




Speech By
Joseph Kelly

MEMBER FOR GREENSLOPES

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**LOCAL GOVERNMENT (COUNCILLOR CONDUCT) AND OTHER LEGISLATION
AMENDMENT BILL**

 **Mr KELLY** (Greenslopes—ALP) (2.07 pm): I rise to make a contribution in relation to this bill, and I certainly support the Local Government (Councillor Conduct) and Other Legislation Amendment Bill. In making my contribution, I want to start by thanking the Deputy Premier for bringing this bill to the House. He has certainly listened to the sector. Anybody who has been a member of parliament since this system was introduced would know that there have been concerns raised by a range of people in relation to this matter. However, the notion that was being put forward by the Leader of the Opposition was, quite frankly, ridiculous. To try and suggest that the housing crisis is as a result of this—

Mr STEVENS: Mr Deputy Speaker, I rise to a point of order.

Mr KELLY:—particular point is utterly ridiculous and I am responding to concerns that were raised by—

Mr DEPUTY SPEAKER (Mr Lister): Member for Greenslopes, would you please resume your seat and I will take the point of order.

Mr KELLY: I am—

Mr DEPUTY SPEAKER: Member for Greenslopes, resume your seat!

Mr STEVENS: The member has strayed completely—

Mr DEPUTY SPEAKER: Member for Mermaid Beach, I have not called you yet. Member for Mermaid Beach, what is your point of order?

Mr STEVENS: The member has strayed immediately off the long title of the bill and I ask for relevance back to the long title of the bill.

Mr DEPUTY SPEAKER: Thank you, member for Mermaid Beach. The Leader of the Opposition did receive a degree of latitude and the member for Greenslopes is directly responding to the matters raised by the Leader of the Opposition immediately prior. There is no point of order.

Mr KELLY: In rebutting what was said by the Leader of the Opposition, I make the point that suggesting that the housing supply in the Redland City Council and the Noosa Shire Council areas has anything at all to do with the contents of this bill that is before the House is completely and utterly wrong. In the interests of maintaining the good dignity and the orderly conduct of this House, I will move on.

This complaints system was introduced in 2018. It is absolutely unsurprising to me, as it should be to anybody, that when you have a new system there will be a need to review and potentially to improve on that system. What we are seeing here is a normal process of governance. I would like to thank the State Development and Regional Industries Committee for undertaking a very extensive and thorough review and for the recommendations they made for improvements to this system.

I note that previous speakers, particularly the member for Warrego, tried to paint this as a broken system. It is not a broken system. It is an important system that ensures councillors who have a very important role in our community are held to a very high standard. That is a standard that most of the councillors I have met and interacted with hold themselves to. I say to the member for Warrego that they do not need an external system to hold them to account; they hold themselves to that very high standard. We do need a system in place to hold to account those members who do not meet those standards.

Ms Leahy interjected.

Mr Saunders: What about your mate Chris Loft, the mayor?

Honourable members interjected.

Mr KELLY: I will take the interjection from the member for Maryborough. I would love to hear all about Chris Loft, the mayor of Maryborough. I would encourage him to make a contribution to this debate. I am sure he will do a much better job than the so-called shadow minister over there.

Mr DEPUTY SPEAKER (Mr Lister): Members to my left, order! I will not be giving any more informal warnings. I will start warning members under the standing orders.

Mr KELLY: Sometimes councillors with the best of intentions still make errors. This system allows for the correction of those behaviours before they become more serious and allow for collective learning.

Honourable members interjected.

Mr KELLY: Deputy Speaker, I would ask for order in the chamber.

Mr DEPUTY SPEAKER: Member for Greenslopes, you are quite correct. Members, there is too much chatter and there are too many interjections. The member for Greenslopes is not accepting them.

Mr KELLY: This system allows for correction of those behaviours before they become more serious and it also allows for collective learning. I believe that is a very sensible approach. What sticks with me to this day from when I ran for council in 2012 is that when I was doorknocking and asked people what they were concerned about they could always point to it. They care about that road, that rubbish bin, that park or that street light. Local government, perhaps more than any other level of government, has a real immediate and local impact on people. Diligent councillors play a very important role in the delivery of council services, and it is crucial we have systems to ensure their conduct is of the highest quality.

This bill does a number of important things that improve the efficiency of this system. For my entire professional career I have been regulated under various systems that have some similar features to this. In considering this bill I could certainly relate to aspects of this system, and I will note a couple of comparisons. Improving the preliminary assessment processes and time limitations is a very important step forward. There is a sweet spot for the speed with which justice is delivered. No matter what the speed is, people want to be treated equitably before the law. However, if a matter drags on for too long it can have very negative impacts on the individual: stress, financial strain, damage to reputation and, can I say, a lack of confidence in their professional capacity. I have seen nurses and doctors who have had matters that take years to resolve and it takes a huge toll on them. These measures will not only ensure faster justice but also equitable and fair justice.

The recommendations around the Councillor Conduct Tribunal will lead to greater efficiency. The appointment of a deputy president and the constitution of the CCT will lead to much greater efficiency. There are several other aspects of this bill that improve efficiency. Matters will be dealt with in a more timely manner, which really means more rapidly dealing with inappropriate behaviour. More importantly, it will also mean clearing councils of any allegations, allowing them to get back to the important work that they do. I think with that point I am on a unity ticket with the Leader of the Opposition. More efficient handling of these matters will also mean councillors will not be distracted by these matters for long periods of time. I note the broad support of submitters for the recommendations, including the LGAQ, and I believe that this is because they can see the benefits of improving the efficiency of this system.

I was also pleased to see the provisions around vexatious complaints. As a registered nurse I have personally experienced repeated vexatious complaints and I know the impacts this can have on people. It certainly creates undue stress. For professionals it is an unnecessary distraction that can spill over and impact on work performance. I am pleased that this bill makes improvements in the manner in which vexatious complaints are handled.

Finally, I would like to note that the committee report and the bill make clear distinctions between behaviours which may be dealt with by the complaints systems and those matters which perhaps are better managed by a process of democracy. For example, when Lord Mayor Schrinner delivered a budget in May this year and then a few months later had to slash \$400 million from the budget, meaning that workers would lose their jobs because the Lord Mayor could not do his job—

Mrs FRECKLINGTON: Mr Deputy Speaker, I rise to a point of order on relevance. I note that the speaker on his feet is straying completely away from the bill and I ask that you direct the speaker to come back to the bill before the House.

Mr DEPUTY SPEAKER: That is a fairly long bow to draw. I ask you to bring your comments back to the long title of the bill.

Mr KELLY: I am attempting to demonstrate the type of behaviour that would be subject to complaints and that which would not be by using examples. Perhaps another example that I would use was when the deputy mayor of this city told complete lies about me on social media—

Mrs FRECKLINGTON: Mr Deputy Speaker, I rise to a point of order. The member for Greenslopes clearly knows, as the Deputy Speaker of this chamber, that he is using unparliamentary language and I ask that he withdraw.

Mr DEPUTY SPEAKER: The Acting Manager of Opposition Business has a point. I would ask you to withdraw that unparliamentary language.

Mr KELLY: I withdraw. In another example, when the deputy mayor made completely untrue statements about me on social media, accusing me of refusing to table a petition in this state parliament, maybe that was a matter I could have referred on to this body for consideration, but realistically I know that the voters of Holland Park will take a dim view of a councillor who chooses to tell untruths in public on social media and that matter will probably be better dealt with democratically.

This bill will lead to greater efficiency in how we manage complaints against councillors. It will lead to better standards of behaviour. In short, it will help councillors to do a better job and more efficiently deal with those who do not meet the standards that are expected by reasonable people in our community. I commend the bill to the House.