

Question on Notice

No. 1435

Asked on 30 August 2016

MR PYNE asked the Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment (HON J TRAD) –

QUESTION:

With reference to the answer to estimates Question on Notice No. 3 to the Infrastructure Local Government and Planning Committee, will the Deputy Premier advise (a) the breakdown of the \$1,038,000 total cost of administering the complaints management process in 2015-16 by council, (b) what percentage of the 13% deemed to be frivolous, vexatious or lacking in substance were deemed frivolous and vexatious and what percentage were deemed to be lacking in substance, (c) of the other 87% how many (i) were referred to the CCC and what was the result of this referral, (ii) were referred to other agencies and which agencies, (iii) were referred to council CEOs, (iv) had no jurisdiction, (v) lapsed and (vi) were withdrawn and (d) what steps the Deputy Premier has personally taken to satisfy herself of the adequacy or otherwise of the DILGP council complaints processes and the role of the new Director-General?

ANSWER:

I thank the Honourable Member for Cairns for the question.

- (a) Costs in relation to councillor conduct complaints are not maintained on a council by council basis. An aggregate figure is achieved by combining staff salaries, external investigation costs, costs of the Local Government Remuneration and Discipline Tribunal and Regional Conduct Review Panel and other costs that support the complaints management process.
- (b) Of the complaints deemed to be frivolous, vexatious or lacking in substance, 6 per cent were decided as frivolous with the balance of complaints (94 per cent) decided as lacking in substance under the *Local Government Act 2009* or as lacks substance under the *Crime and Corruption Act 2001*. No complaints were decided as being vexatious.
- (c) (i) Fifteen matters were referred to the Crime and Corruption Commission. The department does not provide specific comment on or detail about matters referred to or received from the Crime and Corruption Commission.
 - (ii) No matters were referred to other agencies.
 - (iii) Twenty-two matters were referred to local government chief executive officers.
 - (iv) The department had no jurisdiction to deal with four complaints.
 - (v) The department received one complaint that was lapsed or withdrawn.
 - (vi) As for (v).

- (d) On 21 April 2016, following requests from the Local Government Managers Australia and the Local Government Association Queensland, I announced a review of how complaints about mayors and councillors are managed. The current procedures have not been reviewed since they were introduced in 2009.

The Review is being led by Dr David Solomon AM, former Queensland Integrity Commissioner and nominees from the Local Government Association of Queensland (Mr Noel Playford) and the Local Government Managers Australia Queensland (Mr Gary Kellar).

The Review Panel released its issues paper in August 2016 and submissions were due 23 September 2016. The Panel will make recommendations to the Queensland Government about any policy, legislation and operational changes to strengthen the system for managing complaints about the conduct of councillors.