




Speech By
Fiona Simpson

MEMBER FOR MAROOCHYDORE

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LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT BILL

 **Ms SIMPSON** (Maroochydore—LNP) (5.40 pm): I rise to speak to the Local Government and Other Legislation Amendment Bill 2015. The LNP supports local government. It affirms its commitment to the principles of empowering local government to make decisions on local issues wherever appropriate as it is the level of government that is closest to the people. This philosophy was the reason we gave more power back to local governments while we were in office between 2012 and early 2015.

I reaffirm also the belief that part of that empowerment is the need for recognition of the role of the professional staff of local governments. Local governments strive to employ highly professional management and staff who fulfil their duties ethically and with due regard to the laws of the land. This bill before the House will see the Labor state government removing some of those devolved powers and providing no credible reason that is evidence based for doing so. That is why we will not support Labor's changes to the Local Government Electoral Act in this bill before the House.

These changes, which remove local government chief executive officers as returning officers for local government elections, say that Labor does not trust them. These are professional officers who, under the previous laws introduced by the LNP government, were still bound to work in a way that delivered elections with integrity and accountability. To take the government's argument to its ultimate, you would have to ask, 'Do they trust the professional officers, the CEOs of local governments, with other laws to act independently of partisan influence?' To take the government's argument to its ultimate, it is ultimately a slur on the professionalism of those staff. They were bound by law to act in a way that was impartial.

There were safeguards in the legislation that was introduced by the LNP in regard to the ECQ and its continuing role of oversight of local government elections. But allowing local CEOs as local returning officers to act in those roles provided in very practical terms local knowledge and local resources to ensure that local elections were run well and cost effectively. From history, the evidence is that they did so and that, when the laws were changed by previous Labor governments to take away that ability to run elections at the local level, the costs of running those elections went up significantly. As I have said, under the LNP's laws, there were safeguards of oversight by the ECQ. By law, local government CEOs, as returning officers, had to ensure the proper conduct of the election, which meant that they had to be independent of elected officials. The ECQ could still intervene if there were any concern that that was not the case.

The move by Labor to reverse this provision is a sign that Labor state governments do not trust the local government CEOs and the professionalism that they show at the local government level. It ignores the safeguards that were in place to address any potential conflicts of interest. I would like to express my concerns that, once again, we see Labor in government removing powers and capacity from local governments—micromanaging and just making change for change's sake based upon its philosophy.

In contrast, the LNP recognises that local governments are the elected bodies that are closest to Queensland communities. We know that they are best placed to provide the most practical and appropriate local solutions to local issues. In most cases, local governments are closest to the action and they need to be empowered with the autonomy and authority to address those local issues and manage them. The LNP is committed to a genuine partnership with the 77 local governments in Queensland. That is why it will be opposing these provisions in this bill, which are aimed at stripping away more of that autonomy and capacity from local governments.

I draw upon history, though, that shows that there was no evidence that this situation had been a problem. Prior to 2008, Queensland local governments ran elections very successfully. I note that one of the defences provided by the government for stripping away this ability from local governments to run elections is that the ECQ can run elections well. No doubt, the ECQ is an independent body and in no way do I cast doubts upon its ability to run elections. But the reality is that the ECQ cannot always do that as cost-effectively as possible. Owing to the size of Queensland, there have been problems with running elections as effectively as possible. That has been quite well documented and I will come to that in a moment.

Although there were no issues of concerns raised about local government elections that warrant or justify the changes before us, what we have seen is that, when the ECQ took over the processes, for at least two local government elections it was criticised, with reports of operational failures, particularly in respect of postal votes not being issued or incorrect ballot papers being sent to electors. At the time, there were also reports of polling booths not being tallied on time and cases where ballot papers were handwritten by Electoral Commission staff. Further, the location of polling booths was often or could often be inappropriate, with limited or no consultation with local governments so as to draw on local knowledge. As I have said, Queensland is a big state and that level of local knowledge was not taken into account.

I have heard the Deputy Premier say that there will be more consultation. Obviously, consultation is vital. But there has to be more than just token consultation when there is an election about to take place; there has to be a more effective embracing of the local knowledge to address those very issues that I have just mentioned.

We saw quite a considerable increase in the cost of running those elections. In 2012 the LNP took a policy to the electorate to provide a remedy for those problems whilst still providing safeguards. The LNP enabled the chief officer of a local government to act as the returning officer, thus providing consistency in the running of local governments in the lead-up, during and after local government elections. The ECQ still had the power to direct a CEO and approve their election plans. So there was oversight and there were provisions where a CEO did not have to act; they had the option of not acting. Also, people with party affiliations were not to act in those roles. It was recognised that local governments, where they had the capacity, should be able to choose to run elections. It is well documented that the ability of local councils to run elections was cost-effective. How can local councils running elections be cost-effective? Local returning officers, such as ECOs, can utilise office space and other resources, including other local government employees, in order to undertake those local elections.

The LNP recognised the need to empower local government. This recognition was certainly consistent with other changes that the LNP made in government, particularly in regard to some of the boundary realignments, recognising that the forced council amalgamations that were done under Labor had left a significant legacy of difficulty in regard to boundaries. The Local Government Association of Queensland certainly supported the changes that the LNP brought in in regard to CEOs being allowed to act as returning officers. In its submissions to the committee in regard to this legislation, the LGAQ stated that it is not opposing the changes that this government is making. The LGAQ is not happy with the changes, but it has asked that there be consultation to address issues such as cost. I have listened to the Deputy Premier and I understand that, although the Deputy Premier cannot direct the ECQ, consultation is to take place. However, I urge that this consultation needs to be done effectively and not just in a token way.

It is all very well to say that there are structures that are supposed to deliver integrity, but if people do not get their ballot paper, or the postal votes go missing—if those fundamental mechanisms fail the voters—then the voters are failed by the system. People have a right to be able to vote. They have a right to know that the postal votes that are supposed to come, in fact, are delivered; to know that appropriate systems have been put in place to consistently deliver the standards that we expect in our democracy.

The LNP is committed to a genuine partnership with local governments in Queensland. It is well aware of the many responsibilities of local government. So the LNP will continue to advocate wherever possible for local governments to continue to have the capacity to make decisions locally.

I mentioned costs. On this point, I draw attention to the submission from the Logan City Council, which was strongly in favour of keeping the CEO as the returning officer. In its submission, the Logan City Council stated that, on its calculations, in the past it may have been able to save about \$400,000 by running its own elections.

One of the concerns that was raised was in relation to the transparency of running elections. There is an irony when we talk about transparency in a democracy and yet some of the costs of running these elections are not transparent. I believe that certainly needs to be taken on board and that there is more transparency around what the actual costs are that local government will bear when they have a centralised provider such as the ECQ running an election. They have a right to know. It is not just about being told user pays. They are not allowed to know. They must have access to what those costs are and have the opportunity as part of any consultation to ensure that if they have a more cost-effective way of doing it they are, in fact, listened to. It must not be just token consultation, That is why there was a move to give those powers back to CEOs under appropriate circumstances. I have heard the government's explanation and we disagree on the philosophy. We also disagree on the fact that the safeguards are sufficient to deal with any potential conflicts of interest.

In relation to the other provisions in this bill, I wish to talk about the nature of the Reconstruction Authority and the extension. It is not a controversial extension. There was support from the LNP in government to the previous extension, understanding that this authority has undertaken vitally important work in our state. The disasters that Queensland has faced in the last few years across so many communities has been quite extraordinary. The rebuild has required a significant effort. Continued attention to the need for infrastructure not just to be replaced but in some cases to be upgraded to ensure it was more resilient to any potential future incident is vitally important. We support these provisions that do not just roll over the extension to another defined date but actually leave the Reconstruction Authority Act as it is in place without a sunset clause.

The work is ongoing. The evidence thus far proves that the Reconstruction Authority still has a large job to do and must be able to get on with it. It is not just about black letter law; it is about people's lives. It is important that they have ongoing support to rebuild their lives. As we have seen with overseas disasters, where there is not a system of government as in a First World country, that legacy of rebuild can go on for years. It can still go on for years in our country, but the pain is lessened if there is the ability for governments to support communities in the rebuild to do it as cost-effectively as possible but to the appropriate standards that hopefully mean greater resilience for future events. Whether we like it or not, there will always be natural disasters. Whilst all damage cannot be stopped, we can as much as possible mitigate the damage in those areas that are most vulnerable. We support these provisions to extend the Queensland Reconstruction Authority and its important work to continue to support the rebuild in communities and certainly to ensure that people have better infrastructure for the future.

This bill also uncontroversially extends the Heavy Vehicle National Law Act 2012. To be more accurate, this bill actually ensures that provisions that were due to commence on 1 July 2015 are, in fact, extended for commencement until 1 July 2018. I am very pleased that we have the Heavy Vehicle National Regulator in Queensland. While this body is there for the whole nation, to have it based in a state such as ours which depends so greatly upon the long haul logistics of our heavy vehicle operators is a good thing. In talking to industry I know that they have embraced the opportunity to engage in consultation in this sphere to ensure that as there is a move to these national provisions their voice is heard and there is an understanding that the logistics in different parts of our nation are different. It is important that we get these long haul logistics supported by appropriate regulation, regulation that supports people, ensures that they can effectively get product to market but that they can do so in a way that is safe and effective.

We recognise that there are still some outstanding issues in relation to these provisions, and that is the reason why the National Transport Commission has proposed a revised date of implementation for the national registration scheme. As I have said, that will push that out by three years. It is not ideal to see things extended to that extent, but we recognise that there are still issues to be resolved and we are keen to see that occur as quickly and as appropriately as possible.

In closing I wish to thank the committee members for their contributions during the deliberations on this bill. We will not be supporting the provisions put forward in respect of the Local Government Electoral Act but we will be supporting the other provisions in this act.