

Committee Secretary,  
Finance and Public Administration Committee  
Department of The Senate,  
Parliament House Canberra , Australia.  
24<sup>th</sup> August 2007

**SUBMISSION TO SENATE ENQUIRY by Robert (Bob) N & Susan JOHNSON,  
SUBMISSION to the Senate Enquiry into the COMMONWEALTH  
ELECTORAL AMENDMENT (Democratic Plebiscites) Bill 2007.**

I respectfully request that you permit my wife Susan Johnson and me, both foundation members of the STANTHORPE SAVE OUR SHIRES ACTION GROUP (SOSHAG) to make a joint submission to the enquiry **at its Noosa hearing.**

The issues which we wish to address to the Enquiry are related to the following:

1. in the phone poll, commissioned by the Stanthorpe Shire Council, the response to Question 1. ‘Do you want to be amalgamated with any other shire’, resulted in more than 88% of the 500 people polled being against amalgamation;
2. in the phone poll commissioned by the Council, the response to Question 2. ‘Do you want a referendum on the forced amalgamation of Stanthorpe Shire with any other shire’, resulted in 90% of those polled wanting to have their say by way of a referendum;
3. a petition against the amalgamation and for a referendum, placed at the two major shopping centres between 10am and 4pm Thursday to Saturday, and the town Piazza on Saturday mornings, attracted 3300 signatures over 2 weeks from this shire alone, representing about half of the voting population of the shire (even though most of those working elsewhere between 10am and 4pm did not have an opportunity to sign; if they had had that opportunity there is little doubt that more than 90% of the voters would have signed). This petition, along with other similar petitions from all over Queensland has been presented to the Speaker of the Queensland Parliament, but
4. the Queensland State Government has ignored us and refuses to recognise any actions taken by its citizens, which action contravenes our basic democratic rights.
5. at a large public meeting called by the Stanthorpe Save our Shire Action Group to hear argument for and against amalgamation and held in the Stanthorpe Civic Centre on Sunday 19th August, a motion from the floor calling on our shire Mayor and “**to immediately accept the Prime Minister’s offer of the Commonwealth Electoral Office to run a plebiscite on the proposed amalgamation**” was carried unanimously without one voice of dissent.

Until this issue is fully resolved to the satisfaction of the people, the citizens of this shire, requested and expected the following five points of the Stanthorpe Shire Council:

1. The Mayor no longer co-operate with the State Government;
2. The Mayor and all the councillors obey the will of the people whom they represent and totally oppose any amalgamation;
3. No further meetings be held with the Warwick mayor, councillors and council employees on amalgamation, as this can be construed as compliance with the state government’s amalgamation plans;
4. The council urgently commence proceedings to carry out a postal referendum as requested by the people, under the auspices of the Federal Electoral Commission We also request and expect that The Council show that they are leaders in the community and lead the people in opposing the Minister, Mr Fraser and the premier; and

5. the mayor and councillors unanimously involve themselves in supporting and organising the people of the shire to carry out further rallies and encourage them to stand firm in favour of (a) keeping Stanthorpe Shire intact and (b) rejecting changes to the Local Govt. Act.

However, the passage of the **DRACONIAN** Local Government Act Amendment bill through the Queensland Parliament on 9<sup>th</sup> and 10<sup>th</sup> August 2007 including Section 159 ZY (and the prior inuendo spread about by Minister Andrew Fraser that he would punish recalcitrant councillors and mayors with fines and criminal sentences) has created serious problems for all councillors who want to do the right thing for the people whom they represent. Our Council therefore has not been able to do what the people want without committing criminal offences.

If this forced amalgamation of shires throughout Queensland goes unchallenged, the precedent is being set for any government to have its unpopular decisions made by a commission of its choosing, with terms of reference of its making, ie, government by commission, a totally undemocratic process without any opportunity to be tested at the ballot box.

In favour of the case for 'no amalgamation', the abovementioned poll represents the view of the people in this shire within 99% confidence limits, but the petition represents an even higher degree of confidence that this is what at least 90% of the people want. **THE PEOPLE WANT A REFERENDUM.**

### **BACKGROUND MATERIAL USED BY THE SOSHAG**

**A.** OUR SOS Action Group research over the past 2 months has established that all the expert reports commissioned by Queensland Government and others have found that the government is unlikely to ever recoup the cost to taxpayers of the full process of amalgamations. These include

The QLD Treasury Corporation Report (April 2007)

The Auditor Generals Report,

The McGrath Nichols Report and

The Morton Consulting Report.

The Prof. Dollery (UNE) Reports

Dr. Mark Mc Govern (QUT) report and letters

1. IN THE FIRST CASE, THERE WERE **NOT 43 BROKE COUNCILS** AS PUBLICLY DECLARED BY THE Premier and Minister Fraser. THERE ARE **ONLY 13** ECONOMICALLY WEAK COUNCILS; weakened PRIMARILY BECAUSE THEY HAVE BEEN UNDERFUNDED BY THE STATE GOVERNMENT. Due to cost shifting by the State Govt, our COUNCILS carry out many state functions and RELY FOR A LARGE PART OF THEIR FUNDING FROM THE STATE GOVERNMENT (and Commonwealth grants). THE QUEENSLAND GOVERNMENT HAS RECEIVED **A HUGE +9% INCREASE IN FUNDING (GST REVENUES) over recent years;** QUEENSLAND COUNCILS RECEIVED **ONLY AN AVERAGE 4% FROM THE STATE over the same period.**
2. THE MORTON REPORT TO THE QUEENSLAND GOVERNMENT LOOKED AT COUNCIL AMALGAMATIONS IN AUSTRALIA AND OVERSEAS. IT HAVE FOUND THAT THERE WERE FEW SAVINGS AND **IN MANY CASES THERE WERE SIGNIFICANT COST INCREASES.** IN AUSTRALIA **THE RATES PER CAPITA INCREASED AT A HIGHER RATE FOR AMALGAMATED COUNCILS.** MORTON FOUND **REAL COMMUNITY DISLOCATION and loss of identity IN ALL CASES.**

3. PROFESSOR DOLLERY , CHAIR OF LOCAL GOVERNMENT AT THE UNE, FOUND NO REAL BENEFITS BUT **SIGNIFICANT COMMUNITY DISSATISFACTION and disruption.**
4. DR MARK MC GOVERN, SENIOR LECTURER, DEPARTMENT OF ECONOMICS AND FINANCE, QUT, FOUND THAT THE QUEENSLAND MINISTER FRASER HAS BEEN ARGUING / OPERATING FROM **the FALSE PREMISE THAT AMALGAMATED COUNCILS SAVE MONEY.** HISTORY HAS DISPROVED THIS. THE MINISTER **APPARENTLY HAS NO HEART AS HE HAS TOTALLY IGNORED THE COMMUNITY HEARTBREAK THAT HAS OCCURRED WHEN RURAL SHIRES HAVE BEEN ATTACHED TO ADJACENT CITIES.**
5. ALL THAT IS AS MAY BE, BUT IS NOT OUR GREATEST CONCERN WITH THIS LEGISLATION. **OUR GREAT CONCERN IS THAT THE State Government HAS EMBARKED ON A CRUSADE TO DESTROY DEMOCRACY IN QUEENSLAND:**
  1. BY COERCING COUNCILLORS / COUNCILS TO SIGN SECRECY AGREEMENTS IN THE TRIPLE S PROCESS thus ELIMINATING THE CHANCE FOR THEM TO PROPERLY INFORM THEIR PUBLIC
  2. BY ENACTING LAWS THAT MAKE HOLDING THE REFERENDA PROMISED IN THE MANDATED TRIPLE S PROCESS ILLEGAL, thus TAKING AWAY THE VOICE OF THE PEOPLE , and the final nail in the coffin,
  3. BY MAKING CRIMINALS OF COUNCILLORS WHO STAND UP FOR OUR DEMOCRATIC RIGHTS.

MY WIFE SUE, AND I SPENT ALMOST 10 YEARS IN ZIMBABWE. WE EXPERIENCED FIRST HAND THIS TYPE OF BEHAVIOUR WITH ROBERT MUGABE. WE RETURNED TO AUSTRALIA TO ESCAPE THE POLITICS OF ABSOLUTE UNFETTERED POWER.

**DON'T LET THIS HAPPEN IN AUSTRALIA!**

WE OFFER OUR SINCERE THANKS AND APPRECIATION TO the Hon. BRUCE SCOTT MHR, Mr HOWARD HOBBS MLA, and OUR LOCAL MEMBER Mr LAWRENCE SPRINGBORG MLA. THEIR EFFORTS TO DATE AND INTERVENTION ON OUR BEHALF SEEM TO HAVE AT LEAST TEMPORARILY GIVEN OUR COUNCILLORS A REPRIEVE AND THEIR ADVICE HAS PROVED INVALUABLE IN HELPING US TO MOVE FORWARD ON THIS ISSUE . We have appealed to the Premier and Minister Fraser for advice and remediation and have invited them to address our meetings and rallies - to no avail. THEY WILL NOT LISTEN TO THE PEOPLE IN THE SHIRES AND THESE PEOPLE DESPERATELY WANT TO AND NEED TO BE HEARD.

**B. LETTER CALLING FOR SUPPORT FOR THE SAVE OUR SHIRES ACTION GROUP IN STANTHORPE SHIRE (28<sup>th</sup> July 2007).**

The report of the Local Government Reform Commission (LGRC) has recommended that the state government amalgamate 157 local government councils into 73, despite expert opinion by the Qld Treasury Corporation, the Auditor General and the McGrath Nicol Report that there is no real case for the changes. Dr Mark McGovern, senior lecturer in Economics & Finance, QUT, says that 'There is no basis in economics or finance for the minister's local government reform process'. The concern of the public in Stanthorpe Shire has been vindicated therefore by the publicised 'findings' of the LGRC.

The Commission has, within an extremely small/tight time frame, reviewed submissions to amalgamation within the Qld government's terms of reference (TOR). Although they were presented with 47 267 submissions from citizens of Queensland, they examined only 3 796, stating that the other 43 471 were outside the guidelines

given by the government's TOR because they were standardised forms ,ie, form letters. It is normal in such circumstances for busy concerned people to use such form letters modified slightly to suit the sender's own circumstances and ideas. If the ideas represented in the form letter coincide with the writer's, it is convenient to use such a letter. It does not in any way lessen the sender's involvement and concerns. A total of 47 267 people participated or protested but 43 471 of them who were possibly opposed to the forced amalgamations were rejected without even being considered. In addition, tens of thousands of Queenslanders have signed petitions and answered polls to say they want input into whether their councils are amalgamated. Most said "no" to amalgamation. Yet the minister for local government, Andrew Fraser, has had the gall to say to the mayors of Queensland that referenda will serve no useful purpose, will be too costly to be state government funded, and, if any mayors decide to have a referendum in their shires, they will be sacked! Anti-democracy at its worst.

Premier, Peter Beattie, has advised the minister to carry out the findings of the LGRC 'lock stock and barrel'. He said the government fully backed the report in its entirety. Did he read it?

The LGRC's report is really only the beginning of a process, during which parliament and councils must study the report, debate its findings and then determine whether it really should be carried out 'lock, stock and barrel', as Mr Beattie has instructed Mr Fraser, so there is no reason for the press and the government to treat it as a *fait accompli*, as they are doing.

Only a small number of mayors, councillors and citizens have agreed publicly with the Premier. A large groundswell of the public, however, is supporting the majority of councils who say that Queenslanders should fight this dictatorial approach. Members of the opposition are joining councils and concerned citizens in appealing to everyone to "hit the streets" to demand the government stop this action. Some mayors are saying "amalgamation over my dead body"!

People in the regions are already feeling disenfranchised by unfair electoral boundaries which make their parliamentarians literally unreachable, and feel that the proposed amalgamations will similarly isolate them from local government thereby finally denying them of any real democracy.

It is interesting to note that the small so called unviable shires were in the main untouched by the commission's recommendations, which hit chiefly at parts of Queensland which are under pressure from urban sprawl type development and huge mining developments (mostly king coal). Many amalgamations are also about grabbing scarce resources, such as water from rural shires to the larger regional cities. Plans are now afoot for a mass protest in Brisbane. there is an urgent need for concerned people to encourage their friends, relatives, associates and anyone else to join them on Friday 3rd august on a free ride to Brisbane to help bring back common sense and democracy to Queensland. Trevor Cooper and Sue Johnson have invited all those who want to offer support and help to boost numbers to please contact any of the following phone numbers:

Bob Johnson(SOSHAG).