




Speech By  
**Michael Hart**

**MEMBER FOR BURLEIGH**

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Record of Proceedings, 14 November 2023

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

 **Mr HART** (Burleigh—LNP) (6.08 pm): I, too, rise to speak to the Local Government (Councillor Conduct) and Other Legislation Amendment Bill 2023. Honourable members can see from the members of the committee who have spoken so far that this was a bipartisan inquiry and we all pretty much came to the same conclusion. As members of parliament, we all work very closely with our councillors. With the indulgence of the House, I too would like to mention that I have a couple of councillors retiring as well. Councillor Pauline Young on the Gold Coast has served diligently the people in my area and she is retiring at the next election. Also retiring is Councillor Hermann Vorster, who has been preselected to replace me in the seat of Burleigh. The members here will hear that name and work closely with him for the next 20 or 30 years.

We are quite fortunate on the State Development and Regional Industries Committee that when we look at something like local government we have four former councillors working with us: the members for Bancroft, Ipswich West, Lockyer and Traeger. Then there is the member for Bundaberg and me who are diametrically opposed on a number of issues, but we all came together with the same view. I went into this inquiry originally—

**Mr Smith:**—with a sizzle and a shake!

**Mr HART:** I take that interjection. I went into this inquiry with a view that councillors should not be under any more scrutiny or conditions than a state member. They certainly were at the time and this legislation will assist with some of that. We all pretty much agreed on the committee, so I was interested when the member for Bancroft said that the system was not broken and then went on to say that members of council are in constant fear about issues being raised by the OIA. I would have to say that if councillors are in constant fear, then the system is probably broken, and it was broken. This legislation through the good work of the committee will start to fix some of those things.

The committee made five recommendations. The first one was that the bill be passed. This bill is not perfect, but it will go a long way to fixing some of the concerns that we heard from local councillors and mayors were creating real issues for them. Councillors were actually in tears over what was happening to them. A lot of councillors expressed the view to us that they just did not want to be councillors anymore and were reconsidering whether they, in fact, run at the next election or not because of what was happening in this realm. If this bill passes, as it should, I think it will go some way to fixing those problems.

The second recommendation—and I am glad to hear from the minister that the government is accepting all of the recommendations—is—

That the Department of State Development, Infrastructure, Local Government and Planning take further steps to ensure that the councillor conduct framework is operating as intended and fit for purpose for Queensland's Indigenous Councils.

The committee heard from Indigenous councils in Gladstone; that was a private meeting. The Deputy Premier has already talked about the fact that the Indigenous councils talked about kinship and those sorts of issues they have which are different to issues faced by other councillors. I do have some concerns that if we put in different rules for some councillors that there may be issues with other councillors. We need to be very careful about that. I am glad due to the discussion we have had in the committee that we are going to talk to Indigenous councils over the next 12 months and just figure out for ourselves where those sorts of problems are and exactly what we should be recommending to the government about how they should fix them. That is a concern and it is something the committee needs to continually look at.

Our third recommendation is about updating the training materials, and I am glad to hear from the Deputy Premier that that is all in place. If the proper training materials are available to councillors, that will also provide them some comfort as to what they can and cannot do.

The fourth recommendation is that the Councillor Conduct Tribunal be adequately resourced. I was glad to see a press release last week that 14 new members were appointed to the councillor complaints tribunal and a permanent chair. One thing we learnt when we looked at the statistics around the complaints that were going through the OIA and the councillor complaints tribunal was that things were being held up. They were being held up significantly in the councillor complaints tribunal for a number of reasons. One was that they needed all three members to sit on every investigation that they undertook. We considered that and thought that for straightforward issues, maybe just one complaint tribunal member could sit. That would obviously need to be decided by the president or the vice-president. They should decide what is a straightforward case and then just appoint one member. That would definitely speed up the number of outcomes the councillor complaint tribunal gets through. I was glad to see that has happened.

The fifth recommendation is that the relevant parliamentary committee—and obviously there will be a different parliamentary committee in the next term—look at that. Unfortunately, I will not be here to see that and be involved in it, but I will be watching from the sidelines to see what happens there.

**Mr McDonald** interjected.

**Mr HART:** We will see, member for Lockyer.

I have spoken numerous times in this House about the OIA and the investigation that the State Development and Regional Industries Committee conducted. It was a yearlong process. We spoke to many councils and mayors. We heard all their issues. I do think that this legislation will assist on some level, but it definitely needs to be reviewed to see whether or not it is working completely and maybe just tweak it along the way to make sure we have got it entirely right. We are not going to get it right the first time, but maybe the second time we will get it right.