




Speech By  
**Kim Richards**

**MEMBER FOR REDLANDS**

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**LOCAL GOVERNMENT (COUNCILLOR COMPLAINTS) AND OTHER  
LEGISLATION AMENDMENT BILL; LOCAL GOVERNMENT ELECTORAL  
(IMPLEMENTING STAGE 1 OF BELCARRA) AND OTHER LEGISLATION  
AMENDMENT BILL**

 **Ms RICHARDS** (Redlands—ALP) (3.41 pm): I rise proudly in this House to speak in this cognate debate to the Local Government (Councillor Complaints) and Other Legislation Amendment Bill 2018 and the Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Bill 2018, which were introduced into the Legislative Assembly and referred to the Economics and Governance Committee. It was an honour to be appointed to the Economics and Governance Committee, which has considered this legislation. We know how important the workings of the parliamentary committees are in ensuring that legislation is taken to the people of Queensland and to aid in that democratic process.

We have heard from the other side some really interesting facts. The member for Mermaid Beach talked about the need for the CCC to have more troops on the ground. I remind the other side that they sacked 30 people within the CCC.

**Government members:** Shame!

**Ms RICHARDS:** Shame! In recent years, we have seen what some would say are the darkest days in the history of local government—a never-ending procession of newspaper headlines highlighting the significant issues that exist within local government authorities. I also note that the issues are caused generally by the minority and that, by and large, we have some excellent councillors and council staff in Queensland who deliver an exemplary service. We have seen bad behaviour from that minority within councils—threats, poor governance, alleged bribery and corruption—culminating in what can only be described as a system that is broken and a system in which the community has lost faith. These systemic issues impact all levels of government. They reflect on us all as leaders in our communities. These issues have touched every part of this great state—from the Far North in Cairns to the Gold Coast in the south, out to Ipswich in the west and then some more. That speaks absolutely to the need for the state government, and in particular the Minister for Local Government, to have the necessary powers to ensure that the public's best interests are appropriately served by its elected representatives in local government.

In 2012, under the LNP government and the stewardship of the then local government minister, David Crisafulli, yet again we saw another example of legislation being watered down, diminished. That has most certainly been a contributing factor to some of the issues that we see making the headlines today. At the heart of these reforms is the important value of integrity. Integrity underpins these reforms. These reforms that are before the House deliver greater transparency, accountability and effectiveness in our local government and its elected representatives. These reforms will provide our communities with the confidence that they rightly deserve to have in their system of government and their elected representatives. There will be a streamlined system for making, investigating and determining

complaints about councillors in Queensland. That will provide people with confidence in knowing that vital decisions are made about how their communities grow and develop and that they are not driven by people seeking favour as a result of political donations. During the 2016 local government elections, issues relating to our system of governance were brought to the fore. Over the past two years, these issues have been ongoing. The mayor of the Redland City Council said to me that these are really some of the darkest days in local government.

The bill delivers on the government's commitment to introduce the lapsed 2017 legislation to establish the new Independent Assessor to deal with councillor complaints more effectively. This legislation will see Queensland's councillors subject to a compulsory code of conduct. The head of the Queensland Electoral Commission at the time the lapsed legislation was introduced, Walter van der Merwe, told the Crime and Corruption Commission hearing into the 2016 local government elections that he had received significantly more complaints during the 2016 election than he had done in previous local government elections. It is interesting for me to note that 40 per cent of the submissions that were made to the lapsed inquiry undertaken by the then Legal Affairs and Community Safety Committee came from the Redland City local government jurisdiction.

This bill is important because it will deliver a strengthened and improved councillor complaints process that ensures the integrity of the system whilst providing our communities with confidence in both the process and the people elected to represent them. The bill absolutely delivers on the government's agenda of ensuring transparency and accountability. That is important to Queenslanders. It is what the people want. It is an agenda that the people of Queensland so clearly endorsed in 2015 with the election of the Palaszczuk government, which ran on an agenda that was in stark contrast to that of the dark days of the Newman era.

In the Redlands, I have received feedback from my community that suggests that they have lost faith in the local government system. They have seen repeat offenders—frequent flyers, some might say—who continue to bring the important role played by local councillors into disrepute. Members need only to see the councillor complaints register from my region to see what I am talking about. That area has experienced a gamut of issues—constituents threatened, disruption of the council meetings and alleged inappropriate conduct. Questions have been raised over the protocols followed in the decision-making process. That demonstrates that the system is broken. That the system is broken is further highlighted in the report titled *Councillor complaints review: a fair, effective and efficient framework* prepared by a panel of which Dr David Solomon, a former integrity commissioner, was a member. That independent panel was established in April 2016. The review was initiated in response to concerns raised by the LGAQ and the LGMAQ in regard to the effectiveness of the existing councillor complaints framework.

The report found that the legislative and policy framework currently in place for dealing with councillor complaints was overly confusing and difficult to navigate. The report made 60 recommendations, of which 50 have been given effect to in principle. A key component of this bill is the establishment of the Independent Assessor and an Office of the Independent Assessor. The Independent Assessor will be responsible for investigating all complaints and relevant information about councillor conduct before deciding how complaints should be dealt with. Importantly, local government CEOs will no longer be placed in the difficult position of undertaking preliminary assessments of complaints about councillors. The Office of the Independent Assessor will provide independence from local government, creating a new front door that will deliver for our communities greater confidence in the integrity of complaints management.

During the committee's public hearings we heard from many stakeholders. The CCC was generally supportive of the bill's proposed model for dealing with councillor complaints, including the establishment of the Independent Assessor. At the hearing Kelvin Chin Fat, who represented the Moreton Bay Regional Council, stated—

You will see from our submission that we are broadly in support of the bill, particularly the role of the Independent Assessor.

The proposal in the bill to deliver a uniform compulsory code of conduct for councillors to be approved by regulation will provide a consistent level of behaviour of councillors across our state. That gives certainty to constituents on what they should expect from their elected representatives. It is another excellent mechanism that drives integrity and provides clarity on what is acceptable behaviour and what is not. The code of conduct, along with the definitions of 'inappropriate conduct' and 'misconduct' in the bill, provide consistent and clear standards of behaviour for all councillors. They make crystal clear the conduct that our communities expect from their local elected representatives.

We know that there are times when complaints are frivolous and vexatious in nature and that the current system does not deal with that effectively. The reforms contained in this bill provide for increased penalties that will apply to discourage frivolous and other improper complaints. They provide a genuine

filter for both the councils and the community. The bill also strengthens offences and, notably, provides new offences to provide protection from reprisals for local government employees and councillors who make complaints about a councillor's conduct and ensures that the confidentiality of investigations is maintained.

The Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Bill is the first step in implementing the recommendations from the Belcarra report. What is important about this legislation is that it holds to account not only candidates in local government elections but also candidates in state government elections. We are not a government that says do as I say but not as I do. We know that we must hold ourselves accountable to the very same set of integrity standards that we expect our local government candidates to adhere to when it comes to banning property developer donations.

During the public inquiry process it must be noted that the Queensland executive director of the Property Council of Australia advised that their policy was not to donate to political parties and candidates and that it was for the very same reasons identified by the CCC as to the issues that arise when property developers donate to political parties and candidates. In fact, he went further to suggest that many of the members had the same policy to not donate to political parties.

It is important to note that the New South Wales government has successfully implemented the same legislation which provides us with an enormous advantage in terms of modelling policy and procedures and for lessons learnt. We have heard from the other side that there is confusion. What we know is that there is absolutely a very solid foundation for us to take this legislation forward in its implementation.

In closing, I remind those on the other side of the House about integrity standards and suggest that they tell Malcolm Turnbull that it is unacceptable to waste taxpayers' money on a High Court challenge to avoid donation disclosure. It is just not on. This is great Labor policy that ensures we continue to deliver transparency, accountability and integrity in all of our systems of government that provides confidence to all Queenslanders in their elected representatives. I commend this bill to the House.