



Speech By  
**Hon. Ann Leahy**


**MEMBER FOR WARREGO**

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Record of Proceedings, 20 November 2025

## **LOCAL GOVERNMENT (EMPOWERING COUNCILS) AND OTHER LEGISLATION AMENDMENT BILL**

### **Introduction**

 **Hon. A LEAHY** (Warrego—LNP) (Minister for Local Government and Water and Minister for Fire, Disaster Recovery and Volunteers) (11.20 am): I present a bill for an act to amend the City of Brisbane Act 2010, the City of Brisbane Regulation 2012, the Local Government Act 2009, the Local Government Regulation 2012 and the Local Government Electoral Act 2011 for particular purposes. I table the bill, the explanatory notes and a statement of compatibility with human rights. I nominate the Local Government, Small Business and Customer Service Committee to consider the bill.

*Tabled paper:* Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025 [1844](#).

*Tabled paper:* Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025, explanatory notes [1845](#).

*Tabled paper:* Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025, statement of compatibility with human rights [1846](#).

**Mr DEPUTY SPEAKER** (Mr Krause): Minister, before you continue, I would ask the people who are leaving to do so quietly and quickly and to take your conversations outside if you need to. I remind members of those who are on warnings: Greenslopes, Callide, Cairns, Pine Rivers, Mansfield, Ninderry, McConnel and Bundaberg.

**Ms LEAHY:** I am pleased to introduce the Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025. This bill delivers on the Crisafulli government's commitment to re-empower Queensland's councils. No two of Queensland's 77 local governments are the same, but by reducing red tape and giving them the resources and legislative framework they need to deliver for their communities we can re-empower our councils after years of neglect.

This is the first tranche of the Crisafulli government's broader local government reforms. These include a suite of significant improvements that address priority issues identified by the local government sector. In designing this bill, the local government sector, including the Local Government Association of Queensland, were consulted and they are supportive of the reforms. The bill proposes amendments to the City of Brisbane Act 2010, the Local Government Act 2009, the Local Government Electoral Act 2011 and associated regulations. Other complementary amendments to regulations are being progressed to further empower councils and mayors and to cut red tape. Subject to Governor in Council approval, it is intended that these amendments will follow shortly.

This bill demonstrates the Crisafulli government's unwavering commitment to the local government sector and to Queensland's communities. Local governments know their communities best. Every day they directly touch the lives of Queenslanders through local services and infrastructure. We understand this as we have several members in this place who have served their local communities as mayors and councillors. From the outset, the Crisafulli government has worked hard to reset the

relationship between state and local governments, recognising local government as a genuine equal partner. Since taking office, our government has been pursuing a wideranging and extensive local government reform agenda, including the implementation of our government election commitments for the local government sector.

Furthermore, the Crisafulli government also made an election commitment to review the impacts of depreciation on local government to ensure councils are not unfairly burdened. Queensland councils are responsible for managing approximately \$142 billion worth of infrastructure assets and depreciation of those assets represents a significant proportion of council operating expenses. The Depreciation Taskforce will deliver its final report to me in December 2025. Tackling the growing depreciation challenges will ultimately provide cost-of-living relief to ratepayers.

My department is also undertaking sunset reviews of the Local Government Regulation 2012 and the City of Brisbane Regulation 2012 in accordance with legislative requirements and the Queensland Government Better Regulation Policy. These regulations contain detailed and complex provisions that cover a broad range of areas. I know there has been keen interest from stakeholders in contributing to this review.

The government published a discussion paper earlier this year as part of our review of the Local Government Electoral Expenditure Caps Scheme, which first applied at the 2024 quadrennial local government elections. The review identified some potential areas for improvement to ensure that the scheme continues to meet its objective. A report on the outcomes of the review is being developed and will be published shortly.

Each review that I have outlined to members includes comprehensive consultation with the local government sector, in the spirit of the recently signed Equal Partners in Government Agreement. This is a large volume of work and is a clear indication of the Crisafulli government's commitment to local government and to creating an environment where the sector is empowered through fit-for-purpose legislation.

The bill I am introducing today demonstrates our intention to work proactively with the sector throughout our term in government. This will further strengthen a positive and cooperative relationship, laying the groundwork for further reform. The bill addresses a number of shared objectives for the state government and local government. These are: empowering councils; empowering mayors; improving the councillor conflicts-of-interest and register-of-interests frameworks; reducing unnecessary red tape and regulation; providing certainty about councillor remuneration, leaves of absence, vacancies and eligibility; promoting good governance and decision-making; enhancing safeguards for election participants; and making minor, administrative and technical improvements.

Turning to the detail of each of these objectives, the bill empowers Queensland councils by reinstating the role of councillors in the appointment of senior executive employees. The bill provides for local governments to use a panel for the appointment of senior executive employees comprising the CEO, the mayor and either the deputy mayor or the relevant committee chairperson. The CEO will remain responsible for the management, direction and discipline of all local government employees, including senior executive employees. The bill makes no changes to these arrangements. This model was in place from 2012 to 2019 and proved successful in ensuring that decisions about the senior leadership of a council were made by both the CEO and elected councillors.

The bill re-empowers councillors at Brisbane City Council to appoint senior contract employees, including at the general manager level. These amendments recognise the unique role of the Brisbane City Council as the largest council by population in Australia and the size of its operations.

The bill makes essential changes to the requirements around council access to state owned quarry material. Efficient and affordable access to quarries, in particular gravel pits, to obtain the necessary material for road repairs is critical for ensuring value for money on the restoration of essential public asset works. This has become a significant issue for local government. State owned quarry material is the only source of material for many councils, particularly in western and northern Queensland. It is particularly important for maintenance and rectification works and natural disaster recovery.

The bill amends the Local Government Act 2009 to provide for the period when a local government worker gives a reasonable entry notice to the owner or the occupier of relevant land in order to enter and remove materials, including gravel. This provides the flexibility for councils to act according to their individual circumstances, noting that all other requirements of these provisions must also be met.

In relation to rating, the current position is that Queensland's 16 Indigenous local governments must not levy general rates nor any other type of rates calculated using the rateable value of land. Historically, most of the land in each of their areas has been held by the local government in trust and, therefore, is not rateable. To empower these local governments, the bill provides a framework to enable them to rate in the future if circumstances are favourable.

As I have outlined to the House, the bill reinforces the authority of Queensland mayors by clarifying the scope of the extra responsibilities entrusted to them under the legislation, including the role of official spokesperson of a council. The bill amends the Local Government Act 2009 to put beyond any doubt the longstanding position that the mayor is the official spokesperson of the council without preventing other councillors from communicating with the community on local government matters generally.

The bill also puts beyond doubt that the mayor of a local government is the default chairperson for ordinary and special council meetings and committee meetings for which the mayor has been appointed chairperson. This includes managing the conduct of the participants at the meeting. The intention of the amendment is to ensure that a local government is not able to remove the mayor as the default chairperson.

I know there will be great interest in the amendments to reform the conflicts-of-interest framework. The bill makes major changes to the framework. These will commence by proclamation to ensure councillors are given sufficient time, training and support to comply with the new requirements. The government believes that the reformed framework strikes the right balance between allowing councillors to represent their communities while still ensuring transparency and accountability around decision-making. The amendments will allow councillors to get on with the job for which they were elected.

They appropriately place the onus on councillors to consider whether they have a conflict of interest in a matter and trust councillors to manage any conflicts in the public interest, including by declaring interests, backed by significant penalties for those councillors who breach the trust placed in them by their communities. The bill replaces the current conflicts-of-interest framework, introduced in 2020, with the framework which was in place from 2013 to early 2018. Some modifications are included to clarify the test as to whether a councillor has a conflict. This will ensure there are appropriate exemptions for councillors and will clarify penalties for breaches.

In summary, the bill repeals the current conflicts-of-interest framework, which is based on the concepts of prescribed conflict of interest and declarable conflict of interest. It reinstates the concepts of material personal interest and conflict of interest. The current requirement for non-conflicted councillors to vote on whether to allow a conflicted councillor to participate in decision-making is open to political manipulation and is being removed.

The bill also removes from conflicts of interest the concept of a close personal relationship with a councillor. This concept lacks specificity and in smaller communities could lead to councillors having a conflict of interest in nearly every decision. The bill also abolishes the duty on a councillor to report a belief or suspicion of another councillor's conflict. This was open to misuse for political reasons and created fears of possible reprisals. Complementary amendments are made to the requirements around the published extract of a councillor's register of interests. These provisions mirror the current rules governing the register of interests for members of parliament.

The bill includes the first tranche of amendments to remove unnecessary red tape and regulation. Some of these amendments were identified as suitable for early implementation by the Local Government Red Tape Reduction Taskforce. To streamline procurement processes during disaster events, the bill provides the minister with the power to issue an approval to a council to make major policy decisions to progress recovery works during the caretaker period for local government elections. We have received feedback from LGAQ that delays in councils obtaining various approvals hindered vital emergency disaster recovery work related to Tropical Cyclone Jasper. This bill resolves this issue and removes the regulatory burden. These improvements will ensure the minister may issue an approval which applies to multiple local governments for multiple decisions.

A key reform in the bill simplifies the process for managing conduct breaches under the councillor conduct framework. Currently, the Office of the Independent Assessor may refer suspected conduct breaches by a councillor to the relevant local government to investigate and determine if any other action is appropriate. Generally, conduct breaches are at the lower end of the scale and include conduct that contravenes a behavioural standard or a local government policy, procedure or resolution. Allegations about conduct breaches often have a disproportionate impact on councillor reputations and the operations of local governments.

Following feedback from the sector, the bill removes the category of conduct breach from the councillor conduct framework. Local governments will continue to deal with the poor behaviour of councillors in local government meetings, including the chairperson, as unsuitable meeting conduct, consistent with how parliament deals with the behaviour of its members. The bill amends the definition of 'misconduct' to ensure the more serious types of councillor conduct that are currently captured by the definition of 'conduct breach' continue to be appropriately assessed and actioned by the Independent Assessor, with potential referral to the Councillor Conduct Tribunal.

The amendments provide that the following conduct is misconduct: bullying, sexual harassment and failing to comply with an order of the chairperson of a local government meeting to leave and stay away from the place at which the meeting is being held. These changes to the meaning of misconduct are considered appropriate, given such conduct has the potential to cause significant harm to people and to the reputation of local government. These amendments will commence by proclamation to allow for updated training and education for the sector and for updates to the councillor code of conduct. This will be done in consultation and partnership with the local government sector.

The bill empowers incumbent councillors by only requiring new candidates to complete mandatory pre-election training under the Local Government Electoral Act 2011. It is intended that returning councillors are only required to do post-election training where there have been major legislative changes. These changes will ensure that training requirements are not onerous and that both new and returning councillors can focus on getting on with the job.

The bill achieves further streamlining by removing the power in the current legislation to make regulations in relation to the functions of councillor advisers. These regulation-making powers in the legislation have not been used, are deemed unnecessary and are being abolished.

The bill makes a range of red-tape-reduction reforms in relation to electoral processes involving the Electoral Commission of Queensland. The bill removes inefficiencies in the process for reviews of wards, divisions and councillors before a quadrennial election. Currently, divided councils are required to review whether each ward or division of its local government area has a reasonable proportion of electors or quota for each councillor elected for the division. On completion of the review, councils provide the Electoral Commissioner and the minister with notice of the results of the review. The amendments enable the ECQ, as the provider of the relevant data, to initiate the review and notify councils and the minister of the results.

The bill further cuts electoral red tape by allowing local governments to lodge postal ballot applications directly with the Electoral Commissioner, rather than requiring an application to first be made to the minister. While the final decision will still be made by the minister following a recommendation from the ECQ, the new process will provide more time for the ECQ to meet its obligations under the legislation.

Finally, in relation to red-tape-reduction measures, the bill abolishes the requirement for councils to provide the minister with a copy of a public benefit assessment report, and relevant resolutions, when a council conducts a public benefit assessment for a new significant business activity.

Turning to the next key objective addressed by the bill, it provides clarity on a range of matters concerning councillor remuneration, leaves of absence, vacancy of office and eligibility. First, it provides certainty to councillors on when they are entitled to begin and end receiving remuneration following their election or appointment. Second, the bill provides certainty to councillors by clarifying that a councillor, other than a Brisbane City councillor, is entitled to their remuneration when absent from council, including during leaves of absence. Third, the bill provides certainty to councillors that a leave of absence does not preclude a councillor from participating in the meeting for which the leave has been granted, nor limits the councillor from undertaking the councillor's other responsibilities. Fourth, the bill provides certainty to councillors that a councillor who is elected or appointed to fill a mayoral vacancy is taken to vacate the office of councillor when they commence in the mayoral role. Finally, in relation to this objective, the bill makes amendments which automatically remove a councillor from office upon nomination as a candidate for election as a member of the Legislative Assembly.

Currently, the legislation provides that a councillor must only take leave without pay for the duration of the period for which the councillor is a state candidate. These amendments will ensure stability, minimise disruption and reduce operational impacts on councils of councillors running for state office.

To promote good governance and decision-making in local government, the bill prevents the disclosure of unauthorised information and documents to councillors. The amendments provide that the power for councillors to request information from the CEO does not apply to information or a document

that comprises proceedings in the Assembly, as defined in section 9 of the Parliament of Queensland Act 2001. This resolves certain conflicts between that act and the local government legislation that were identified by the Ethics Committee. Given the interaction with the Parliament of Queensland Act 2001, the Clerk of the Parliament was consulted on the proposed approach, and I am pleased to say that Mr Clerk's comments were incorporated into the drafting of the provision.

The bill also includes important amendments affecting Brisbane City Council's Establishment and Coordination Committee. The bill provides for confidentiality for information that is part of the deliberative processes prior to the Establishment and Coordination Committee reaching a final decision on the matter. This recognises that the committee performs executive decision-making functions and therefore requires protections to promote robust and confidential deliberations leading to sound decision-making.

The bill amends the City of Brisbane Act 2010 and the City of Brisbane Regulation 2012. To allow time for implementation, the amendments will commence on a day to be fixed by proclamation.

The bill also addresses important safety and privacy issues for participants in council elections. These amendments are aimed at removing barriers to people standing for election to represent their communities. The bill removes the requirement for a person who authorises an advertisement, handbill, pamphlet or notice to include a full residential address. Instead, a candidate or participant will be given the option of including other contact information, for example, a post office box. Similar amendments are made in relation to how-to-vote cards. A new regulation-making power provides flexibility in identifying other suitable options, in consultation with the ECQ, giving candidates further options to ensure their safety.

The bill makes a range of minor, administrative and technical amendments. These include amending the timing for the approval of Brisbane City Council's annual budget. Currently, the budget must be adopted before the start of the financial year to which it relates. To ensure consistency with arrangements for other councils under the Local Government Act, the bill allows Brisbane City Council to adopt its annual budget before 1 August or a later day decided by the minister.

Additional minor amendments include: extending the term of appointment of an acting Independent Assessor; clarifying requirements applying to trustee councils; ensuring the name of a councillor who engages in unsuitable meeting conduct is included in the councillor conduct register; streamlining the process for resolving competitive neutrality complaints; clarifying the operation of an offence provision about frivolous complaints; and correcting minor references.

This bill is just the beginning of our reforms to restore autonomy to local governments across Queensland, by empowering them to serve their communities unhindered by overly prescriptive regulation. We have listened to the concerns of the sector about the operation of the current legislation. We are handing back responsibility to local governments to decide for themselves what is best for their local communities, without unnecessary interference from the state. We place a high priority on our partnership with local government.

This bill represents a fresh start, as we embark with the sector on a wide-ranging reform agenda. The department will work with the sector to ensure comprehensive support is provided ahead of changes to the councillor conduct framework, including requirements about conflicts of interest and registers of interests. This is in line with the staged commencement of these amendments.

I would like to thank all of the stakeholders who have contributed to the development of the bill, in particular the Brisbane City Council, the Local Government Association of Queensland, the Local Government Managers Australia, the Office of the Independent Assessor, the Electoral Commission of Queensland and the Local Government Remuneration Commission.

### **First Reading**

**Hon. A LEAHY** (Warrego—LNP) (Minister for Local Government and Water and Minister for Fire, Disaster Recovery and Volunteers) (11.44 am): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

### **Referral to Local Government, Small Business and Customer Service Committee**

**Mr DEPUTY SPEAKER** (Mr Krause): In accordance with standing order 131, the bill is now referred to the Local Government, Small Business and Customer Service Committee.