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From: Ken Rafter

Sent: Friday, 24 August 2007 11:39 PM

To: Committee, FPA (SEN)

Subject: SUBMISSION TO SENATE COMMITTEE

Committee Secretary,
Finance & Public Administration Committee,
Dept. of the Senate,
P. O. Box 6100,
Parliament House,
CANBERRA. ACT. 2600

Dear Sir,

I tender the following submission for consideration of your Committee, when dealing with the UNDEMOCRATIC, UNNECESSARY AND UNAUSTRALIAN LEGISLATION, brought down in the Queensland Parliament by the current Labor Government, led by the Premier, Hon. Peter Beattie and his youthful Local Government Minister, Hon Fraser.

Having served in Administration, both in Private Industry and Local Government in Queensland(36 years) and having worked with all types of Political Parties around the State, I am dismayed to find the complete lack of respect for the people of Queensland, displayed by the Beattie Government in this matter.

Having carried out duties as a Shire Clerk (Now called C.E.O) for 24 years, at the Shire of Widgee, Deputy Shire Clerk at the City of Mount Isa and some 9 years at the Shire of Chinchilla, I have seen many examples of respect given by the Public and other Bodies (Government included) to both the elected Representatives and Staff in Local Government. The people do appreciate these people "going the extra mile" for them on many occasions.

THEY DO NOT APPRECIATE BEING FORCED BY THE CURRENT QUEENSLAND GOVERNMENT INTO UNNECESSARY AND UNRESEARCHED AMALGAMATIONS. The very fact that the Government appears to be unable to point to any definite benefits for any of the amalgamated areas, makes one seriously query the reason for such amalgamations being legislated for.

The appointment of the REFORM COMMISSION, consisting of FORMER THIS and FORMER THAT people, does make it look as though the report brought down by the Reform Commission was well known , before it was even written.

No attempt seems to have been made to use people currently working in or with Local Government at any level at all. Those people who do know Local Government will recognize the lack of understanding of just what Local Government is, and what it does, and why.

DEMOCRACY IS THE GOVERNMENT OF THE PEOPLE ,BY THE PEOPLE, FOR THE PEOPLE.

Many of our ancestors have had to fight to preserve our Democracy. They would have been shocked to find that the Premier of today, together with his Minister, and other Labor Members (Who apparently have not been told much about what was going on or else did not wish to discuss it with anybody else) have on the first day of the week preceding the holding of our annual ANZAC DAY CEREMONIES, brought down the stupid and unaustralian Act to reshape Local Government in our SMART STATE - Queensland. Had they been alive today, we would have witnessed THE WAR OF WARS. Would you blame them?

Every time that the Government made a statement, it appears that the reason for interfering with the Local Government Bodies in Queensland, was differing from statement to statement. The FINAL RESULT does not represent any of the reasons put forward by those statements, rather the final REFORM COMMISSION REPORT apparently recommended amalgamating many of the States most financial and effective Bodies which we were lead to believe were O.K. Well they got the K.O. in the highly praised report.

It needs to be pointed out that the Queensland Government, through its Premier, and his minister, publicly stated before the Reform Commission even commenced to work, that the Government would adopt the recommendations of the Reform Commission "LOCK, STOCK AND BARREL;"

Perhaps it was a preamble of what was to follow!

The sudden back flip from supporting a Survey taking place in Local Government was suddenly stopped and the State Government just took everything over. The SHORT TIME given to the Reform Commission would not have allowed them sufficient time to properly consider the data available to them, nor properly consider the large number of Submissions the Public made to them. I have been fully engaged in many challenges in Administration, over my time in Local Government and the chap who would have been capable of doing just that, left us over 2000 years ago. He certainly was not on, or assisted. the Reform Commission.

Who was it , that is reported to have said "Father forgive them, for they know not what they do"?

Would any member of your Senate Committee put his hand up to do such a job in such a short time, in such a large State as Queensland? I doubt it.

The hidden Agenda seems to be catering for the further intrusion of Party Politics into Local Government here in Queensland. My own experience has been that while many profess their Party Politics before an election, having won. and then looked into what Local Government is really about, they almost immediately dropped any allegiance to any Party and decided to properly represent the people of the area. THAT IS WHY LOCAL GOVERNMENT CAN MAKE DECISIONS WHICH THE LOCAL PEOPLE CAN AFFORD.

It is also the reason for the respect from the people towards Local Government, and the gratitude they express for a good job, well done. Surely any level of Government would like to have it as well in their own sphere. Regretfully, today it is just not there, like it should be. Perhaps there may be fault on both sides but going like a Bull at a Gate makes sitting on the fence very difficult for some.

The derision of our State Government in the Media and the Talk Back Radio. while it may be deserved is regretted/ Most of the people in Queensland have be brought up to respect other people and to play their part in the progress and deliberations of their communities. They do it and enjoy making their contribution. They certainly do not like it when anybody attempts to walk over them and just tell them that they will have no say and they have just got to do what they are told.

The legislation regarding sacking of Councils and the fining of members who took any part in any referendum of the people on the amalgamation question, is certainly despicable legislation. This is the 21st century, and we have seen most of the year of 2007. Smart State, Progress, Good Government====WHERE IS IT?

When one finds that their local elected State Member, (Labor), cannot answer any questions about facts being advertised in full page advertisements in our weekend press, by a group of Councils in Central Queensland,when one is seeking to find out the Government side of the

story, and yet that Member did speak to the Act, when it was tabled in Parliament, in the week preceding the Anzac Day Ceremonies, one has got to ask the question, "Why do we have such Members?" Also, when one has repeatedly asked the Minister for Local Government to give you his side of the story, so that you have both sides before making your submission to the Reform Commission and nothing comes forward until about a day before the submissions closed, I suspect that the matter was not properly handled. I have now found out that the Government produced a booklet when the Act was first discussed in Parliament, and I was never made aware of the booklet or where I could have obtained, or read, a copy. Something seriously appears to be not right.

Having been educated to STOP, LOOK AND LISTEN, both in Private Enterprise and Local Government, I am absolutely shocked and dismayed at the attitude of the Premier and his minister in the manner in which the matter has been handled. I DO NOT CONSIDER IT TO BE DEMOCRATIC AT ALL.

I note that the Federal Government has offered to pay for any Referendums which the Australian Electoral Office may be requested by a Council to carry out. It is like a breath of fresh air. Pity it did not come from the Queensland Government.

I further note that the Premier, at the behest of the Opposition Coalition in Queensland has now taken the reference to Councils being sacked and fined, out of the legislation. It is very interesting to note that the Premier was not big enough to offer to do it at first but subsequently did renege (Perhaps it should be spelt -- backflip!) It was further very interesting to see that the same day the Premier did the backflip, the Local Government Association in Queensland commenced Court action to stop the Queensland Government taking any such action as provided in the legislation. WHY DO WE, THE ORDINARY PEOPLE OF QUEENSLAND, HAVE TO SHOULDER THE COST OF BRINGING THE PREMIER AND HIS MINISTER TO HEEL, ON SUCH A DEMOCRATIC MATTER?

Various Polls etc have now been taken in some quarters, and while they reflect very large percentage of non approval of the Government action on Amalgamations,(ranging upwards to over 90% with a low of approx. 70%,) the Government ran a poll and have disclosed figures which do not represent any other poll figures. There have been allegations against the Government of push polling. No matter what any Government Poll records, it is now an established fact that the people of Queensland do not approve Local Government Amalgamations without their having a say, by way of a Referendum. I believe that the public also supports that the result of any referendum conducted should be the end of the matter and that any Government of any Political Party should never have the right to bring down legislation which is not in accord with the result of any referendum carried out.

It is never easy to convince everybody about anything. However it is democratic to firstly do ones homework, then place it before the people, discuss it with them, Stop, Look and Listen, and where necessary, hold a referendum and abide by the results. Sounds good enough to be enshrined in legislation of the Federal Government and also every State and Territory in Australia. SURELY WE SUPPORT THE DEMOCRACY, WHICH OUR FORBEARS FORT SO GALLANTLY FOR.

I wish to point out that I am now retired from Local Government, having witnessed certain happenings of which I certainly did not approve. I have never been a Member of any Political Party and I was well respected by all the people I have worked with and for, at all times, because of that fact. I believe that no one can serve two masters, hence the reason why Local Government attracted me. No one is against change for a benefit. but not for just change sake.

Finally, there now appears that there is a need to improve on legislations, in all levels of Government, to ensure that the people - the ones who do actually pay all the bills for all Governments---can be respected and consulted and given a democratic right to express their thoughts and vote on major matters which will have an effect on their lives and their communities. Further that any votes taken be properly recognized, and no legislation of any

sort be brought down, which is contrary, in any manner, to the decision taken by the people. Legislation along these or similar lines will improve Democracy, and restore the faith which ordinary people like to have in their Governments, at all levels. Consideration should also be urgently given to properly recognizing Local Government in Australia, as the Third Level of Government, while we retain three levels, or the second level of Government, when and if it is decided to have only two levels to serve the Australian Community, at a cost which the ordinary person can afford.

In the meantime the Federal legislation should be allowed to remain until such time as better provision for the preservation of Democracy has been able to be inserted in all legislations.

I thank you for the opportunity to make a submission for the consideration of the Senate Committee. Long may your example be followed by other levels of Government, most particularly here in the Smart State of Queensland.

Yours faithfully,

K. C. RAFTER J.P. (Formerly a Fellow of the Institute of Municipal Administration,)