




Speech By
Samuel O'Connor

MEMBER FOR BONNEY

Record of Proceedings, 15 November 2023

LOCAL GOVERNMENT (COUNCILLOR CONDUCT) AND OTHER LEGISLATION AMENDMENT BILL

 **Mr O'CONNOR** (Bonney—LNP) (2.57 pm): Our system of government is one of the best in the world and our local governments play an important role in making it so. Local governments deliver vital services for our communities. A good council ensures that rates are maintained at an affordable level. They deliver an effective planning scheme to get the right developments in the right areas. They maintain community facilities to high standards and they ensure our waste is collected and recycled as best it can be. The overwhelming majority of councillors do the right thing. They are there to serve their community. Most of what we are dealing with today is about how to best manage the very small number of local representatives who breach the trust of the people who elected them.

When councillors are unfairly and unreasonably impeded in their role by state legislation, they are unable to effectively deliver for our communities. This needs to be balanced against the need for our elected representatives, whether that be at the local, state or federal level, to be held to the highest standard. Integrity and transparency in government is essential. The Local Government (Councillor Complaints) and Other Legislation Amendment Bill aims to improve the local government complaints system by amending the councillor conduct complaints system. It has provisions to: limit the system's application in relation to former councillors; clarify and enhance the councillor conflict-of-interest requirements; modernise local government advertising requirements; and provide appropriate transitional arrangements for the commencement of the improved councillor conduct complaints system. This comes from the 2018 establishment of the Office of the Independent Assessor, the OIA, and the Councillor Conduct Tribunal, the CCT. That system is not working. The councillor complaints system is broken and we welcome these reforms to it.

Since the establishment of the OIA and the CCT we have seen these bodies overreach their powers. There have been frivolous complaints which have cost Gold Coast ratepayers hundreds of thousands of dollars. The member for Gregory earlier outlined the horrific process the mayor of Barcaldine went through when he was hauled before these bodies for many months for raising legitimate and reasonable concerns. There have even been cases of some councillors being referred to the OIA for simply blocking abuse on their social media platforms. I am sure this is something we can all agree on as elected representatives, no matter what level of government. Certainly, here in this chamber, we should not have to be investigated for moderating our social media platforms to protect ourselves and others from abuse. I know that many of us on this side of the House have blocked the transport minister on Twitter for some of the tweets that we received from him. I highly recommend everyone do that if they have not. Others have even been referred to the OIA for looking disinterested in a council meeting—something that none of us would be guilty of in this chamber! There was even a case where the OIA threatened a journalist to reveal a source or receive a hefty fine if they did not.

After years of chaos and countless reports of overreach, intimidation, flawed processes and several months-long complaint backlogs, an inquiry into the Independent Assessor and the CCT was issued. It should not have taken these examples of frivolous hearings and experiences of overreach,

intimidation, flawed processes and extensive complaint backlogs appearing in the media for the government to address these concerns. But here we are—more than a year since the State Development and Regional Industries Committee tabled their report on 14 October 2022. That report had 40 recommendations which made it abundantly clear that the system is broken and in need of an overhaul.

During the inquiry, the committee heard from some mayors and councillors, but, as we heard from the member for Warrego, the shadow minister, in her contribution, there were many others who were fearful of coming forward and making a submission to that process. I want to thank some of the submitters to the bill, including our own City of Gold Coast Mayor Tom Tate. In his submission, Mayor Tate wrote—

I note that this bill ... has been almost two years in the making ... We are now approaching five years since this new approach to Councillor complaints commenced on 3 December 2018 and the experience to date has been extremely frustrating for Councillors and terribly costly for ratepayers and taxpayers.

We have a responsibility to our constituents to spend their money wisely. The framework that we have had in place for the last five years has not been doing this. In the middle of a housing crisis—a crisis which local government has a critical role in resolving—our councillors should not have to deal with what they have had to deal with under this government's broken system. This legislation will allow the Independent Assessor to withdraw an application to the CCT and to streamline the requirements for notifying councillors of CCT hearing details. It will also introduce the additional annual reporting requirements for the Independent Assessor and local governments and require the publication of suspected conduct breach investigation reports.

To conclude, I cannot make a contribution to these laws without mentioning the situation my part of the Gold Coast is currently experiencing. The people I represent are seeing their rates go towards paying to have a councillor suspended on full pay and they are also paying for the salary of an adviser who cannot do much other than meet them, listen to their concerns and forward those concerns to the council. We are paying twice as much for zero local government representation. People across Labrador, Parkwood and Arundel are frustrated.

We have some major local developments coming to a vote in the next few months—like the Parkwood surf park and the proposed redevelopment of Arundel Hills—and we do not have a vote in the council chamber. Our area is also missing out on funding for projects and upgrades that we desperately need because we have no-one in council to advocate for us. I am not blaming the state government. The minister did the right thing by suspending our local councillor, but I do want to acknowledge the impact of these unprecedented circumstances on my community. I hope this will be resolved at the election in March next year so that we can again be properly represented in council.