




Speech By
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MEMBER FOR PINE RIVERS

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LOCAL GOVERNMENT (COUNCILLOR CONDUCT) AND OTHER LEGISLATION AMENDMENT BILL

 **Ms BOYD** (Pine Rivers—ALP) (6.17 pm): I rise to speak to the Local Government (Councillor Conduct) and Other Legislation Amendment Bill, a bill that the sector is warmly welcoming to strengthen, clarify, streamline and reform the councillor complaint and conduct system here in Queensland. Since the review was referred to the committee on 25 October 2021 I have travelled to 94 regional locations in my capacity as the Assistant Minister for Local Government. Many of those locations hosted regional groups of councils, so I have had no shortage of conversations with the local government sector about the current system and the potential improvements that can be made.

The objectives of this bill are shared objectives: to create a system that is improved, functions in an effective way and provides confidence to the community. The review was, as I have said before in this place, truly bipartisan in its nature. The report clearly articulated the issues and comprehensively stepped out sensible solutions and processes going forward. The Palaszczuk government's response to that report supported in full and in principle all 40 recommendations made by the committee. While this work around integrity was ongoing, there was also a process being worked out around conduct for councillors—work that considered the practical implications of the conflicts of interest for elected representatives and clarified and enhanced the requirements.

Local government is the level of democracy that is closest to our communities. When it comes to elected representatives, it is expected that the type of person who would put their hand up to represent their community is someone who is an active community participant, an active leader, prior to election. It is not uncommon that these people are owners of land, hold business interests, have family and community involvement and even, in the instances of remote or very small councils, hold down a regular job in addition to their elected position. The culmination of these factors of course means a much higher frequency of encountering instances of complaints around a conflict or a perceived conflict. While conflicts or perceived conflicts will no doubt be a certainty in the sector, our role in this place is to ensure that we create and implement a robust system that is clearly understood and properly utilised.

Natural justice must be provided and the weaponisation of this system plays no constructive role in community development at all. In fact, it undermines it. There will be legitimate issues that should be rightly raised through these processes, but from what I have seen from the 2016 election on is a dramatic increase in the number of complaints against councillors and a system that is entirely weaponised. There are a couple of big changes in this legislation that will, in my view, directly influence a reduction of the weaponisation of the system, including, but not limited to, preliminary assessment processes, time frames of assessment and the expansion of the definition to include vexatious complainants rather than just complaints.

Timeliness will be improved through a change to process that means that the Independent Assessor must undertake a preliminary assessment process to make a determination on how to best deal with a matter. This change will also include time frames to expedite matters. Timeliness is also improved through the appointment of a Deputy President to the Councillor Conduct Tribunal and the

constitution of the CCT for matters. Confidence around the process and findings will be strengthened through the publishing of tribunal decisions. Feedback from the sector regarding delays in assessing and investigating matters have been all too common and a key component in leading to a diminished faith in the system. This bill addresses and remedies that through legislating time frames for assessment and investigation of complaints, with seven days to three months being expected time frames to see matters through to fruition.

This legislation clearly recognises the provision of official department advice to councillors. I have often had councillors contacting me looking for the right avenue to seek legitimate and reliable advice to complex matters. The Integrity Commissioner does not provide this role for councillors and the OIA is not appropriate, so I am pleased to see that there is clarity provided in that the department is the right and proper avenue to seek advice when required.

Ongoing training is essential. This bill establishes compulsory training requirements for councillors. Further, it removes the function of training from the OIA. It is clear that councillors struggle to identify what constitutes a conflict of interest breach for them. Compulsory training is often a matter raised outside the candidate training with me, so I am pleased to see that it was raised in the inquiry and comprehensively covered in this legislation. Experience demonstrates that the best central port of training, advice and information is the department. This bill clearly defines that and highlights the importance of the OIA in focusing on its key roles and functions. The committee recommended a tripartite forum that will be responsible for the important role of developing and providing training and clarity in this space.

In the local government sector we appreciate that it is difficult in a vast and varied state like Queensland to design systems that provide for a 'one size fits all'. That is why the department has been working to develop clear and tailored frameworks like in the areas of financial sustainability frameworks. Similarly, it provides a challenge to have a system designed from scratch that encompasses all of the variances and nuances from each LGA. This process was particularly informative in what we can do better to clarify the process for our First Nations communities, acknowledging that they are in and of themselves unique. First Nation elected representatives often have additional family and community obligations, balancing the law as contained in this legislation and cultural lore. Often the elected officials are traditional owners. In particular, the sensitivities that surround cultural adoption and kinship should also be especially considered and I am pleased to see that the committee made recommendations in that regard that have been endorsed by the government.

I commend the committee for the work that it has done both through the inquiry and also through this legislation. It has been an enormous body of work that it has been doing in a collaborative and professional way and it has conducted itself in the utmost and should be recognised and acknowledged for that. Also, I specifically highlight the expedient work of the department in this bill. It was a big ask to get this drafted and in place within a year. It was a request that the local government sector made of the Palaszczuk government and it is through the hard work of many public servants that we find ourselves here still with one sitting week remaining in the parliamentary calendar for the year, so well done to all of our phenomenal local government department staff.

I was a member of the relevant committee when these bills first came to this place operationalising the Operation Belcarra report and I have been watching these reforms and processes with keen interest. These measures have widely had bipartisan support, so it has been wonderful to see the maturity with which the committee has dealt with these matters. I make a stark observation just in relation to this afternoon's contributions in this place. All of the committee contributions that have been made thus far have all been cooperative, have all been collegial and have all been professional. The stark difference has been the partisan politics that the opposition spokesperson, the member for Warrego, has made in relation to this bill and the process that surrounds it. Partisan politics degrade and downplay the value that the sector and public servants have in not only this place but elected officials as well as the work that the Palaszczuk government has been doing in this space. They are negative, they are criticising and quite frankly I think in some instances even confusing. With that on the record, it is important to move forward in a cooperative and collaborative way with the local government sector. We have much to achieve together and I think that we have a very bright future as well.

In my closing minutes I want to recognise one of my local councillors and really good friend Councillor Mick Gillam. Mick was recently recognised up in Gladstone at the local government annual conference for the 30-plus years that he has had in the local government space. He has been a fantastic supporter of mine and a supporter of our community more broadly. From the days when he was a teacher at Bray Park State School and also a part-time councillor through to today where he has a full-time gig and is a large mentor in the organisation of the City of Moreton Bay, I want to acknowledge

Mick and his family for the tremendous contribution that they have made to our community. As a funny little anecdote, we were opening a time capsule at the Bray Park State School just recently and 20 years ago Mick had written a letter to the councillor for 20 years into the future. He himself had to open and read his own letter that he had penned to the future councillor. I think that that speaks volumes to the contribution that he has made to our community and the love that our community members have for him as well. Congratulations, Mick, on a really tremendous career in the local government. I know when you resign we will all very much miss you.