

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

Submission No: 003

Submission By: [REDACTED]

Publication: Making the submission public but withholding your name

Submission to the Local Government, Small Business and Customer Service Committee
Inquiry into the Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025

1. Introduction

This submission is provided based on extensive experience within local government, operational leadership, and community engagement. The Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025, while purporting to empower councils and mayors, introduces reforms that, if implemented without safeguards, risk undermining governance, professionalism, and public trust. This submission highlights concerns regarding:

1. The appointment of senior executive employees by panels including elected members.
2. Empowering mayors as official spokespersons and default chairpersons.
3. The adequacy of councillor conflicts of interest and register of interests frameworks.

Each section demonstrates how current realities in councils, including examples from Redland City Council, illustrate risks that are ignored in the Bill.

2. Appointment of Senior Executive Employees — Maintaining Separation Between Elected Members and Operational Staff

2.1 Separation of Powers Must Be Preserved

Local government operates effectively because elected members set strategy, and professional officers execute it. Blurring this separation by allowing councillors — often inexperienced and underqualified — to select senior executives risks politicising a process that should be objective and merit-based.

2.2 Lack of Qualifications Among Councillors

A large majority of councillors do not hold professional or educational backgrounds sufficient to evaluate candidates for senior executive roles. Many have only minimal work experience prior to being elected. For instance, a 22-year-old councillor whose only previous experience was casual work in a local hardware store has no capacity to understand recruitment, probity, or workplace compliance. Expecting such individuals to sit on a panel alongside highly qualified executives is not only impractical but insulting to professional staff.

2.3 Councillor Workload Is Already Substantial

Councillors manage increasingly complex community workloads. Expecting them to additionally interview and select senior executives is unrealistic and will compromise both recruitment outcomes and their ability to perform existing duties.

2.4 Politicisation and Organisational Risk

Allowing councillors to participate in recruitment panels introduces:

- political bias and factional interference,
- reduced confidence from candidates, and
- destabilisation of council operations.

Recruitment of senior executives must remain independent and merit based.

2.5 Challenges with Delineation and Fraudulent Behaviour

The delineation of roles is already difficult. Many mayors and councillors embellish qualifications or pad resumes to secure electoral advantages. Some act with fraudulent intent to receive benefits of the role at a cost to the community. Allowing these individuals to influence recruitment amplifies the risk of poor decision-making and is wholly unacceptable.

2.6 Conclusion and Recommendation

Senior executive recruitment must remain CEO-led, with councillor involvement limited to formal oversight. This preserves professional integrity, ensures merit-based appointments, and prevents politicisation.

3. Empowering Mayors as Official Spokesperson and Default Chairperson

3.1 Concentration of Authority Requires Scrutiny

Reinforcing the mayor as official spokesperson assumes impartiality that is not always present. Mayors elected from chaotic protest groups, individuals elected under false pretenses, or with embellished qualifications may lack capacity to represent council decisions fairly.

3.2 Conflict Between Campaign Conduct and Governance

Expecting a mayor who publicly undermined a major project to suddenly advocate for it is unreasonable. Public confidence in council communications is damaged when the lead spokesperson has actively opposed the project during the election lead-up.

3.3 Marginalisation of Communities and Councillors

Some mayors promote personal narratives rather than council decisions, marginalising communities and fellow councillors. This practice causes reputational damage, erodes trust, and reduces the council's capacity to deliver effectively.

3.4 Risks of Chairperson Powers

Strengthening mayoral chairing authority without checks can:

- allow selective participation of councillors,
- manipulate procedural outcomes, and
- publicly undermine colleagues to shape perceptions.

This power concentration magnifies the risk posed by mayors who act ideologically or partisanly.

3.5 Communication Must Reflect Council, Not Personal Beliefs

The mayor's communications must accurately reflect collective council decisions. Using the role to politicise or push personal narratives is damaging to governance and public trust.

4. Improving the Councillor Conflicts of Interest and Register of Interests Frameworks

4.1 Modern Forms of Influence Are Ignored

Current frameworks fail to capture conflicts arising from ideological, activist, or single-issue affiliations. These influence voting and decisions without formal financial or employment connections.

4.2 Resigning from External Groups Does Not Remove Influence

Councillors often resign from activist or protest groups post-election to avoid disclosure obligations, yet continue to act under the influence of these groups. This circumvents conflict-of-interest rules and undermines transparency.

4.3 Allegiances to External Clubs, Committees, and Associations

Many councillors act as advocates, mentors, or key supporters of sporting clubs, volunteer committees, and community organisations. Even without formal office, their influence is substantial. Voting on matters affecting these groups without disclosure currently represents a significant governance gap.

4.4 Broader Conflicts Must Be Recognised

Conflicts should be acknowledged where councillors are influenced by:

- personal associations,
- ideological alignment,
- ongoing guidance from external groups, or
- coordinated third-party interference.

Current frameworks are too narrow to capture the full spectrum of influence.

4.5 Public Trust Is Eroded

Voting in favour of groups a councillor supports, mentors, or advocates for — even without holding formal office — damages public trust and calls into question council impartiality.

4.6 Specific Observations From Redland City Council

Experience shows that councillors from activist movements can resign positions in external groups post-election and continue to act in alignment with the group's agenda. This undermines conflict-of-interest rules and allows organised influence without transparency.

4.7 Recommendations

The Bill should be amended to require disclosure and management of:

1. Associations with external groups.
2. Mentorship or advocacy roles.
3. Influence-based relationships, including third-party interference.
4. Situations where reasonable public perception could question a councillor's impartiality.

Registers should capture these relationships to ensure transparency, accountability, and integrity.

5. Conclusion

While the Bill has commendable objectives, several provisions risk undermining professionalism, public trust, and organisational integrity if implemented without safeguards.

Specifically:

- Senior executive appointments must remain CEO-led.
- Mayors' enhanced powers require accountability to prevent politicisation.
- Conflict-of-interest frameworks must expand to capture relational, ideological, and influence-based conflicts, including allegiances to external committees and organisations.

Furthermore, there is overwhelming evidence over time demonstrating the repeated failure of the Department of Local Government, the Queensland Government, and the Queensland Electoral Commission to deter

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Submission – Empowering Councils Bill 2024

To the Committee,

Thank you for the opportunity to provide feedback on the Empowering Councils Bill 2024. I strongly support the intent of the Bill to strengthen governance, reduce inefficiencies, and improve outcomes for local communities. However, I believe the Bill must go further to address an increasingly urgent issue: the fitness, preparedness, and capability of individuals seeking election to local government.

1. Modern Local Government Has Evolved — Candidate Standards Have Not

Local government is no longer a simple "roads, rates and rubbish" operation. Today, councillors in medium and large local governments are required to:

- understand and apply principles aligned with the Corporations Act
- evaluate complex operational and financial decisions
- engage in strategic planning and policy development
- understand infrastructure, risk management, procurement, ICT systems, and regulatory frameworks
- work collaboratively in high-pressure, high-visibility environments
- navigate community expectations, advocacy, and conflict resolution

This complexity requires individuals with capacity, competence, resilience, and professional acumen.

Yet Queensland's current system allows virtually anyone to nominate by paying a nomination fee, regardless of:

- professional background
- understanding of governance responsibilities
- psychological readiness for the pressures of public office
- capacity for impartial decision-making
- temperament and ability to work constructively within a corporate leadership structure

This gap poses real risks to the quality of governance in local communities, particularly as councils grow and their responsibilities expand.

2. Concerns About the Current Departmental Approach to Candidate Nomination

It appears the Department of Local Government and associated agencies are increasingly focused on maximising candidate numbers, rather than ensuring candidate suitability.

While promoting democratic participation is important, encouraging anyone to nominate—regardless of aptitude—creates significant challenges, including:

- governance instability
- poor decision-making
- heightened conflict
- reduced public trust
- greater workload for council executives attempting to support individuals who may not be equipped for the role

These outcomes ultimately undermine community expectations for competent, stable, and accountable local leadership.

3. A Modern System Requires Modern Safeguards

To protect councils and communities, the Bill should incorporate minimum suitability checks for candidates, including:

a. Mandatory Governance & Competency Training (Pre-Nomination)

Training should occur before nomination, not after election—covering governance, finance, conflicts of interest, code of conduct, and decision-making responsibilities.

b. Psychological Suitability Assessments

Local government roles now involve:

- high conflict exposure
- community pressure
- public scrutiny
- complex decision-making
- continuous collaboration in a corporate environment

A basic psychological fitness assessment would help ensure individuals have the resilience, temperament, and behavioural stability required to safely and effectively perform the role.

c. A Capability Framework for Councillors

Similar to frameworks used in state government and corporate leadership, this would outline:

- core competencies
- behavioural expectations
- ethical standards
- decision-making criteria
- professional conduct requirements

and become a prerequisite for nomination.

d. Strengthened Oversight and Performance Processes

Clear mechanisms should exist to address situations where councillors demonstrate ongoing incapacity or unfitness for duty (while still safeguarding democratic rights and natural justice).

4. Improving Public Confidence

Recent events across Queensland councils—particularly where tensions or governance failures have escalated—highlight the consequences of electing individuals who may not have the capability or resilience required.

Strengthening candidate requirements would:

- enhance public trust
- improve council performance
- reduce governance breakdowns
- support mayors, councillors, and executives
- ensure that communities are represented by individuals with genuine capacity to lead

Conclusion

The Empowering Councils Bill is an important step, but without addressing the fitness and capability of candidates, Queensland risks continuing cycles of conflict, instability, and poor governance in local councils.

I therefore urge the Committee to include:

- mandatory pre-nomination competency and governance training
- psychological suitability assessments
- clearer capability frameworks
- strengthened behavioural and performance management mechanisms

Such reforms will help ensure that only individuals with the necessary skills, stability, and professionalism can undertake these increasingly complex roles—and deliver stronger outcomes for local communities.

Thank you for considering my submission.