



# **LOCAL GOVERNMENT, SMALL BUSINESS AND CUSTOMER SERVICE COMMITTEE**

## **Members present:**

Mr JP Lister MP—Chair  
Mr AJ Baillie MP  
Mr MA Boothman MP  
Ms NA Boyd MP  
Mrs ME Nightingale MP  
Ms JE Pease MP

## **Staff present:**

Dr A Cavill—Committee Secretary  
Mr Z Dadic—Assistant Committee Secretary

## **PUBLIC BRIEFING—INQUIRY INTO THE LOCAL GOVERNMENT (EMPOWERING COUNCILS) AND OTHER LEGISLATION AMENDMENT BILL 2025**

### **TRANSCRIPT OF PROCEEDINGS**

**Wednesday, 10 December 2025**

**Brisbane**

## **WEDNESDAY, 10 DECEMBER 2025**

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**The committee met at 10.00 am.**

**CHAIR:** Good morning. I declare open this public briefing for the committee's inquiry into the Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025. My name is James Lister MP. I am the member for Southern Downs and chair of this committee. With me today are: Ms Margie Nightingale, the member for Inala and deputy chair; Mr Adam Baillie, the member for Townsville; Mr Mark Boothman, the member for Theodore; Ms Nikki Boyd, the member for Pine Rivers, who is graciously subbing in today for the member for Cairns; and Ms Joan Pease, the member for Lytton, who will be with us in just a minute.

This briefing is a proceeding of the Queensland parliament and is subject to parliament's standing rules and orders. Only the committee and invited witnesses may participate in the proceedings. Witnesses are not required to give evidence under oath or affirmation, but I remind witnesses that intentionally misleading the committee is a serious offence. I also remind members of the public that they may be excluded from the briefing at the discretion of the committee. I remind committee members that departmental officers are here to provide factual or technical information. Any questions seeking an opinion about policy should be directed to the minister or left to debate on the floor of the House.

These proceedings are being recorded and broadcast live on the parliament's website, and I welcome the members of the Queensland community who are joining us online. Media may be present and are subject to the committee's media rules and the chair's direction at all times. You may be filmed or photographed during the proceedings and images may also appear on the Queensland parliament's website or social media pages. Everyone, please turn your mobile phones off or onto silent mode.

**BARTHET, Ms Catherine, Manager, Legislation, Policy and Legislation, Local Government Division, Department of Local Government, Water and Volunteers**

**CARRIGAN, Ms Emily, Acting Deputy Director-General, Local Government Division, Department of Local Government, Water and Volunteers**

**HOLDEN, Mr Karl, Acting Director, Policy and Legislation, Local Government Division, Department of Local Government, Water and Volunteers**

**CHAIR:** I now welcome representatives from the Department of Local Government, Water and Volunteers who have been invited to brief the committee on the bill. I invite you to brief the committee, after which committee members will have some questions for you.

**Ms Carrigan:** Thank you very much for the opportunity to brief the committee on the Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025. I would like to respectfully acknowledge the Yagara and Turrbal people, the traditional custodians of the land on which we meet today, and pay my respects to their elders past and present.

I note the department has provided a detailed written briefing to the committee on the proposed amendments in the bill. The bill includes a focused suite of amendments which address priority issues identified by the local government sector, including the Local Government Association of Queensland and Brisbane City Council. The main policy driver is to create a legislative framework where the local government sector is empowered and councillors can serve their communities without unnecessary regulatory burdens, balanced with ensuring local governments are held to high levels of integrity and accountability. The bill achieves this by amending the Local Government Act 2009, the City of Brisbane Act 2010, the Local Government Electoral Act 2011 and their associated regulations.

The amendments in the bill fall into eight categories: empowering councils; empowering mayors; improving the conflicts-of-interest and register-of-interest frameworks; reducing unnecessary red tape and regulation; providing certainty to councillors about matters relating to remuneration, leaves of absence, vacation of office and eligibility; promoting good governance and decision-making; enhancing safeguards for local government election candidates and participants; and minor

administrative and technical amendments. This morning I do not intend to go through each amendment, as they are covered in detail in the explanatory notes and the written briefing provided to the committee. Instead, I will highlight some of the key changes in the bill and then be guided by the committee on any provisions on which you wish to ask further questions.

Firstly, on empowering councils, the government's policy is to re-empower mayors and councillors by giving them greater involvement in the appointment of senior council staff. The bill achieves this by providing that a panel comprising the CEO, mayor and either a committee chairperson or the deputy mayor is responsible for the appointment of senior executive employees of local government. At Brisbane City Council, the bill provides that the council would be responsible for the appointment of senior contract employees in addition to senior executive employees, as is currently the case. The bill clarifies the longstanding position that the 14 Indigenous councils, Aurukun Shire Council and Mornington Shire Council cannot levy general, special and separate rates due to the lack of rateable land in their areas while still providing a mechanism to empower some or all of these councils to commence levying rates in the future.

Turning now to empowering mayors, the bill also delivers on the government policy to empower mayors so that they can perform the duties and responsibilities their communities expect of them. This includes putting beyond doubt that mayors are the official spokesperson of their local government and the chairperson of ordinary and special meetings of council.

In terms of the conflicts-of-interest framework, the bill will re-establish the conflicts-of-interest framework based on the concepts of material personal interest and conflicts of interest which applied from 2013 to early 2018. The Queensland government considers that this framework strikes a better balance between allowing councillors to get on with the job they are elected to do and ensuring integrity, transparency and accountability in the local government sector.

In summary, the bill reinstates the concepts of material personal interest and conflict of interest with modifications to clarify the tests for determining whether a council has a conflict of interest. It retains the current conflict-of-interest exceptions for councillors which have been requested by stakeholders; for example, small-value gifts and hospitality, club memberships, religious beliefs and political affiliations, and the current ordinary business matters of a local government, including the development of whole-of-local-government documents such as the budget and operational plan. It also updates the framework for dealing with breaches, including penalties.

Importantly, the Queensland government has listened to feedback and the bill removes three longstanding concerns for the local government sector: requiring councillors to vote on whether other potentially conflicted councillors may participate in a meeting was open to political manipulation and misuse; requiring councillors to report suspected conflicts of interest of other councillors was also susceptible to misuse; and prescribing that a councillor could have a conflict of interest due to the interests of a person with whom the councillor has a close personal relationship lacked specificity and a clear statutory test.

The bill also amends the period for which councillors are required to report on prescribed financial and non-financial interests. Currently, the prescribed period is their current term and the four-year period prior to the beginning of their current term. To reduce the reporting burden on councillors, this reporting period will be reduced to the councillor's current term only. The bill will also simplify and streamline the matters required to be reported in extracts of councillors' registers of interest.

In terms of red-tape reduction, the bill makes several amendments to reduce red tape for local governments, including to streamline processes for local government electoral matters and the processes of the Electoral Commission of Queensland, remove duplicated requirements for publishing councillor conduct particulars, and streamline mandatory training requirements for councillors and electoral candidates. The bill also provides the minister with the power to proactively issue general approvals to disaster impacted local governments eligible for disaster recovery funding arrangements assistance to make major policy decisions during caretaker periods rather than requiring councils to apply to the minister for an exemption.

In terms of conduct breaches, to address longstanding stakeholder concerns the bill removes conduct breaches from the councillor conduct framework. Conduct breaches which are generally at the lower end of the scale typically occur because of a minor technical breach of a local government's policies or standards of behaviour in the Queensland government's Code of Conduct for Councillors. Formal penalties for councillors found to have committed a conduct breach are typically minor, often requiring a councillor to issue an apology or to undertake training. Despite procedural amendments in 2023 to address how conduct breaches are managed, several local government sector

stakeholders have raised concerns that referring conduct breach matters to councils for investigation and determination can lead to excessive investigation costs and improper decisions by councillors voting on other councillors' alleged breaches for political or personal reasons. Councillors have also expressed that sitting in judgement of one another can impact working relationships.

For these reasons, the category of 'conduct breach' will be removed from the councillor conduct framework. However, serious breaches of conduct by councillors constituting sexual harassment or bullying will be recategorised as misconduct to ensure that conduct of this kind continues to be appropriately addressed. A failure by a councillor to comply with an order to leave a council meeting will also be misconduct. These matters will be assessed and investigated by the Office of the Independent Assessor and, if appropriate, adjudicated by the Councillor Conduct Tribunal.

In terms of remuneration, leaves of absence, vacation of office and eligibility, the bill will provide clarity on a range of matters. The bill provides certainty and stability to local governments by providing that councillors are entitled to receive remuneration from the date of the start of their term or appointment to the day their term ends; councillors are entitled to their remuneration when absent from council meetings, with or without leaves of absence; leaves of absence relate solely to the councillor's attendance at meetings; if a councillor is elected or appointed to fill a mayoral vacancy and they automatically vacate office as a councillor; and a councillor automatically vacates office upon nomination as a candidate for election as a state member of parliament.

Moving now to promoting good governance and decision-making, the bill will extend exemptions to councillors' power to request information or documents held by their council to include information or a document that comprises a proceeding in the Legislative Assembly under the Parliament of Queensland Act 2001. Brisbane City councillors who are not members of the council's Establishment and Coordination Committee will also be prevented from accessing information or documents made about, by or for the purposes of the Establishment and Coordination Committee until the matter to which the information relates has been finally resolved.

The provisions of the bill were developed in consultation with key stakeholders including the Office of the Independent Assessor, the Electoral Commission of Queensland, the Local Government Association of Queensland, Local Government Managers Australia and the Brisbane City Council. I hope this summary of the main elements of the bill has assisted the committee. We are happy to take any questions.

**CHAIR:** Thank you very much, Ms Carrigan.

**Ms BOYD:** Ms Carrigan, I refer to page 1 of the briefing you have provided to the committee. The third-last paragraph of the briefing states that this is the first phase of a significant legislative reform program. Given this is phase 1 of a significant legislative reform program, how many phases is the department actively planning?

**CHAIR:** Ms Carrigan, I will give you latitude to answer that question as you see fit, noting your independence as the department rather than the government.

**Ms Carrigan:** Thank you, Chair. Thank you, member. That is correct: that would be a matter for government policy. However, I would flag that there are a number of reviews that have been identified by the Queensland government, including a Red Tape Reduction Taskforce, a depreciation review and a review of the operation of the Office of the Independent Assessor and the Councillor Conduct Tribunal. Each of those reviews is potentially going to identify further reforms.

**Ms BOYD:** The first time this legislative reform was publicly announced was on 21 October, at the LGAQ annual conference by the Premier. The government also issued a media release which I will table now for the benefit of the committee. Whistleblowers have told the opposition that the minister sought agreement to prohibit sitting councillors from running as state candidates. This was vehemently opposed and outright rejected by the policy executive of the LGAQ. Is that why it was not announced on the day by the Premier, denied by the minister—

**CHAIR:** Order!

**Ms BOYD:**—and snuck through—

**CHAIR:** Member for Pine Rivers!

**Ms BOYD:**—when legislation was introduced into the House.

**CHAIR:** Member for Pine Rivers! Order! When I call order, you stop speaking.

**Ms BOYD:** Sorry, Chair, I thought I was able to—

**CHAIR:** I thought that I am the chair of this committee and that if I say 'Order' you come to order. That is not an appropriate question for the officers of this department, as you well know and as I mentioned at the commencement of these proceedings. You do not have to answer that question. If there are any further questions—

**Ms BOYD:** Yes, thank you, Chair.

**CHAIR:** No, I have not finished yet. If there are any further questions like that, which are a brazen provocation to public sector employees who are not politicians, I will suspend this meeting. Member for Theodore, do you have a question?

**Mr BOOTHMAN:** Thank you, Chair. Yes, I certainly do. Page 5 of the explanatory notes talks about conflicts of interest. There are obviously going to be quite a few changes. What type of support is the department going to give councillors to adhere to these changes?

**Ms Carrigan:** The transitional arrangements that are proposed within the bill would allow for a later commencement of the provisions that relate to conflicts of interest and also the changed code of conduct requirements. This is to allow both councils and the department to prepare appropriate training and support materials, including face-to-face training, updating all of our online content and all of the guidelines et cetera that refer to the current arrangements—to have those all updated and circulated, including in input from stakeholders.

**Mrs NIGHTINGALE:** Welcome. I appreciate your appearing here. What stakeholder engagement was undertaken on that provision and what was the feedback from the LGAQ in terms of the legislative reform—the first phase? I am curious to know what stakeholder engagement was undertaken? What did that look like in terms of the LGAQ?

**Ms Carrigan:** Could you please just clarify: was that in relation to a specific provision or the entire bill amendment?

**Mrs NIGHTINGALE:** The provision around running as a state candidate.

**Ms Carrigan:** I can confirm that we did consult with the Local Government Association of Queensland. They did indicate that they do not support those particular amendments.

**Mr BAILLIE:** Thank you, everyone, for joining us today. From my interactions with a lot of councils and local governments, especially coming from Townsville, in recent times there have been a lot of concerns around conflicts of interest and those types of complaints. There are onerous responsibilities on councils and councillors to declare conflicts of interest. I understand they are quite different to the state level. Are you able to expand on the current state versus what these changes would mean for councillors around declaring conflicts of interest?

**Ms Carrigan:** I might defer to my colleague Karl. We have some steps that we can work through. It might be helpful just to explain the process that a councillor would follow in the event that they have a conflict of interest to declare during a council meeting.

**Mr Holden:** I can take you through the key differences between the different terminology that is used in the current framework and the new framework. I can also take you through the steps that a councillor may take if they are considering whether they have a conflict of interest in a matter under the new framework. Currently, under the Local Government Act 2009, there is a list of prescribed circumstances which outline where a councillor would have a prescribed conflict of interest. It is a list of scenarios. That list includes where the councillor or a close associate has received a gift, a loan or travel or accommodation benefit over a prescribed threshold, which is currently over \$2,000, from an entity that has an interest in the matter before the council. That is the first on the list. The second part of the list is where the matter relates to a contract between the local government and a councillor or a close associate of a councillor. If you have one of those interests you automatically have a prescribed conflict of interest currently.

The new framework removes the prescribed list approach and replaces it with a test which is very similar to the test that was in place previously. The test is whether the councillor has a material personal interest in a matter that has similarities to the prejudicial interests that are required under the state framework. The test is if the councillor or the associate of the councillor stands to gain a benefit or suffer a loss, either directly or indirectly, depending on the outcome of the matter before the council. That will be the test that the councillor has to consider in going to the meeting.

Also, a councillor has a material interest in the matter related to an associate only if they knew or reasonably ought to know about the associate's involvement in the matter. We are not expecting second guessing; the councillor will have to know that the associate has an involvement in the matter.

If you do have a material personal interest in a matter, you must inform the meeting and then you must leave the room and not take part in the vote. You take yourself out of the equation, basically. That is material personal interest.

The other element is currently called declarable conflicts of interest. In the new framework it is called a conflict of interest. The test is very similar. The test is basically whether there is a conflict between a personal interest and the public interest which might lead to a decision that is contrary to the public interest. This is a slightly lower level. There is not the necessity to be gaining a benefit. It is just that there could be a personal and public interest conflict.

The main difference between the two frameworks is that, under the current framework, a councillor with a declarable conflict of interest must notify the CEO and other councillors of that conflict and then either the councillor can decide to voluntarily leave the meeting or the councillors at that meeting can decide by resolution whether the person should stay or leave the room, so the councillors at the meeting are basically fulfilling the test.

A concern that has been raised with that approach is that this could lead to councillors voting maybe dishonestly or inappropriately to prevent other councillors from being involved in a matter when their conflict is not to the level where they should leave the room. Under the new framework, the councillor themselves will make the decision because they have the information available to them. That councillor must deal with their conflict in a transparent and accountable way. That might be leaving the meeting; it might be explaining to the meeting what their conflict is. They have to be transparent and accountable for that. They have to give their reasons to the meeting.

That, in a nutshell, is the difference between the two frameworks. Did you need me to go through what a councillor might do to understand whether they have a conflict or is that sufficient?

**CHAIR:** I get those sorts of questions from my constituents and I think it would be worthwhile.

**Ms BOYD:** Mr Holden, would you be able to provide that on notice to the committee, just being respectful of time?

**CHAIR:** No, I am happy for you to brief us now. Thank you.

**Mr Holden:** There will be four steps in the process if you are considering whether you might have a material personal interest or a conflict of interest. The first one will be that you will have a greater interest in this matter than a significant proportion of the community. If you do not then the framework does not apply. There is a whole host of exceptions that my colleague Ms Carrigan went through around ordinary business matters—the budget, operational plans—which do not apply to the framework. If it is one of those matters, the framework does not apply.

Then there is the test that I have just gone through. Is it a material interest? Do you stand to gain a benefit or is it a conflict of interest? Is there a conflict between your personal and the public interest? Then you would decide, depending on those three tests, what you would do at the council meeting.

**CHAIR:** Is it the case that the purpose of these amendments is to reduce what you have been told have been cases of complaints about conflicts of interest being used to exclude people from discussions from which there is disagreement about whether or not they should be excluded?

**Ms Carrigan:** One of the key drivers is to ensure we have an integrity framework that supports councillors into compliance rather than making it so complex and difficult to follow that it is unintentional noncompliance or can be misused for unintended purposes.

**CHAIR:** Member for Lytton, do you have a question?

**Ms PEASE:** I will pass to my parliamentary colleague the member for Pine Rivers.

**Ms BOYD:** The bill requires local councillors to resign before nominating for state or federal parliament. Can the department explain what specific problem this change is intended to fix, and what evidence shows that existing leave-of-absence arrangements are not working?

**Ms Carrigan:** The intent of the legislative change is to ensure stability and certainty for local councils. When they elect a councillor it is for a four-year period, so it is designed to deliver certainty for the community about who they have elected and for what period of time.

**Ms BOYD:** Evidence, Ms Carrigan? Do you have specific examples of evidence that shows that the existing arrangements are not fit for purpose?

**Ms Carrigan:** No, I do not have that on me.

**Ms BOYD:** How many incumbent councillors or mayors have run for elections or by-elections since 2012 and not been successful?

**Ms Carrigan:** I will definitely have to take that on notice.

**Ms BOYD:** Thank you. In terms of how many have been successful, do you have those figures?

**Ms Carrigan:** Not on me, no.

**Ms BOYD:** So we are not sure what the scope of this is or what the specific problem is?

**Ms Carrigan:** I would be able to obtain that information. I do not have it with me now.

**Ms BOYD:** Okay, but you cannot tell the committee now what is actually—

**CHAIR:** That is what the officer has said, member for Pine Rivers. We will move on. Member for Theodore, do you have a question.

**Mr BOOTHMAN:** In other layers of government, members are expected to resign if they wish to run in another jurisdiction, so to speak. I want to clarify for the committee that the member for Callide had to resign before he ran for federal parliament but also that the former member for Hinchinbrook resigned to contest the mayoral race for Townsville; is that correct?

**Ms Carrigan:** It is my understanding that they did resign.

**Mr BOOTHMAN:** Therefore, that would bring this proposed legislation into some sort of coherence to other layers of government?

**Ms Carrigan:** Yes, it is in closer alignment. It is not exactly aligned with the state or federal requirements.

**CHAIR:** Just to be clear, is it the case to your understanding that a member of the federal parliament, being a senator or a House of Representatives MP, and state MPs are obliged to resign from their elected position before contesting election to another parliament or to a local government authority?

**Ms Carrigan:** Sorry, we will have to come back to you on that. I will have to take that on notice. I am not aware of the federal requirements, but the state requirements are that a member must resign once the writs are called but as part of that resignation can request to re-contest in a by-election at the conclusion of the federal process.

**Ms PEASE:** Thanks so much for coming. How does it feel, Karl, to be on the other side of the table?

**Mr Holden:** It is certainly more difficult.

**Ms PEASE:** Well, it is lovely to see you again. Thank you all very much for coming in today—it is really great to see you all—and for your great work. I am wondering if you would be able to advise whether you have received or reviewed any correspondence from local councils expressing concerns around the consultation timeframes for the bill, especially in light of this Christmas period and the workforce shortages and demands placed on councils during disaster season? In your opening statement you talked about who you had consulted with, but you mentioned that you engaged, when you were developing the bill, with the Brisbane City Council. There was no mention of other councils, apart from the LGAQ. Have you heard from other councils and engaged with them?

**Ms Carrigan:** If I can just clarify and take your questions in order, the first question was about whether we have received correspondence from councils in relation to the window for submissions to the committee?

**Ms PEASE:** Yes, and around the timelines for submitting to this tail end.

**Ms Carrigan:** I think that would be a question for the committee. We do not set—

**Ms PEASE:** But has the department received any?

**Ms Carrigan:** Not that I am aware of, no.

**Ms PEASE:** Further, during the consultation period did you consult with other stakeholders? You mentioned LGAQ, the AEC, the ECQ, the LGM and Brisbane City Council. Did you engage with other local councils individually?

**Ms Carrigan:** Not individually, but we did engage with the peak bodies that represent all councils and council operational staff.

**Ms PEASE:** How long was that stakeholder engagement period for the development of this particular bill?

**Ms Carrigan:** I might refer to my colleague. It has been a really lengthy development process, so I would have to confirm when we actually commenced engagement with our stakeholders.

**Ms PEASE:** I am happy for you to take that on notice, if you like, but I would be interested to know, because I am a little bit concerned that it is such a short timeframe for this bill to be put to the committee and local councils have not had an opportunity to individually respond to it. The peak body did but not individuals. Now we are on the other side of the bill.

**Mr BAILLIE:** In the Townsville electorate I also have Palm Island and Palm Island council, which is, by definition, an Indigenous council here in these papers. I understand there are some changes coming surrounding rates and the ability for Indigenous councils to charge rates. Once again, this is quite new to me and I would have made an assumption that Indigenous councils could charge rates but apparently that is not necessarily the case today. Could you expand on how we ended up in that situation and also what these changes are intended to drive or what benefits they might bring to Indigenous councils?

**Ms Carrigan:** The amendments are technical in nature in relation to adding the two additional Indigenous councils to the list of councils that currently cannot rate land. The reason is that the majority of the land held in those councils is DOGIT land so you are not able to issue a land valuation, and the act requires the Valuer General to issue a land valuation in order for you to determine the rates. The provisions amend it to add those two additional councils to the list of prescribed councils. It also opens the opportunity into the future to amend that list of councils, when and if circumstances are favourable to do so, to allow those councils to then levy rates.

**Mr BAILLIE:** They are not charging rates, so how do they cover the cost of services—rubbish collection, sewerage and all of those sorts of things? How does that work?

**Ms Carrigan:** Indigenous councils are able to levy special charges that are related to the provision of the services they provide to their communities—water, sewerage, waste collection and all of those types of services. They can issue a service charge that is related to the cost of delivering those services to the community. In addition to that, they are funded slightly separately from mainstream councils to take into account the fact that they do not have that lever to pull, which is to levy rates, which can obviously change as circumstances and costs change.

**Mr BAILLIE:** They are still recovering costs from the community for these services? It is just not called rates currently; it is called something else, but there is another structure there called rates that would suffice and provide that for them? Am I following correctly: it is more definition, or is it a material change?

**Ms Carrigan:** There is a difference in the definition of rate versus charge. A charge does relate specifically to the costs of delivering those specific services. Rates are more generalist in nature. They cover a whole range of operating costs for councils, including roads, libraries. All of the other services that councils provide are covered through their rates collection, whereas the collection of service charges has to relate to the cost of delivering those specific services.

**Mrs NIGHTINGALE:** The bill removes the conduct breach category, as you explained before, for dealing with lower level poor behaviour. I am interested to know what process will now exist to address repeated minor misconduct that does not meet that threshold for misconduct but still, as a repeated nature, could affect good governance?

**Ms Carrigan:** Do you have something in mind in relation to the type of conduct?

**Mrs NIGHTINGALE:** If there was a councillor who was engaging in that kind of behaviour where they were breaching rules at a low level but it was happening in a repeated fashion that was interfering with good governance but still would not meet that threshold, is there a process for managing that? What will be the mechanism to address that?

**Ms Carrigan:** I appreciate the clarification. If it was to relate to conduct within a meeting—if it was disruptive conduct within a meeting—it is within the purview of the chair to manage unacceptable meeting conduct. There are avenues to address that within the meeting conduct itself. If the behaviour relates to what could constitute bullying—repeated unreasonable conduct that has a negative impact on another person—that is now misconduct because that has been included in the misconduct categories.

**Mrs NIGHTINGALE:** What about repeated behaviours you gave an example of—not following the bylaws or making decisions that were in error? What if there was just repeated—it may or may not be deliberate—behaviour that was at a low level that did not constitute sexual harassment, bullying or any of the other areas that meant misconduct but was, through the pattern of behaviour, affecting governance? Is there any mechanism to address or manage that?

**Ms Carrigan:** I think there are a number of existing mechanisms that are available. That sort of low-level councillor misbehaviour that is a breach of a council policy or the code of conduct can still be called out through other mechanisms such as in public council meetings, via a motion of censure or through the media. There are ways of bringing to attention poor behaviour to the community and to the councillor. It would be hoped that it would be addressed through that mechanism—through the CEO, for example.

**Ms BOYD:** May I ask a follow-on question from that, please?

**CHAIR:** No. I have a question I would like to ask, thank you. Could you please run us through the background and the benefits of the improvement of access to government owned quarry materials for local governments? What was the need that is being addressed here and have you found that it has the support of the councils with whom you have consulted in the development of the bill?

**Ms Carrigan:** I know that is of concern to a number of our western councils. The ability to access quarry material is, of course, critical during the reconstruction phases post disaster. There have been some delays in being able to access those through existing mechanisms. Section 143 of the Local Government Act provides capacity for councils to access whatever quarry materials or whatever materials are required in an emergent situation. The amendments within the bill clarify some technical drafting errors initially, where it was referring to both rateable land and relevant land. It is just bringing those into consistency to ensure that the definition refers to relevant land, which is all land that is not prohibited for access. What that does, of course, is allow councils to have the protection of being able to access the materials that they need, as long as they provide reasonable access notice to the owner of the materials. The amendments are designed to give councils certainty about being able to access what they need to to ensure recovery for their communities as quickly as possible in a disaster sense.

**CHAIR:** Was this need put into focus particularly by the Western Queensland floods earlier this year?

**Ms Carrigan:** I probably could not talk to the specifics of that, but I am sure that is a very good example of where councils did activate very quickly to try to recover access to their communities and ensure those supply lines reopened by repairing roads and access.

**CHAIR:** Member for Lytton?

**Ms PEASE:** Member for Pine Rivers.

**Ms BOYD:** Ms Carrigan, there has been evidence provided to the parliament previously by the Queensland Reconstruction Authority that actually speaks to provisions that enable councils to act in circumstances such as those. That is correct, isn't it?

**Ms Carrigan:** I am sorry, member; I am not really following the question.

**Ms BOYD:** If there is a declared natural disaster, the Queensland Reconstruction Authority has made it very plain over a number of years that councils can access quarry material for emergent works. That remains in existence, does it not?

**Ms Carrigan:** Yes, that is correct. Section 143 has existed within the legislation for quite some time, so it has always been available. I think the QRA materials refer to it in a disaster sense, but that is not the only reason. Councils can make use of section 143 when there is no other reasonably practicable alternative.

**Ms BOYD:** Absolutely. I just want to jump back to the follow-on questions I had from the line of questioning by the member for Inala in relation—

**CHAIR:** I caution you, member for Pine Rivers. If there is any repeat of the performance earlier on, I will suspend this meeting. Thank you. Please proceed. Do you wish to ask a question or shall I—

**Ms BOYD:** I wish to ask a question, if I may.

**CHAIR:** Well, I am just cautioning you again that you are talking to public sector officials and you are not to inquire about matters of policy or politics. You are to take that to the floor of the House or to the minister. Is that understood?

**Ms BOYD:** Sure. May you clarify with me, Chair, what specifically I just said that would motivate or necessitate that warning?

**CHAIR:** I am warning you because you have done so already and you have done so at hearings I have chaired before, for the Queensland Reconstruction Authority. I just caution you. You can take that how you wish, but I will not tolerate a politicisation of the officers of the department. You may ask your question. I have just given you that caution. Do you have a question to ask?

**Ms BOYD:** Yeah, I am trying to ask it. Thank you, Chair. Ms Carrigan, in relation to the line of questioning that the member for Inala was asking, there were a couple of things that you said in relation to the minor behaviour. You mentioned that it could be addressed through council meetings by the chair. You mentioned that it could be something that could be pursued in the media. You mentioned a censure motion as well. I think the reality for a lot of councils and councillors, and particularly mayors, in Queensland at the moment is that there may be a mayor who does not have the numbers, so to speak, on the council. It makes public hearings and meetings and other things quite adversarial environments. For instance, it is not necessarily always the chair that is making—

**CHAIR:** Member for Pine Rivers, do you have a question? This has been a statement for over 1½ minutes so far. Do you have a question?

**Ms BOYD:** I am just trying to—

**CHAIR:** I ask you: do you have a question? If so, put it to the officers. Otherwise, I will move on to someone else. Thank you.

**Ms BOYD:** Sure. We have seen a number of these council environments where mayors have not been able to execute good governance and outcomes through the current arrangements that are in place. How is that made easier when those three avenues are already available to them and there is still a level of dysfunction, so to speak?

**Ms Carrigan:** I think we have all observed some dysfunction across some of the local government councils. In some cases that has actually been exacerbated by the current councillor conduct arrangements. The referral to the OIA and referral back to council to investigate causes quite a lot of disruption within the chamber. We would hope that those existing avenues would actually encourage more direct one-on-one resolution rather than referring it to an external body that is just going to refer it back to the council and then they have to vote on that alleged behaviour. It has been quite disruptive to the operation of councils and has distracted from getting on with the business of governing for their communities.

**CHAIR:** Thank you, Ms Carrigan. That concludes this briefing. I thank everybody who has participated today. I would like to thank our Hansard reporters and the staff of the committee. A transcript of these proceedings will be available on the committee's webpage in due course. I believe there has been a number of questions taken on notice.

**Ms BOYD:** Chair, we have a number more that we would like to put on notice for the department as well.

**CHAIR:** I am sorry, the hearing has concluded.

**Ms BOYD:** I would like to table them now and move a motion to table those. Thank you, Chair.

**CHAIR:** Order! I am dealing with the cessation of the hearing. Thank you very much.

**Ms BOYD:** I have just—

**CHAIR:** If there is any more of that—

**Ms BOYD:** Chair, I have just moved a motion. Under standing orders, it needs to be addressed.

**CHAIR:** No, no.

**Ms BOYD:** Yes.

**CHAIR:** I have the floor. I am concluding the meeting, so you will wait and deactivate your microphone, thank you. I have not finished my spiel yet. Switch your microphone off.

**Ms BOYD:** Chair, under standing orders—

**CHAIR:** Switch your microphone off.

**Ms BOYD:**—the motion has been put. The motion needs to be voted on.

**CHAIR:** I am not putting the motion. That can wait to an appropriate private meeting. I caution you against your disorderly conduct.

**Ms BOYD:** Chair, under standing orders—

**CHAIR:** Member for Pine Rivers, your conduct is disorderly.

**Ms BOYD:**—the motion needs to be voted on.

**CHAIR:** Member for Pine Rivers, your conduct is disorderly. I am the chair. I am ordering you to come back to order, switch your microphone off and allow me to complete this business.

**Ms BOYD:** Chair—

**CHAIR:** I am not giving you any further warnings. Switch your microphone off.

**Ms BOYD:** Chair, I draw your attention to standing orders. I have put a motion.

**CHAIR:** The—

**Ms BOYD:** Chair, I would like for the Clerk to be called, please.

**CHAIR:** We are not conducting any business except for what I am doing at—

**Ms BOYD:** Chair, I have just moved a motion—

**CHAIR:** Member for Pine Rivers, you will come to order. If you do this one further time, I will be making a motion to have you referred to the Ethics Committee for disorderly conduct. I caution you: switch your microphone off and do not interrupt me again. Do you understand? Switch your microphone off and do not interrupt me one more time.

A transcript of these proceedings will be available on the committee's webpage in due course. There are some questions which have been taken on notice, I understand. Are you happy to get back to us by 5 pm on Monday, 15 December?

**Ms Carrigan:** Yes.

**CHAIR:** Thank you very much.

**The committee adjourned at 10.47 am.**