



Speech By
Sandy Bolton

MEMBER FOR NOOSA

Record of Proceedings, 16 May 2018

**LOCAL GOVERNMENT (COUNCILLOR COMPLAINTS) AND OTHER
LEGISLATION AMENDMENT BILL; LOCAL GOVERNMENT ELECTORAL
(IMPLEMENTING STAGE 1 OF BELCARRA) AND OTHER LEGISLATION
AMENDMENT BILL**

 **Ms BOLTON** (Noosa—Ind) (2.52 pm): I would like to speak very briefly as the debate has been comprehensive. The intent of both the Local Government (Councillor Complaints) and Other Legislation Amendment Bill and the Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Bill is admirable. Given the background and discussions in the chamber today and yesterday, it is clear that action is needed. However, I am concerned that the opinions of local government and the LGAQ regarding aspects of the Belcarra bill are not being taken into consideration.

One of the main issues, as detailed by the member for Broadwater, regards provisions in proposed new sections 175E, 175G, 177E and 177D, which includes that councillors can determine whether or not another councillor has a real or perceived conflict of interest and whether that councillor can remain in the meeting. As a former councillor, I can appreciate the concerns raised around these provisions, which can be open to abuse by those councils that have voting blocs or groups. A councillor could be excluded from a vote without an avenue for speedy review, recourse or appeal in the chamber, leaving ratepayers who voted for them without representation on the item being voted on.

Councillor induction training and the code of conduct clearly articulate that the onus and responsibility for declaring a conflict of interest or perceived conflict of interest lies, as it should, with the individual councillor. Those who do not honour the communities that voted them in by being deceptive should be appropriately held accountable and dealt with accordingly. Putting the onus on other councillors to decide can create unnecessary friction and sends a confusing message to communities that elected members may not have the capability to manage their responsibilities. This is unfair to the hundreds of councillors across Queensland who are honest, hardworking and diligent representatives.

An alternative to these provisions would be to tighten the definition of a real conflict of interest and identify the circumstances that require the councillor to declare that real conflict and leave the meeting. In addition, there should be an improvement in methodologies to capture offenders and increase the penalties for those who abuse the trust that is bestowed upon them by their communities.

In closing, I support in the majority the content of these bills and look forward to much better outcomes for the communities across Queensland that have had their trust broken.