

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

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

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Submitted by: Mayor Jon Raven of Logan City Council

Date: 17 December 2025

Introduction

This submission addresses the Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025 (**Bill**) which has significant implications for local government governance, compliance, and service delivery.

Summary of Position

As the Mayor of Logan, I generally support the amendments proposed in the Bill. While I acknowledge the intent of the legislation, I have identified several areas that require clarification or amendment to avoid unintended consequences for local governments.

Key Issues and Analysis

Issue 1: *Removal of conduct breaches from the councillor conduct framework*

Concern: While local governments will continue to be able to manage poor behaviour in meetings as unsuitable meeting conduct, and the *Local Government Act 2009 (Act)* will continue to address misconduct and corrupt conduct, the Bill proposes to remove all provisions relating to councillor conduct breaches.

Impact: This proposed amendment creates a gap in the councillor conduct framework and removes the opportunity for members of the community to raise concerns about the conduct of a councillor that falls outside of the definition of unsuitable meeting conduct, misconduct and corrupt conduct. It also reduces the ability of a mayor to effectively manage the conduct of councillors that falls within this gap.

Recommendations:

1. Clarify the consequences of a councillor failing to comply with the Code of Conduct for Councillors in Queensland.
2. Consider broadening the definition of misconduct to capture some of the more serious current councillor conduct issues, such as councillors not complying with Council adopted policies and resolutions.
3. Consider broadening the definition of misconduct to include a course of conduct leading to orders for unsuitable meeting conduct being made against a councillor on 3 occasions within a period of 1 year.

Issue 2: *Appointment of senior executive employees by panel*

Concern: The Bill proposes that senior executive employees will be appointed by a panel comprising the mayor, chief executive officer (**CEO**), and either the relevant committee chairperson or deputy mayor, removing the CEO's sole responsibility for appointments.

Impact: The requirement for a mayor and deputy mayor or chairperson of a relevant committee to participate in all senior executive recruitment panels may cause delays in the recruitment process given the time constraints of elected officials. Additionally, each local government should have the discretion to determine whether the proposed panel arrangements are implemented or not.

Recommendation: Provide the mayor and/or local governments with the ability to delegate the appointment of senior executive employees to the CEO, or to appoint by a panel process (which could still include the Mayor, Deputy Mayor or other Councillors at the discretion of the local government).

Issue 3: *Conflicts of interest*

Concern: The Bill proposes replacing the current conflicts of interest framework with a revised approach that repeals the existing framework based on prescribed and declarable conflicts of interest and reinstates the concepts of material personal interest and conflict of interest.

Impact: The amendments will introduce more uncertainty for councillors in determining what constitutes a material personal interest compared to the clear parameters around what constitutes a prescribed conflict of interest under the current framework. Additionally, the amendments remove the influencing provision which protects decision makers from conflicted councillors attempting to direct or influence the outcome in a matter.

Recommendations:

1. Provide further clarification of what constitutes a material personal interest.
2. Include a provision in the Bill safeguarding against conflicted councillors attempting to direct or influence a decision maker in relation to the outcome in a matter. This could be achieved by including influencing in the definition of misconduct.

Issue 4: *Definition of related party*

Concern: While the Bill sensibly excludes 'close personal relationships' from the definition of who is a related party of a councillor for the purposes of conflicts of interest, it significantly expands the scope of family who are captured.

Impact: The expanded definition of related party is likely to result in more conflicts of interest needing to be declared and managed, without any obvious benefit.

Recommendation: Retain the scope of the related party definition in the current Act as it relates to family members – a parent, child or sibling or the councillor's spouse.

Issue 4: *Thresholds for gifts*

Concern: Positively, the Bill proposes the removal of the concept of a 'relevant term' and instead provides that the reporting term for a councillor is the councillor's current term, rather than the councillor's current term and previous term. However, the requirement for councillors to disclose particulars about gifts, donations, and sponsored travel or accommodation benefits in the extract of their register of interests is for the 'financial year' in which they are received or made.

Impact: The different triggers (IE current term vs financial year) for conflicts of interest and disclosing particulars about gifts, donations, and sponsored travel or accommodation benefits in the extract of their register of interests tend to create confusion amongst councillors and lower the community's confidence in local government.

Recommendation: Align the triggers (current term vs financial year) and terminology.

5. Conclusion

I support the intent of the Bill to empower councils to determine their own standards for conduct, to manage their conflict of interest transparently without excessive red tape and to emphasise the important and unique role that mayors have in local government.

I urge the committee to consider these recommendations to ensure the Bill achieves its objectives without imposing disproportionate burdens on local government. I remain available to provide further clarification or participate in hearings if required.