

FINANCE AND ADMINISTRATION COMMITTEE

Report No. 51 on the

Queensland Plan Bill 2014

QUEENSLAND GOVERNMENT RESPONSE

INTRODUCTION

On 26 August 2014, the *Queensland Plan Bill 2014* (the Bill) was introduced to Parliament.

The Bill was subsequently referred to the Finance and Administration Committee (the Committee) on 26 August 2014. On 10 October 2014, the Committee tabled its report (No. 51) in relation to the Bill.

The Queensland Government response to the Committee's recommendations is provided below:

RESPONSE TO RECOMMENDATIONS

Recommendation 1:

The Committee recommends that the *Queensland Plan Bill 2014* be passed.

Queensland Government response:

The Government thanks the Committee for its consideration of the Bill and notes its recommendation that the Bill be passed.

Recommendation 2:

The Committee recommends that legislative assurances be provided to ensure there is flexibility in how the core outcomes are to be achieved by authorities such as local governments and universities.

Queensland Government response:

The Government accepts this recommendation in-principle.

The Government notes the Committee's reference to clause 8(3) in its report preceding this recommendation. The Government notes that clause 8(3) provides that the government response may state outcomes, strategies and actions for a 'public authority', which is currently defined to mean a department or statutory body. A local government is not a public authority and so the clause does not apply.

To the extent that local government is required to take action in other parts of the Bill, the Bill has been deliberately designed to provide flexibility and not be prescriptive on how local governments achieve compliance. This approach, including use of the term 'have regard to' has been supported by key local government stakeholders.

In relation to public authorities, the Government has listened to the concerns raised by a number of statutory bodies in submissions made to the Committee, including by universities, and in response Government intends to progress amendments to the Bill during Consideration-in-Detail to clarify the intended coverage of the Bill for statutory bodies.

Recommendation 3:

The Committee recommends that independent statutory officers and other organisations, whose independence is outlined in other legislation, be provided with assurance, through additional clauses, that the Bill does not impede their independence.

Queensland Government response:

The Government accepts this recommendation in-principle.

It was never the intention of the Queensland Government to impact on the independence and autonomy of Queensland's Statutory Officers in executing their duties, nor to give direction through the Government Response to *The Queensland Plan* about how Statutory Officers perform their functions.

Government has listened to the submissions made by a number of Statutory Officers to the Committee, along with the Committee's recommendation and will amend the Bill to provide assurance about the independence of Statutory Officers.

Although Government is committed to act on this recommendation, it intends to do so through amendment of existing clauses and not by the addition of new clauses to the Bill.

Recommendation 4:

The Committee recommends that the department analyse and report on the process for completion of the annual report on the Queensland Plan.

Queensland Government response:

The Government supports this recommendation.

Recommendation 5:

The Committee recommends that the government continues to directly consult with the community in addition to the Ambassadors Council, on the Queensland Plan.

Queensland Government response:

The Government supports this recommendation.

Recommendation 6:

The Committee recommends that the Minister provide comment on how the joint responsibility principle included in Schedule 1 does not create a legal obligation for local governments

Queensland Government response:

The Government notes the Committee's recommendation and offers the following advice in response.

Schedule 1 of the Bill refers to clause 5(3) which relates to development of the Queensland Plan. The principles contained in Schedule 1 are for consideration in developing the Queensland Plan.

The Government is advised that the joint responsibility principle in Schedule 1 (Principle 7) does not create a legal obligation for local government.