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Submission regarding:

*Commonwealth Electoral Amendment (Democratic Plebiscites) Bill 2007*

## **Precis**

This submission consists of the following parts:

- List of issues
- How amalgamations are being done in Queensland
- Why amalgamations are being done in Queensland
- Conclusions about the amalgamation process in Queensland

## **List of issues**

This submission will address two fundamental problems with the local council amalgamations as proposed and implemented by the Queensland state government:

- How they are being done  
They are being forced on the very people who do not want them, with no vote, no appeal, complete disregard for the community input that occurred, and a strong indication of bias long before the decisions were made.
- Why they are being done  
The reasons put forth by the Queensland government either don't stand up to scrutiny or have been directly violated by the government's own decisions.

## **How amalgamations are being done**

A distinct majority of the people affected by the amalgamations adamantly *do not want them*. In a democracy, the government exists to implement the will of its constituents, not to force changes of government on them that they resist. When those changes dilute people's local-government votes by factors of two to eight, an even greater democratic concern is raised. Nearly half of all Queenslanders will have the power of their local vote cut by half or more.

The state government's attempt to outlaw locally-initiated referenda, fine the officials who held them, and sack whole councils that held them, is just another example of its complete disregard for freedom of expression and basic democracy. That is the sort of action we hear about in third-world countries with tin-pot dictators. It is of grave concern that any Australian politician would even *think* of this, much less actually *implement* it. Such people should be immediately and permanently excluded from holding government office.

Premier Peter Beattie has publicly stated that the Gold Coast is his preferred model of economic development and that other areas of the state (the Sunshine Coast was one specifically named) have been "held back" by having multiple councils. The Local Government Reform Commission that he appointed promptly recommended amalgamating the Sunshine Coast councils into one massive council. This raises the following

issues:

- Most residents of the Sunshine Coast have explicitly chosen to live there and *not* on the Gold Coast. They have elected local councils that do not support the extreme level of development that the Gold Coast has. They have chosen to live in quieter, lower-key, lower-stress communities.
- It is not for Peter Beattie, or any state government, to force its particular ideas about development (i.e. community character) on those constituents who explicitly do not share them and do not want them. This brings us back to the issue of how little regard the current state government has for basic democracy.
- The Local Government Reform Commission was supposed to “independently” apply the government's specific criteria for amalgamation in reaching its recommendations. Instead, it recommended amalgamation of the Sunshine Coast councils, despite them explicitly not meeting the criteria. Given the Premier's publicly stated position (in the previous bullet point) it appears that the LGRC and the list of criteria were a complete sham. That brings us to the next section of this submission.

### **Why amalgamations are being done**

In a democracy, the only justification for a government to force governmental change on its people is if the change is a vital necessity. The Queensland government has not come close to meeting this criterion. The few reasons it has provided are either demonstrably invalid or have been violated by its own decisions. Some of the reasons it has offered, and their refutations, follow:

- Financial viability
  - As has been widely reported in the media, the criteria used to label councils as “financially weak” are unrealistically strict, to the point where even the state government itself fails to meet many them.
  - Merging several “financially weak” councils or small, financially sound ones with much larger, weaker ones, simply produces one bigger financially weak council. Merging itself does not magically improve the balance sheet. Given the cost of mergers, it actually *weakens* the resulting council.
  - Financially strong councils perfectly capable of standing on their own have been merged, in violation of even this suspect criteria.
- Greater efficiency and reduced rates (“economies of scale”)
  - *“Far from delivering services more cheaply, bigger local government typically provides more expensive services.”* That is just one quotation from a well-established body of research on prior amalgamations in other states and overseas. Such research has conclusively established that amalgamations produce increased expenses and poorer service delivery. (One of the many studies and books about this is *Reshaping Australian Local Government: Finance, Governance and Reform* by Brian Dollery, Neil Marshall and Andrew Worthington (eds), UNSW PRESS, Sydney, July 2003, 288pp)

- Local shires can and do cooperate across boundaries through the LGMA to gain benefit where they can from “economies of scale”. Most of the many functions of local government, however, do not benefit from economies of scale. (That's why those functions reside in *local* government.)
- Even if this were true, government does not exist to force “efficiency” on people for its own sake, especially at the expense of democratic representation. Private industry can be very efficient, but it is most decidedly *not* democratic.
- Improved growth-management and planning
  - Local shires held up as superb models of management, development, and planning; at the state, federal, and international levels (Noosa and Douglas among them) have nonetheless been amalgamated. They have been amalgamated with much larger shires having the votes to override their highly-regarded planning schemes and the councillors and staff behind them.

## Conclusions

The Queensland state government is forcing major changes of local governance on nearly half of its population. Changes that drastically cut our voice in local government. It is applying invalid criteria to make the decisions about those changes. It is violating the very criteria it chose and failing to apply them evenly. It is refusing citizens any legally binding vote in the process, is providing no appeal, and it attempted to outlaw even non-binding referenda on the matter.

This leads to one of two unsavoury conclusions:

- The government has been criminally incompetent in arriving at its decision to amalgamate councils, failing to do the basic research necessary to avoid useless criteria, repeating the mistakes of past amalgamations, and arbitrary application of criteria
- The government is amalgamating councils for reasons it won't make public and that have nothing to do with the stated ones.

*Either one of these should be sufficient cause to sack the government and throw out the current amalgamations. The first is a breach of duty-of-care and the second is a breach of trust and democracy.*

If at some future point, local council amalgamations are indicated, they should be subject to binding referenda that implement them only if a majority of the residents in the affected shires support doing so.