

QLGRA Insights

The Queensland Local Government Reform Alliance (QLGRA) is a non-party political association of groups and individuals from throughout Queensland focused on the reform of local government.

The QLGRA's mission is to be a vigorous peak body promoting the views of local communities regarding improved representation and governance standards in all areas of local government.

OUR SERVICES

To promote:

- the commonality of our cause;
- sharing of strategy and resources with all local communities;
- the benefits of efficient community based local councils to the general public;
- local government as an area of study in public educational institutions.
- a unified non-partisan democratic structure within our Organisation – 'United We Stand'

DISCLAIMER

Content sources externally from the QLGRA are the responsibility of the author and are not necessarily the views of the QLGRA but are presented here as an expression of fair play.



Individual efforts can bring excellence but only collective efforts can deliver effectively.

Narendra Modi

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The Road Ahead

Are you constantly overwhelmed by everything wrong with politics; meaning the flaws that exist within our political system, regardless of who is in power and what level? Local government is no different and it is ours, we pay for it, so it needs to work for us. And right now it does not.

Whether an issue has 0 percent support or 100 percent support, there's a 30 percent chance that any action will be taken. That's because lobbying interests dictate policy, not the support of everyday voters like you and I.

There are real steps to put a stop to government corruption that would put the power back in the hands of everyday people and it all starts with changing laws at the local level. If laws are changed in enough towns, cities and states, federal officials will have almost no choice but to enact laws that will reduce the influence of money in politics and filter out the single most corrupting influence in our nation's politics and governance.

Regional Contribution

Every region in Queensland seems to be similarly affected by the laws and regulations of the LGAQ's too powerful stronghold on our local councils. Communicating between regions, cloning of new rules or suggestions, can be seen. The latest from our region, is that hoses have been dismantled from bulk water outlets, and the excuse is to protect public health. They say that hoses are dragged on the ground and across vehicles so we must take our own hoses to access water.

Gympie Region Ratepayers are very disgruntled with the ongoing Rattler expenses, where it is felt that all attention, labour and money has gone to the restoration of this possible white elephant, and maintenance on roads especially has dropped.

One Councillor said he had a resident turn up at his place with a rock and a broken sump, saying who will pay for this?

From \$10.8 million to well over \$25 million if figures were accurately accounted for. Gympie will pay for decades. The powerful Mayor and CEO syndrome, is responsible. A Mayor wants a train - a Mayor gets a train. Arrogance reigns supreme. Otherwise we are well and healthy in GYMPIE and need more rain. As everyone does.

Our page [GYMPIE Regional Forum](#) is lively and open, much to the Council's dismay.
Kathy Little Walker

We the people, need to be the most important influence over our representatives.

We live in a world that actively discourages engagement by constantly putting obstacles and barriers in our way. Could it be perceived as deliberate exclusion?

A heroic effort is a collective effort.

"If we can redefine apathy, not as some internal syndrome but as a complex web of cultural barriers that reinforces disengagement and if we can clearly define what those obstacles are and work collectively to dismantle those obstacles then anything is possible." Dave Meslin.

Democracy is in trouble, there is no doubt.

"We may have found a cure for most evils; but we have found no remedy for the worst of them all, the apathy of human beings." Helen Keller

Engagement, inclusiveness and collaboration are the tools to make government work for us.

Jannean Dean – Vice President

Preferential Voting

Queenslanders will have to number every box when they turn up to vote at next year's council elections, if Labor's move to bring in compulsory preferential voting for local government gets the go ahead.

The move comes about three years after the Government rushed through changes to Queensland's voting system in 2016, scrapping "just vote 1" optional preferential voting.

Expenditure

The Local Government Association of Queensland is supportive of the move toward expenditure caps, suggesting \$2 per voter for mayoral candidates and \$1 per voter for council candidates.

The total spend for Mayoral candidates would be capped at \$200,000 and \$50,000 for council candidates, under the LGAQ proposal.

Let us know what you think of these proposals.



"LNP leader Deb Frecklington demanded the Government ditch the voting plan, accusing Labor of attempting to "rig" the looming council elections."

"In Focus" President's Perspective

This is the president's opinion and does not necessarily reflect that of the QLGRA.

I am sad, angry, happy and disgusted.

Australia is perhaps one of the most diverse nations in the world. While Townsville and the North West of Queensland were suffering the worst floods in living memory the southern areas burned.

Just a few short weeks prior FNQ was burning fiercely.

While politicians posed for their own perceived advantage with sad puppy dog eyes telling us how terrible this all is, the question most asked, "where is the real help for those who have lost everything," either went unanswered or was met with vague innuendo which meant nothing?

Within days of overseas disasters, we see hundreds of millions of dollars being made available to help those unfortunate countries rebuild and recover, but here in Australia we see the same decision makers flitting around for media coverage BUT NO REAL FINANCIAL HELP BEING OFFERED to our own country men, women and children.

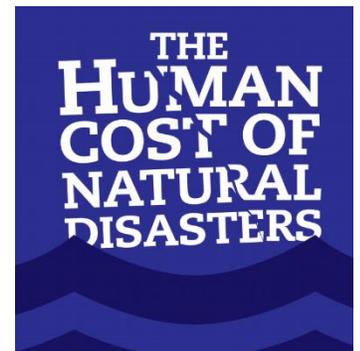
Low interest loans of insignificant amounts are made available if victims can wade through reams of papers and questions to access them. Token grants are offered, but where are the hundreds of millions of dollars readily GIVEN AWAY in overseas aid in times such as these?

While the politicians and media focus solely on the financial cost of these disasters, where is the consideration and empathy for the human cost? Where are the people to talk to, to vent to and help victims recover emotionally and mentally from such devastation to their lives and the lives of those they love? These people are supplied through private charities funded by the private citizens. Charities that do what they can, where they can but are unable to reach some of those who need their help the most.

In Qld the buck passing has begun for almost everything relating to these disastrous floods.

The emergency dam management, approval of development on known flood plains, insurance policies not worth the paper they are written are now subjects people are demanding answers to, but none seem forthcoming because "playing politics" is more important than the people.

REDIRECT
Australian
Aid 
TO AUSSIES IN NEED



The recent announcement that the Inspector General of Emergency Services, a government department, will investigate the management of the Townsville flood. Local opinion is cynical at best, with one quote paraphrased from earlier days, "When Caesar investigates Caesar, then Caesar will never be found to have any case to answer."

Most of us sat hundreds of kilometres away and unaffected (directly) by these disasters feeling helpless and dismayed. The emergency services personnel and volunteers cannot be praised highly enough for their efforts on the ground as this disaster unfolded, but now is the time to rebuild, support and nurture those most affected. It is once again being left to the people of Australia to dig deep, give to the charities, or get in there to physically help others in this time of need.

According to the Qld Auditor General, Townsville council and others in affected areas are borderline bankrupt from over borrowing and will need State and Federal money to cope going forward, which raises questions to governments at all levels, Federal, State and Councils:

**"WHERE THE BLOODY HELL ARE YOU?
WHAT ARE YOU DOING FOR THE PEOPLE?"**

Colin Hewett - President



2017-18 conduct and performance data

Queensland public servants occupy a position of trust. They are entrusted by government and the community to undertake important work on their behalf.

There is an expectation that all public sector employees will be accountable and maintain high standards of ethical behaviour, yet we see Queensland's public servants reported for 3469 work conduct and performance issues in the past financial year.

	2014-15	2015-16	2016-17	2017-18
Total number of work performance matters reported	3193	2705	2866	3469
Category 2	1979 (62%)	1526 (56%)	1663 (58%)	2112 (61%)
Category 3(a)	973 (30%)	986 (37%)	1043 (36%)	1181 (34%)
Category 3(b)	241 (8%)	193 (7%)	160 (6%)	176 (5%)

In 2017-18, less than 0.1 per cent of the workforce was reported for the most serious breach of conduct expectations, which is no change from 2016-17. This is a small number of employees relative to the total public sector workforce and overwhelmingly demonstrates that the majority of public servants are meeting or exceeding standards expected of them.

<https://www.forgov.qld.gov.au/2017-18-conduct-and-performance-data>

yes
 no
 maybe

Petitions for you to consider

Do you run a Queensland Small Business?
 Did you lose contracts you had with Local Councils?

Did you find it almost impossible to get a supply contract with a Local Council?

Do you work for a Local Council and wonder why you had to go through an external Local Government recruiting process that was controlled by a Private company and then had to sign an employment contract with that company?

Have you ever wondered why the HR department of your local council is managed by a private company?

If this is a concern and you have a concern for Local Government employees rights, please sign these petitions:

<https://www.parliament.qld.gov.au/work-of-assembly/petitions/petition-details?id=3063>

<https://www.parliament.qld.gov.au/work-of-assembly/petitions/petition-details?id=3067>



This Month's Q&A

Q: How can ratepayers move a vote of no confidence in a sitting council and take back control?

A: A vote of no confidence in a council will not actually have any specific result, although it may influence some councillors.

We have experienced situations where continuing public pressure brought about the dismissal of a Council. New legislation was introduced which saw Ipswich City Council dissolved and administrator put in place.

While there are various discretionary powers to intervene in a council's operations, these are reserved for circumstances where there is a serious breakdown in council operations or where major flaws in key council processes are evident.

The decision to suspend a council and appoint an administrator ultimately rests with the Minister for Local Government.

Q: Is there any legislation that stipulates time frames for submissions?

A: Although the length of the consultation period is not prescribed, it typically runs for at least 30 business days.

A 'properly made' submission: is made in writing to the Coordinator-General; is received on or before the deadline for submissions; states the name and address of each submitter; is signed by each submitter; states the grounds of the submissions and the facts and circumstances relied on in support of the grounds.

The Coordinator-General will consider all properly made submissions and may also consider submissions that are not properly made.

Feedback from Queenslanders is an important part of policy development and change.

LEGISLATION

Monthly Pick

Human Rights Bill 2018

The Queensland Government passed legislation protecting the human rights of all Queenslanders.

The Human Rights Bill establishes responsibilities by public entities making decisions that impact on the rights of all Queenslanders. The bill will provide provisions to protect 23 human rights including but not limited to:

- Recognition and equality before the law
- Right to life
- Protection from torture and cruel, inhuman or degrading treatment
- Freedom from forced work
- Freedom of thought, conscience, religion and belief
- Peaceful assembly and freedom of association

As part of the move, the Anti-Discrimination Commission Queensland will be rebranded as the Queensland Human Rights Commission and will take complaints from members of the public under the new system.

Under the framework, a breach of the Human Rights Act would not result in a criminal proceeding but allow complainants to take their case to the Human Rights Commission for mediation or remedy.

The act will not provide a right to sue for compensation unless it is sought under existing laws.

[Human Rights Bill](#)

[Explanatory Notes](#)

Defamation

Submit an article

QLGRA Insights is the monthly newsletter of the Queensland Local Government Reform Alliance.

Each issue features a selected topic, in addition to regular columns with updates of interest to the citizens across Queensland.

We welcome your contributions and invite you to send in your articles (no more than 500 words) or questions regarding local government.

Please send your submissions to the

newsletter@qlgra.org.au

We aim to grow the public sector's understanding of how local government works.

Feedback on all issues are welcomed.

Most people have a common belief that 'Freedom of Speech' is something that we here in Australia share with all modern, Western societies. The facts are that America is the only place that this actually exists in a bill of rights.

In Australia, there is no bill of rights but luckily, the High Court has almost always found that there is a freedom of communication on all political matters.

Two cases decided in 1992 established a new implied right to freedom of communication on political matters. The first case, [Nationwide News Pty Ltd v Wills](#), concerned a Federal provision criminalising the "bringing into disrepute" of members of an industrial relations tribunal, and a prosecution under that provision of a person who had published a newspaper article repeatedly describing such members as "corrupt" and "compliant".^[56] The second case, [Australian Capital Television Pty Ltd v Commonwealth](#), concerned a Federal attempt to ban political advertising on radio and television during election periods and to strictly control it at other times, via a system of "free time" entitlements.^[57]

In both cases, the majority of the High Court reasoned that, since the Constitution required direct election of members of the Federal Parliament, and since moreover the Ministers of State were required to be or swiftly become members of that Parliament, the result was that "representative democracy is constitutionally entrenched". That being so, freedom of public discussion of political and economic matters is essential to allow the people to make their political judgments so as to exercise their right to vote effectively. Furthermore, since "public affairs and political discussion are indivisible", it is impossible to limit this necessary freedom to purely Federal issues: it applies also to issues which might be the preserve of the State or local levels of government. Therefore, there is implied in the Constitution a guarantee of freedom of communication on *all* political matters.^[57]

The Court stressed that this freedom is not absolute, but the result in both cases was that the relevant Federal legislation was struck down.

Most recently there was a favourable ruling for freedom of speech where the Union movement successfully had laws limiting their ability to donate to political parties overturned. Like the unions or not, this is a win for freedom of speech and we should be grateful for it. [Check out the full summary here.](#) The chances of someone successfully suing you for defamation are fairly low and even when they do, the courts are very reluctant to give out large settlement figures; which is why a lot of lawyers tend to encourage clients toward

mediation or to not bother with cases.

The only real winners in cases of defamation are the lawyers so if you are considering suing someone for defamation, consider whether your time, energy and resources could be better spent elsewhere.

The core reason we need freedom of speech is to allow us as individuals to question our government and keep them accountable to its citizens. The high court has repeatedly and most importantly, recently (as in last month) successfully stopped any government from its attempts to silence citizens.

I will leave you with 3 basic things to consider in a day and age where it is as simple as a few thumb clicks to potentially post something constituting defamation.

1. Is what you are saying the truth that can be backed up with hard conclusive evidence?
2. Have you taken every step possible to air or fix your grievance through the proper channels or departments?
3. Is what you are planning on saying about an individual and if so, are they a politician?

If the answer to these questions is not a resounding yes. Maybe go make yourself a cup of tea and ponder your words before posting. Whilst we definitely need to be outspoken against the tyranny of government, we must carefully choose our battles to avoid being silenced by a long drawn out court process.

It might feel good in the moment to throw out a juicy piece of gossip but I have learnt the hard way, that it is not the best move to make unless you have answered all 3 of the above questions.

Governments have always and will always be attempting to silence our voices but for now at least, the courts are on our side when it comes to keeping our voice.

I will leave you with one of my favourite paragraphs from one of my favourite books 'The Art of War'.

"Thus, we may know that there are five essentials for victory:

1. He will win who knows when to fight and when not to fight.
2. He will win who knows how to handle both superior and inferior forces.
3. He will win whose army is animated by the same spirit throughout all its ranks.
4. He will win who, prepared himself, waits to take the enemy unprepared.
5. He will win who has military capacity and is not interfered with by the sovereign."

Until next time. Keeping fighting the good fight.

Jason M Loft



Without Freedom of Thought, there can be no such Thing as Wisdom; and no such Thing as public Liberty, without Freedom of Speech.

(Benjamin Franklin)