




Speech By
Linus Power

MEMBER FOR LOGAN

Record of Proceedings, 21 August 2018

LOCAL GOVERNMENT (DISSOLUTION OF IPSWICH CITY COUNCIL) BILL

 **Mr POWER** (Logan—ALP) (12.03 pm): Before this House is a bill that will dismiss the Ipswich City Council and appoint an administrator in its place. This is not a decision that we in this House should take lightly. This place is tasked with making difficult decisions. Indeed, this bill is one of them. We all feel deeply for those councillors who thought that they were making their best effort. Indeed, at a local level—in their division—they may well have done that.

The local government minister wrote to the Economics and Governance Committee, of which I am the chair, asking the committee, in accordance with section 92(1)(d) of the Parliament of Queensland Act, to initiate an inquiry into a draft of the bill. That inquiry held briefings and hearings and tabled a report on 17 August, with the recommendation that the Legislative Assembly pass the bill.

During the hearings, the Economics and Governance Committee heard from some residents of Ipswich who supported the good work of their local councillors. When we held a hearing on the draft bill in Ipswich, we heard directly from many of the councillors. The councillors were proud of their local work and very proud of their city. They felt that, since the emerging scandals, they had made changes to the governance of their city. However, this parliament has also read and heard disturbing accounts of culture and governance problems at the council both from locals and from the Crime and Corruption Commission both in the hearings and through the official Crime and Corruption Commission report titled *Culture and corruption risks in local government: lessons from an investigation into Ipswich City Council*.

It is worth members understanding that the action of dismissing the council and appointing an administrator is not unique to this bill. Indeed, on election to a council, councillors understand that their council is a product of the Local Government Act and that, under section 123 of that act, this parliament had previously foreseen circumstances where a council should be dismissed and an administrator appointed. Further, that legislation, which was passed by this parliament, intended to give significant powers to the minister. Section 120(2)(c) of that act states that the minister does not even have to give notice to the council of the exercise of those powers if it served no useful purpose.

The parliament also made it clear that it intended that this section not be able to be appealed against under the Judicial Review Act. I understand that precedent means that this intention of the act is not clear cut in practice. However, for any councillor reading the act, the statement of intent of the parliament is clear. It is clear that councils and councillors need to do more than provide good local services to their constituents. As the Local Government Act states, they 'must serve the overall public interest of the whole local government area'. It is clear that one of the primary interests of the whole local government area is the good governance of council and the creation of a culture among councillors of accountability.

Like so many in this place, I was disturbed to hear of the investigation into the governance of the Ipswich City Council and charges laid against councillors. So far, 15 people have been charged and over 80 charges have been laid. I can only imagine how saddened and disgusted many of the councillors were when they first heard the news. These are extremely serious accusations, but we retain the presumption of innocence for those who have been charged.

We have also seen the report of Operation Windage, titled *Culture and corruption risks in local government: lessons from an investigation into Ipswich City Council*. This report contains very concerning information about the failure of the council to build and reinforce a culture of transparency and accountability. In its report, the CCC emphasised the important role that councillors play in this process of ensuring that the standards of the council flow from the top down. It raises significant concerns about the failure of governance structures and the cultural failures that led to concerns raised about the Ipswich City Council.

Given this deeply concerning information, what would we in this place say if the minister were not taking action, or if this parliament took no action? If even under these circumstances this parliament took no action, what signal would that send to other councils? The provisions of the Local Government Act—both those that set standards for councillors and those that give powers to dismiss a council—must have meaning and must not be simply ignored.

I know more than most in this place how hard this situation is for the councillors. As part of the committee's hearing on the draft bill, I listened to all but one of the councillors face to face. Their love for their city and love for the people they represent was palpable. Many felt that the dismissal of the council was in some way an implication of individual guilt. That is not the case under the existing act and it is not what we are finding by supporting this bill today. Mr MacSporran, who led the investigation, also made this clear when he said that although—

... there has been a collapse of public confidence in that council and those councillors ... It is not about them individually being guilty of misconduct or otherwise. It is about systemic failures collectively of good governance, and a lack of transparency and accountability across-the-board.

Individual councillors may well be right to defend their local representation and work. They may even have made efforts individually to try to correct the governance issues of the council. However, collectively, over time the results are still a grave concern.

I put it to councillors to look at the signal this parliament would send if it did not act to use similar powers in section 123 of the Local Government Act. What would Queenslanders think if we simply turned a blind eye to governance and cultural problems at the council? I think Ipswich city is a great place with a storied history and an exciting future. We best support Ipswich by supporting this bill—going through this difficult period and coming out the other side better for it with public confidence restored. I know that Ipswich councillors may still not agree with this proposition, but I hope they understand that this parliament takes this serious step to restore confidence in the Ipswich City Council and to set a high standard of transparency, accountability and governance in every council across Queensland.

I wish to make some reference to the contribution of the member for Warrego. It is disappointing that the member for Warrego seeks to lecture this House on ethics, especially given her history in this place in the last parliament. It is an unfortunate attempt to play politics with this difficult issue where we are setting standards for our local government areas. When the member for Warrego talks of protection rackets, she does not mention the hearings where we heard a member criticise the actions that we were taking, a member who said that only two of the councillors out of the 10 had been found guilty so how could we proceed with this action, we should further delay. Who was that member? It was none other than the member for Scenic Rim from the LNP who raised this legitimate, but I think ill-placed, concern. We also saw the member for Scenic Rim asking about more local representation through the councillors—that is, another argument not to have them sacked.

The LNP says one thing locally and then slurs and makes accusations. It is deeply disappointing that they seek to play politics when we are dealing with these councillors. I noticed that those who are LNP supporters and made submissions to the committee did not make any reference to a protection racket being run by anyone. Instead, they argued that there should not be any proceeding with sacking the council.

Mr HART: Madam Deputy Speaker, I rise to a point of order. Can the member assure the House that he is not, in fact, releasing private information from the committee discussions?

Madam DEPUTY SPEAKER (Ms Pugh): Thank you for your point of order, member for Burleigh. We will now hear from the member for Logan. Member for Logan, can you address the concerns raised?

Mr POWER: I was quoting directly from the papers of the public hearing where the member for Scenic Rim, who is not a member of the committee, sought special leave to ask these questions at the committee. It is deeply disappointing, on this tough issue for the councillors and where we are doing the right thing in setting standards for councils across the state, that the LNP plays politics with it, that the LNP attempts to make this into a partisan divide with its own members saying that it should be further delayed. Members of the committee did not take this approach and have much higher standards.

Ms LEAHY: Madam Deputy Speaker, I rise to a point of order. I think the member for Logan needs to be very careful about misleading the House.

Madam DEPUTY SPEAKER: What is your point of order?

Ms LEAHY: The member for Scenic Rim called for specific legislation to remove these councils back in May. I think the member should be very careful about misleading the House.

Mrs D'ATH: Madam Deputy Speaker, I rise to a point of order. In relation to the member for Warrego, she is not putting a point of order; she is seeking to debate the issue. She should put a point of order if she has one.

Madam DEPUTY SPEAKER: Thank you. There is no point of order. I would ask the member for Logan to please resume his contribution.

Mr POWER: If the member for Warrego had simply read the transcript of the proceedings she would see the course of questions that the member for Scenic Rim proceeded with. It is disappointing she has not read the transcript of the briefing from the department. This is a serious issue. I hope that other members of the House respect the role that councillors have across our state and recognise that section 123 and this bill are very tough decisions that we have to make and we do so with a heavy heart. We do it to make Queensland local government a stronger, more transparent and better place. I commend the bill to the House.