

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

Submission No: 046

Submission By: Goondiwindi Regional Council

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Local Government (Empowering Councils) and Other Legislation Amendment Bill

The Bill is the first phase of legislative reform to re- empower Queensland's local governments by reducing red tape and giving councils the resources and legislative framework they need to deliver for their communities.

The Bill proposes amendments to the [City of Brisbane Act 2010](#), [Local Government Act 2009](#), [Local Government Electoral Act 2011](#), [City of Brisbane Regulation 2012](#) and [Local Government Regulation 2012](#) to:

Empower councils

		Goondiwindi Regional Council Comments
Hiring Senior Staff	<ul style="list-style-type: none">The council is responsible for the appointment of the CEO, who is generally responsible for the hiring of council employees.However, under the Bill, the most senior council employees (known as 'senior executive employees') will be appointed by a panel made up of the Mayor, the CEO, and either the Deputy Mayor or a committee chair. (A senior executive employee is defined as a local government employee who reports directly to the CEO and ordinarily is considered a senior position.)The CEO will continue to be responsible for the management, direction and discipline of senior executive employees including dismissal.The CEO will also be responsible for the appointment, management, direction and discipline of all other council employees.At Brisbane City Council (BCC), councillors are already responsible for the appointment of senior executive employees.The Bill provides that the council will also be responsible for hiring senior contract employees (such as General Managers).	<ul style="list-style-type: none"><i>Potentially increase workload for several Councillors.</i>
Access to State-Owned Quarry Materials	<ul style="list-style-type: none">The Bill facilitates access to essential State-owned quarry materials. This will be achieved by replacing the current seven-day notice period to enter land and remove material, with a requirement to provide notice within a 'reasonable period'	
Clarifying Rating Powers for Indigenous Councils	<ul style="list-style-type: none">The Bill clarifies the current position that the fourteen Indigenous Local Governments (defined by the Local Government Act 2009) and Aurukun Shire Council and Mornington Shire Council, must not levy rates, whilst providing a mechanism for these councils to levy rates in the future, if they have the capacity to do so.	<ul style="list-style-type: none"><i>Amendments tidy up provisions for indigenous Councils.</i><i>Clarity is important.</i>

Empower Mayors

		Goondiwindi Regional Council Comments
Mayor as Official Spokesperson	<ul style="list-style-type: none"> The Bill makes it clear that the mayor is the official spokesperson for the council. Other councillors can still speak publicly, but as individual councillors, not on behalf of the whole council. 	<ul style="list-style-type: none"> <i>Provides clarity for Council officers and the community.</i>
Chairing Meetings	<ul style="list-style-type: none"> The mayor is confirmed as the chairperson of ordinary and special council meetings, and committee meetings for which the mayor has been appointed chairperson. 	<ul style="list-style-type: none"> <i>Provides clarity for Council officers.</i>

New rules for Conflicts of Interest

		Goondiwindi Regional Council Comments
New Rules for Conflicts of Interest	<p>The Bill:</p> <ul style="list-style-type: none"> Reintroduces conflict of interest rules based on material personal interests and conflicts of interests Retains current exemptions (e.g. small value gifts, club memberships, religious beliefs and political affiliations and matters that impact on the whole local government area, such as the budget and operational plan) Removes vague terms like “close personal relationship”. Removes the requirement for councillors to report suspicions about each other. <p>Serious breaches (i.e. intentionally trying to gain a benefit or avoid a loss) can lead to heavy penalties, including fines or imprisonment. Other breaches may be treated as misconduct under the councillor conduct framework.</p>	<ul style="list-style-type: none"> <i>Will make the meeting process more streamlined as the current regime is very cumbersome and ambiguous.</i> <i>Appears to be a practical approach to managing conflicts of interest.</i>

Reducing red tape

		Goondiwindi Regional Council Comments
Removing Barriers to Disaster Recovery Work	<ul style="list-style-type: none"> The Bill provides the Minister with the power to issue a general approval for councils to make major policy decisions in relation to disaster recovery funding arrangements during the caretaker period for local government elections. The Bill lets the Minister issue one approval covering many councils and decisions at once, which speeds up disaster recovery work. 	
Removing “Conduct Breach” Category From Councillor Conduct Framework	<ul style="list-style-type: none"> The Bill removes Conduct Breaches from the Councillor Conduct Framework. This means the OIA only has jurisdiction to proceed with misconduct and corrupt conduct charges and must dismiss other matters. However, inappropriate behaviour may still be called out through other mechanisms (public council meetings and the media). Unsuitable meeting conduct by a councillor will continue to be dealt with by the chairperson of the meeting. Safeguards will remain in place to address inappropriate conduct from councillors towards council employees 	<i>Appears to be a practical approach reducing the administrative burden on Council and the OIA.</i>

Reducing red tape

Goondiwindi Regional Council Comments

	<ul style="list-style-type: none"> including under workplace health and safety legislation. The definition of misconduct will include more serious conduct breaches like bullying or sexual harassment and circumstances where a councillor contravenes an order of the chairperson of a meeting to leave and stay away from a meeting. 	
Removing Duplication of Requirements for Annual Report and Councillor Conduct Register	<ul style="list-style-type: none"> The Bill removes the requirement for councils to publish certain information on councillor conduct matters in their annual report. This information will still be available on the council's councillor conduct register. 	
Mandatory Training Changes	<ul style="list-style-type: none"> Returning councillors won't need to redo mandatory training in order to be nominated as a candidate or serve as a councillor. All councillors both new and returning will be required to undertake an approved training course where there have been significant policy or legislation changes. For example, councillors would be required to undertake a training course on the proposed changes to the conflicts of interest framework 	
Councillor Advisors Removal of Regulation Making Power	<ul style="list-style-type: none"> The Bill removes unnecessary powers to make a regulation to limit the functions and key responsibilities of a councillor advisor. 	
Postal Ballot Applications	<ul style="list-style-type: none"> The Bill streamlines the postal ballot application process by allowing councils to apply directly to the Electoral Commission of Queensland (ECQ). The ECQ will consider applications and then make a written recommendation to the Minister about whether the application should be approved. The Minister will continue to have the final say on if a postal ballot will be held. 	
Reviewing Division/Wards and Councillors Before Quadrennial Elections	<ul style="list-style-type: none"> The ECQ, rather than the council, will now start the review of council division/ward boundaries process before quadrennial elections, since it holds the necessary information and data. 	
Deadline for Review of Wards/Divisions and Councillors Before	<ul style="list-style-type: none"> The Bill aligns the deadline for the review of divisions and Councillors for local governments under the Local Government Act 2009 with the current deadline for Brisbane City Council (1 October in the year that is 2 years before the year of the quadrennial election). Giving the Local Government Change Commission more time to complete the necessary divisional boundary reviews. 	

Reducing red tape

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Quadrennial Elections		
Remove Requirement to Provide the Minister with Public Benefit Assessment Report	<ul style="list-style-type: none">The Bill removes the requirement for councils to provide the Minister with a copy of a public benefit assessment report and all resolutions made in relation to the report, on the basis that this information is already publicly available in the minutes of the council meeting.	

Providing certainty to councillors about matters relating to remuneration, leaves of absence, vacation of office and eligibility

		Goondiwindi Regional Council Comments
Clearer Remuneration and Leave Rules	<p>The Bill clarifies that:</p> <ul style="list-style-type: none">Councillors will be paid from the start of their term until it ends.Councils cannot reduce or remove the remuneration of a councillor who is absent from a meeting, even where that Councillor has not been granted leave.Councillors on leave of absence can still perform their responsibilities and take part in meetings if they choose.If a Councillor becomes mayor the councillor automatically vacates the role of councillor.If a councillor becomes a candidate for State Parliament, they automatically vacate the role of councillor.	

Promoting good government and decision-making

		Goondiwindi Regional Council Comments
Rules for Brisbane City Council's Civic Cabinet	<ul style="list-style-type: none">Councillors who are not part of the Civic Cabinet cannot access its documents until decisions are final.	
Prevent Unauthorised Disclosure of Parliamentary Proceedings	<ul style="list-style-type: none">Clarification that the power for councillors to request information from the CEO does not apply to information that comprises proceedings in the Assembly	

Enhancing safeguards for local government election candidates and participants

		Goondiwindi Regional Council Comments
Election Safety	<ul style="list-style-type: none">• Election material can now list a PO box instead of a home address to protect privacy.	

Minor fixes and technical updates

		Goondiwindi Regional Council Comments
Changes to Fix Errors, Reduce Duplication and Modernise Wording	<ul style="list-style-type: none">• Updating references to laws,• Allowing early adoption of the BCC budget,• Improving the council complaints process,• Allowing appointment of acting Independent Assessor without strict time limits.	