




Speech By
Jim McDonald

MEMBER FOR LOCKYER

Record of Proceedings, 23 February 2023

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

 **Mr McDonald** (Lockyer—LNP) (3.41 pm): I have the privilege to rise to speak about the committee inquiry into the Office of the Independent Assessor. At the outset, I thank the committee secretariat for the enormous amount of work done for this committee inquiry. I echo the remarks of the chair in paying tribute to my fellow committee members for the spirit of cooperation shown. My colleague from Scenic Rim, Jon Krause, the chair of the PCCC, made a similar point about the way they conducted an inquiry recently. The committee system works if there is that spirit of cooperation. I thank my colleague the member for Burleigh for his thoughtfulness and the other committee members who have local government experience.

Right across Queensland the only consistency with this complaint system is the inconsistencies in interpretation not just by councillors and mayors but by the department, the assessor and the Councillor Conduct Tribunal. When we have the department of local government, which is the executive arm of government that puts in place legislation that this House passes, giving advice to councillors and mayors and then the Independent Assessor assessing the situation that has been reported to them differently and referring to it as misconduct and then the Councillor Conduct Tribunal assessing things differently again, the system is broken. I appreciate the spirit of cooperation in working on this report. If we have a committee report that makes 40 recommendations then that is enough to say the system is broken and it needs a lot of work.

I thank all the councillors and mayors who have gone through this system and have met the costs of the legalistic nature of this system. We heard of those councillors and mayors through the inquiry. Some decided to retire from local government. It is a shame when fear and apprehension of a complaints system weighs so heavily on the minds of councillors and mayors. A misconduct situation can range from an educative disciplinary process through to being dismissed. One of the recommendations we made is that we be more iterative and send out letters to those against whom allegations are made and give them an idea that that sort of misconduct will be at the lower end—maybe an up to \$250 fine. What was being sent out were letters that said misconduct could lead to dismissal. Of course, if a councillor or mayor gets a letter like that they are going to engage their best and brightest legal minds. We heard time and time again about the costs to councils and councillors and mayors of this onerous system.

I appreciate the many recommendations made to the government. I am appreciative that there will be an annual review of the Office of the Independent Assessor, but I am concerned that we do not have a shorter time frame—perhaps three months—for a review of the implementation of the 40 recommendations. I have mentioned that to the department personally. What gets measured gets done. We do not want to be sitting here in 12 months and find that some of the recommendations have not been touched.

A great deal of thanks goes to Mayor Sean Dillon. Sean faced the ire of the Office of the Independent Assessor from different avenues. That was one of the examples of the misinterpretation by the assessor and legal minds. Fortunately, common sense prevailed and he was cleared of the matters. It was Mayor Sean Dillon and the LGAQ that drove this process and forced the hand of the Deputy Premier to ask us to conduct this inquiry.

I appreciate the recommendations stressing that the department of local government is the point of truth as the executive arm of this parliament. If they are giving advice to the assessor and the tribunal then that advice should be able to be used as protection by councillors and mayors. Once again, thank you to all the councillors and mayors who participate in local government—the government closest to the people in Queensland.