Speech By
Hon. Stirling Hinchliffe

MEMBER FOR SANDGATE

Record of Proceedings, 16 October 2019

LOCAL GOVERNMENT ELECTORAL (IMPLEMENTING STAGE 2 OF BELCARRA) AND OTHER LEGISLATION AMENDMENT BILL

ELECTORAL AND OTHER LEGISLATION AMENDMENT BILL

Hon. SJ HINCHLIFFE (Sandgate—ALP) (Minister for Local Government, Minister for Racing and Minister for Multicultural Affairs) (3.50 pm), in reply: I thank all members for their contributions to this cognate debate. In particular, I thank those who spoke on the Local Government Electoral (Implementing Stage 2 of Belcarra) and Other Legislation Amendment Bill 2019.

In my opening remarks during the second reading debate, I reiterated the Palaszczuk government's commitment to its rolling reform agenda to restore the good name of local government in this state. As I have said many times and I will repeat, the vast majority of our Queensland councillors are honest, hardworking and dedicated individuals. They are individuals with a commitment to public service and to their communities' best interests. With the implementation of these extensive reforms to bring greater transparency, integrity and accountability to our councils, the Palaszczuk government has committed, also significantly—and this is embedded in the actions that I have taken with the introduction of some amendments—to imposing the same obligations on councillors as state ministers, while also delivering on the Belcarra recommendations and the more recent 6 September recommendation from the CCC.

I would like to address some matters raised during the debate. A number of members opposite have suggested that this bill should have contained only reforms that have been prescribed by the Belcarra report. Their key assertion seems to be that anything outside of that was not valid, was not acceptable and should not be going forward. I find it quite extraordinary that some members opposite seem to think that the CCC are the legislators and that we are some sort of postbox that delivers on CCC recommendations. No, we are not! The government and this parliament add value, drawing on the spirit of the recommendations and our consultation and engagement with the broader community to deliver the best possible outcomes for improvement and reform to local government and the best possible reforms and outcomes across a range of matters, including the electoral matters contained within the Electoral and Other Legislation Amendment Bill brought to this parliament by the Attorney-General.

In relation to that bill and the elements that are contained within the amendments to the Local Government Electoral Act, I note the concerns that have been raised about going beyond the recommendations of the Soorley report in relation to postal voting. As the Attorney-General has done, I reiterate that they are incorrect. Changing the deadline for the receipt of postal votes by the Electoral Commission of Queensland to 7 pm on the day that is 12 days before the polling day places some responsibility on the voters to request postal votes in a timely way. The 12-day cut-off date for postal vote applications implements the Soorley report recommendation 41, which was for applications to be submitted no later than 10 working days prior to the election—I repeat, no later. The bill provides for 12 days, which includes the weekend. It makes sense.

The changes will mean that there is the reasonable prospect of the postal ballot being received before polling day. In fact, in its report the committee noted that some stakeholders consider the bill's proposed deadline should be extended even further back from polling day. There are certain alternatives in place for some of those who miss the postal voting deadline. An elector whose address is more than 20 kilometres from a polling booth may be included in the register of special postal voters. Many of those opposite would be very aware of that process. Electors in many local government areas have access to pre-poll voting. Telephone voting is also available. The proposed time frames align with proposed amendments to state election processes and local government election processes and, as noted by the committee, are supported by the ECQ.

The member for Warrego asserted that the removal of mayoral powers was not recommended by any integrity body. That is incorrect. The CCC's Operation Windage investigation identified significant cultural issues and governance failures on how local governments operate. The reforms contained in this bill will mean that councillors are not involved in the day-to-day operations of council but will instead allow them to focus on the strategic and community issues that they are elected to do.

I acknowledge—and it seems to be a contribution acknowledged by those opposite—the contribution of the member for Bundamba which directly came to those specific issues. That is why this legislation takes the right steps. Removing those powers offers a clear separation between elected councillors who decide the policies, priorities and strategic direction of the council and employees who are responsible for implementing the decisions of the councillors. The mayor and the councillors have and will continue to have the necessary powers to drive the local government's agenda, including appointing the chief executive officer and affecting all significant decisions and policies, such as the budget and organisational structure. Members should not believe the hype from some of those opposite. The proposed amendments in no way prevent the chief executive officer from consulting with the mayor and councillors about the appointment of senior executive employees.

Incredulously, the member for Toowoomba South seemed to suggest that the views and feedback from regional councils and mayors on voting methodologies were not acceptable. He insinuated that the government should not be listening to the concerns of regional Queensland. That seemed to be what he was saying, although I could not quite follow it. That is not surprising as it is how those opposite operated when they were in government, resulting in the failure that we know was the LNP Newman government. Further, in his contribution the member for Toowoomba South failed to acknowledge that this bill implements 14 Belcarra recommendations and five recommendations from the Soorley report. He seemed to gloss over that really quickly and moved on to all sorts of other crazy things.

In particular, I note that the member for Toowoomba South stated—

... when the member for Broadwater was local government minister he did not have anything to do with Paul Pisasale.

Honourable members interjected.

Mr HINCHLIFFE: That is a direct quote from the member's contribution. However, excerpts from the diary of the member for Broadwater when he was the local government minister show that he met with Paul Pisasale for dinner on 28 April 2013, for luncheon on 21 May 2013, for dinner again on 22 January 2014, for lunch again on 29 January 2014 and again on 25 February 2014. For the benefit of the House, I also table *Queensland Times* photographs of the member for Broadwater and Paul Pisasale posing together for media stunts on 5 November 2012, 29 April 2013 and 10 November 2014.

Tabled paper: Bundle of photographs from the *Queensland Times* [1849].

Dr Miles: Apologise for misleading.

Mr HINCHLIFFE: I take that interjection from the Minister for Health. It is a matter that maybe the member for Toowoomba South might want to reflect upon and respond to the House on in relation to misleading the House. They are hardly an example of a pair who have nothing to do with each other. Members should not get me wrong: local government ministers should work in partnership with mayors. I congratulate the member for Broadwater for doing that with the former Ipswich mayor in their respective roles at the time. I think that is entirely right. However, his colleague should be a lot more careful about making disingenuous claims that the former minister had nothing to do with Paul Pisasale.

I have a further example of the close relationship between the member for Broadwater and Paul Pisasale. On 14 November 2012, the then local government minister put out a media statement titled 'Ipswich mayor backs council reform', promoting the minister's legislative changes, of which much was said by the former minister in his contribution. Those legislative changes gave mayors additional powers. The then minister's press release quotes Paul Pisasale as saying—

Mr Power: In the minister's press release?

Mr HINCHLIFFE: In the then minister's press release. It reads—

Under the old legislation I could not ask my CEO to do something without keeping a record of the directive. How much red tape is that?

Mr Power: How did that work out?

Mr HINCHLIFFE: I take the interjection from the member for Logan. That did not work out real well for some people involved. I suspect there are two involved for whom it ultimately has not worked out real well. Any reading of the Operation Windage report should make any Ipswich ratepayer shudder at that association and that sort of language which clearly the member for Broadwater was so proud of. That quote speaks for itself.

I am told that in promoting this legislation the then minister took his local government roadshow all around the state saying that the then Ipswich mayor was the model of how to get things done. That is how it worked. The member for Broadwater's vehement defence in this place yesterday of the legislation introduced in 2012—the Pisasale endorsed legislation—which handed over greater power to mayors and, as the member suggested, allowed mayors 'to get things done in their community' shows his lack of understanding of the root of the problem that we are dealing with. Mayors having the reach-around ability to direct council officers allows them too much involvement and too much power in the day-to-day operational running of councils. I refer those opposite to the Operation Windage report and the implications in that.

I reassert that the member for Broadwater's 2012 legislative changes were the tipping point which led to the integrity mess and the loss of confidence of the community in the local government sector which we have seen unfold in Queensland in recent years. Thankfully, this government working in partnership with local government are mending those issues.

The member for Bonney made the point that the 'So you want to be a councillor?' training is not available on the department's website. I must point out to him that that is because it is mandated in this bill. The training will be available from 30 October. Following the passage of this bill it will be mandatory for all candidates to complete this training, including sitting mayors and councillors, prior to being able to nominate with the ECQ for the March 2020 election. I can assure members, having had a chance to have a look at the work that the department has been preparing, that that training is in a good place. I know that it has been developed and created in consultation with a selection of mayors and councillors across the state. They have appreciated being part of that opportunity.

The member for Bonney also sought a definition of when a person becomes a candidate. That is a sensible question. Clause 253 of the bill provides a definition of a candidate. It states that a person becomes a candidate when they have 'announced or otherwise publicly indicated an intention to be a candidate in the election'. In the example that the member used in his contribution of when someone creates a Facebook page saying they are running for a particular division, that would constitute the person becoming a candidate.

I also note the member for Bonney's praise of the government for listening to basically every stakeholder. That was one of his quotes. I picked up a few quotes from the debate. It is a refreshing stance from those opposite to have them acknowledging the merits of the stakeholder consultation. That stakeholder consultation was very important in terms of the government's decision to not proceed with the implementation of compulsory preferential voting for local governments across the state.

In relation to the same topic, the member for Ninderry quoted Winston Churchill famously saying that preferential voting has the potential to make winners out of losers. That is an interesting observation from someone who was elected with 36 per cent of the primary vote. This reminds me of the member for Traeger's quip during his contribution that 'you cannot legislate for idiots'.

The member for Bundaberg suggested, as did the member for Lockyer and the member for Gregory, that CPV would have resulted in higher rates and been responsible for increased costs for local government elections. Clearly the talking points were leaked, to coin a phrase. The Attorney-General has previously addressed the issue of the cost of local government elections in response to a question from the member for Warrego. I take the opportunity to reiterate her comments. The total cost of the 2016 local government quadrennial elections was $17.268 million, which was an average cost per elector of $5.60. The total estimated cost to councils of the 2020 local government elections as at January 2019 is $27.435 million, which is an estimated average cost per elector of $8.63. This is the same average cost per elector as the 2017 state general election.

The cost differences between the 2016 and 2020 local government elections have been affected by a number of significant factors. Firstly, the 2016 elections were subsidised by the Queensland government for the concurrent conduct of the referendum on fixed four-year terms. This subsidy

reduced the costs required to be recovered from councils. The cost to be recovered is calculated on a completely different basis. I note some local governments have referred to how much lower the cost was for the 2012 quadrennial elections. That was also subsidised by the state because it had been postponed from its usual date as a consequence of the state calling a general state election.

Secondly, the ECQ is currently implementing a broad range of electoral process improvements as recommended by the Soorley report, including a comprehensive workforce program for the recruitment and training of temporary election staff. Thirdly, the ECQ has undertaken a comprehensive review of budgeting and accounting practices to provide a more accurate estimate of the actual costs of conducting local government elections.

Fourthly, the number of electors in Queensland and the cost of basic services required to deliver elections, such as labour, accommodation, postage and other operational costs, are continuing to increase. The ECQ has contacted each local government individually regarding arrangements for the conduct of elections and will continue to work with councils to identify any cost-saving initiatives that may reduce the costs to councils. That is as simple as working through things like identifying council owned properties that might be used for polling places or pre-polling places and so forth. These are part of the normal course of work that goes on between the ECQ and local governments.

As was explained to the committee, there is no difference in the costs associated with the operation and conduct of an election using optional preferential voting and the operation and conduct of an election using compulsory preferential voting. Anyone who has any real understanding would know that there would be no significant cost differences. The overarching intention of the election planning process is to ensure that the 2020 local government elections are delivered to a high standard for councils across Queensland and that voters are provided with fair and equitable opportunities to participate in the electoral process.

I again thank everyone who contributed to the debate on this bill. In particular, I would like to acknowledge the contributions of those members who have formerly served in local government. I want to dissuade the member for Southern Downs from his misapprehension that I served in local government. He, like a number of other people, may have confused me with my fifth cousin David Hinchliffe. I want to acknowledge those members who served on local government and contributed to this debate. They include the member for Miller, the member for Bundaberg, the member for Traeger, the member Bancroft and the member for Lockyer. I also want to acknowledge the members for Broadwater and Mermaid Beach. I must say that the last two members seemed to speak more about themselves than the bill. There is nothing new there.

Stakeholders such as mayors and councillors from across Queensland, the Crime and Corruption Commission, the Local Government Association of Queensland, the Local Government Managers Australia Queensland, the Electoral Commission of Queensland, the Office of the Independent Assessor and the Department of Justice and Attorney-General have been integral in preparing this bill. I have had many great conversations with stakeholders, especially the many mayors and councillors whom I have spoken to about this on many separate occasions across the state. We have not always agreed, but I can assure the House that our united focus has been on better local government for this state. I want to acknowledge the sensible and productive way in which those conversations have occurred and the result of listening and the government making a decision to not proceed with a particular matter that was of grave concern to a number of councils particularly across regional Queensland in relation to compulsory preferential voting.

Finally, I express my thanks to my ministerial staff and officers of the Department of Local Government, Racing and Multicultural Affairs for their dedication and work on this bill—in particular, Bronwyn Blagoev and Tim Dunne for their professionalism and expert advice. I conclude by thanking all members for their contributions. This has been a great debate and it has been very interesting to hear some contributions. I commend the bill to the House.