




Speech By  
**Leanne Linard**

**MEMBER FOR NUDGE**

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Record of Proceedings, 3 June 2015

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

 **Ms LINARD** (Nudgee—ALP) (11.10 pm): I rise to speak in support of the Local Government and Other Legislation Amendment Bill. The policy objectives of the bill are to amend the Local Government Electoral Act to remove the mandate for a local government chief executive officer to be the returning officer for a local government election; to defer commencement of chapter 2 (registration) of the Heavy Vehicle National Law Act until 1 July 2018; and to extend the operation of the Queensland Reconstruction Authority under the Queensland Reconstruction Authority Act.

I note from the Infrastructure, Planning and Natural Resources Committee report that the committee unanimously supported the proposed amendments to the Heavy Vehicle National Law Act and the Queensland Reconstruction Authority Act. The majority of the committee supported the proposed amendments to the Local Government Electoral Act.

Under the current Local Government Electoral Act, the chief executive officer of the local government for which an election is to be held is the returning officer. The bill proposes to remove this default position and instead enable the Electoral Commission of Queensland to appoint returning officers and in so doing enhance accountability and transparency and remove any potential for a conflict of interest. I believe the policy objective of this amendment is critical—to ensure that local government elections are run to the same high standards of independence and efficiency as state and federal elections.

As I am sure many members in this House can attest, matters of local government jurisdiction are often among the first raised when talking to people in the community. They affect people's daily lives, whether local roads, development impacts or public infrastructure. It is important that local governments are accountable and open and that elections are conducted in an impartial manner without fear of conflict of interest, whether perceived or otherwise. We have already seen evidenced in this House in the results of the recent state election the importance the Queensland electorate places on public accountability, on transparency and on openness, and the ratepayers of the Brisbane City Council would expect no less.

Under proposed section 9 of the bill, the ECQ may appoint a person as the returning officer for an election unless the person is a minor, a member of a political party or the chief executive of the local government for which the election is to be held. Despite these restrictions, an exception allows for the Electoral Commission of Queensland to appoint the 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 able to be appointed as the returning officer. I believe this is an important exception to ensure that every community including smaller communities have a returning officer with the required capabilities to perform the role. Importantly, in such a situation the appointed returning officer would operate under the direction and authority of the Electoral Commission, ensuring the integrity of the local government election is protected.

I note from the committee's report and comments already canvassed in the House this evening that the Electoral Commissioner favours the appointment of returning officers by the ECQ rather than CEOs being the returning officer by default. I support the amendments and the intention of increasing transparency and integrity of local government elections.

The bill before the House also seeks to amend the Heavy Vehicle National Law Act to ensure that the unproclaimed provisions of the act that relate to heavy vehicle registration do not automatically commence ahead of the implementation of a national heavy vehicle registration system. I note from submissions to the committee process that the Australian Trucking Association and Queensland Trucking Association are both highly supportive of the move to defer commencement of chapter 2 (registration) of the Heavy Vehicle National Law Act until 1 July 2018. This will allow more work to be undertaken on the planned national registration scheme.

The bill will also make minor but very important amendments to the Queensland Reconstruction Act 2011. As Queenslanders, we are all aware that we live in the very best part of Australia and enjoy the very best climate, but we also know that natural disasters can and will come, and have devastated Queensland over recent times. The Queensland Reconstruction Authority coordinates the government's program of infrastructure reconstruction within disaster affected communities to ensure their effective recovery. The authority was initially established for a period of two years and is due to expire on 30 June 2015. Clause 25 of the bill removes the expiration clause of the act to provide open-ended continuation. I note that the LGAQ in its submission to the committee welcomed the fact that the Queensland Reconstruction Authority will be maintained as a central whole-of-government contact for councils affected by natural disasters. With these few short comments, I commend the Deputy Premier on bringing this bill before the House so expeditiously and I commend the bill to the House.