

# Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025

Amendments during consideration in detail to be moved by  
The Honourable the Minister for Local Government and Water and Minister  
for Fire, Disaster Recovery and Volunteers

## 1 Clause 2 (Commencement)

Page 12, after line 6—

*insert—*

- (1) The following provisions commence on 1 July 2026—
  - (a) part 4, division 2A;
  - (b) part 5, division 2A.

## 2 Clause 2 (Commencement)

Page 12, line 7, before ‘The’—

*insert—*

- (2)

## 3 Clause 13 (Amendment of s 171 (Requests for assistance or information))

Page 18, after line 6—

*insert—*

- (1A) Section 171(3), ‘subsection (8)’—

*omit, insert—*

subsection (9)

## 4 Clause 13 (Amendment of s 171 (Requests for assistance or information))

Page 18, after line 13—

*insert—*

- (3) Section 171—

*insert—*

(4A) Also, subsections (2) and (3) apply to a councillor in relation to committee information—

(a) only if the councillor is a member of the Establishment and Coordination Committee; or

(b) if the councillor is not a member—

(i) only if the information is general committee information; and

(ii) only to the extent the general committee information relates to a matter that has been finally resolved.

(4) Section 171(5), from ‘the request’—

*omit, insert—*

the request—

(a) relates to any ward other than the ward the councillor represents; or

(b) does not comply with the acceptable requests guidelines.

(5) Section 171(6), ‘Subsection (5)’—

*omit, insert—*

Subsection (6)

(6) Section 171(9), ‘subsection (8)(b)’—

*omit, insert—*

subsection (9)(b)

(7) Section 171(10)—

*insert—*

***committee information*** means information in a document made about, by or for the purposes of the Establishment and

Coordination Committee, including the following documents—

- (a) committee submissions;
- (b) committee briefing notes;
- (c) committee agendas;
- (d) notes of discussions in committee meetings;
- (e) committee minutes;
- (f) committee decisions;
- (g) a document prepared for presentation to the committee;
- (h) a draft of, or another document prepared for the purpose of, a document mentioned in any of paragraphs (a) to (g).

***finally resolved***, in relation to a matter, means—

- (a) the Establishment and Coordination Committee or council has made a final decision about the matter; or
- (b) the Establishment and Coordination Committee has decided, or is taken to have decided, the matter in a way prescribed by regulation.

***general committee information*** means the following committee information—

- (a) the version of a committee submission considered by the Establishment and Coordination Committee in making a final decision about the matter the subject of the submission;
- (b) committee agendas;
- (c) committee minutes;

(d) committee decisions.

(8) Section 171(4A) to (10)—

*renumber* as section 171(5) to (11).

## 5 After clause 13

Page 18, after line 13—

*insert—*

### **13A Amendment of s 172 (Inspection of particular records by councillors)**

(1) Section 172(3)—

*insert—*

(ca) a record that relates to any ward other than the ward the councillor represents, unless—

(i) the councillor is the mayor; or

(ii) the councillor is the chairperson of the council and the record is relevant to the councillor performing the role of the chairperson; or

(iii) the councillor is a committee chairperson and the record is relevant to the councillor performing the role of the committee chairperson.

(2) Section 172—

*insert—*

(3A) Also, subsection (1) applies in relation to a record of the Establishment and Coordination Committee containing committee information within the meaning of section 171—

- (a) only if the councillor is a member of the committee; or
  - (b) if the councillor is not a member—only to the extent—
    - (i) the record is or contains general committee information within the meaning of section 171(11); and
    - (ii) the general committee information relates to a matter that has been finally resolved.
- (3) Section 172(4)—  
*insert—*  
*finally resolved*, in relation to a matter, see section 171(11).
- (4) Section 172(3A) and (4)—  
*renumber* as section 172(4) and (5).

## 6 After clause 19

Page 20, after line 21—

*insert—*

### **19A Insertion of new s 244A**

After section 244—

*insert—*

#### **244A Civil liability of member of Establishment and Coordination Committee for disclosing information under Right to Information Act 2009**

- (1) A member of the Establishment and Coordination Committee does not incur civil liability as a result of, or in connection with, disclosing committee information in good faith under a publication scheme under the *Right to Information Act 2009*, section 21.

*Examples of disclosing committee information—*

- publishing committee information on the council’s website
  - official publication of committee information by decision of the Establishment and Coordination Committee
- (2) If subsection (1) prevents liability attaching to a member, the liability attaches instead to the council.
- (3) The protection given under this section is in addition to any other protection given under this Act or another Act or law, including, for example, the Local Government Act, section 235.
- (4) In this section—  
*committee information* see section 171(11).

**7 Clause 22 (Amendment of s 171 (Requests for assistance or information))**

Page 23, lines 26 to 28, page 24, lines 1 to 31 and page 25, lines 1 to 10—

*omit.*

**8 Clause 23 (Amendment of s 172 (Inspection of particular records by councillors))**

Page 25, lines 11 to 29—

*omit.*

**9 Clause 24 (Replacement of ch 6, pt 2, div 5A (Councillors’ conflicts of interest))**

Page 33, line 10, ‘interest.’—

*omit, insert—*

interest;

(g) another person prescribed by regulation.

**10 After clause 71**

Page 61, after line 16—

*insert—*

**Division 2A Amendments commencing  
on 1 July 2026**

**71A Amendment of s 220 (Amount of yearly  
contributions—particular employers)**

(1) Section 220(5)—

*omit.*

(2) Section 220(6)—

*renumber* as section 220(5).

**71B Omission of s 222 (Adjusting contributions if  
salary decreased)**

Section 222—

*omit.*

**71C Amendment of s 224 (Interest is payable on  
unpaid contributions)**

(1) Section 224(1)—

*omit, insert—*

(1) This section applies if the relevant fund for an employee of a local government or local government entity does not receive a superannuation contribution payable for the employee—

(a) at any time before the end of the seventh business day after the

employee's QE day for the contribution; or

(b) any allowable longer period applying to the contribution.

(2) Section 224—

*insert—*

(4) In this section—

***allowable longer period***, for a superannuation contribution payable in a circumstance described in the *Superannuation Guarantee (Administration) Act 1992* (Cwlth), section 18C(2), table, column 2, means the period mentioned in column 3 of that table opposite the circumstance.

***QE day***, for an employee, means the employee's QE day under the *Superannuation Guarantee (Administration) Act 1992* (Cwlth), section 17A(1).

## **71D Insertion of new ch 9, pt 20, div 2A**

Chapter 9, part 20, as inserted by this Act—

*insert—*

### **Division 2A      Provision for amendments commencing on 1 July 2026**

#### **364A Application of ss 220 and 224**

Sections 220 and 224, as amended by the amendment Act, apply to a superannuation contribution payable for an employee only if the employee's QE day for the contribution

occurs on or after the commencement.

**11 Clause 107 (Replacement of ch 5B (Councillors' conflicts of interest))**

Page 80, line 7, 'interest.'—

*omit, insert—*

interest;

(g) another person prescribed by regulation.

**12 After clause 122**

Page 95, after line 29—

*insert—*

**Division 2A Amendments commencing on 1 July 2026**

**122A Replacement of s 299A (Meaning of *salary* of a permanent employee of a local government or local government entity)**

Section 299A—

*omit, insert—*

**299A Meaning of *salary* of a permanent employee of a local government or local government entity)**

For this part, the *salary* of a permanent employee of a local government or local government entity is the same as the employee's qualifying earnings under the *Superannuation Guarantee (Administration) Act 1992* (Cwlth), section 10A(1) to (3).

**122B Amendment of s 302 (Prescribed amount of yearly contributions—Act, s 220)**

Section 302(2) and (3)—

*omit, insert—*

(2) In this section—

*charge percentage* means the charge percentage under the *Superannuation Guarantee (Administration) Act 1992* (Cwlth), section 17A(2), divided by 100.

**13 After clause 139**

Page 104, after line 16—

*insert—*

**139A Insertion of new pt 11, div 8**

Part 11—

*insert—*

**Division 8 Transitional provision  
for Local Government  
(Empowering Councils)  
and Other Legislation  
Amendment Act 2025**

**242 Continued application of particular requirements for elections if notice of election published before commencement**

(1) This section applies if—

- (a) a notice of an election was published under section 25(1) before the commencement; and
- (b) immediately before the commencement, the election period for the election had not ended.

- (2) Despite the commencement of the amendment Act—
- (a) former section 26 and schedule 1, section 7 continue to apply to a person in relation to nomination as a candidate in the election; and
  - (b) former sections 45AA, 45AB and 45 continue to apply in relation to an application by a local government for a poll to be conducted by postal ballot;
  - (c) former section 177 continues to apply in relation to election material for the election; and
  - (d) former section 178 continues to apply in relation to how-to-vote cards for the election.

- (3) In this section—

*amendment Act* means the *Local Government (Empowering Councils) and Other Legislation Amendment Act 2025*.

*former*, for a provision of this Act, means the provision as in force from time to time before the commencement.

**14 After clause 140**

Page 105, after line 6—

*insert—*

**Part 6A Amendment of Right to Information Act 2009**

**140A Act amended**

This part amends the *Right to Information Act 2009*.

**140B Amendment of ch 1, pt 3, hdg (Effect of publication by Cabinet on public interest immunity)**

Chapter 1, part 3, heading, ‘by Cabinet’—

*omit, insert—*

**of particular documents**

**140C Amendment of s 18A (Effect of publication by Cabinet on public interest immunity)**

(1) Section 18A, heading, after ‘by Cabinet’—

*insert—*

**or Establishment and Coordination Committee**

(2) Section 18A(1), after ‘with Cabinet’—

*insert—*

or the Establishment and Coordination Committee

(3) Section 18A(2)(a), after ‘by Cabinet’—

*insert—*

or the committee

(4) Section 18A(2)(b) and (c)—

*omit, insert—*

(b) the publication by Cabinet or the committee of any other information contained in a document mentioned in schedule 3, section 2(3) or 4A(3);

(c) a decision by Cabinet or the committee to officially publish information contained in a document mentioned in schedule 3, section 2(3) or 4A(3) on a regular basis.

(5) Section 18A(3), definition *Cabinet information*—

*omit.*

## **140D Amendment of sch 3 (Exempt information)**

Schedule 3—

*insert—*

### **4A Brisbane City Council—Establishment and Coordination Committee information**

- (1) Information is exempt information for 10 years after its relevant date if—
  - (a) it has been brought into existence for the consideration of the Establishment and Coordination Committee; or
  - (b) its disclosure would reveal any consideration of the committee or would otherwise prejudice the confidentiality of committee considerations or operations.
- (2) Subsection (1) does not apply to—
  - (a) information brought into existence before the commencement of this section; or
  - (b) information officially published by decision of the council; or
  - (c) if the council delegates a power to the committee under the *City of Brisbane Act 2010*, section 238—information relating to the delegation or the power to be exercised under the delegation.
- (3) Without limiting subsection (1), the following documents are taken to be documents comprised exclusively of exempt information—
  - (a) committee submissions;
  - (b) committee briefing notes;

- (c) committee agendas;
  - (d) notes of discussions in committee meetings;
  - (e) committee minutes;
  - (f) committee decisions;
  - (g) a document prepared for presentation to the committee;
  - (h) a draft of, or another document prepared for the purpose of, a document mentioned in any of paragraphs (a) to (g).
- (4) However—
- (a) if information in a document mentioned in subsection (3)(a), (c), (e) or (f) has been officially published by decision of the committee—
    - (i) subsection (3) does not apply to the document; but
    - (ii) the document is comprised of exempt information under subsection (1) to the extent the information in the document has not been published; and
  - (b) subsection (3) applies to a document mentioned in subsection (3)(b), (d), (g) or (h) despite any publication of information in a document mentioned in subsection (3)(a), (c), (e) or (f).
- (5) A report of factual or statistical information attached to a document mentioned in subsection (3) is exempt information under subsection (1) only if—
- (a) its disclosure would have an effect mentioned in subsection (1)(b); or

(b) it was brought into existence for the consideration of the committee.

(6) In this section—

*consideration* includes—

(a) discussion, deliberation or noting (with or without discussion) or decision; and

(b) consideration for any purpose, including, for example, for information or to make a decision.

*council* means the Brisbane City Council.

*draft* includes a preliminary or working draft.

*relevant date*, for information, means—

(a) for information considered by the committee—the date the information was most recently considered by the committee; or

(b) for other information—the date the information was brought into existence.

## 140E Amendment of sch 5 (Dictionary)

Schedule 5—

*insert*—

*Establishment and Coordination Committee* means the Establishment and Coordination Committee under the *City of Brisbane Act 2010*.

## 15 After clause 140

Page 105, after line 6—

*insert*—

## **Part 6B                    Amendment of Working with Children (Risk Management and Screening) Act 2000.**

### **140F Act amended**

This part amends the *Working with Children (Risk Management and Screening) Act 2000*.

### **140G Amendment of ch 8, pt 6, div 8A, hdg (Sharing information with prescribed entity)**

Chapter 8, part 6, division 8A, heading,  
'prescribed entity'—

*omit, insert—*

**particular entities**

### **140H Insertion of new s 344AAE**

After section 344AAD—

*insert—*

#### **344AAE Sharing of information by regulatory authority under Education and Care Services National Law (Queensland)**

- (1) Sections 344AAC and 344AAD apply in relation to the regulatory authority as if a reference in the sections to a prescribed entity was a reference to the regulatory authority.
- (2) The Education and Care Services National Law (Queensland), section 273(1) does not apply in relation to the giving of protected information by the regulatory authority to the chief executive under section 344AAC or 344AAD, as applied by subsection (1).

*Note—*

See also the *Education and Care Services National Law (Queensland) Act 2011*, section 4.

(3) In this section—

***protected information*** see the Education and Care Services National Law (Queensland), section 273(3).

***regulatory authority*** means the person declared to be the regulatory authority under the *Education and Care Services National Law (Queensland) Act 2011*, section 14.

## 16 Long title

Long title, ‘and the *Local Government Electoral Act 2011*’—  
*omit, insert—*

**, the *Local Government Electoral Act 2011*, the *Right to Information Act 2009* and the *Working with Children (Risk Management and Screening) Act 2000***

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