

**Main Identity**

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**Attach:** NSRRASenSub.doc  
**Subject:** Submission re Plebiscites Bill

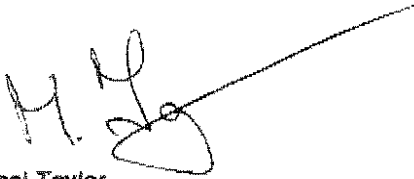
Dear Sir/Madam

I attach a submission from the Noosa Shire Residents and Ratepayers Association (NSRRA) to the Senate Standing Committee on Finance and Public Administration Inquiry on the Commonwealth Electoral Amendment (Democratic Plebiscites) Bill 2007.

The submission has been authorised by the Executive Committee of the NSRRA, of which I am President.

I hope that I will be able to present the submission to the hearing to be held in Noosa on 30 August.

Yours faithfully



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24/08/2007

**Commonwealth Electoral Amendment  
(Democratic Plebiscites) Bill 2007**

**A Submission to the Senate Standing  
Committee on Finance and Public  
Administration**

**By**

**The Noosa Shire Residents and Ratepayers  
Association**

**24 August 2007**

Noosa Shire Residents and Ratepayers Inc  
PO Box 94  
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## **1. Executive Summary**

1.1 This submission is aimed at the Committee's terms of reference. Context is also provided to explain the need for the Bill.

1.2 Given the Noosa Shire Residents and Ratepayers Association's (NSSRA) emphasis on financial stringency, we originally welcomed the objectives of the Local Government Reform Commission. Some Council amalgamations could be justified on economic grounds. However, our detailed knowledge of the Noosa Council's very sound financial position strongly suggested that amalgamation of Noosa with Maroochy and Caloundra would not be justified.

1.3 To give a simple example, for a property valued at \$200,000, the rates would be:

- Noosa \$1700
- Caloundra \$2200
- Maroochy \$2600.

1.4 Given that the services provided in Noosa are at least as good as those in our southern neighbours, this provides a prima facie case that the Noosa Council operates more efficiently than those other Councils. In addition, the Queensland Government has no mandate to move from local to regional government.

1.5 The Commission's report was deeply flawed, containing no economic analysis and many unsupported assertions about the need for amalgamations. For example, the view that 2 councillors are as good as 10. This resulted in community anger across Queensland and the NSSRA was a major player in organizing a march in Brisbane, in an attempt to persuade the Queensland Government not to accept the Commission's recommendations.

1.6 Instead, the Queensland Government not only accepted all the Commission's recommendations with indecent haste but also legislated to prevent councils running plebiscites on their communities' views on the forced council amalgamations. The Queensland Government was evidently aware of the shortcomings of the Review and wanted to keep a lid on community reaction.

1.7 This Queensland legislation provides the justification for the Commonwealth Bill now being considered.

1.8 Accordingly the NSSRA asks the Senate to pass the Bill so that Queensland communities can be guaranteed the right to express their views on the forced amalgamations.

1.9 If, as seems almost certain, the plebiscites result in an overwhelming vote against the forced amalgamations, we hope that the Queensland Government will listen to the voice of the people.

## **2. The Noosa Shire Residents and Ratepayers Association**

2.1 The NSRRA, formed in 1970, welcomes the opportunity to make this submission. Our objectives are:

- to ensure that rates are kept at the lowest practical level, consistent with an acceptable level of services to the community.
- to protect the Noosa lifestyle, which is based on a good balance between the natural and built environment.

## **3. Why the Commonwealth Legislation Is Necessary**

3.1 Commonwealth legislation overriding state legislation is uncommon, so it is worth examining what has led to the need for a Senate Inquiry to consider this matter.

3.2 The trigger for the Commonwealth's "Plebiscites Bill" was the Queensland Government's Local Government Reform Implementation Act 2007. This Act consists mainly of arrangements for making the forced amalgamations but last-minute amendments made councillors liable to fines or dismissal if they became associated in any way with polls of their communities relating to those amalgamations.

3.3 This is an extraordinary step for any government to take in a democratic society and the Commonwealth's reaction is entirely justified. So why did the Queensland Government go so far? The only plausible explanation is that they knew that the results of any such community polls would be overwhelmingly against the forced amalgamations.

3.4 The next logical question is why would the polls be so against amalgamations? A bit of grumbling might be expected but statewide anger and a march of 10,000 people in Brisbane is more than grumbling. The answer must be that the whole "reform" process was deeply flawed and treated the population of Queensland with contempt.

3.5 The next section analyses briefly the reform process

## **4. The Local Government Reform Process – Noosa's Response**

4.1 When the local government reform process was announced in early May 2007, Queensland councils had already made significant progress on voluntary amalgamations, through the Size, Shape and Sustainability Review. The Queensland Government terminated that Review. Councils and communities were given about two weeks to make submissions on the complex issues related to amalgamations.

4.2 Cynics in the community suggested that the review of amalgamations was a 'done deal', with the decisions made in advance. This view was reinforced when the Act establishing the Reform Commission absolved commissioners from conflicts of interest.

4.3 In addition, the time frame for the entire review was three months, less than half a working day per Council.

4.4 Nevertheless, the NSRRA tried to be positive and made a detailed submission to the Reform Commission, directly addressing all its objectives and making a cogent case against amalgamation of Noosa. The full submission can be seen at [www.noosaratepayers.org.au](http://www.noosaratepayers.org.au) ; its main points included:

- In 2004, NSRRA organised a campaign against amalgamation of the Noosa Shire with the Maroochy and Caloundra Shires. The petition collected 18,747 signatures, some 80% of the voting age population
- A "New Noosa" with minor boundary changes would have a population over 75,000 in the next few years. Even in Victoria, after the major Kennett reforms, about half of the Councils have less than 50,000 residents
- In 2007 the Queensland Treasury Corporation rated Noosa Council as having strong financial sustainability, one of only 10 Councils to achieve this rating. Much larger councils, such as Maroochy and Caloundra, achieved either the same or a lower rating. Thus it is the quality of management, rather than the size of the Council, that determines financial strength. Economies of scale may be achieved by amalgamating very small shires but savings by amalgamating Noosa would be negligible – and outweighed by the loss of democratic representation involved
- Apart from our "Strong" rating, Noosa has relatively low rates. For a property valued at \$200,000, the rates would be:
  - Noosa \$1700
  - Caloundra \$2200
  - Maroochy \$2600.

Given that the services provided in Noosa are at least as good as those in our southern neighbours, this provides a prima facie case that the Noosa Council operates more efficiently than those other Councils – big is not necessarily beautiful.
- The development industry suggested that the reason for amalgamation is to speed up Development Approvals from 4 weeks to 2 weeks (Sunshine Coast Daily 28/4/07). This is a feeble and illogical reason for the major upheaval of forced amalgamations. The development industry's real agenda for Noosa was revealed in their statement the last time a forced amalgamation was proposed. The following statement from the Noosa News of 24 August 2004 is instructive in this regard: *"The Property Council of Australia confirmed that it would seek to increase Noosa's population densities and reduce infrastructure charges, as well as other issues, through Councillors elected to a Coast wide super Council, if amalgamation became a reality"*.
- The NSRRA aims to safeguard the village atmosphere, which is cherished by Noosa residents and visitors alike. It is obvious that greater profits can be made through high rise rather than buildings conforming to the present Noosa height restrictions – but Noosa would lose the character and social fabric which are

central to the Commission's first term of reference. That ToR reads "the grouping of like communities of interest to maintain the social fabric and character of communities".

4.5 We believe that these arguments, also provided in the Council's submission and 31,000 others from Noosa opposing forced amalgamation, would have been convincing to a review body genuinely concerned with achieving optimal outcomes.

## **5. The Reform Commission's Report**

5.1 Instead, the Review Commission dismissed out of hand the position of the NSRRA, and that of the Noosa Community. The Review Commission's report, devoid of economic analysis and full of unsupported assertions, includes the following gems:

- "Financial sustainability is only one of the many aspects that define sound local government". This is a pathetic response to our strong points re Noosa's financial position. Amalgamations, by definition, reduce the level of local representation, so if no economic benefits can be demonstrated, what is the point?
- "Representation may be reduced in terms of the number of voters per councillor but the quality of representation will be determined, as always, by the voters at each election". This statement would be laughable were the subject matter not so serious. After amalgamation, Noosa will go from 10 representatives to 2. Following the Reform Commission's "logic", the Australian Senate would be as democratic and effective with 15 Senators as with the present 76
- "There is no reason to suggest the new Council would not comprise representatives who have a vision for the region that protects the environmental quality on which the region's tourism is based". Any visitor to Noosa and its southern neighbours could perceive the environmental differences in five minutes. As Tourism Noosa clearly demonstrated in their submission to the Reform Commission, tourists differ in their wants and the Reform Commission is unqualified to tell the tourism industry how to market its product. Moreover, the Queensland Government has no mandate to introduce regional government to replace local government
- "it is questionable whether Noosa would be able to achieve sub-regional economic and growth management outcomes as a stand-alone local government". Given that the Noosa Planning Scheme is widely seen as one of the best in Australia at managing exactly these issues, this statement is nonsense. The only way to protect the Noosa Town Plan is through a Noosa Council, under the watchful eye of the community.

5.2 We could cite more examples of the abysmal quality of the report but believe that we have made our point.

## **6. The Noosa Community's Reaction**

- 6.1 The Noosa community reacted immediately to the totally unjustified recommendation of the Reform Commission that Noosa be amalgamated with Maroochy and Caloundra.
- 6.2 At very short notice, a march was organised and on 3rd August about 10,000 people marched in Brisbane to protest against the forced amalgamations. The vast majority were from Noosa, very tangible evidence for the community spirit that the Reform Commission dismissed so easily. In addition, many marchers came from across Queensland, equally incensed with their cavalier treatment.
- 6.3 The hope was that the Queensland Government would see sense and ask the Reform Commission to take more time and do the job properly. At least, we hoped that the recommended amalgamations lacking any justification might not be taken up – Noosa being a prime example.
- 6.4 Our hopes were in vain and the Queensland Government rubber-stamped the Reform Commission's recommendations virtually overnight. Not only that, the Government added the provisions preventing councils from running polls which have resulted in the present Inquiry.
- 6.5 As a sop to Noosa, the Premier offered "Iconic Legislation" to protect the Noosa environment and perhaps lifestyle more broadly. This approach has many practical problems. Noosa has become what it is today through the efforts of community groups, councils and individuals over more than 40 years. Enshrining something as intangible as the "Noosa Village Lifestyle" in legislation is almost impossible but might be achievable given enough time – say two years. Instead, the Premier gave the Noosa Council just 30 days to provide input to the legislation – this is insulting and ridiculous. Even if done properly, Iconic legislation would only be a cumbersome substitute for what we already have in Noosa. If the legislation is drafted in haste, the Property Council will drive a bulldozer right through it.
- 6.6 Thus the Noosa community is now angrier than ever at the way it has been treated by the Queensland Government. Hence we must have the right to express our views at an AEC-run plebiscite, as a last-ditch attempt to convince the Government to change its mind and leave Noosa alone.
- 6.7 Accordingly, the NSRRA asks the Senate to pass the Plebiscites Bill and guarantee Queenslanders our democratic rights.