

15th December 2021

Committee Secretary
State Development and Regional Industries Committee
Parliament House
George Street BRISBANE QLD 4000

Email: sdric@parliament.qld.gov.au

Dear Ms Galbraith

SUBMISSION – Inquiry into the functions of the Independent Assessor and the Performance of those Functions

Balonne, Bulloo, Maranoa, Murweh, Paroo and Quilpie Councils constitute the South West Queensland Regional Organisation of Councils (SWQROC). The aim of SWQROC is to provide a single and united local government-based organisation for the region through proactive leadership and improved advocacy capability and capacity.

The SWQROC fully acknowledges the role that the Independent Assessor fulfills in investigating and promoting good standards of behaviour, improved integrity and accountability within the local government sector - which in turn ensures that communities have trust in the political institutions that represent them.

Likewise, the SWQROC believes it is equally important for local governments to have trust in the organisations that oversight, engage with and seek to influence the actions of local government elected representatives - such as the Independent Assessor.

As such, the Committee's Inquiry into the functions of the Independent Assessor and the performance of those functions has been well received by the members of SWQROC and no doubt more broadly across Queensland local government.

Noting that Balonne Shire Council has drafted a detailed response to the Inquiry, at its meeting on 19th November 2021, the SWQROC resolved to support the key points highlighted in Balonne's submission, namely that:

- reasonable timeframes be added to the OIA as a legislative amendment to the Local Government Act 2009 to finalise an investigation and maintain communication with the complainant, subject councillor and relevant Council;
- the OIA should be appropriately resourced to avoid these lengthy delays;
- legislative changes to the structure of the penalties for minor or procedural matters and options for a more effective operation of the OIA to order an apology and/or training for misconduct without the need for a lengthy tribunal proceeding and cost;
- regulations and clarification of an ordinary business matter which is currently being revised by the Department of State Development, Infrastructure, Local Government and Planning to remove ambiguity is welcomed; and
- the ability to seek advice from the Integrity Commissioner or similar service would be a welcomed return in order to provide elected members with an opportunity for independent and sound advice on integrity matters.

Additionally, the SWQROC supports the suggestion that an amendment to the LG Act S150AR that where the CCT may decide a sanction consistent with 150AR (1)(b)(i) to (iii) that consideration be given to leniency in sustaining an allegation OR that the OIA may make such a finding and initiate disciplinary action against a Councillor for a misconduct offence.

The SWQROC looks forward to the Inquiry's recommendations about how the functions and performance of the Independent Assessor can be improved to support better outcomes in the local sector; and further, ensure that the elected representatives who work tirelessly across our region are not subjected to personal, financial and reputational damage as a consequence of lengthy delays in investigatory or tribunal proceedings.

Your sincerely



Simone Talbot
SWQROC Executive Officer

