

SUBMISSION: INQUIRY INTO THE OPERATIONAL AND EFFECTIVENESS OF THE COUNCILLOR CONDUCT FRAMEWORK IN QUEENSLAND

EXE | 65/4/1-07 | #7918216

RECOMMENDATION:

That Council:

Retrospectively endorses the submission to the Queensland Parliamentary Local Government, Small Business and Customer Service Committee regarding its inquiry into the operation and effectiveness of the Councillor Conduct Framework in Queensland.

INTERESTED PARTIES:

Queensland Parliamentary Local Government, Small Business and Customer Service Committee

EXECUTIVE SUMMARY:

On 4 June 2026 the Legislative Assembly agreed to a motion that the Local Government, Small Business and Customer Service Committee inquire into and report on:

1. The operation and effectiveness of the councillor conduct framework in Queensland.
2. The committee should consider:
 - a. the effectiveness and efficiency of the Office of the Independent Assessor in dealing with complaints about the conduct of councillors;
 - b. the effectiveness and efficiency of the Councillor Conduct Tribunal in determining complaints about the conduct of councillors, with a particular focus on Tribunal timeframes and resourcing;
 - c. alternative structural models for the Office of the Independent Assessor to deliver better consistency across Government and stronger bespoke integrity support for councillors, including targeted training and integrity advice;
 - d. rights of review by parties with respect to decisions of the Councillor Conduct Tribunal, including costs and timeframes associated with review options; and
 - e. any amendments to the Local Government Act 2009 or changes to the functions of the Office of the Independent Assessor or the Councillor Conduct Tribunal that the committee considers desirable for the effective operation of the councillor conduct framework.

Council provided a submission on 9 July 2026, supporting the need for a robust and independent councillor conduct complaints framework. In particular, Council continues to support the objectives of:

- strengthening integrity and ethical standards for councillors;
- encouraging the reporting of conduct issues;
- ensuring independent and consistent assessment of complaints; and
- improving public confidence in the transparency and accountability of local government.

To enable Council to meet the 12.00pm, 10 July 2026 closing date for submissions, this report seeks retrospective endorsement of the submission (Attachment 1).

BACKGROUND:

The *Local Government (Empowering Councils) and Other Legislation Amendment Act 2026* (2026 Amendment Act) made change to simplify and streamline the councillor conduct framework, most notably by removing conduct breaches as category of councillor misbehaviour. The provisions of the 2026 Amendment Act which remove conduct breaches came into force on 1 July 2026.

OPTIONS:

Option 1 (recommended):

That Council:

Retrospectively endorses the submission to the Queensland Parliamentary Local Government, Small Business and Customer Service Committee regarding its inquiry into the operation and effectiveness of the Councillor Conduct Framework in Queensland.

Option 2:

The Council does not endorse the attached submission to the Committee and requests that it be withdrawn.

CONSIDERATIONS:

Risk Management:

The risk of Council submitting a response to the Parliamentary Inquiry into the operation and effectiveness of the Councillor Conduct Framework in Queensland is minimal.

Council Finance and the Local Economy:

There may be additional cost to Council depending on any recommendations and subsequent changes to the Councillor Conduct Framework.

Corporate and Operational Plans:

Council's submission to this Parliamentary Inquiry is consistent with Council's 2025-2030

Focus 5 – Focused Council: *Delivering for community through strong governance and informed decision making.*

Statutory:

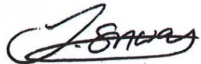
The OIA was established under the *Local Government (Councillor Complaints) and Other Legislation Amendment Act 2018* as part of the Queensland Government's commitment to Local Government reform.

CONSULTATION:

The principles of the proposed submission were discussed with Councillors prior to the submission being drafted. The draft submission was then circulated to all Councillors and an opportunity for feedback was provided.

ATTACHMENTS:

1. #7918218 Cairns Regional Council's submission regarding the Inquiry into Operation and Effectiveness of the Councillor Conduct Framework in Queensland July 2026.



Jessica Conway
Executive Officer



Holly Mc Bride
Director People & Organisational Performance

09 July 2026

Local Government, Small Business and Customer Service Committee
Queensland Parliamentary Service
Parliament House
Cnr George and Alice Streets
BRISBANE QLD 4000

By online submission

Dear Committee,

RE: Cairns Regional Council's Submission regarding the Inquiry into the Operation and Effectiveness of the Councillor Conduct Framework in Queensland | July 2026

This submission is made on behalf of Cairns Regional Council (Council).

Council appreciates the opportunity to contribute to the Parliamentary Inquiry, through the Local Government, Small Business and Customer Service Committee (the Committee), into the operation and effectiveness of the councillor conduct framework in Queensland.

It is understood that the Committee will inquire into and report on:

- a) The effectiveness and efficiency of the Office of the Independent Assessor (OIA) in dealing with complaints about the conduct of councillors;
- b) The effectiveness and efficiency of the Councillor Conduct Tribunal (the Tribunal), particularly in relation to timeframes and resourcing;
- c) Alternative structural models for the OIA to deliver better consistency across Government and stronger bespoke integrity support for councillors including targeted training and integrity advice;
- d) Rights of review by parties with respect to decisions of the Councillor Conduct Tribunal, including the costs and timeframes associated with review options; and
- e) Any amendments to the *Local Government Act 2009* or changes to the functions of the OIA or the Tribunal that the committee considers desirable for the effective operation of the councillor conduct framework.



General Position

Council supports the need for a robust and independent councillor conduct complaints framework. It is essential that the assessment and investigation of councillor conduct remains independent of councils and the political process in order to avoid conflicts of interest at the local level.

The establishment of the OIA following the *Solomon Review* was a response to identified integrity concerns and was intended to provide a centralised, independent mechanism for the fair, consistent and transparent management of complaints. In Council's view, the underlying rationale for its establishment remains sound.

In particular, Council continues to support the objectives of:

- strengthening integrity and ethical standards for councillors
- encouraging the reporting of conduct issues
- ensuring independent and consistent assessment of complaints
- improving public confidence in the transparency and accountability of local government

These principles remain critical to maintaining community trust and for councils to demonstrate accountability and transparency.

Key Issues and Observations

1. Timeliness and efficiency of the OIA

One of the key concerns for Council is the timeliness of investigations and decision making by the OIA and the Tribunal. Matters are often taking extended periods to investigate and resolve, leaving both councils and subject councillors in a prolonged state of uncertainty.

Council notes that this is not a new issue; concerns regarding delays were a central finding of the 2022 Parliamentary inquiry into the OIA and councillor conduct complaints system. That inquiry identified timeliness as a significant issue across stakeholders, noting that delays were driven by complaint volumes, resourcing constraints and process complexity.

The current situation indicates that these issues have not been fully resolved.

Council considers that improved timeliness must be a priority for reform. Without this, the framework cannot operate effectively or fairly.

2. Increasing legalisation and complexity

The current framework has become overly legalistic and complex. While it is Council's understanding that the system was not originally intended to require legal

representation, in practice many matters now involve legal advisors. This shift has contributed to:

- increased costs for individuals
- longer timeframes for resolution
- more adversarial interactions
- heightened stress and contention

This level of legalisation is inconsistent with the original intent of a streamlined councillor conduct framework.

Council notes that this concern was also identified in the 2022 parliamentary inquiry, which found that the councillor complaints framework is operating in a manner that is more legalistic and complex than intended.

Council considers there is a clear need to refocus the system on proportionality, simplicity and the practical resolution of issues.

3. Effectiveness of the Councillor Conduct Tribunal

Council has observed a decline in the number of matters progressing to determination by the Tribunal over recent years. While this may reflect improved triage or dismissal processes, it may also indicate delays or barriers within the system that are preventing matters from progressing in a timely manner.

Council considers that resourcing, capacity and procedural efficiency within the Tribunal should be closely examined to ensure that matters referred are determined promptly and effectively.

4. Ongoing relevance of reforms identified in 2022

Many of the challenges identified in the 2022 inquiry remain evident, including:

- delays in complaint resolution
- system complexity and duplication
- increasing legalisation of processes

Council considers that further improvement is required not only at a legislative level, but also in how the framework operates in practice, with the objective of achieving more timely outcomes. However, Council reiterates that this should be achieved through improvement and not merely removing the capacity for independent Councillor conduct assessment.

Consultation and Implementation

Council considers that any recommendations arising from this inquiry should be subject to genuine and meaningful consultation with local governments prior to implementation.

Councils are key participants in the framework and are directly impacted by its operation. Engagement with the sector will be critical to ensuring that any changes are practical, effective and aligned with the realities of local government operations.

Conclusion

Council supports the continuation of an independent councillor conduct framework and the ongoing role of the OIA and the Tribunal; however, considers improvements are required in relation to:

- the timeliness and efficiency of complaint handling;
- the proportionality and simplicity of processes; and
- overall confidence in the system.

Addressing these issues will be critical to ensuring that the framework operates in a way that is fair, effective and consistent with its original intent.

Thank you for the opportunity to participate in this process. Council looks forward to further consultation or any specific recommendations arising from the review.

Yours sincerely,



Ken Gouldthorp
Chief Executive Officer
Cairns Regional Council