




Speech By  
**Christopher Whiting**

**MEMBER FOR BANCROFT**

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Record of Proceedings, 23 February 2023

**STATE DEVELOPMENT AND REGIONAL INDUSTRIES COMMITTEE: REPORT,  
MOTION TO TAKE NOTE**

 **Mr WHITING** (Bancroft—ALP) (3.36 pm): I move—

That the House take note of the State Development and Regional Industries Committee Report No. 28, 57th Parliament, *Inquiry into the Independent Assessor and councillor conduct complaints*, tabled on 14 October 2022.

I am quite proud to talk to this report, because I am very proud of what the committee accomplished. I note a couple of points in the foreword. Four of the six committee members were former councillors, with 35 years of collective experience in local government. We conducted 14 hearings over nine towns and cities, heard from 47 witnesses and received 59 submissions. I wrote over 52,000 words across 15 documents as we assessed feedback. We did workshops and five drafts. I pay tribute to the secretariat, who did all of this with us. As far as we could, we worked in a nonpartisan manner. It took us a while—we had a lot to do—but the way we approached this matter shows the way we in this place can undertake some of our inquiries.

The report makes 40 recommendations, all varying in scale. There was a lot of great input from all stakeholders. That includes the secretariat, the department—I commend the department—the LGAQ, councillors and other stakeholders. I thank them for the way they helped out with this.

I will touch on some of the themes in this report. The first is improving timeliness. For the councillor complaints system, we all knew that we needed to improve timeliness. We suggested some target timeframes. I know that they will be a stretch for those instruments and bodies involved, but we hope they make it. We also pointed out that perhaps the Councillor Conduct Tribunal needs to be changed in some ways. That would include, for example, putting in a full-time president, one member of the CCT hearing uncontested issues and perhaps better remuneration. We think those proposals will help with timeliness.

Another theme in our recommendations is that councillors are not using the inappropriate conduct system as best as they could. Inappropriate conduct is something that can be assessed and dealt with by councils. We think they can improve how they do that. We know it is a challenge, but we think it is a really important part so they do not overload the system and it falls back to us. We want to encourage and enable them to use that system as well as they can.

Another thing we talked about was the need for more training around these issues in the sector. When we started this inquiry one of the big questions we had was around why it seems there is legal overdrive in the system. What we are dealing with is a councillor behaviour system, not a legal system. We discovered when we asked why councillors were leaping towards getting legal representation once there was a complaint against them in the system that there was a level of fear and confusion amongst councillors—a fear of the ultimate sanction of being dismissed, a fear for their own reputation, a fear of what a finding of misconduct could mean for them, confusion about how the code of conduct operates and confusion around conflict of interest.

One of the most important things we said was that we need to reduce the legal overdrive and fear and invest in more professional development and training in the sector so that they are familiar with all aspects of the councillor conduct complaint system. We think that is a very important recommendation.

There is only time to talk about a couple of other things. We think it is important that there be committee oversight or committee scrutiny of the Independent Assessor every year. I see that has been accepted so we will do a report annually. My fellow committee members and others will perhaps talk a bit more about issues like social media and freedom of political expression, which deserve a lot of time. I congratulate the councillors around Queensland who helped us in this inquiry.