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Why Brimbank Council Deserves to be Sacked

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Mr MORRIS (Mornington) — The Local Government (Brimbank City Council) Bill 2009 is exactly the sort of measure that you do not want to see brought into this Parliament. You do not want to see it have to be brought into this Parliament. You do not want to see the proud institution that is local government dragged down to the levels it has been by the Brimbank City Council. You do not want to see that happen.

The minister has been compelled to bring in this bill; he has been compelled to act. I am not implying in that any reluctance in the final analysis and the decision to act, but he has done it. The Parliament will certainly give effect to the bill. I am sure it will have the full support of opposition members and government members. But it is a sad commentary on the way the Australian Labor Party has conducted itself in the governance of the state and in particular in local government.

Unfortunately its failure to act, despite repeated warnings over a very long time, means that, in the eyes of many, all local governments and all local councillors have been tarnished. That is very unjustly guilt by association and it is so because of this failure to act quickly and clean up the problem when it first became apparent.

Recently we have had to effectively sack a raft of councillors. Now we will sack an entire council. As I say, there is no alternative to the action that needs to be taken. The purpose of the bill lays it out pretty clearly. It is to dismiss the council, to allow the appointment of a panel of administrators and to provide for the revocation of the original order in council, which of course is the order in council which back in September suspended the sitting councillors. The purpose is also to provide for a general election a considerable time down the track.

The meat of the bill is in clause 5(1), which provides that:

The Brimbank City Council is dismissed.

Clause 5(2) provides that:

The persons holding office as Councillors ... cease to hold office.

The machinery provisions are in clauses 6 and 7, which essentially set in place the necessary arrangements. It is interesting to note that subclause (e) of clause 7, which contains the provisions applying in respect of the panel of administrators, relates to the remuneration of the administrators. Of course we do not know who the

administrators will be. We do not know whether substituting administrators for elected councillors will improve the situation, given who the personalities may be, although I understand — —

Mr Nardella — We have got no idea.

Mr MORRIS — That is exactly right. As the member for Melton interjects, we have no idea. All we are doing is operating on faith in the government to do the right thing. That is a long stretch for me, but that is probably another story and off the bill. What we do not know is who they will be, how much they will cost and what the overall cost will be to the ratepayers and citizens of Brimbank.

Clause 8 relates to the operation of subsequent orders in council, and I will not waste the time of the house by talking about that. Clause 9 provides the administrators with coverage, in that they can occupy any role normally occupied by a councillor. Clause 10 provides for the proposed general election to be held on the last Saturday in November 2012.

I know Brimbank is a mess and I know it has been a mess for a very long time, as I said, but surely it will not take 38 months to fix this mess — that is, have administrators put in place for 38 months. All the while the citizens of the Brimbank community will have absolutely no say in the running of their city. They will have no say in what could well be and is likely to be a very important time for their community, and they will have no say in how the funds, rates and taxes are spent. As I say, 38 months is a very long time.

The corporation remains intact, the boundaries are not changed, and the staff structure remains basically the same. This is about cleaning up the rottenness, the stench of the ALP, in Brimbank. Surely it is not so bad that it is going to take 38 months to clean it up? When you look at Mr Scales's report, I guess it does make you wonder somewhat.

The allegations of course relate to this council, not the council that was the subject of the Ombudsman's report. According to Mr Scales, there was an attempt by a councillor to inappropriately challenge the legitimate action of council staff. There are two separate allegations there. There were two incidents of the leaking of confidential information: one relating to the Errington Reserve in St Albans and the other to a grade separation on the train line, and that was about a briefing given by VicRoads staff and perhaps the regional director of VicRoads.

There are allegations relating to the conduct of councillors and there are of course allegations again relating to the activities of the Australian Labor Party in the state seat. I just want to mention for about 10 seconds that I have no problem with members of political parties seeking to express their view to councillors but if they do, they need to be telling all the councillors and it needs to be in view of where they see the community going. It should not be delivered as a direction to elected members because that is not what they are there for.

As I said, the bill addresses the activities of the current council, which was elected in November last year. The inspector noted that despite the Ombudsman's report:

Unfortunately some of the current group of Brimbank councillors have not learnt from the matters adversely affecting Brimbank over the past few years ...

This is a gem:

... one councillor has freely indicated to me a belief that had the issues in Brimbank not been made public in the Victorian Parliament, then everything in Brimbank would have been 'Okay'.

I think that probably summarises the mentality. The bottom line in all this is that, despite the spotlight, despite the TV cameras when the code of conduct was adopted with great fanfare — and the member for Shepparton and I were present at that meeting, despite that scrutiny and the intense scrutiny of the public, absolutely nothing has changed. The inspector indicates that factional alliances are again beginning to form — and that was confirmed to him in a private conversation — and it is also becoming clear that the system of transparently recording voting patterns is being manipulated by the councillors.

Sacking the council deals with the immediate embarrassment for the government. I guess it hopes it will take the heat off its ALP mates because we on this side know, as do government members, that they cannot be trusted to behave. It gets them out of the spotlight. It gets them out of the way in November 2010. I would have thought that the appropriate thing to do was to hold over the election of councillors to the same day as the state election, but of course government members do not want that distraction; they do not want these people rearing their heads again.

This bill, like everything else the government does on Brimbank, is about politics, pure and simple.

Until the minister and his party learn from their mistakes that the western suburbs are not their personal property, until they understand that they cannot treat them in the way they have, until they learn that even the Labor Party has to meet basic standards in public life, nothing will ever change.