



10 February 2020

The Hon Stirling Hinchliffe MP
Minister for Local Government, Racing and Multicultural Affairs
Queensland Parliament
PO Box 15009
CITY EAST QLD 4002

Via email: lgma@ministerial.qld.gov.au

Dear Minister Hinchliffe

Proposed local government regulatory reforms – informal meetings

Thank you for the opportunity to comment on the accountability and integrity Bill and the proposed regulatory amendments dealing with informal meetings.

The Torres Cape Indigenous Council Alliance (TCICA) met on 5 February to consider the proposed changes. Many of our members raised concerns about the amendments throughout the discussion, and the impracticalities of implementing the reforms. As such, we resolved to write to you objecting to the need for additional regulation relating to informal meetings.

As you know, our members are small rural and remote local governments with correspondingly small populations. Everyone knows everyone in small communities and generally there are associations between councillors and their families that raise issues of conflict for nearly every decision-making process of council.

As Indigenous local governments, we also have direct responsibility for a whole range of matters outside of those dealt with by mainstream councils, such as land trusts, housing, employment and job creation, health and social assistance, community services, and aged care. As leaders, our communities look to us to address just about any community need.

Interactions between the mayor and councillors throughout the working day, at social and community events and meetings, and at council-managed events are an extremely common occurrence. While some of these meetings might not technically meet the definition of an informal meeting as prescribed, members of the public and some less-informed councillors might well regard them as such and lodge complaints should there be no formal record.

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If a mayor and/or councillors are attending a council-managed event that has been organised by a decision of the local government and start a conversation amongst themselves that may or may not involve local government matters, they will potentially breach the regulations.

If a mayor and a councillor are at a social gathering organised by the Mayor and a member of the public raises a matter that would be defined as a prescribed conflict of interest for the councillor, that councillor may also inadvertently breach the regulations.

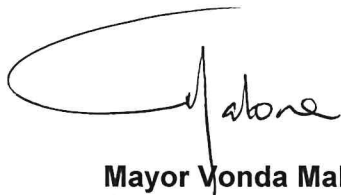
Clearly it is unrealistic for councillors to avoid engaging in conversation with each other at such events, and it is impractical to have to provide a publicly available notice beforehand of the possibility of informal meetings like these during events, let alone the recording of matters discussed.

Importantly, for local governments to be responsive to emergent and critical issues such as natural disasters, mayors and councillors need to be able to discuss matters as soon as the need arises, not potentially days after in order to comply with public notification periods.

Whilst it is acknowledged that the proposed changes may not be intended to capture these sorts of scenarios, the reality is that they will. Furthermore, the changes have the potential to open up mayors and councillors to a raft of unreasonable or vexatious complains from the public who will simply focus on the broader term “informal meetings” and not be privy to the finer definitions. Whilst any subsequent investigation might well vindicate councillors against such complaints, it will not allay the residual conflict that usually arises out of formal complaints and will naturally divert scant resources away from community services to investigating such complaints.

TCICA trusts that you will consider these matters appropriately.

Yours sincerely



Mayor Vonda Malone
Chair

Cc: Cynthia Lui MP, Member for Cook

