

**ECONOMICS AND GOVERNANCE COMMITTEE**  
**Report No. 5, 56<sup>th</sup> Parliament**  
**Local Government (Councillor Complaints) and Other Legislation**  
**Amendment Bill 2018**

<b>Queensland Legislative Assembly</b>	
Number: <u>56187651</u>	
 15 MAY 2018	Tabled <input checked="" type="checkbox"/>
MP: <u>Hon Hinchliff</u>	By Leave <input type="checkbox"/>
Clerk's Signature: 	

**QUEENSLAND GOVERNMENT RESPONSE**

On 15 February 2018, the Local Government (Councillor Complaints) and Other Legislation Amendment Bill 2018 (the Bill) was introduced into the Legislative Assembly.

The Bill was referred to the Economics and Governance Committee (Committee). On 9 April 2018, the Committee tabled in the Legislative Assembly its Report (No. 5, 56<sup>th</sup> Parliament) on the Bill.

The Queensland Government response to the Committee's Report and recommendations is provided below.

**Committee recommendation 1:**

*The committee recommends the Local Government (Councillor Complaints) and Other Legislation Amendment Bill 2018 be passed.*

**Queensland Government response:**

The Government thanks the Committee for its thorough consideration of the Bill and notes the Committee's recommendation 1 that the Bill be passed.

**Committee recommendation 2:**

*The committee recommends the Bill be amended to provide that:*

- *the Councillor Conduct Tribunal must be constituted by at least two members for the purpose of conducting a hearing about whether a councillor has engaged in misconduct*
- *the Local Government Remuneration Commission must be constituted by at least two commissioners for the purpose of making decisions establishing the categories of councils, determining which category each council belongs to and the maximum amount of remuneration payable to councillors in each category.*

**Queensland Government response:**

The Bill provides for the Councillor Conduct Tribunal (CCT) to be constituted by the president or not more than three members of the CCT and provides for the Local Government Remuneration Commission (LGRC) to be constituted by the chairperson or no more than three commissioners.

The Committee notes 'While the committee acknowledges that there is little benefit in more than one member being involved in administrative functions, such as scheduling a hearing, the committee is of the view that there may be substantial benefit in retaining a panel-based approach for hearings about councillors' conduct. Requiring hearings to be conducted by a panel of at least two members, while allowing other administrative functions to be performed

*by individual members, may appropriately balance efficiency considerations with the importance of maintaining public and council confidence in the decisions of the CCT’.*

In relation to the constitution of the LGRC, the Committee had similar views to those noted in relation to the constitution of the CCT.

The Government agrees with the Committee’s view regarding the importance of maintaining public and Council confidence in the decisions of the CCT and the LGRC. Accordingly, the Government supports recommendation 2 and proposes to amend the Bill during consideration in detail.

In addition to the Report’s two recommendations, the Government notes the Report’s comments and suggestions, including the suggestion that certain matters be clarified in the second reading speech of the Minister for Local Government, Minister for Racing and Minister for Multicultural Affairs. As suggested, certain matters will be clarified during the second reading speech.