mayors and councillors in carrying out their duties, CEOs performing the role of returning officer for a local government election present the potential for a conflict of interest or a perceived conflict of interest, especially where incumbent mayors and councillors recontest an election.

The Local Government Legislation Amendment Bill 2014 was introduced by the former Newman government and included provisions to provide that CEOs of local governments are to be the returning officer for local government elections. The bill was examined by the then Transport, Housing and Local Government Committee in 2014. The committee's report in relation to the bill summarised the submissions received during the consultation period. Aurukun Shire Council made a submission against this section of the Newman government's bill. Mr Bernie McCarthy, the Chief Executive Officer of Aurukun Shire Council, said—

Aurukun Shire Council does not support the Chief Executive Officer being the returning officer for a council election.

Council strongly believes that transparency as one of the main principles of the Local Government Act must be seen to occur with all Council matters at all times and this extends to the conduct of municipal elections.

It considers that a non-Council person is the more appropriate person to conduct elections.

The CEO of Aurukun Shire Council, despite being one of the councils with one of the highest 2012 election costs per vote of all local governments in Queensland at \$25.90 per vote, is concerned about the transparency and integrity of local government elections under the current legislation. The submission from the CEO of Aurukun Shire Council is a prime example of why today's bill must be supported by the House to restore transparency and fairness to local government elections. I am pleased to note that the ECQ, the department and the LGAQ are working together to determine how election costs can be reduced for local governments. The LGAQ confirmed that it is encouraged by initial discussions with the ECQ and that the ECQ has recently written to local governments to commence discussions in relation to election planning. The issue of cost of elections was canvassed with the Deputy CEO of Logan City Council, Mr John Oberhardt. Mr Oberhardt said that there are ways in which the council could work with the ECQ to ensure that local government elections are run more efficiently. In fact, he suggested working together with the ECQ to save money on facility hire. For example, a council owned hall could be used instead of commercial office space for polling booths, thus creating a cost saving for the ECQ and subsequently the council.

Sensible negotiations in relation to cost-saving measures is something that I am sure councils are willing to discuss with the ECQ. Changing the legislation to ensure that the CEO of a council cannot be the returning officer of a local government election except in exceptional circumstances is about restoring integrity, fairness and transparency to local government elections. But the members opposite have no idea about that. They have no idea about integrity, they have no idea about transparency. Do they even know what a conflict of interest is? It is no wonder the LNP members are not supporting this part of the bill. They do not even understand it. The words fairness, integrity and transparency are not in the vocabulary of the LNP members. So when the committee met it was no surprise that the opposition members did not vote to support the restoration of fairness and transparency to local government elections.

'What is fairness? What is transparency?', they ask? They just sit and look at each other dumbfounded. The members opposite have no idea about transparency and fairness. No, they do not. They think that passing legislation in the middle of the night is transparent. They think that sacking 20,000 public servants is the epitome of fairness. They think that cutting the public question and answer sessions from community cabinet meetings is transparent. They think cutting—

Mr RICKUSS: I rise to a point of order.

Mr DEPUTY SPEAKER (Mr Hart): Order! Pause the clock. Member for Keppel, resume your seat.

Mr RICKUSS: Mr Deputy Speaker, I ask you to rule on relevance. This has nothing to do with the bill.

Mr DEPUTY SPEAKER: There is no point of order. Member for Keppel, please remain relevant to the long title of the bill.

Mrs LAUGA: Yes, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: Member for Keppel, if you antagonise the other side they are going to give it back and I will let them give it back.

Mrs LAUGA: I do not mind if they bite back. My fellow committee members the member for Gladstone, the member for Mirani and the member for Dalrymple can all see how important integrity, transparency and fairness are and I congratulate them on their position in relation to this matter. They can see how there can be a perceived conflict of interest when CEOs act as returning officers. Like me, the member for Gladstone, the member for Mirani and the member for Dalrymple know how important integrity, transparency and fairness are to ensure that local government elections are run without any conflict of interest, whether that be a perceived conflict of interest or otherwise. We know that our communities want local government elections for our mayors and for our councillors that are

fair and transparent. We know that our communities want anything that threatens the principles of transparency and the fairness of council elections to be abolished. I have consulted with the mayors of both of the local governments in my electorate and both the Mayor of Livingstone Shire Council, Bill Ludwig, and the Mayor of the Rockhampton Regional Council, Margaret Strelow, are in favour of the proposed amendments.

I also support wholeheartedly that section of the bill that ensures the continuation of the Queensland Reconstruction Authority past 30 June 2015. Clause 25 of the bill relates to the adoption of the QRA as a permanent function of the state government. This will ensure that the QRA can continue the critical work of helping communities effectively and efficiently recover from the impacts of natural disasters that continue to devastate Queensland.

When the QRA was formed to get Queensland back on its feet in the aftermath of the one-two punch of the Queensland floods and Cyclone Yasi in 2011, no-one could foresee see that the state would be battered by no fewer than 34 natural disaster events between then and now. The authority's mission is to reconnect, rebuild and improve Queensland, its communities and economy. As the Deputy Premier has pointed out, without this amendment the QRA will cease to exist on 30 June 2015, leaving this state underprepared for when the next natural disaster strikes. In short, Queensland needs the Queensland Reconstruction Authority.

Central Queensland needs the Queensland Reconstruction Authority. On 20 February 2015, category 5 Tropical Cyclone Marcia crossed the Central Queensland coast near Shoalwater Bay. Within 48 hours after it formed the cyclone intensified rapidly into a category 5 cyclone. The area experienced heavy rainfall, destructive winds and abnormally high tides. The scale and scope of damage resulting from severe Tropical Cyclone Marcia saw the activation of the Natural Disaster Relief and Recovery Arrangements in 14 local government areas.

The social and economic impacts from this cyclone are serious. The impacts on residents, businesses and community organisations of all shapes and sizes are real. I witnessed firsthand the important role that the QRA has played in the recovery efforts from Cyclone Marcia. The authority worked to reconnect, rebuild and improve Central Queensland. It has helped and continues to help Central Queensland communities get back on track as quickly as possible. For that, on behalf of my community, I would like to put on record how extremely grateful I am to the QRA.

Since its formation, the QRA has evolved comprehensive systems and processes for the preparation for, response to and recovery from natural disasters. In the event of a natural disaster, as it did in the aftermath of Tropical Cyclone Marcia, the QRA performs a number of roles and support functions. The Commonwealth government is already looking at the QRA's innovations in the field of disaster response and recovery for adoption on a national scale.

The QRA is needed as we respond to the Commonwealth's move to reform the NDRRA and reduce assistance to Queensland communities following recommendations from the Productivity Commission that would leave disaster affected communities in tatters. Only this week we have seen the Abbott government short-change the Central Queensland community, refusing to fund its fair share of category D assistance under the NDRRA. The Palaszczuk government offered to fund category D assistance on a fifty-fifty basis with the Commonwealth to help those communities that were the hardest hit by Cyclone Marcia.

After a thorough assessment of the damage and in consultation with local councils, the Palaszczuk government requested \$198.5 million of category D funding from the federal government. This week, when it came to supporting regional Queensland, the Abbott government showed its true colours by approving a measly \$27.75 million—nothing in comparison to the \$198.5 million that is needed to get Central Queensland back on its feet. For the benefit of the House I table a table that outlines the amount of category D funding that was requested by the state in comparison to the amount of funding that was approved by the Abbott government.

Tabled paper: Document titled 'Category D proposals for Tropical Cyclone Marcia' [\[527\]](#).

I can tell members that the figures are very disappointing.

This is a real slap in the face for local families and businesses, who have had their lives torn apart by an extreme natural disaster. Essentially, the Abbott government is telling Central Queenslanders that they are on their own. But have we heard anyone from the opposite side of this House tell Mr Abbott that this is not good enough for Central Queensland? Have we heard anyone opposite tell Mr Abbott that this is not good enough for Queensland—a state that faces many natural disasters annually?

Mrs FRECKLINGTON: Mr Deputy Speaker, I ask that you rule on relevance.

Mr DEPUTY SPEAKER: Member for Keppel, I think that is well outside the scope of the bill. Can you come back to the bill, please.

Mrs LAUGA: I think it is a really important point, because we are talking about disaster relief.

Mr DEPUTY SPEAKER: Member for Keppel, I have made my ruling.

Ms TRAD: I rise to a point of order. My point of order is that the QRA administers the NDRRA and it is very much within the purview of this bill.

Mr SPEAKER: Deputy Premier, I have made my ruling.

Mr Bleijie interjected.

Ms Trad interjected.

Mr DEPUTY SPEAKER: Order, member for Kawana, Deputy Premier!

Mrs LAUGA: Without the full category D assistance—

Mr Bleijie interjected.

Ms Trad interjected.

Mr DEPUTY SPEAKER: Order! Member for Kawana, Deputy Premier, there will be no more conversation across the chamber.

Mrs LAUGA: I am just wondering where the other \$170 million has gone. These projects—

Ms Trad: You know that those opposite won't fight for it.

Mrs LAUGA: I take that interjection. That is absolutely right.

Honourable members interjected.

Mr DEPUTY SPEAKER: Order! There is too much chatter across the chamber. The member for Keppel has the call.

Mrs LAUGA: Category D assistance is the safety net to support—

Honourable members interjected.

Mr DEPUTY SPEAKER: Order! Members, I am going to issue a general warning. If this carries on, I will start warning members under standing order 253A.

Mrs LAUGA: Category D assistance is a safety net to support communities facing extraordinary recovery costs following a natural disaster and a lifeline for the local economy that is doing it tough. In this case, the Rockhampton and Livingstone councils requested \$78.5 million under category D for iconic projects, but the Commonwealth has approved not one single dollar. These projects would not only provide a much needed boost to the local economy hit hard by Tropical Cyclone Marcia but also ensure that the community is more resilient should another natural disaster strike.

These types of requests are not unprecedented, with the use of category D funding approved for projects such as the Townsville foreshore, Grantham relocation and the Cardwell foreshore following previous disasters. The response from the Abbott government is unacceptable to the Queensland government and it is unacceptable to Central Queenslanders. Removing the expiration date from the QRA will ensure it continues its efficient and effective coordination of natural disaster efforts in transitioning from recovery to reconstruction wherever and whenever a disaster strikes in Queensland.

With regard to the proposed changes to the Heavy Vehicle National Law Act 2012, this part of the bill provides a one-rule-book approach to national transport for heavy vehicles which will improve productivity and safety for all road users. This component of the amendment was supported unanimously by members of the committee. I commend the bill to the House.