




Speech By
Christopher Whiting

MEMBER FOR BANCROFT

Record of Proceedings, 20 March 2018

LOCAL GOVERNMENT LEGISLATION (VALIDATION OF RATES AND CHARGES) AMENDMENT BILL

 **Mr WHITING** (Bancroft—ALP) (12.21 pm): I rise to speak in favour of the bill and to commend the bill to the House. Following the member for Gregory, I want to recognise the former councillors, especially those who sit on our side of the House. I acknowledge the member for Miller, who sat on the Brisbane City Council, and the member for Ipswich West, who sat on the Somerset council. I spent 12 years on the Caboolture and Moreton Bay regional councils.

An honourable member: Keep the whiting in the bay.

Mr WHITING: I take the interjection. 'Keep the whiting in the bay' still has currency.

I also commend the minister for this timely bill. It is very important that we act quickly and decisively on this matter. That is of importance throughout Queensland as well. What we must do is very clear within this bill. We need to validate any charges or rates made or levied by a local government without an express resolution at the local government's budget meeting. This bill will declare anything done in relation to those rates or charges as valid, as if the council had passed the appropriate resolution.

This legislation was triggered by the case involving Linville Holdings and the Fraser council. It was discovered in this process that other councils may well be in the same situation. Previous speakers have said that possibly 25 other councils—and there may well be others—are in the same position. It is very clear that we need local governments such as Fraser Coast Regional Council to pass the resolution outlined by section 94(2) of the 2009 Local Government Act concerning rates and charges to be levied. It must be explicit. It is spelled out. It is not sufficient to pass a resolution to levy whatever rates and charges are listed in the attachments. We need to remember what this act is telling us to do. In this case, it is very clear what local governments must do.

As a former councillor, I have struggled to grasp how we reached this situation. In our training to be councillors it was very clear that our primary duty was to ensure that the budget was passed and that rates and charges were levied accordingly. It is a very clear and basic duty that has been spelt out continuously. I recognise the department of local government and the LGAQ for helping to train, over many years, councillors in aspects such as financial responsibilities.

It may be that councillors do not know precisely under what sections the resolution must be passed, but I point out that they are surrounded by staff who will or should know which sections apply to the particular parts of the budget they are talking about. They are surrounded by staff who should have that prerequisite knowledge and who do have many years experience in setting budgets and in getting budgets passed. They can take on advice or guidance from the many talented officers of the LGAQ who deal with exactly these issues and the many talented officers in the department of local government who also have knowledge and experience in precisely these matters. I know that council CEOs have a network where they rely on each other for advice. They certainly can turn to their peers

to get advice about what to do. In terms of what needs to be done or what should have been done, there is an extensive network throughout Queensland in local government of people who have the expertise and knowledge of what to do.

It is very clear why this bill needs to be passed. We need to ensure that expenditure for these projects by local government is not in doubt, that they are set in stone and secure for use in local communities. We have talked about roads and about economic development. The member for Gregory talked about the role of local government in economic development. The state needs to ensure that local governments ensure that the projects they fund are unassailable. I refer to the many projects in my local government area. My electorate entirely falls within the Moreton Bay Regional Council area. It is essential that those projects are unassailable and secure in terms of financial viability and surety. One such project is the University of the Sunshine Coast, which is now setting up in Petrie. I acknowledge the work of the members for Murrumba, Kurwongbah and Pine Rivers, who I know are particularly looking forward to this project.

In 2015 Moreton Bay Regional Council purchased 200 hectares at the old Petrie mill for \$50 million. Some 110 hectares will be preserved for the environment and wildlife corridors, and the rest will host the new University of Sunshine Coast campus to open in 2020, catering for 10,000 students over the next 20 years. That will be at the centre of a broader redevelopment area over the whole of the Petrie precinct. There will be a whole range of education, health, retail, residential, recreation, commercial and environmental uses. The point is that the money the council has expended will drive a whole redevelopment of that area and of the local higher education sector. There needs to be no doubt that this money has been expended in accordance with the law.

Another project in my area involving a large expenditure of local government money concerned the Moreton Bay Rail Link, now the Redcliffe peninsula rail line.

Mr HART: Madam Deputy Speaker, I rise to a point of order. I think this bill is about something completely different from what the member is talking about. I ask the member to be relevant to the bill.

Madam DEPUTY SPEAKER (Ms Pugh): While this is very interesting, I certainly ask that members stick to the long title of the bill.

Mr HINCHLIFFE: I rise to a point of order. The member for Bancroft was addressing the issue of the importance that this bill will play in ensuring the financial sustainability and arrangements for councils and he was therefore reflecting on how important this was in relation to a number of important projects that are current in his community. I would suggest that this is something that is entirely associated with the matters that are before the House in relation to the bill and the security of financial stability for local government that it provides.

Madam DEPUTY SPEAKER: Thank you, Minister.

Mr WHITING: The point I was making is that our local governments are now expending huge amounts of money on projects that are traditionally outside the scope of local government, and I will give some more examples of that later. It is essential that the expenditure that they make on these projects cannot be challenged by an organisation outside that may or may not have a beef against a particular project. I am outlining some of the key projects outside what councils usually do—projects like the Gold Coast Light Rail. In stage 1 the Gold Coast City Council spent \$120 million and I think \$55 million on stage 2. It was the Moreton Bay Rail Link that really set the pattern of local governments expending their money in areas of public transport and in areas they traditionally had not expended funds on before—that is, putting money down to build rail and buying up properties.

Councils in Queensland are now expending money outside those areas and are building the essential infrastructure of our state. I certainly want to commend the Gold Coast City Council and the Moreton Bay Regional Council for expending that money on public transport. I want to ensure that, through this bill, they are secure in the knowledge that they are not going to be challenged on that. We do not want a situation where that may be challenged in court and a court may find that they have not spent that money in a legal sense.

Much of this follows what the member for Gregory was talking about in terms of economic development. The expenditure of money in economic development areas is something new. It is more than just putting on an economic development officer. Councils in Queensland are now investing in real estate to drive more of this local economic development. I know that many western councils and councils throughout regional Queensland are looking to expend that money and ensure that they are secure in doing that. I want to wrap up by saying that this goes for everything. The state government expends a lot of money in partnership with local governments. We are investors in local community projects. We are co-investors with local government. It is incumbent upon us to ensure that the projects that we start and do with local governments are secure. That is why we need this bill. I commend this bill to the House.