

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

Submission No: 044

Submission By: Maranoa Regional Council

Publication: Making the submission and your name public

LOCAL GOVERNMENT (EMPOWERING COUNCILS) AND OTHER LEGISLATION AMENDMENT BILL 2025

Submission Paper

Presented to:

Local Government, Small Business and Customer Service Committee

Prepared by:

Maranoa Regional Council

Date:

16 December 2025

1.1 Introduction

Local government is the closest level of government to Queensland communities and is responsible for delivering a wide range of essential services and infrastructure—often across large geographic areas and under increasing cost and compliance pressures.

Maranoa Regional Council supports reform that genuinely improves council capacity to deliver, reduces unnecessary administrative burden, and strengthens governance in ways that are practical for regional and rural councils.

The Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025 (the Bill) provides an opportunity to recalibrate aspects of Queensland's local government legislative framework so that councils can focus resources on community outcomes, while maintaining transparency, accountability, and public trust.

1.2 Context and Development of this Report

This submission has been prepared in response to the Parliamentary inquiry into the Bill, which was introduced on 20 November 2025 and referred to the Local Government, Small Business and Customer Service Committee for detailed consideration.

The Queensland Government has presented the Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025 as a package of reforms grouped into eight distinct categories. These categories provide a clear framework for understanding both the intent and practical operation of the proposed legislative changes.

The eight reform categories addressed in this submission are:

- Empowering councils**
- Empowering mayors**
- Conflicts of interest and register of interests frameworks**
- Removing red tape**
- Clarifying councillor remuneration, leaves of absence, vacation of office and eligibility**
- Promoting good governance and decision-making**
- Protecting the privacy and safety of election participants**
- Minor and technical amendments**

For ease of reference, this submission has been structured around the same eight reform themes. This approach ensures Council's feedback is directly aligned with the Bill as introduced and assists the Committee in navigating Council's observations and recommendations.

1.3 Submission Summary

Maranoa Regional Council is generally supportive of the Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025 and acknowledges the Bill as a constructive step toward improving the effectiveness, clarity, and practicality of Queensland's local government legislative framework.



This submission has been prepared to assist the Committee by:

- identifying areas where minor clarification or refinement may improve the practical operation of the proposed reforms, particularly for regional and rural councils [Sections 1 to 3]; and
- highlighting specific measures within the Bill that Council strongly supports and considers to be well-designed, proportionate, and beneficial to good governance in the local government setting [Section 4].

Council's comments are deliberately focused on matters where it believes it can add practical value based on operational experience. Where Council is silent on a proposed change, this should be taken to indicate that Council has no substantive concerns or additional commentary to offer, rather than any lack of consideration or support.

1. Empowering Councils

1.1 Re-empowering councillors to appoint senior executive employees

Maranoa Regional Council supports the proposed reform to re-empower councillors to appoint senior executive employees of a local government. Council considers this an appropriate and positive measure, recognising that senior executive positions play a critical role in delivering Council's strategic priorities, financial stewardship, and organisational performance.

Observation

The Bill proposes a panel-based approach to senior executive appointments, typically comprising the Chief Executive Officer, the Mayor, and the Deputy Mayor, with provision for alternative arrangements where a committee structure exists.

The draft provisions also allow for another councillor to participate on the panel in limited circumstances, such as where a panel member is unable to take part (for example, due to absence).

While Council acknowledges this flexibility, the current drafting limits the circumstances in which an alternative councillor may be appointed, and in practice **primarily benefits councils that operate formal committee systems**.

Many small and regional councils do not have standing committees or operate with minimal committee structures. As a result, the current provisions may unintentionally restrict a council's ability to appoint the most suitably skilled councillor to participate in senior executive recruitment processes.

Practical example

Councillors often bring diverse professional skills and experience, including in governance, finance, audit and risk, engineering, or community services. In some cases, it may be more appropriate for a councillor with relevant subject-matter expertise to participate on an appointment panel than the Deputy Mayor, depending on the role being recruited.

For example, where Council is appointing a Director – Corporate Services, a councillor with extensive experience in governance, finance, or audit and risk may be better placed to contribute meaningfully to the appointment process than the Deputy Mayor, depending on individual skill sets and availability.

Proposed Solution:

Council recommends that the Bill be amended to allow the Local Government to nominate an alternative councillor (not just in instances of absence) with relevant subject-matter expertise to participate on a senior executive appointment panel, in place of the Deputy Mayor, where resolved by Council.

1.2 Clarifying the treatment of senior executive contract extensions

Observation

Senior executive employment contracts can include provisions that allow for contract extensions - often linked to performance outcomes. These provisions are a standard feature of executive employment arrangements and form part of the broader employment framework governing senior leadership roles.

Under the proposed reforms, there is **potential for uncertainty as to whether the execution of a contract extension could be interpreted as an appointment** of a senior executive employee, or whether it is intended to be treated as the continuation of an existing employment arrangement.

Council notes that, without clear articulation of intent, different interpretations may emerge over time regarding how contract extensions interact with the proposed appointment framework. This may create uncertainty for councils, Chief Executive Officers, and elected members when administering senior executive contracts.

Council does not raise this issue to advocate for or against councillor involvement in contract extension decisions, but rather to highlight the importance of ensuring that the intent of the reform is clearly understood by all parties.

Proposed Solution:

Council suggests that consideration be given to clarifying, through the Explanatory Notes, how senior executive contract extensions are intended to be treated under the proposed framework. This would assist in promoting consistent understanding and application of the reforms and reduce the likelihood of future misinterpretation.

2. Empowering Councils

2.1 Conflicts of interest and register of interests frameworks

The Bill proposes to replace the current conflicts of interest framework with the material personal interest and conflict of interest framework that applied between 2013 and early 2018.

Maranoa Regional Council is generally supportive of reforms that simplify and clarify the conflicts of interest framework, provided appropriate safeguards remain in place to support transparency, shared accountability, and public confidence in local government decision-making.

Observation

Council notes that one feature of the current framework appears to be absent under the proposed changes—namely, the explicit **requirement for a councillor to raise a concern where they reasonably believe another councillor has a conflict of interest.**

Council's experience is that this requirement has had practical governance benefits. It has supported shared responsibility among elected members, encouraged conflicts to be identified and managed at the time decisions are made.

Importantly, the current provision has assisted in reducing the risk of conflicts of interest being weaponised, by placing a clear obligation on councillors to raise concerns when they arise, rather than allowing issues to be withheld and raised retrospectively as alleged breaches.

Governance consideration

In the absence of an explicit obligation to raise perceived conflicts during meetings, there is a risk that concerns may be:

- not raised at the point when they can be transparently managed; or
- raised after decisions have been made, increasing the potential for dispute, mistrust, or adversarial conduct between councillors.

Council raises this as a matter of governance design, rather than opposition to the proposed framework.

Proposed Solution:

Council recommends that consideration be given to retaining or adapting a mechanism within the proposed framework that places an obligation on councillors to raise possible conflicts of interest of other councillors at the time they arise.

Council considers that preserving this principle would complement the intent of the proposed reforms and support consistent, fair application across the local government sector.

3. Removing Red Tape

3.1 Postal ballot application processes

Maranoa Regional Council acknowledges the intent of the proposed amendments to simplify the postal ballot application process by allowing councils to lodge postal ballot applications directly with the Electoral Commission of Queensland (ECQ).

The Maranoa region covers a large geographic area with a dispersed population and varying levels of access to polling locations across communities. In the lead-up to the 2024 local government election, consideration was given to alternative ballot delivery models, including a **partial or hybrid ballot approach**, to better reflect these local conditions.

Observation

The proposed reforms addressing postal ballot applications focus on administrative streamlining but are **silent on whether partial or hybrid ballot models are contemplated within the definition of a “postal ballot”**.

For large regional and remote councils, clarity on this issue is important. A single, uniform ballot delivery method may not always provide the most effective balance between accessibility, cost, and administrative efficiency. The absence of guidance may create uncertainty as to whether hybrid approaches are already permissible under the proposed framework or would require additional approvals or legislative change.

Proposed Solution:

Council suggests that consideration be given to providing clear guidance on whether partial or hybrid ballot models fall within the definition of a postal ballot for the purposes of the proposed reforms.

Clarifying this point—either in the legislation or the Explanatory Notes—would assist councils and the ECQ to clearly understand:

- whether hybrid arrangements (for example, postal voting in defined areas combined with in-person polling elsewhere) are already contemplated under the framework; or
- whether such approaches would require separate approval or additional regulatory mechanisms.

Providing this clarity would support certainty and consistency in future election planning, ensure the intent of reducing red tape is preserved, and allow councils and the ECQ to appropriately consider locally responsive ballot delivery options.

4. Matters of Particular Support

Maranoa Regional Council is generally supportive of the proposed reforms under the Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025.

In particular, Council wishes to highlight several measures that are considered practical, well-targeted, and likely to deliver tangible governance and administrative benefits for councils.

Simplification of reporting terms for interests

Council strongly supports the removal of the concept of a “relevant term” and the move to align the reporting period for councillors (and related persons) with the councillor’s current term only, rather than the current and previous terms.

This change improves clarity, reduces administrative burden, and provides a more intuitive reporting framework for councillors, while still maintaining transparency and accountability.

Streamlining disclosure of gifts, donations and sponsored benefits

Council supports the proposal that particulars of gifts, donations, and sponsored travel or accommodation benefits need only be disclosed for the financial year in which the benefit is received or donation is made.

This reform appropriately balances transparency with proportionality, reduces unnecessary historical reporting, and makes registers of interests easier to understand and maintain.

Removal of councillors sitting in judgement of their peers

Council is particularly supportive of reforms that remove the requirement for councillors to sit in judgement of other councillors under the complaints framework. This change is welcomed as it:

- reduces reputational risk to individual councillors;
- minimises internal conflict and politicisation of conduct matters; and
- supports a more independent and objective complaints process.

Council considers this reform to be an important step in strengthening confidence in local government governance arrangements.

Automatic removal from office on nomination for State election

Council supports the automatic removal of a councillor from office upon nomination as a candidate for a State election. This measure provides clarity and certainty, reduces the risk of prolonged absences and helps minimise the likelihood of by-elections and associated disruption to Council operations and terms.

Protection of privacy and safety of election participants

Council strongly supports the removal of the requirement for election candidates and other election participants to include a **physical residential address** in election material.

Allowing the use of a PO Box address or another form of address prescribed by regulation appropriately balances transparency with personal safety and privacy, particularly in regional and rural communities where personal information can be more easily identifiable.

5. Conclusion

Maranoa Regional Council thanks the Queensland Government for prioritising the Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025 and for recognising the need to address long-standing challenges facing local governments, particularly those operating in regional and rural contexts.

Council also acknowledges the opportunity to provide a submission to the Local Government, Small Business and Customer Service Committee and appreciates the Government's willingness to engage with councils on the practical implications of the proposed reforms.

Council would welcome the opportunity to provide any further information or practical insights should the Committee require additional clarification during its deliberations.