



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



Queensland

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

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2025

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

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3
This Act may be cited as the *Local Government (Empowering Councils) and Other Legislation Amendment Act 2025*. 4 5

Clause 2 Commencement 6
The following provisions commence on a day to be fixed by proclamation— 7 8
(a) part 2, division 3; 9
(b) part 3, division 3; 10
(c) part 4, division 3; 11
(d) part 5, division 3; 12
(e) schedule 1, part 2. 13

Part 2 Amendment of City of Brisbane Act 2010 14 15

Division 1 Preliminary 16

Clause 3 Act amended 17
This part amends the *City of Brisbane Act 2010*. 18
Note— 19
See also the amendments in schedule 1, parts 1 and 2. 20

Division 2	Amendments commencing on assent	1 2
Clause 4	Amendment of s 18 (Review of wards of Brisbane)	3
	(1) Section 18, ‘council’—	4
	<i>omit, insert—</i>	5
	electoral commission	6
	(2) Section 18(b), ‘electoral commissioner’—	7
	<i>omit, insert—</i>	8
	council	9
Clause 5	Amendment of s 50 (Assessing public benefit)	10
	(1) Section 50(8) and (10)—	11
	<i>omit.</i>	12
	(2) Section 50(9), from ‘the decision,’—	13
	<i>omit, insert—</i>	14
	the decision—	15
	(a) conduct another public benefit assessment of the significant business activity; and	16 17
	(b) repeat the process relating to a report on the public benefit assessment.	18 19
	(3) Section 50(9)—	20
	<i>renumber</i> as section 50(8).	21
Clause 6	Replacement of s 92B (Prohibition on major policy decision in caretaker period)	22 23
	Section 92B—	24
	<i>omit, insert—</i>	25

[s 6]

**92B Prohibition on major policy decisions during
caretaker period** 1
2

The council must not make a major policy 3
decision during a caretaker period for the council. 4

**92BA Approval to make major policy decisions in
exceptional circumstances** 5
6

(1) This section applies if the council considers that, 7
because exceptional circumstances exist, it is 8
necessary and in the public interest to make a 9
major policy decision during a caretaker period 10
for the council. 11

(2) The council may apply to the Minister for 12
approval to make the major policy decision during 13
the caretaker period. 14

(3) The Minister may give the approval if the 15
Minister is satisfied that, because exceptional 16
circumstances exist, it is necessary and in the 17
public interest for the council to make the major 18
policy decision during the caretaker period. 19

(4) The approval may be given on conditions with 20
which the council must comply. 21

(5) Despite section 92B, the council may make the 22
major policy decision in accordance with the 23
approval. 24

**92BB Approval to make major policy decisions
related to disaster recovery funding
arrangements** 25
26
27

(1) This section applies if— 28

(a) during a caretaker period for the council, the 29
City of Brisbane is eligible for assistance 30
under the disaster recovery funding 31
arrangements; and 32

[s 7]

	(b) the Minister considers it is necessary for the council to make major policy decisions during the caretaker period to achieve the objectives of the disaster recovery funding arrangements.	1 2 3 4 5
	(2) The Minister may give approval to the council to make the major policy decisions.	6 7
	(3) The approval may state—	8
	(a) the types of major policy decisions that may be made by the council; and	9 10
	(b) that the decisions may be made by the council only in relation to a stated matter.	11 12
	(4) The approval may be given on conditions with which the council must comply.	13 14
	(5) Despite section 92B, the council may make major policy decisions in accordance with the approval.	15 16
	(6) In this section—	17
	<i>disaster recovery funding arrangements</i> means the funding arrangements jointly administered by the State and Commonwealth that are known as the ‘Disaster Recovery Funding Arrangements’.	18 19 20 21
Clause 7	Amendment of s 104 (Approval of budget)	22
	Section 104(2)—	23
	<i>omit.</i>	24
Clause 8	Amendment of s 155 (Disqualification because of other high office)	25 26
	(1) Section 155, heading, from ‘because’—	27
	<i>omit, insert—</i>	28
	of government members and electoral candidates	29 30

[s 9]

(2)	Section 155(1) and (3), after ‘member’—	1
	<i>insert—</i>	2
	or electoral candidate	3
(3)	Section 155—	4
	<i>insert—</i>	5
(2A)	A person is an <i>electoral candidate</i> if, under the Electoral Act, section 93(3), the person becomes a candidate for an election of a member of the Legislative Assembly.	6 7 8 9
(4)	Section 155(2A) and (3)—	10
	<i>renumber</i> as section 155(3) and (4).	11

Clause 9	Amendment of ch 6, pt 2, div 2, hdg (Councillor’s term of office)	12 13
	Chapter 6, part 2, division 2, heading, after ‘office’—	14
	<i>insert—</i>	15
	and entitlement to remuneration	16

Clause 10	Replacement of s 160A (Compulsory leave without pay)	17
	Section 160A—	18
	<i>omit, insert—</i>	19
	160A Remuneration to be paid for term	20
	A councillor is entitled to remuneration for the period—	21 22
	(a) starting on the day the councillor’s term starts under section 159; and	23 24
	(b) ending on the day the councillor’s term ends under section 160.	25 26

Clause 11	Amendment of s 162 (When a councillor's office becomes vacant)	1
		2
	(1) Section 162—	3
	<i>insert—</i>	4
	(fa) is elected or appointed as mayor of the council; or	5
		6
	(2) Section 162(fa) to (h)—	7
	<i>renumber</i> as section 162(g) to (i).	8
Clause 12	Amendment of s 169A (Councillor training)	9
	(1) Section 169A(1)—	10
	<i>omit, insert—</i>	11
	(1) A councillor must complete each approved training course unless the councillor has, at any time, previously completed the approved training course.	12
		13
		14
		15
	(2) Section 169A(4), (5) and (6)(a), 'councillor training'—	16
	<i>omit, insert—</i>	17
	training course	18
	(3) Section 169A(6)(b) and (c), 'training'—	19
	<i>omit, insert—</i>	20
	course	21
	(4) Section 169A(7)(b), 'requirements about'—	22
	<i>omit.</i>	23
	(5) Section 169A(8)—	24
	<i>omit, insert—</i>	25
	(8) In this section—	26
	<i>approved training course</i> means a course of training approved by the department's chief executive that—	27
		28
		29

[s 13]

- (a) is about a councillor’s responsibilities under section 14; and
- (b) meets the requirements under subsection (7).

Clause 13 Amendment of s 171 (Requests for assistance or information)

- (1) Section 171(4)—
 insert—
 - (ba) that comprises proceedings in the Assembly under the *Parliament of Queensland Act 2001*, section 9; or
- (2) Section 171(4)(ba) to (d)—
 renumber as section 171(4)(c) to (e).

Clause 14 Insertion of new ch 6, pt 2, div 6

Chapter 6, part 2—
insert—

Division 6 Responsibilities during leave of absence

178 Responsibilities of councillors during leave of absence

- (1) This section applies if the council grants a councillor a leave of absence for 1 or more ordinary meetings of the council.
- (2) To remove any doubt, it is declared that the councillor may perform any responsibility under section 14 during the councillor’s leave of absence.

Clause 15	Amendment of s 192 (Appointing senior executive employees)	1 2
	(1) Section 192, heading, after ‘employees’—	3
	<i>insert—</i>	4
	and senior contract employees	5
	(2) Section 192(1), after ‘employees’—	6
	<i>insert—</i>	7
	and senior contract employees	8
	(3) Section 192(2), after ‘employee’—	9
	<i>insert—</i>	10
	or senior contract employee	11
Clause 16	Amendment of s 193 (Appointing other council employees)	12 13
	(1) Section 193(2), after ‘employ’—	14
	<i>insert—</i>	15
	other	16
	(2) Section 193(3), after ‘executive employees’—	17
	<i>insert—</i>	18
	and senior contract employees	19
	(3) Section 193(4)—	20
	<i>omit.</i>	21
Clause 17	Insertion of new s 193A	22
	After section 193—	23
	<i>insert—</i>	24
	193A Conditions of appointment of council employees	25 26
	A council employee is employed on—	27

[s 18]

	(a) the conditions contained in any relevant industrial instrument; and	1 2
	(b) any other conditions that the council decides.	3 4
Clause 18	Amendment of s 194A (Appointment and functions of councillor advisors)	5 6
	Section 194A(2)(b), ‘194C(1)(a)’—	7
	<i>omit, insert—</i>	8
	194C(1)	9
Clause 19	Amendment of s 194C (Regulation may prescribe particular matters relating to councillor advisors)	10 11
	(1) Section 194C, heading, from ‘particular’—	12
	<i>omit, insert—</i>	13
	number of councillor advisors	14
	(2) Section 194C(1), from ‘may—’—	15
	<i>omit, insert—</i>	16
	may prescribe the maximum number of councillor advisors each councillor may appoint.	17 18
	(3) Section 194C(2) and (4), ‘(1)(a)’—	19
	<i>omit, insert—</i>	20
	(1)	21
Clause 20	Insertion of new ch 8, pt 13	22
	Chapter 8—	23
	<i>insert—</i>	24

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	for Local Government	2
	(Empowering Councils)	3
	and Other Legislation	4
	Amendment Act 2025	5

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300 Definitions for part	7
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In this part—	8
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<i>amendment Act</i> means the <i>Local Government</i>	9
<i>(Empowering Councils) and Other Legislation</i>	10
<i>Amendment Act 2025.</i>	11

<i>former</i> , in relation to a provision of this Act,	12
means the provision as in force from time to time	13
before the commencement of the transitional	14
provision in which the term is used.	15

<i>new</i> , in relation to a provision of this Act, means	16
the provision as in force from the commencement	17
of the transitional provision in which the term is	18
used.	19

<i>transitional provision</i> means a provision of this	20
part.	21

Division 2	Provisions for	22
	amendments commencing	23
	on assent	24

301 Budget for 2025–2026 financial year	25
--	----

(1) This section applies in relation to the council’s	26
budget for the 2025–2026 financial year.	27

[s 20]

- | | | |
|-----|--|---|
| (2) | Section 104 as in force immediately before the | 1 |
| | commencement continues to apply in relation to | 2 |
| | the budget despite the amendment of that section | 3 |
| | by the amendment Act. | 4 |

302 Councillors who were candidates immediately	5
before commencement	6

- | | | |
|-----|--|----|
| (1) | This section applies if— | 7 |
| (a) | before the commencement, a councillor had | 8 |
| | become a candidate, under the Electoral | 9 |
| | Act, section 93(3), for an election of a | 10 |
| | member of the Legislative Assembly; and | 11 |
| (b) | immediately before the commencement, the | 12 |
| | election period for the election had not | 13 |
| | ended under that Act. | 14 |
| (2) | Sections 155 and 160A as in force immediately | 15 |
| | before the commencement continue to apply to | 16 |
| | the councillor, despite the enactment of the | 17 |
| | amendment Act, until the election period ends. | 18 |

303 Councillor training	19
--------------------------------	----

Training that was, immediately before the	20
commencement, approved councillor training for	21
a matter under section 169A as in force	22
immediately before the commencement is, from	23
the commencement, taken to be an approved	24
training course for the same matter under new	25
section 169A.	26

304 Existing senior contract employees	27
---	----

- | | | |
|-----|--|----|
| (1) | This section applies to a person if, immediately | 28 |
| | before the commencement, the person— | 29 |
| (a) | held an appointment under section 193 as in | 30 |
| | force immediately before the | 31 |
| | commencement; and | 32 |

[s 21]

	(b) was employed on a contractual basis and classified by the council as ‘senior executive service’.	1 2 3
	(2) From the commencement—	4
	(a) the person’s contract and conditions of employment continue; and	5 6
	(b) the person is taken to have been appointed by the council as a senior contract employee under new section 192.	7 8 9
Clause 21	Amendment of sch 2 (Dictionary)	10
	(1) Schedule 2—	11
	<i>insert—</i>	12
	<i>senior contract employee</i> means an employee of the council who—	13 14
	(a) is employed on a contractual basis; and	15
	(b) is classified by the council as senior executive service.	16 17
	(2) Schedule 2, definition <i>council employee</i> —	18
	<i>insert—</i>	19
	(ba) a senior contract employee;	20
	(3) Schedule 2, definition <i>council employee</i> , paragraphs (ba) and (c)—	21 22
	<i>renumber</i> as paragraphs (c) and (d).	23
Division 3	Amendments commencing by proclamation	24 25
Clause 22	Amendment of s 171 (Requests for assistance or information)	26 27
	(1) Section 171—	28

[s 22]

- insert—* 1
- (4A) Also, subsections (2) and (3) apply to a councillor 2
in relation to committee information— 3
- (a) only if the councillor is a member of the 4
Establishment and Coordination 5
Committee; or 6
- (b) if the councillor is not a member—only to 7
the extent the committee information relates 8
to a matter that has been finally resolved by 9
the Establishment and Coordination 10
Committee. 11
- (2) Section 171(6), ‘Subsection (5)’— 12
- omit, insert—* 13
- Subsection (6) 14
- (3) Section 171(9), ‘subsection (8)(b)’— 15
- omit, insert—* 16
- subsection (9)(b) 17
- (4) Section 171(10)— 18
- insert—* 19
- committee information*** means information in a 20
document made about, by or for the purposes of 21
the Establishment and Coordination Committee, 22
including the following documents— 23
- (a) committee submissions; 24
- (b) committee briefing notes; 25
- (c) committee agendas; 26
- (d) notes of discussions in committee meetings; 27
- (e) committee minutes; 28
- (f) committee decisions; 29
- (g) a draft of a document mentioned in any of 30
paragraphs (a) to (f). 31

	<i>finally resolved</i> , in relation to a matter, means—	1
	(a) the Establishment and Coordination Committee has, by resolution, made a final decision about the matter; or	2 3 4
	(b) the Establishment and Coordination Committee has decided, or is taken to have decided, the matter in a way prescribed by regulation.	5 6 7 8
(5)	Section 171(4A) to (10)—	9
	<i>renumber</i> as section 171(5) to (11).	10
Clause 23	Amendment of s 172 (Inspection of particular records by councillors)	11 12
(1)	Section 172—	13
	<i>insert</i> —	14
(3A)	Also, subsection (1) applies in relation to a record of the Establishment and Coordination Committee containing committee information within the meaning of section 171—	15 16 17 18
	(a) only if the councillor is a member of the committee; or	19 20
	(b) if the councillor is not a member—only to the extent the record relates to a matter that has been finally resolved by the committee.	21 22 23
(2)	Section 172(4)—	24
	<i>insert</i> —	25
	<i>finally resolved</i> , in relation to a matter, see section 171(11).	26 27
(3)	Section 172(3A) and (4)—	28
	<i>renumber</i> as section 172(4) and (5).	29

[s 24]

Clause 24	Replacement of ch 6, pt 2, div 5A (Councillors' conflicts of interest)	1 2
	Chapter 6, part 2, division 5A—	3
	<i>omit, insert—</i>	4
	Division 5A Dealing with personal interests of councillors	5 6
	177A Matters in relation to which division does not apply	7 8
	(1) This division does not apply in relation to a councillor's personal interest in a matter if the matter—	9 10 11
	(a) is solely, or relates solely to, the making or levying of rates and charges, or the fixing of a cost-recovery fee, by the council; or	12 13 14
	(b) is solely, or relates solely to—	15
	(i) making a planning scheme that applies to the whole of Brisbane; or	16 17
	(ii) amending a planning scheme, if the amendment applies to the whole of Brisbane; or	18 19 20
	(c) is solely, or relates solely to, the preparation, adoption or amendment of a budget for the council; or	21 22 23
	(d) is solely, or relates solely to, preparing, adopting or amending a document prescribed by regulation that the council is required to prepare or adopt under a local government related law; or	24 25 26 27 28
	(e) is solely, or relates solely to—	29
	(i) the making of a donation to a religious, charitable or non-profit institution or organisation, unless a councillor, or an	30 31 32

[s 24]

-
- associate or related party of a 1
councillor, receives a benefit because 2
of the donation that is more than 3
merely a benefit relating to reputation; 4
or 5
 - (ii) a councillor representing the council in 6
an official capacity at an event held by 7
a government agency or an entity that 8
is wholly owned by the council; or 9
 - (f) is solely, or relates solely to, 10
employment-related or upgraded travel or 11
accommodation undertaken or used by a 12
councillor, or an associate or related party of 13
a councillor; or 14
 - (g) is solely, or relates solely to— 15
 - (i) the remuneration or reimbursement of 16
expenses of councillors or members of 17
a committee of the council; or 18
 - (ii) the provision of superannuation 19
entitlements or insurance for 20
councillors; or 21
 - (iii) a matter of interest to the councillor 22
solely as a candidate for election or 23
appointment as mayor, deputy mayor, 24
councillor or member of a committee 25
of the council. 26
 - (2) Also, this division does not apply in relation to a 27
councillor's interest in a matter if the interest of 28
the councillor, or an associate or related party of 29
the councillor, is no greater than the personal 30
interests in the matter of a significant proportion 31
of persons in Brisbane. 32
 - (3) In addition, this division does not apply in relation 33
to a councillor's interest in a matter relating to a 34
corporation or association that arises solely 35
because of a nomination or appointment of the 36
-

[s 24]

councillor by the council to be a member of the	1
board of the corporation or association.	2
(4) In this section—	3
<i>employment-related or upgraded travel or accommodation</i> , for a person, means—	4
	5
(a) travel or accommodation undertaken or used	6
by the person that is paid for by the State or	7
a local government; or	8
(b) if the person is a councillor—travel or	9
accommodation paid for by LGAQ Ltd for	10
the purpose of the councillor attending a	11
meeting of the policy executive established	12
under the constitution of LGAQ Ltd; or	13
(c) travel or accommodation that is—	14
(i) undertaken or used by the person in the	15
course of the person’s employment;	16
and	17
(ii) contributed to, whether financially or	18
non-financially, by the person’s	19
employer; or	20
(d) if the person is a director of a	21
corporation—travel or accommodation that	22
is—	23
(i) undertaken or used by the person in the	24
course of carrying out the person’s	25
duties as director; and	26
(ii) contributed to, whether financially or	27
non-financially, by the corporation; or	28
(e) if the travel is airline travel undertaken by	29
the person—an upgrade to the travel given	30
by the provider of the travel for no charge;	31
or	32
<i>Example—</i>	33
a free air travel upgrade to business class	34

- (f) an upgrade to accommodation used by the person that is given by the provider of the accommodation for no charge.
- Example—*
a free accommodation upgrade to a larger room
- government agency** means—
- (a) the State, a government entity or another local government; or
- (b) another Australian government or an entity of another Australian government; or
- (c) a local government of another State.

177B What is a *material personal interest*

- (1) A councillor has a *material personal interest* in a matter if the councillor or an associate of the councillor stands to gain a benefit or suffer a loss, either directly or indirectly, depending on the outcome of the consideration of the matter at a council meeting.
- (2) However, a councillor has a *material personal interest* under subsection (1) in relation to an associate only if the councillor knows, or ought reasonably to know, about the associate's involvement in the matter.

177C What is a *conflict of interest*

- (1) A *conflict of interest* is a conflict between a councillor's personal interests, or the personal interests of a related party of the councillor, and the public interest that might lead to a decision that is contrary to the public interest.
- (2) However, a councillor does not have a *conflict of interest* in a matter if—

[s 24]

- (a) the conflict of interest arises solely because—
 - (i) the councillor undertakes an engagement in the capacity of councillor for a community group, sporting club or similar organisation, and is not appointed as an executive officer of the organisation; or
 - (ii) the councillor, or a related party of the councillor, is a member or patron of a community group, sporting club or similar organisation, and is not appointed as an executive officer of the organisation; or
 - (iii) the councillor, or a related party of the councillor, is a member of a political party; or
 - (iv) the councillor, or a related party of the councillor, has an interest in an educational facility or provider of a child care service as a student or former student, or a parent or grandparent of a student, of the facility or service; or
- (b) the conflict of interest arises solely because of the religious beliefs of the councillor or a related party of the councillor; or
- (c) the conflict of interest arises solely because the councillor, or a related party of the councillor, receives a gift, loan or sponsored travel or accommodation benefit from an entity during a financial year, if the total gifts, loans and benefits given by the entity to the councillor or related party total less than \$500 in the financial year; or
- (d) the conflict of interest relates to the appointment, discipline, termination,

-
- remuneration or other employment 1
conditions of a councillor advisor for the 2
councillor, if the conflict of interest arises 3
solely because the councillor advisor is a 4
related party, other than an associate, of the 5
councillor; or 6
- (e) the conflict of interest arises solely 7
because— 8
- (i) the councillor is, or has been, a 9
member of a group of candidates for an 10
election or a previous election with 11
another councillor; or 12
- (ii) the same political party endorsed the 13
candidature of the councillor and 14
another councillor for an election or a 15
previous election; or 16
- (iii) the councillor has been elected or 17
appointed at the same time, or has held 18
office during the same period, as 19
another councillor. 20
- (3) Also, a councillor has a ***conflict of interest*** in a 21
matter in relation to a related party only if the 22
councillor knows, or ought reasonably to know, 23
about the related party's involvement in the 24
matter. 25
- (4) In this section— 26
- patron***, of a community group, sporting club or 27
similar organisation, means a person who, under a 28
formal arrangement, provides public support to 29
the group, club or organisation as its ambassador 30
or representative. 31
- sponsored travel or accommodation benefit***, 32
received by a person, means travel or 33
accommodation undertaken or used by the person, 34
other than employment-related or upgraded travel 35
or accommodation under section 177A(4), if— 36
-

[s 24]

- (a) another entity contributes, whether financially or non-financially, to the cost of the travel or accommodation; and
- (b) the other entity is not the person’s spouse, other family member or friend.

177D Who is an *associate* of a councillor

Each of the following persons is an *associate* of a councillor—

- (a) a spouse of the councillor;
- (b) a parent, child or sibling of the councillor;
- (c) a person in a partnership with the councillor;
- (d) an employer, other than a government entity, of the councillor;
- (e) an entity, other than a government entity, of which the councillor is an executive officer or board member;
- (f) an entity in which the councillor or a person mentioned in paragraphs (a) to (e) for the councillor has an interest, other than an interest of less than 5% in an entity that is a listed corporation under the Corporations Act, section 9;
- (g) another person prescribed by regulation.

177E Who is a *related party* of a councillor

A person is a *related party* of a councillor if the person is any of the following—

- (a) an associate of the councillor, other than an entity mentioned in section 177D(f);
- (b) a spouse of the councillor’s parent, child or sibling;

[s 24]

- (c) a grandparent, uncle, aunt, nephew, niece or grandchild of the councillor or the councillor's spouse; 1
2
3
- (d) a parent, child or sibling of the councillor's spouse; 4
5
- (e) a spouse of a person mentioned in paragraph (c) or (d); 6
7
- (f) an entity in which the councillor, or a person mentioned in paragraph (a), (b), (c), (d) or (e), has an interest. 8
9
10

177F Councillor's material personal interest at a meeting 11 12

- (1) This section applies if— 13
 - (a) a matter is to be discussed at a council meeting; and 14
15
 - (b) a councillor has a material personal interest in the matter. 16
17
- (2) The councillor must— 18
 - (a) inform the meeting of the councillor's material personal interest in the matter; and 19
20
 - (b) leave the place where the meeting is being held, including any area set aside for the public, and stay away from the place while the matter is discussed and voted on. 21
22
23
24

Note— 25

Contravention of this subsection is misconduct under the Local Government Act that could result in disciplinary action being taken against a councillor. See the Local Government Act, section 150L(1)(c)(iv). 26
27
28
29

- (3) The councillor must not contravene subsection (2), including by voting on the matter, with an intention to gain a benefit or avoid a loss for the councillor or someone else. 30
31
32
33

[s 24]

-
- | | |
|--|----|
| Maximum penalty—200 penalty units or 2 years imprisonment. | 1 |
| | 2 |
| (4) However, the councillor does not contravene subsection (2) by taking part in the meeting, or being at the place where the meeting is being held, if— | 3 |
| | 4 |
| | 5 |
| | 6 |
| (a) the councillor is a person to whom approval is given under subsection (5); and | 7 |
| | 8 |
| (b) the councillor complies with all conditions on which the approval is given. | 9 |
| | 10 |
| (5) The Minister may, by signed notice, approve the councillor taking part in the meeting, or being at the place where the meeting is being held, if— | 11 |
| | 12 |
| | 13 |
| (a) because of the number of councillors subject to the obligation under this section, the holding of the meeting would be obstructed if the approval were not given; or | 14 |
| | 15 |
| | 16 |
| | 17 |
| (b) it appears to the Minister to be in the interests of Brisbane that the approval be given. | 18 |
| | 19 |
| | 20 |
| (6) The Minister may give the approval subject to conditions stated in the notice. | 21 |
| | 22 |
| (7) The following information must be recorded in the minutes of the meeting or, if minutes are not required for the meeting, in another way prescribed by regulation— | 23 |
| | 24 |
| | 25 |
| | 26 |
| (a) the name of the councillor who has the material personal interest, or possible material personal interest, in a matter; | 27 |
| | 28 |
| | 29 |
| (b) the nature of the material personal interest, or possible material personal interest, as described by the councillor; | 30 |
| | 31 |
| | 32 |
| (c) whether the councillor took part in the meeting, or was at the place during the | 33 |
| | 34 |

meeting, under an approval under
subsection (5). 1
2

177G Councillor's conflict of interest at a meeting 3

- (1) This section applies if— 4
 - (a) a matter is to be discussed at a council 5
meeting; and 6
 - (b) a councillor at the meeting— 7
 - (i) has a conflict of interest in the matter (a 8
real conflict); or 9
 - (ii) could reasonably be taken to have a 10
conflict of interest in the matter (a 11
perceived conflict). 12
- (2) The councillor must deal with the real conflict or 13
perceived conflict in a transparent and 14
accountable way. 15

Note— 16
Contravention of this section is misconduct under the 17
Local Government Act that could result in disciplinary 18
action being taken against a councillor. See the Local 19
Government Act, section 150L(1)(c)(iv). 20
- (3) Without limiting subsection (2), the councillor 21
must inform the meeting of— 22
 - (a) the councillor's personal interests in the 23
matter; and 24
 - (b) if the councillor participates in the meeting 25
in relation to the matter—how the councillor 26
intends to deal with the real conflict or 27
perceived conflict. 28
- (4) Subsection (5) applies if a quorum at the meeting 29
can not be formed because the councillor 30
proposes to be excluded from the meeting to 31
comply with subsection (2). 32
- (5) The councillor does not contravene subsection (2) 33

[s 25]

- merely by participating, including, for example, 1
by voting, in the meeting in relation to the matter 2
if— 3
- (a) the attendance of the councillor, together 4
with any other required number of 5
councillors, forms a quorum for the 6
meeting; and 7
- (b) the councillor complies with subsection (3). 8
- (6) The following information must be recorded in 9
the minutes of the meeting or, if minutes are not 10
required for the meeting, in another way 11
prescribed by regulation— 12
- (a) the name of the councillor who has the real 13
conflict or perceived conflict; 14
- (b) the nature of the personal interests, as 15
described by the councillor; 16
- (c) how the councillor dealt with the real 17
conflict or perceived conflict; 18
- (d) if the councillor voted on the matter—how 19
the councillor voted on the matter; 20
- (e) how the majority of persons who were 21
entitled to vote at the meeting voted on the 22
matter. 23
- (7) To remove any doubt, it is declared that 24
non-participation in the meeting is not the only 25
way the councillor may appropriately deal with 26
the real conflict or perceived conflict in a 27
transparent and accountable way. 28

Clause 25	Amendment of s 198D (Dishonest conduct of councillor or councillor advisor)	29 30
(1)	Section 198D(2), definition <i>relevant integrity provision</i> , paragraph (a)(i) to (v)—	31 32
	<i>omit.</i>	33

- (2) Section 198D(2), definition *relevant integrity provision*,
paragraph (a)(vi) to (ix)—
renumber as paragraph (a)(i) to (iv).

Clause 26 Amendment of s 238 (Delegation of council powers)

- (1) Section 238(2)—
omit.
(2) Section 238(3), ‘Also’—
omit, insert—
 However
(3) Section 238(3) and (4)—
renumber as section 238(2) and (3).

Clause 27 Insertion of new ch 8, pt 13, div 3

Chapter 8, part 13, as inserted by this Act—
insert—

**Division 3 Provisions for
amendments commencing
by proclamation**

305 Proceedings for particular offences

- (1) This section applies in relation to an offence
against any of the following provisions
committed by a person before the
commencement—
(a) former section 198D in relation to a
provision mentioned in former section
198D(2), definition *relevant integrity
provision*, paragraph (a)(i) to (v);
(b) former section 177J(2);

[s 27]

(c) former section 177P(5);	1
(d) former section 177V.	2
(2) Without limiting the <i>Acts Interpretation Act 1954</i> , section 20, a proceeding for the offence may be continued or started, and the person may be convicted of and punished for the offence, as if the amendment Act, sections 24 and 25 had not commenced.	3 4 5 6 7 8
(3) Subsection (2) applies despite the Criminal Code, section 11.	9 10
306 Continued application of s 153 for former integrity offences	11 12
(1) This section applies if a person is convicted of an offence against former section 177J(2) or 177V before or after the commencement.	13 14 15
(2) The conviction is taken to be a conviction of an integrity offence for section 153(1)(d).	16 17
307 Application of Local Government Act for contravention of former COI provisions	18 19
(1) This section applies if—	20
(a) before the commencement, a person had made a complaint to the assessor about the conduct of a councillor; and	21 22 23
(b) the conduct related to a contravention of former section 177H, 177I, 177MA, 177N, 177T or 177W (the <i>former COI provisions</i>); and	24 25 26 27
(c) immediately before the commencement, the complaint had not been resolved.	28 29
(2) The Local Government Act, chapter 5A, as it applies under chapter 9, part 20, division 3, subdivision 1 of that Act, applies in relation to the	30 31 32

[s 28]

	councillor's conduct as if—	1
	(a) the former COI provisions had not been repealed; and	2 3
	(b) contravention of a former COI provision continued to be misconduct within the meaning of the Local Government Act, section 150L.	4 5 6 7
	(3) In this section—	8
	<i>resolved</i> , in relation to a complaint about a councillor's conduct, means all proceedings or actions that are required or permitted to be taken under the Local Government Act, chapter 5A in relation to the conduct are complete.	9 10 11 12 13
Clause 28	Amendment of sch 1 (Serious integrity offences and integrity offences)	14 15
	(1) Schedule 1, part 2, under heading 'This Act', entries for sections 177J(2) and 177V—	16 17
	<i>omit.</i>	18
	(2) Schedule 1, part 2, under heading 'This Act'—	19
	<i>insert—</i>	20
177F(3)	Councillor's material personal interest at a meeting	
Clause 29	Amendment of sch 2 (Dictionary)	21
	(1) Schedule 2, definitions <i>close associate</i> , <i>declarable conflict of interest</i> , <i>eligible councillor</i> , <i>employment-related or upgraded travel or accommodation</i> and <i>prescribed conflict of interest</i> —	22 23 24
	<i>omit.</i>	25
	(2) Schedule 2—	26
	<i>insert—</i>	27
	<i>associate</i> , of a councillor, see section 177D.	28

[s 30]

	<i>conflict of interest</i> see section 177C.	1
	<i>material personal interest</i> see section 177B.	2
(3)	Schedule 2, definition <i>related party</i> , ‘section 177M’—	3
	<i>omit, insert</i> —	4
	section 177E	5
Part 3	Amendment of City of Brisbane Regulation 2012	6 7
Division 1	Preliminary	8
Clause 30	Regulation amended	9
	This part amends the <i>City of Brisbane Regulation 2012</i> .	10
	<i>Note</i> —	11
	See also the amendments in schedule 1, parts 1 and 2.	12
Division 2	Amendments commencing on assent	13 14
Clause 31	Replacement of s 32 (Minimum requirements for complaint process)	15 16
	Section 32—	17
	<i>omit, insert</i> —	18
	32 Complaints management process	19
	The complaints management process adopted by the council under section 279 applies to a competitive neutrality complaint in relation to the business entity.	20 21 22 23

Clause 32	Amendment of s 33 (Making a complaint)	1
(1)	Section 33(1), ‘or the competition authority’—	2
	<i>omit.</i>	3
(2)	Section 33(2)(b)(iii)—	4
	<i>omit.</i>	5
(3)	Section 33(3)—	6
	<i>omit, insert—</i>	7
	(3) Subsection (4) applies if—	8
	(a) the council makes a decision about the complaint; and	9 10
	(b) the complainant tells the council that the complainant is not satisfied with the decision.	11 12 13
	(3A) The council must give the following to the competition authority as soon as practicable—	14 15
	(a) the complaint;	16
	(b) the council’s decision about the complaint and the reasons for the decision;	17 18
	(c) information obtained from any investigation of the complaint.	19 20
(4)	Section 33(3A) and (4)—	21
	<i>renumber</i> as section 33(4) and (5).	22
 Clause 33	 Amendment of s 36 (Competition authority refusing to investigate)	 23 24
(1)	Section 36(1)(a)—	25
	<i>omit.</i>	26
(2)	Section 36(1)(b) to (d)—	27
	<i>renumber</i> as section 36(1)(a) to (c).	28

[s 34]

Clause 34	Amendment of s 162 (Adoption and amendment of budget)	1
		2
	(1) Section 162, before subsection (1)—	3
	<i>insert—</i>	4
	(1AA) The council must adopt its budget for a financial year before—	5
		6
	(a) 1 August in the financial year; or	7
	(b) a later day decided by the Minister.	8
	(2) Section 162(1AA) to (3)—	9
	<i>renumber</i> as section 162(1) to (4).	10
Clause 35	Amendment of s 178 (Councillors)	11
	(1) Section 178(1)(d), (e) and (f)(vii)—	12
	<i>omit.</i>	13
	(2) Section 178(1)(i)—	14
	<i>omit.</i>	15
Clause 36	Amendment of s 179 (Administrative action complaints)	16
	(1) Section 179, heading, after ‘complaints’—	17
	<i>insert—</i>	18
	and competitive neutrality complaints	19
	(2) Section 179(1)(a), after ‘complaints’—	20
	<i>insert—</i>	21
	and competitive neutrality complaints	22
	(3) Section 179(2), after ‘must’—	23
	<i>insert—</i>	24
	, for each type of complaint mentioned in subsection (1),	25
		26
	(4) Section 179(2)(a) and (b), ‘administrative action’—	27

omit.

1

Clause 37 Amendment of s 242J (Closed meetings)

2

Section 242J(3), after paragraph (a)—

3

insert—

4

(aa) the appointment of a senior contract
employee;

5

6

Clause 38 Insertion of new ch 10, pt 14

7

Chapter 10—

8

insert—

9

**Part 14 Transitional provisions
for Local Government
(Empowering Councils)
and Other Legislation
Amendment Act 2025**

10

11

12

13

14

315 Budget for 2025–2026 financial year

15

Section 162(1), as in force on the commencement,
does not apply in relation to the budget for the
2025–2026 financial year.

16

17

18

**Division 3 Amendments commencing by
proclamation**

19

20

Clause 39 Amendment of s 178 (Councillors)

21

(1) Section 178(1)(f)(iv) to (vi)—

22

omit.

23

(2) Section 178(1)(g), (h), (j) and (k)—

24

[s 40]

	<i>omit.</i>	1
(3)	Section 178(1)(f)—	2
	<i>renumber</i> as section 178(1)(d).	3
Clause 40	Replacement of s 242AB (Ordinary business matters relating to documents—Act, s 177C)	4
	Section 242AB—	5
	<i>omit, insert—</i>	6
	242AB Matters in relation to which the Act, ch 6, pt 2, div 5A does not apply—Act, s 177A	7
	For section 177A(1)(d) of the Act, the annual operational plan adopted by the council under section 166 is prescribed.	8
		9
		10
		11
		12
Clause 41	Amendment of s 242D (Public availability of agendas)	13
	Section 242D(6), definition <i>related report</i> , from ‘meeting—’—	14
	<i>omit, insert—</i>	15
	meeting, means a report or other document relating to an item on the agenda for the meeting that is made available to councillors or committee members for the purposes of the meeting.	16
		17
		18
		19
		20
Clause 42	Amendment of s 242H (Recording of reasons for particular decisions)	21
	(1) Section 242H(2)—	22
	<i>omit.</i>	23
	(2) Section 242H(3) and (4)—	24
	<i>renumber</i> as section 242H(2) and (3).	25
		26

Clause 43	Amendment of s 242J (Closed meetings)	1
	(1) Section 242J(3)(j)—	2
	<i>omit.</i>	3
	(2) Section 242J(3)(aa) to (i)—	4
	<i>renumber</i> as section 242J(3)(b) to (j).	5
	(3) Section 242J(4)—	6
	<i>omit.</i>	7
	(4) Section 242J(5) and (6)—	8
	<i>renumber</i> as section 242J(4) and (5).	9
Clause 44	Insertion of new s 316	10
	After section 315, as inserted by this Act—	11
	<i>insert—</i>	12
	316 Investigation reports and council meetings	13
	(1) This section applies if, under the Local	14
	Government Act, section 366, an investigation	15
	report about the conduct of a councillor is	16
	prepared and given to the council.	17
	(2) Former sections 242D, 242H and 242J continue to	18
	apply in relation to the investigation report despite	19
	the enactment of the <i>Local Government</i>	20
	<i>(Empowering Councils) and Other Legislation</i>	21
	<i>Amendment Act 2025.</i>	22
	(3) In this section—	23
	<i>former</i> , in relation to a provision of this	24
	regulation, means the provision as in force	25
	immediately before the commencement.	26
Clause 45	Amendment of sch 3 (Financial and non-financial particulars for registers of interests)	27
	(1) Schedule 3, section 1, definition <i>conflict of interest</i> —	28
		29

[s 46]

<i>omit.</i>	1
(2) Schedule 3, section 1, definition <i>reporting term</i> , paragraph (a), from ‘relevant’—	2 3
<i>omit, insert—</i>	4
councillor’s term of office; or	5
(3) Schedule 3, section 13(2)—	6
<i>omit.</i>	7

Clause 46	Replacement of sch 3A (Content of extracts of registers of interests of councillors)	8 9
	Schedule 3A—	10
	<i>omit, insert—</i>	11
	Schedule 3A Content of extracts of registers of interests of councillors	12 13 14
	section 273(3)	15

Column 1	Column 2
Interest	Period
a gift mentioned in schedule 3, section 12(1)(a)	the financial year in which the gift is received
gifts mentioned in schedule 3, section 12(1)(b)	the financial year in which the gifts first total \$500 or more
a sponsored travel or accommodation benefit mentioned in schedule 3, section 13	the financial year in which the sponsored travel or accommodation benefit is received
a donation mentioned in schedule 3, section 14B(1)(a)	the financial year in which the donation is made

[s 47]

Column 1	Column 2
Interest	Period
donations mentioned in schedule 3, section 14B(1)(b)	the financial year in which the donations made first total \$500 or more
another interest mentioned in schedule 3	the period for which the councillor holds the interest

Clause 47	Amendment of sch 4 (Dictionary)	1
	(1) Schedule 4, definition <i>conflict of interest</i> —	2
	<i>omit.</i>	3
	(2) Schedule 4—	4
	<i>insert—</i>	5
	<i>sponsored travel or accommodation benefit</i> has	6
	the meaning given by section 177C(4) of the Act.	7
Part 4	Amendment of Local Government Act 2009	8
		9
Division 1	Preliminary	10
Clause 48	Act amended	11
	This part amends the <i>Local Government Act 2009</i> .	12
	<i>Note—</i>	13
	See also the amendments in schedule 1, parts 1 and 2.	14

[s 49]

Division 2	Amendments commencing on assent	1 2
Clause 49	Amendment of s 12 (Responsibilities of councillors)	3
	(1) Section 12(4)(a), ‘at which the mayor is the chairperson,’—	4
	<i>omit, insert—</i>	5
	as chairperson, and any committee meetings for which the mayor is the chairperson,	6 7
	(2) Section 12(4)—	8
	<i>insert—</i>	9
	(fa) being the official spokesperson of the local government about local government matters;	10 11 12
	(3) Section 12(4)(fa) and (g)—	13
	<i>renumber</i> as section 12(4)(g) and (h).	14
	(4) Section 12—	15
	<i>insert—</i>	16
	(5A) To remove any doubt, it is declared that subsection (4)(g) does not prevent a councillor who is not the mayor from communicating with the community about local government matters other than as the official spokesperson of the local government.	17 18 19 20 21 22
	(5) Section 12(5A) and (6)—	23
	<i>renumber</i> as section 12(6) and (7).	24
Clause 50	Amendment of s 16 (Review of divisions and councillors)	25
	(1) Section 16, from ‘A’ to ‘in the year’—	26
	<i>omit, insert—</i>	27
	For each local government, the electoral commission must, no later than 1 October in the	28 29

	year that is 2 years	1
(2)	Section 16(a), ‘its’—	2
	<i>omit, insert</i> —	3
	the local government’s	4
(3)	Section 16(b), ‘electoral commissioner’—	5
	<i>omit, insert</i> —	6
	local government	7
Clause 51	Amendment of s 46 (Assessing public benefit)	8
(1)	Section 46(8) and (10)—	9
	<i>omit.</i>	10
(2)	Section 46(9), from ‘the decision,’—	11
	<i>omit, insert</i> —	12
	the decision—	13
	(a) conduct another public benefit assessment of the significant business activity; and	14 15
	(b) repeat the process relating to a report on the public benefit assessment.	16 17
(3)	Section 46(9)—	18
	<i>renumber</i> as section 46(8).	19
Clause 52	Replacement of s 90B (Prohibition on major policy decision in caretaker period)	20 21
	Section 90B—	22
	<i>omit, insert</i> —	23
	90B Prohibition on major policy decisions during caretaker period	24 25
	A local government must not make a major policy decision during a caretaker period for the local government.	26 27 28

[s 52]

90BA Approval to make major policy decisions in exceptional circumstances	1 2
(1) This section applies if a local government considers that, because exceptional circumstances exist, it is necessary and in the public interest to make a major policy decision during a caretaker period for the local government.	3 4 5 6 7
(2) The local government may apply to the Minister for approval to make the major policy decision during the caretaker period.	8 9 10
(3) The Minister may give the approval if the Minister is satisfied that, because exceptional circumstances exist, it is necessary and in the public interest for the local government to make the major policy decision during the caretaker period.	11 12 13 14 15 16
(4) The approval may be given on conditions with which the local government must comply.	17 18
(5) Despite section 90B, the local government may make the major policy decision in accordance with the approval.	19 20 21
90BB Approval to make major policy decisions related to disaster recovery funding arrangements	22 23 24
(1) This section applies if—	25
(a) during a caretaker period for a local government, the local government’s local government area is eligible for assistance under the disaster recovery funding arrangements; and	26 27 28 29 30
(b) the Minister considers it is necessary for the local government to make major policy decisions during the caretaker period to achieve the objectives of the disaster recovery funding arrangements.	31 32 33 34 35

[s 53]

	(2) The Minister may give approval to the local government to make the major policy decisions.	1 2
	(3) The approval may state—	3
	(a) the types of major policy decisions that may be made by the local government; and	4 5
	(b) that the decisions may be made by the local government only in relation to a stated matter.	6 7 8
	(4) The approval may be given on conditions with which the local government must comply.	9 10
	(5) Despite section 90B, the local government may make major policy decisions in accordance with the approval.	11 12 13
	(6) In this section—	14
	<i>disaster recovery funding arrangements</i> means the funding arrangements jointly administered by the State and Commonwealth that are known as the ‘Disaster Recovery Funding Arrangements’.	15 16 17 18
Clause 53	Amendment of s 94 (Power to levy rates and charges)	19
	Section 94(1), ‘Each’—	20
	<i>omit, insert—</i>	21
	Subject to section 94A, each	22
Clause 54	Insertion of new s 94A	23
	After section 94—	24
	<i>insert—</i>	25
	94A Limitation on power to levy rates for particular local governments	26 27
	(1) A regulation may prescribe any of the following local governments as a local government to which this section applies—	28 29 30

[s 55]

	(a) Aurukun Shire Council;	1
	(b) Mornington Shire Council;	2
	(c) an indigenous local government.	3
	(2) A local government prescribed under subsection (1) must not levy general, special or separate rates.	4 5 6
	(3) The Minister may recommend to the Governor in Council the making of a regulation under subsection (1) in relation to a local government only if the Minister considers it would be impracticable for the local government to levy rates on rateable land in the local government's area.	7 8 9 10 11 12 13
Clause 55	Amendment of s 138 (What this division is about)	14
	Section 138(3)(a), 'employee'—	15
	<i>omit, insert—</i>	16
	agent	17
Clause 56	Amendment of s 138AA (Notices for this division)	18
	Section 138AA(3)—	19
	<i>omit, insert—</i>	20
	(3) A <i>reasonable entry notice</i> is a notice about a proposed entry of a property that states—	21 22
	(a) who is to enter the property; and	23
	(b) the reason for entering the property; and	24
	(c) the days and times when the property is to be entered.	25 26

Clause 57	Amendment of s 140 (Entry by an owner, with reasonable entry notice, under a remedial notice)	1 2
	(1) Section 140(2), ‘After’—	3
	<i>omit, insert—</i>	4
	At least 7 days after	5
	(2) Section 140(2)(a), from ‘at the times’—	6
	<i>omit, insert—</i>	7
	(other than a home on the property) on each day at the times stated in the reasonable entry notice; and	8 9
Clause 58	Amendment of s 142 (Entry by a local government worker, with reasonable entry notice, under a remedial notice)	10 11 12
	(1) Section 142(1)(a), after ‘property’—	13
	<i>insert—</i>	14
	who is required to take the action stated in the remedial notice	15 16
	(2) Section 142(2), ‘After’—	17
	<i>omit, insert—</i>	18
	At least 7 days after	19
	(3) Section 142(2)(a), after ‘occupier’—	20
	<i>insert—</i>	21
	on each day at the times stated in the reasonable entry notice	22 23
Clause 59	Amendment of s 143 (Entry by a local government worker, with reasonable entry notice, to take materials)	24 25
	(1) Section 143(4), from ‘After’ to ‘may’—	26
	<i>omit, insert—</i>	27
	A local government worker may, after giving a	28

[s 60]

	reasonable entry notice to the owner and the occupier of the relevant land within a reasonable period before the land is to be entered	1 2 3
(2)	Section 143(4)(a), after ‘of the land’— <i>insert</i> —	4 5
	on each day at the times stated in the reasonable entry notice	6 7
(3)	Section 143(4), example— <i>omit</i> .	8 9
Clause 60	Amendment of s 150DD (Acting assessor)	10
(1)	Section 150DD(2)— <i>omit</i> .	11 12
(2)	Section 150DD(3)— <i>renumber</i> as section 150DD(2).	13 14
Clause 61	Amendment of s 150DY (Content of register—decisions)	15
	Section 150DY(3), before paragraph (a)— <i>insert</i> —	16 17
	(aa) the decision relates to an order made against the councillor for unsuitable meeting conduct; or	18 19 20
Clause 62	Amendment of s 155 (Disqualification because of other high office)	21 22
(1)	Section 155, heading, from ‘because’— <i>omit, insert</i> —	23 24
	of government members and electoral candidates	25 26
(2)	Section 155(1) and (3), after ‘member’—	27

<i>insert—</i>	1
or electoral candidate	2
(3) Section 155—	3
<i>insert—</i>	4
(2A) A person is an <i>electoral candidate</i> if, under the	5
Electoral Act, section 93(3), the person becomes	6
a candidate for an election of a member of the	7
Legislative Assembly.	8
(4) Section 155(2A) and (3)—	9
<i>renumber</i> as section 155(3) and (4).	10

Clause 63	Amendment of ch 6, pt 2, div 2, hdg (Councillor’s term of office)	11
	Chapter 6, part 2, division 2, heading, after ‘office’—	12
	<i>insert—</i>	13
	and entitlement to remuneration	14
		15

Clause 64	Replacement of s 160B (Compulsory leave without pay)	16
	Section 160B—	17
	<i>omit, insert—</i>	18
	160B Remuneration to be paid for term	19
	A councillor of a local government is entitled to	20
	remuneration for the period—	21
	(a) starting on the day the councillor’s term	22
	starts under section 159; and	23
	(b) ending on the day the councillor’s term ends	24
	under section 160.	25

[s 65]

Clause 65	Amendment of s 162 (When a councillor’s office becomes vacant)	1 2
(1)	Section 162(1)—	3
	<i>insert—</i>	4
	(fa) is elected or appointed as mayor of the local government; or	5 6
(2)	Section 162(1)(fa) to (h)—	7
	<i>renumber</i> as section 162(1)(g) to (i).	8
 Clause 66	 Amendment of s 169A (Councillor training)	 9
(1)	Section 169A(1)—	10
	<i>omit, insert—</i>	11
	(1) A councillor must complete each approved training course unless the councillor has, at any time, previously completed the approved training course.	12 13 14 15
(2)	Section 169A(4), (5) and (6)(a), ‘councillor training’—	16
	<i>omit, insert—</i>	17
	training course	18
(3)	Section 169A(6)(b) and (c), ‘training’—	19
	<i>omit, insert—</i>	20
	course	21
(4)	Section 169A(7)(b), ‘requirements about’—	22
	<i>omit.</i>	23
(5)	Section 169A(8)—	24
	<i>omit, insert—</i>	25
	(8) In this section—	26
	<i>approved training course</i> means a course of training approved by the department’s chief executive that—	27 28 29

	(a)	is about a councillor's responsibilities under section 12; and	1 2
	(b)	meets the requirements under subsection (7).	3 4
Clause 67	Amendment of s 170A (Requests for assistance or information)		5 6
	(1)	Section 170A(4)— <i>insert—</i>	7 8
		(ba) that comprises proceedings in the Assembly under the <i>Parliament of Queensland Act 2001</i> , section 9; or	9 10 11
	(2)	Section 170A(4)(ba) to (d)— <i>renumber</i> as section 170A(4)(c) to (e).	12 13
Clause 68	Insertion of new ch 6, pt 2, div 6		14
	Chapter 6, part 2— <i>insert—</i>		15 16
	Division 6	Responsibilities during leave of absence	17 18
	175A Responsibilities of councillors during leave of absence		19 20
	(1)	This section applies if a local government grants a councillor a leave of absence for 1 or more ordinary meetings of the local government.	21 22 23
	(2)	To remove any doubt, it is declared that the councillor may perform any responsibility under section 12 during the councillor's leave of absence.	24 25 26 27

Authorised by the Parliamentary Counsel

<i>omit, insert—</i>	1
(1)	2
Clause 71 Insertion of new ch 9, pt 20	3
Chapter 9—	4
<i>insert—</i>	5
Part 20 Transitional provisions for Local Government (Empowering Councils) and Other Legislation Amendment Act 2025	6 7 8 9 10
Division 1 Preliminary	11
360 Definitions for part	12
In this part—	13
<i>amendment Act</i> means the <i>Local Government (Empowering Councils) and Other Legislation Amendment Act 2025</i> .	14 15 16
<i>former</i> , in relation to a provision of this Act, means the provision as in force from time to time before the commencement of the transitional provision in which the term is used.	17 18 19 20
<i>new</i> , in relation to a provision of this Act, means the provision as in force from the commencement of the transitional provision in which the term is used.	21 22 23 24
<i>transitional provision</i> means a provision of this part.	25 26

[s 71]

Division 2	Provisions for	1
	amendments commencing	2
	on assent	3
361 Councillors who were candidates immediately before commencement		4
		5
(1) This section applies if—		6
(a) before the commencement, a councillor had become a candidate, under the Electoral Act, section 93(3), for an election of a member of the Legislative Assembly; and		7
		8
		9
		10
(b) immediately before the commencement, the election period for the election had not ended under that Act.		11
		12
		13
(2) Sections 155 and 160B as in force immediately before the commencement continue to apply to the councillor, despite the enactment of the amendment Act, until the election period ends.		14
		15
		16
		17
362 Application of s 150DD for existing acting assessor		18
		19
(1) This section applies in relation to a person who was, immediately before the commencement, appointed as the acting assessor under section 150DD.		20
		21
		22
		23
(2) New section 150DD applies in relation to any reappointment of the person.		24
		25
363 Councillor training		26
Training that was, immediately before the commencement, approved councillor training for a matter under section 169A as in force immediately before the commencement is, from the commencement, taken to be an approved		27
		28
		29
		30
		31

[s 72]

training course for the same matter under new 1
section 169A. 2

364 Existing senior executive employees 3

- (1) This section applies to a person if, immediately 4
before the commencement, the person— 5
 - (a) held an appointment under section 196(3) as 6
in force immediately before the 7
commencement; and 8
 - (b) was classified as a senior executive 9
employee. 10
- (2) From the commencement— 11
 - (a) the person's contract and conditions of 12
employment continue; and 13
 - (b) the person is taken to have been appointed 14
as a senior executive employee under new 15
section 196(4). 16

Division 3 Amendments commencing by 17 proclamation 18

- Clause 72 Amendment of s 150B (Overview of chapter) 19**
- (1) Section 150B(1)(d), 'a conduct breach or'— 20
omit. 21
 - (2) Section 150B(2)(d)— 22
omit. 23
 - (3) Section 150B(2)(e)(i), from 'misconduct,'— 24
omit, insert— 25
misconduct; and 26
 - (4) Section 150B(2)(e)(ii), 'or a conduct breach'— 27

[s 73]

omit. 1

(5) Section 150B(2)(e) and (f)— 2

renumber as section 150B(2)(d) and (e). 3

Clause 73 Amendment of s 150C (Definitions for chapter) 4

Section 150C, definitions *conduct breach*, *investigation* 5

policy, *investigation report* and *referral notice*— 6

omit. 7

Clause 74 Amendment of s 150F (Department's chief executive to 8

make model procedures) 9

Section 150F(2)(c)— 10

omit. 11

Clause 75 Amendment of s 150I (Chairperson may deal with 12

unsuitable meeting conduct) 13

Section 150I(2)(b)— 14

insert— 15

Note— 16

Contravention of paragraph (b) is misconduct that could 17

result in disciplinary action being taken against a 18

councillor. See sections 150L(1)(c)(v), 150AQ and 19

150AR. 20

Clause 76 Omission of s 150J (Unsuitable meeting conduct that 21

becomes a conduct breach) 22

Section 150J— 23

omit. 24

Clause 77	Amendment of ch 5A, pt 3, hdg (Dealing with conduct breaches, misconduct and corrupt conduct)	1 2
	Chapter 5A, part 3, heading, ‘conduct breaches,’—	3
	<i>omit.</i>	4
Clause 78	Omission of s 150K (What is a <i>conduct breach</i>)	5
	Section 150K—	6
	<i>omit.</i>	7
Clause 79	Amendment of s 150L (What is <i>misconduct</i>)	8
	(1) Section 150L(1)(b)—	9
	<i>insert</i> —	10
	(iii) repeated unreasonable behaviour directed at another person that causes a risk to the health or safety of the other person; or	11 12 13
	(iv) harassment of a sexual nature, including, for example, unwelcome behaviour of a sexual nature and making a remark with a sexual connotation; or	14 15 16 17
	(2) Section 150L(1)(c)(i), ‘the local government or’—	18
	<i>omit.</i>	19
	(3) Section 150L(1)(c)(iii), ‘150R(2), 150EK, 150EL, 150EPA, 150EQ, 150EW, 150EZ’—	20 21
	<i>omit, insert</i> —	22
	150R(3), 150EI(2), 150EJ	23
	(4) Section 150L(1)(c)(iv), ‘177H, 177I, 177MA, 177N, 177T, 177W’—	24 25
	<i>omit, insert</i> —	26
	177F(2), 177G	27
	(5) Section 150L(1)(c)—	28

[s 80]

insert—

- (v) an order of the chairperson of a local government meeting for the councillor to leave and stay away from the place at which the meeting is being held.

(6) Section 150L(2) and (3)—

omit.

(7) Section 150L—

insert—

(5) In this section—

health, of a person, includes the person's physical, mental and psychological health.

(8) Section 150L(4) and (5)—

renumber as section 150L(2) and (3).

Clause 80 Amendment of s 150M (Dealing with particular conduct if councillor elected or appointed after vacating office)

(1) Section 150M(1)(a)(ii), from 'or a'—

omit, insert—

(the ***initial investigation***) under division 4; or

(2) Section 150M(1)(b)(ii), 'or 5'—

omit.

(3) Section 150M(2)(b), from 'or local' to 'or 5'—

omit, insert—

must investigate the relevant conduct of the councillor under division 4

(4) Section 150M(3), 'or local government'—

omit.

Clause 81	Amendment of s 150R (Local government official must notify assessor about particular conduct)	1 2
	(1) Section 150R(1)—	3
	<i>omit, insert—</i>	4
	(1) This section applies if a local government official becomes aware of information indicating a councillor may have engaged in conduct that would be misconduct.	5 6 7 8
	(1A) However, this section does not apply if the local government official is aware of the information because of a complaint to which section 150P applies.	9 10 11 12
	(2) Section 150R(2), note, ‘subsection (2)’—	13
	<i>omit, insert—</i>	14
	subsection (3)	15
	(3) Section 150R(1A) to (3)—	16
	<i>renumber</i> as section 150R(2) to (4).	17
Clause 82	Omission s 150S (Local government must notify assessor about misconduct)	18 19
	Section 150S—	20
	<i>omit.</i>	21
Clause 83	Amendment of s 150SA (Application of division)	22
	Section 150SA(c)—	23
	<i>omit, insert—</i>	24
	(c) the assessor decides under section 150SF to make a preliminary assessment of information relating to the conduct of a councillor.	25 26 27 28

[s 84]

Clause	84	Amendment of s 150SC (Assessor may ask for information)	1 2
	(1)	Section 150SC(2)(b), ‘the local government or’— <i>omit.</i>	3 4
	(2)	Section 150SC(2)(c)— <i>omit.</i>	5 6
Clause	85	Amendment of s 150SD (Preliminary assessment of complaints, notices or information)	7 8
	(1)	Section 150SD(2)(c)(iii), ‘a conduct breach or’— <i>omit.</i>	9 10
	(2)	Section 150SD(3)(d)— <i>omit.</i>	11 12
	(3)	Section 150SD(3)(e)— <i>renumber</i> as section 150SD(3)(d).	13 14
	(4)	Section 150SD(4)(a)— <i>omit.</i>	15 16
	(5)	Section 150SD(4)(b) and (c)— <i>renumber</i> as section 150SD(4)(a) and (b).	17 18
Clause	86	Amendment of s 150SE (Notice of preliminary assessment)	19 20
	(1)	Section 150SE(1)(b), ‘section 150SD(4)(c)’— <i>omit, insert—</i> section 150SD(4)(b)	21 22 23
	(2)	Section 150SE(2)(b), ‘the local government or’— <i>omit.</i>	24 25
	(3)	Section 150SE(2)(c)— <i>omit.</i>	26 27

-
- | | | |
|-----|---|---|
| (4) | Section 150SE(2)(d), ‘section 150SD(4)(c)’— | 1 |
| | <i>omit, insert—</i> | 2 |
| | section 150SD(4)(b) | 3 |
| (5) | Section 150SE(2)(d)— | 4 |
| | <i>renumber</i> as section 150SE(2)(c). | 5 |
| (6) | Section 150SE(4)(d), ‘section 150SD(4)(c)’— | 6 |
| | <i>omit, insert—</i> | 7 |
| | section 150SD(4)(b) | 8 |

- | | | |
|------------------|--|----|
| Clause 87 | Amendment of s 150SF (Assessor may make preliminary assessment on own initiative) | 9 |
| | | 10 |
| (1) | Section 150SF(1)(a), ‘a conduct breach or’— | 11 |
| | <i>omit.</i> | 12 |
| (2) | Section 150SF(1)(a), examples— | 13 |
| | <i>omit, insert—</i> | 14 |
| | <i>Example—</i> | 15 |
| | while investigating a councillor for alleged misconduct, | 16 |
| | the assessor receives information that indicates another | 17 |
| | councillor has engaged in the same conduct | 18 |

- | | | |
|------------------|--|----|
| Clause 88 | Amendment of s 150T (Assessor must investigate conduct of councillor) | 19 |
| | | 20 |
| | Section 150T(1)(a), ‘section 150SD(4)(b)’— | 21 |
| | <i>omit, insert—</i> | 22 |
| | section 150SD(4)(a) | 23 |

- | | | |
|------------------|---|----|
| Clause 89 | Amendment of s 150W (Decision about conduct) | 24 |
| (1) | Section 150W(b) and (d)— | 25 |
| | <i>omit.</i> | 26 |
| (2) | Section 150W(c) to (f)— | 27 |

[s 90]

renumber as section 150W(b) to (d).

1

Clause 90 Amendment of s 150X (Decision to dismiss complaint)

2

Section 150X(a)(ii), ‘a conduct breach or’—

3

omit.

4

Clause 91 Amendment of s 150Y (Decision to take no further action)

5

Section 150Y(b)(i) and (ii), ‘a conduct breach or’—

6

omit.

7

Clause 92 Amendment of s 150AA (Notice and opportunity for councillor to respond)

8

9

Section 150AA(2)(d), ‘a conduct breach or’—

10

omit.

11

Clause 93 Omission of ch 5A, pt 3, div 5 (Referral of conduct to local government)

12

13

Chapter 5A, part 3, division 5—

14

omit.

15

Clause 94 Amendment of ch 5A, pt 3, div 6, hdg (Application to conduct tribunal about misconduct and connected conduct breach)

16

17

18

Chapter 5A, part 3, division 6, heading, from ‘and’—

19

omit.

20

Clause 95 Amendment of s 150AI (Application of division)

21

Section 150AI, from ‘in—’—

22

omit, insert—

23

in misconduct.

24

Clause 96	Amendment of s 150AJ (Application to conduct tribunal about alleged misconduct)	1 2
	(1) Section 150AJ(1), from ‘in—’—	3
	<i>omit, insert—</i>	4
	in misconduct.	5
	(2) Section 150AJ(2)(b), ‘or conduct breach’—	6
	<i>omit.</i>	7
	(3) Section 150AJ(2)(c), from ‘in—’—	8
	<i>omit, insert—</i>	9
	in misconduct; and	10
	(4) Section 150AJ(3)—	11
	<i>omit.</i>	12
Clause 97	Amendment of s 150AN (Role of the assessor)	13
	Section 150AN(2), from ‘in—’—	14
	<i>omit, insert—</i>	15
	in misconduct.	16
Clause 98	Amendment of s 150AQ (Deciding about misconduct and connected conduct breach)	17 18
	(1) Section 150AQ, heading, from ‘and’—	19
	<i>omit.</i>	20
	(2) Section 150AQ(1)(a), from ‘in—’—	21
	<i>omit, insert—</i>	22
	in misconduct; and	23
	(3) Section 150AQ(1)(b), ‘or a conduct breach’—	24
	<i>omit.</i>	25
	(4) Section 150AQ(2)(b)—	26

[s 99]

<i>omit.</i>	1
(5) Section 150AQ(2)(c)—	2
<i>renumber</i> as section 150AQ(2)(b).	3

Clause 99	Amendment of s 150AR (Disciplinary action against councillor)	4
		5
(1)	Section 150AR(1)(b)(v), ‘or conduct breach (or both)’—	6
	<i>omit.</i>	7
(2)	Section 150AR(2) and (3)—	8
	<i>omit.</i>	9
(3)	Section 150AR(4)—	10
	<i>renumber</i> as section 150AR(2).	11

Clause 100	Amendment of s 150AS (Notices and publication of decisions and orders)	12
		13
(1)	Section 150AS(1)(a), ‘or a conduct breach (or both)’—	14
	<i>omit.</i>	15
(2)	Section 150AS(1)(b), ‘or conduct breach (or both)’—	16
	<i>omit.</i>	17
(3)	Section 150AS(6), from ‘in—’—	18
	<i>omit, insert—</i>	19
	in misconduct.	20

Clause 101	Amendment of s 150AY (Functions of investigators)	21
(1)	Section 150AY(b), first dot point, ‘150R(3)’—	22
	<i>omit, insert—</i>	23
	150R(4)	24
(2)	Section 150AY(b), second dot point, ‘150EM(2), 150ES(5), 150EY’—	25
		26

omit, insert—

150EI(3)

- (3) Section 150AY(b), fourth dot point, ‘177J(2), 177P(5), 177V’—

omit, insert—

177F(3)

Clause 102 Amendment of s 150CU (Functions)

- (1) Section 150CU(1)(a), ‘a conduct breach,’—

omit.

- (2) Section 150CU(1)(b), ‘conduct breaches,’—

omit.

Clause 103 Amendment of s 150DU (Costs of conduct tribunal to be met by local government)

Section 150DU(1), ‘or conduct breach’—

omit.

Clause 104 Amendment of s 150DX (Local governments to keep and publish register)

- (1) Section 150DX(1)(b) and (c)—

omit.

- (2) Section 150DX(1)(d), ‘or a conduct breach’—

omit.

- (3) Section 150DX(1)(d)—

renumber as section 150DX(1)(b).

Clause 105 Amendment of s 150DY (Content of register—decisions)

- (1) Section 150DY(1)(c) and (d)—

[s 106]

<i>omit.</i>	1
(2) Section 150DY(1)(e), ‘or conduct breach’—	2
<i>omit.</i>	3
(3) Section 150DY(1)(e)—	4
<i>renumber</i> as section 150DY(1)(c).	5
(4) Section 150DY(3)(a), from ‘local’ to ‘breach or’—	6
<i>omit, insert</i> —	7
conduct tribunal decided the councillor engaged	8
in	9
(5) Section 150DY(3)(aa) to (b)—	10
<i>renumber</i> as section 150DY(3)(a) to (c).	11

Clause 106	Amendment of s 150EB (Annual report)	12
(1)	Section 150EB(2)(a)(v) to (vii)—	13
	<i>omit.</i>	14
(2)	Section 150EB(2)(a)(ix), ‘or conduct breaches’—	15
	<i>omit.</i>	16
(3)	Section 150EB(2)(a)(viii) to (x)—	17
	<i>renumber</i> as section 150EB(2)(a)(v) to (vii).	18

Clause 107	Replacement of ch 5B (Councillors’ conflicts of interest)	19
	Chapter 5B—	20
	<i>omit, insert</i> —	21
	Chapter 5B Dealing with	22
	personal interests of	23
	councillors	24

150ED Matters in relation to which chapter does not apply	1
	2
(1) This chapter does not apply in relation to a councillor's personal interest in a matter if the matter—	3
	4
	5
(a) is solely, or relates solely to, the making or levying of rates and charges, or the fixing of a cost-recovery fee, by the local government; or	6
	7
	8
	9
(b) is solely, or relates solely to—	10
(i) making a planning scheme that applies to the whole of the local government area; or	11
	12
	13
(ii) amending a planning scheme, if the amendment applies to the whole of the local government area; or	14
	15
	16
(c) is solely, or relates solely to, the preparation, adoption or amendment of a budget for the local government; or	17
	18
	19
(d) is solely, or relates solely to, preparing, adopting or amending a document prescribed by regulation that the local government is required to prepare or adopt under a Local Government Act; or	20
	21
	22
	23
	24
(e) is solely, or relates solely to—	25
(i) the making of a donation to a religious, charitable or non-profit institution or organisation, unless a councillor, or an associate or related party of a councillor, receives a benefit because of the donation that is more than merely a benefit relating to reputation; or	26
	27
	28
	29
	30
	31
	32
	33
(ii) a councillor representing the local government in an official capacity at an	34
	35

[s 107]

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- | | |
|--|----|
| event held by a government agency or | 1 |
| an entity that is wholly owned by the | 2 |
| local government; or | 3 |
| (f) is solely, or relates solely to, | 4 |
| employment-related or upgraded travel or | 5 |
| accommodation undertaken or used by a | 6 |
| councillor, or an associate or related party of | 7 |
| a councillor; or | 8 |
| (g) is solely, or relates solely to— | 9 |
| (i) the remuneration or reimbursement of | 10 |
| expenses of councillors or members of | 11 |
| a committee of the local government; | 12 |
| or | 13 |
| (ii) the provision of superannuation | 14 |
| entitlements or insurance for | 15 |
| councillors; or | 16 |
| (iii) a matter of interest to the councillor | 17 |
| solely as a candidate for election or | 18 |
| appointment as mayor, deputy mayor, | 19 |
| councillor or member of a committee | 20 |
| of the local government. | 21 |
| (2) Also, this chapter does not apply in relation to a | 22 |
| councillor's interest in a matter if the interest of | 23 |
| the councillor, or an associate or related party of | 24 |
| the councillor, is no greater than the personal | 25 |
| interests in the matter of a significant proportion | 26 |
| of persons in the local government area. | 27 |
| (3) In addition, this chapter does not apply in relation | 28 |
| to a councillor's interest in a matter relating to a | 29 |
| corporation or association that arises solely | 30 |
| because of a nomination or appointment of the | 31 |
| councillor by the local government to be a | 32 |
| member of the board of the corporation or | 33 |
| association. | 34 |
| (4) In this section— | 35 |
| <i>employment-related or upgraded travel or</i> | 36 |
-

-
- accommodation***, for a person, means— 1
- (a) travel or accommodation undertaken or used 2
by the person that is paid for by the State or 3
a local government; or 4
 - (b) if the person is a councillor—travel or 5
accommodation paid for by LGAQ Ltd for 6
the purpose of the councillor attending a 7
meeting of the policy executive established 8
under the constitution of LGAQ Ltd; or 9
 - (c) travel or accommodation that is— 10
 - (i) undertaken or used by the person in the 11
course of the person’s employment; 12
and 13
 - (ii) contributed to, whether financially or 14
non-financially, by the person’s 15
employer; or 16
 - (d) if the person is a director of a 17
corporation—travel or accommodation that 18
is— 19
 - (i) undertaken or used by the person in the 20
course of carrying out the person’s 21
duties as director; and 22
 - (ii) contributed to, whether financially or 23
non-financially, by the corporation; or 24
 - (e) if the travel is airline travel undertaken by 25
the person—an upgrade to the travel given 26
by the provider of the travel for no charge; 27
or 28
- Example—* 29
- a free air travel upgrade to business class 30
 - (f) an upgrade to accommodation used by the 31
person that is given by the provider of the 32
accommodation for no charge. 33
-

[s 107]

<i>Example—</i>	1
a free accommodation upgrade to a larger room	2
<i>government agency</i> means—	3
(a) the State, a government entity or another local government; or	4 5
(b) another Australian government or an entity of another Australian government; or	6 7
(c) a local government of another State.	8
150EE What is a <i>material personal interest</i>	9
(1) A councillor has a <i>material personal interest</i> in a matter if the councillor or an associate of the councillor stands to gain a benefit or suffer a loss, either directly or indirectly, depending on the outcome of the consideration of the matter at a local government meeting.	10 11 12 13 14 15
(2) However, a councillor has a <i>material personal interest</i> under subsection (1) in relation to an associate only if the councillor knows, or ought reasonably to know, about the associate's involvement in the matter.	16 17 18 19 20
150EF What is a <i>conflict of interest</i>	21
(1) A <i>conflict of interest</i> is a conflict between a councillor's personal interests, or the personal interests of a related party of the councillor, and the public interest that might lead to a decision that is contrary to the public interest.	22 23 24 25 26
(2) However, a councillor does not have a <i>conflict of interest</i> in a matter if—	27 28
(a) the conflict of interest arises solely because—	29 30
(i) the councillor undertakes an engagement in the capacity of	31 32

[s 107]

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- | | |
|--|----|
| councillor for a community group, | 1 |
| sporting club or similar organisation, | 2 |
| and is not appointed as an executive | 3 |
| officer of the organisation; or | 4 |
| (ii) the councillor, or a related party of the | 5 |
| councillor, is a member or patron of a | 6 |
| community group, sporting club or | 7 |
| similar organisation, and is not | 8 |
| appointed as an executive officer of the | 9 |
| organisation; or | 10 |
| (iii) the councillor, or a related party of the | 11 |
| councillor, is a member of a political | 12 |
| party; or | 13 |
| (iv) the councillor, or a related party of the | 14 |
| councillor, has an interest in an | 15 |
| educational facility or provider of a | 16 |
| child care service as a student or | 17 |
| former student, or a parent or | 18 |
| grandparent of a student, of the facility | 19 |
| or service; or | 20 |
| (b) the conflict of interest arises solely because | 21 |
| of the religious beliefs of the councillor or a | 22 |
| related party of the councillor; or | 23 |
| (c) the conflict of interest arises solely because | 24 |
| the councillor, or a related party of the | 25 |
| councillor, receives a gift, loan or sponsored | 26 |
| travel or accommodation benefit from an | 27 |
| entity during a financial year, if the total | 28 |
| gifts, loans and benefits given by the entity | 29 |
| to the councillor or related party total less | 30 |
| than \$500 in the financial year; or | 31 |
| (d) the conflict of interest relates to the | 32 |
| appointment, discipline, termination, | 33 |
| remuneration or other employment | 34 |
| conditions of a councillor advisor for the | 35 |
| councillor, if the conflict of interest arises | 36 |
| solely because the councillor advisor is a | 37 |
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[s 107]

- related party, other than an associate, of the 1
councillor; or 2
- (e) the conflict of interest arises solely 3
because— 4
 - (i) the councillor is, or has been, a 5
member of a group of candidates for an 6
election or a previous election with 7
another councillor; or 8
 - (ii) the same political party endorsed the 9
candidature of the councillor and 10
another councillor for an election or a 11
previous election; or 12
 - (iii) the councillor has been elected or 13
appointed at the same time, or has held 14
office during the same period, as 15
another councillor. 16
- (3) Also, a councillor has a *conflict of interest* in a 17
matter in relation to a related party only if the 18
councillor knows, or ought reasonably to know, 19
about the related party's involvement in the 20
matter. 21
- (4) In this section— 22
 - patron*, of a community group, sporting club or 23
similar organisation, means a person who, under a 24
formal arrangement, provides public support to 25
the group, club or organisation as its ambassador 26
or representative. 27
 - sponsored travel or accommodation benefit*, 28
received by a person, means travel or 29
accommodation undertaken or used by the person, 30
other than employment-related or upgraded travel 31
or accommodation under section 150ED(4), if— 32
 - (a) another entity contributes, whether 33
financially or non-financially, to the cost of 34
the travel or accommodation; and 35

- (b) the other entity is not the person's spouse,
other family member or friend. 1
2

150EG Who is an *associate* of a councillor 3

Each of the following persons is an *associate* of a
councillor— 4
5

- (a) a spouse of the councillor; 6
(b) a parent, child or sibling of the councillor; 7
(c) a person in a partnership with the councillor; 8
(d) an employer, other than a government entity,
of the councillor; 9
10
(e) an entity, other than a government entity, of
which the councillor is an executive officer
or board member; 11
12
13
(f) an entity in which the councillor or a person
mentioned in paragraphs (a) to (e) for the
councillor has an interest, other than an
interest of less than 5% in an entity that is a
listed corporation under the Corporations
Act, section 9; 14
15
16
17
18
19
(g) another person prescribed by regulation. 20

150EH Who is a *related party* of a councillor 21

A person is a *related party* of a councillor if the
person is any of the following— 22
23

- (a) an associate of the councillor, other than an
entity mentioned in section 150EG(f); 24
25
(b) a spouse of the councillor's parent, child or
sibling; 26
27
(c) a grandparent, uncle, aunt, nephew, niece or
grandchild of the councillor or the
councillor's spouse; 28
29
30

[s 107]

(d)	a parent, child or sibling of the councillor's spouse;	1 2
(e)	a spouse of a person mentioned in paragraph (c) or (d);	3 4
(f)	an entity in which the councillor, or a person mentioned in paragraph (a), (b), (c), (d) or (e), has an interest.	5 6 7
150EI Councillor's material personal interest at a meeting		8 9
(1)	This section applies if—	10
(a)	a matter is to be discussed at a local government meeting; and	11 12
(b)	a councillor has a material personal interest in the matter.	13 14
(2)	The councillor must—	15
(a)	inform the meeting of the councillor's material personal interest in the matter; and	16 17
(b)	leave the place where the meeting is being held, including any area set aside for the public, and stay away from the place while the matter is discussed and voted on.	18 19 20 21
<i>Note—</i>		22
Contravention of this subsection is misconduct that could result in disciplinary action being taken against a councillor. See section 150L(1)(c)(iii).		23 24 25
(3)	The councillor must not contravene subsection (2), including by voting on the matter, with an intention to gain a benefit or avoid a loss for the councillor or someone else.	26 27 28 29
Maximum penalty—200 penalty units or 2 years imprisonment.		30 31
(4)	However, the councillor does not contravene subsection (2) by taking part in the meeting, or	32 33

-
- being at the place where the meeting is being held, 1
if— 2
- (a) the councillor is a person to whom approval 3
is given under subsection (5); and 4
 - (b) the councillor complies with all conditions 5
on which the approval is given. 6
- (5) The Minister may, by signed notice, approve the 7
councillor taking part in the meeting, or being at 8
the place where the meeting is being held, if— 9
- (a) because of the number of councillors subject 10
to the obligation under this section, the 11
holding of the meeting would be obstructed 12
if the approval were not given; or 13
 - (b) it appears to the Minister to be in the 14
interests of the local government area that 15
the approval be given. 16
- (6) The Minister may give the approval subject to 17
conditions stated in the notice. 18
- (7) The following information must be recorded in 19
the minutes of the meeting or, if minutes are not 20
required for the meeting, in another way 21
prescribed by regulation— 22
- (a) the name of the councillor who has the 23
material personal interest, or possible 24
material personal interest, in a matter; 25
 - (b) the nature of the material personal interest, 26
or possible material personal interest, as 27
described by the councillor; 28
 - (c) whether the councillor took part in the 29
meeting, or was at the place during the 30
meeting, under an approval under 31
subsection (5). 32

[s 107]

150EJ Councillor’s conflict of interest at a meeting	1
(1) This section applies if—	2
(a) a matter is to be discussed at a local government meeting; and	3 4
(b) a councillor at the meeting—	5
(i) has a conflict of interest in the matter (a <i>real conflict</i>); or	6 7
(ii) could reasonably be taken to have a conflict of interest in the matter (a <i>perceived conflict</i>).	8 9 10
(2) The councillor must deal with the real conflict or perceived conflict in a transparent and accountable way.	11 12 13
<i>Note—</i>	14
Contravention of this section is misconduct that could result in disciplinary action being taken against a councillor. See section 150L(1)(c)(iii).	15 16 17
(3) Without limiting subsection (2), the councillor must inform the meeting of—	18 19
(a) the councillor’s personal interests in the matter; and	20 21
(b) if the councillor participates in the meeting in relation to the matter—how the councillor intends to deal with the real conflict or perceived conflict.	22 23 24 25
(4) Subsection (5) applies if a quorum at the meeting can not be formed because the councillor proposes to be excluded from the meeting to comply with subsection (2).	26 27 28 29
(5) The councillor does not contravene subsection (2) merely by participating, including, for example, by voting, in the meeting in relation to the matter if—	30 31 32 33

[s 108]

- (a) the attendance of the councillor, together with any other required number of councillors, forms a quorum for the meeting; and
 - (b) the councillor complies with subsection (3).
- (6) The following information must be recorded in the minutes of the meeting or, if minutes are not required for the meeting, in another way prescribed by regulation—
 - (a) the name of the councillor who has the real conflict or perceived conflict;
 - (b) the nature of the personal interests, as described by the councillor;
 - (c) how the councillor dealt with the real conflict or perceived conflict;
 - (d) if the councillor voted on the matter—how the councillor voted on the matter;
 - (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.
- (7) To remove any doubt, it is declared that non-participation in the meeting is not the only way the councillor may appropriately deal with the real conflict or perceived conflict in a transparent and accountable way.

- Clause 108 Amendment of s 201D (Dishonest conduct of councillor or councillor advisor)**
- (1) Section 201D(2), definition *relevant integrity provision*, paragraph (a)(i) to (v)—
omit.
 - (2) Section 201D(2), definition *relevant integrity provision*, paragraph (a)(vi) to (ix)—
renumber as paragraph (a)(i) to (iv).

[s 109]

Clause 109	Amendment of s 257 (Delegation of local government powers)	1
		2
	(1) Section 257(2)—	3
	<i>omit.</i>	4
	(2) Section 257(3) to (5)—	5
	<i>renumber</i> as section 257(2) to (4).	6
 Clause 110	 Insertion of new ch 9, pt 20, div 3	 7
	Chapter 9, part 20, as inserted by this Act—	8
	<i>insert—</i>	9
	Division 3	10
	Provisions for	
	amendments commencing	11
	by proclamation	12
	 Subdivision 1 Councillor conduct	 13
	 365 Existing matters about particular unsuitable meeting conduct of councillor	 14
		15
	(1) This section applies if—	16
	(a) before the commencement, a local government started to deal with unsuitable meeting conduct of a councillor under former sections 150J(b) and 150AG; and	17
		18
		19
		20
	(b) immediately before the commencement, a decision about the councillor’s conduct under former section 150AG had not been made.	21
		22
		23
		24
	(2) From the commencement, the local government must take no further action in relation to the councillor’s unsuitable meeting conduct.	25
		26
		27

366 Preliminary assessment of conduct engaged in before commencement	1
	2
(1) This section applies if—	3
(a) a councillor engaged in conduct before the commencement; and	4
	5
(b) either—	6
(i) a preliminary assessment of a complaint, notice or information about the conduct was started but not finished before the commencement under former chapter 5A, part 3, division 3A; or	7
	8
	9
	10
	11
	12
(ii) a preliminary assessment of a complaint, notice or information about the conduct is started on or after the commencement under new chapter 5A, part 3, division 3A.	13
	14
	15
	16
	17
(2) New chapter 5A, part 3 applies in relation to the councillor's conduct, including for the completion of the preliminary assessment.	18
	19
	20
(3) For a preliminary assessment mentioned in subsection (1)(b)(i), anything done under former chapter 5A, part 3, division 3A is taken to have been done under new chapter 5A, part 3, division 3A.	21
	22
	23
	24
	25
(4) Despite subsection (2), on the completion of the preliminary assessment, the assessor may dismiss the complaint or decide to take no further action for the notice or information if—	26
	27
	28
	29
(a) the assessor reasonably suspects the councillor has engaged in misconduct mentioned in new section 150L(1)(b)(iii) or (iv); and	30
	31
	32
	33
(b) the assessor is satisfied—	34

[s 110]

- (i) at least 6 months have elapsed since the councillor's conduct occurred; and
 - (ii) it would not be in the public interest to take further action under new chapter 5A, part 3.
- (5) Also, after the completion of the preliminary assessment, subsection (6) applies if—
 - (a) the assessor applies to the conduct tribunal under new section 150AJ; and
 - (b) the tribunal decides under new section 150AQ that the councillor has engaged in misconduct mentioned in new section 150L(1)(b)(iii) or (iv).
- (6) Despite new section 150AR, the conduct tribunal may make an order mentioned in section 150AH(a) or (b) as in force immediately before the commencement.
- (7) For subsection (6), section 150AH as in force immediately before the commencement applies as if—
 - (a) a reference in that section to the local government were a reference to the conduct tribunal; and
 - (b) a reference in that section to a conduct breach were a reference to misconduct mentioned in new section 150L(1)(b)(iii) or (iv).
- (8) In addition, subsection (9) applies if, after completing the preliminary assessment, the assessor reasonably suspects the councillor's conduct the subject of the complaint, notice or information is a combination of—
 - (a) misconduct mentioned in new section 150L; and

- (b) other conduct that is a conduct breach 1
within the meaning of former section 150K. 2
- (9) Despite new section 150SD, the assessor must 3
dismiss the complaint, or decide to take no further 4
action for the notice or information, to the extent 5
it relates to the conduct mentioned in subsection 6
(8)(b). 7

367 Existing matters referred to local governments 8

- (1) This section applies if— 9
 - (a) before the commencement, the assessor, 10
under former section 150SD(4)(a) or 11
150W(b), referred a complaint, notice or 12
information about the conduct of a 13
councillor to a local government; and 14
 - (b) immediately before the commencement, a 15
decision about the councillor's conduct 16
under former section 150AG had not been 17
made by the local government. 18
- (2) Sections 150K, 150L and 150M and chapter 5A, 19
part 3, division 5 as in force immediately before 20
the commencement continue to apply, despite the 21
enactment of the amendment Act, in relation to 22
the conduct as if the conduct were a conduct 23
breach. 24

368 Existing applications to conduct tribunal for 25 particular matters 26

- (1) This section applies if— 27
 - (a) before the commencement, the assessor had 28
applied to the conduct tribunal under former 29
section 150AJ(1)(b); and 30
 - (b) immediately before the commencement, the 31
application had not been decided. 32

[s 110]

- | | | |
|-----|--|-----------------------|
| (2) | The conduct tribunal may conduct, or continue to conduct, a hearing about the application under chapter 5A, part 3 as in force immediately before the commencement despite the enactment of the amendment Act. | 1
2
3
4
5 |
|-----|--|-----------------------|

369 Existing reviews by QCAT of particular matters	6
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- | | | |
|-----|--|----------------------|
| (1) | This section applies in relation to a review started, but not decided, under former section 150AT before the commencement that relates to an application under former section 150AJ(1)(b). | 7
8
9
10 |
| (2) | QCAT may continue to hear and decide the review under chapter 5A, part 3 as in force immediately before the commencement despite the enactment of the amendment Act. | 11
12
13
14 |

370 Existing review rights to QCAT for particular matters	15 16
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- | | | |
|-----|--|----------------------|
| (1) | This section applies if, immediately before the commencement— | 17
18 |
| (a) | a person could have but had not applied to QCAT for review of a decision under former section 150AT for an application under former section 150AJ(1)(b); and | 19
20
21
22 |
| (b) | the period within which the person could apply for the review had not ended. | 23
24 |
| (2) | The person may apply for a review of the decision under former section 150AT as if the amendment Act had not been enacted. | 25
26
27 |
| (3) | Also, QCAT may hear and decide the review under chapter 5A, part 3 as in force immediately before the commencement as if the amendment Act had not been enacted. | 28
29
30
31 |

Subdivision 2	Dealing with personal	1
	interests of councillors	2

371	Proceedings for particular offences	3
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- | | | |
|-----|--|----|
| (1) | This section applies in relation to an offence | 4 |
| | against any of the following provisions | 5 |
| | committed by a person before the | 6 |
| | commencement— | 7 |
| (a) | former section 201D in relation to a | 8 |
| | provision mentioned in former section | 9 |
| | 201D(2), definition <i>relevant integrity</i> | 10 |
| | <i>provision</i> , paragraph (a)(i) to (v); | 11 |
| (b) | former section 150EM(2); | 12 |
| (c) | former section 150ES(5); | 13 |
| (d) | former section 150EY. | 14 |
| (2) | Without limiting the <i>Acts Interpretation Act 1954</i> , | 15 |
| | section 20, a proceeding for the offence may be | 16 |
| | continued or started, and the person may be | 17 |
| | convicted of and punished for the offence, as if | 18 |
| | the amendment Act, sections 107 and 108 had not | 19 |
| | commenced. | 20 |
| (3) | Subsection (2) applies despite the Criminal Code, | 21 |
| | section 11. | 22 |

372	Continued application of s 153 for former	23
	integrity offences	24

- | | | |
|-----|---|----|
| (1) | This section applies if a person is convicted of an | 25 |
| | offence against former section 150EM(2) or | 26 |
| | 150EY before or after the commencement. | 27 |
| (2) | The conviction is taken to be a conviction of an | 28 |
| | integrity offence for section 153(1)(d). | 29 |

[s 111]

373 Application of this Act for contravention of former COI provisions	1
	2
(1) This section applies if—	3
(a) before the commencement, a person had made a complaint to the assessor about the conduct of a councillor; and	4
	5
	6
(b) the conduct related to a contravention of former section 150EK, 150EL, 150EPA, 150EQ, 150EW or 150EZ (the <i>former COI provisions</i>); and	7
	8
	9
	10
(c) immediately before the commencement, the complaint had not been resolved.	11
	12
(2) Chapter 5A, as it applies under subdivision 1, applies in relation to the councillor’s conduct as if—	13
	14
	15
(a) the former COI provisions had not been repealed; and	16
	17
(b) contravention of a former COI provision continued to be misconduct within the meaning of section 150L.	18
	19
	20
(3) In this section—	21
<i>resolved</i> , in relation to a complaint about a councillor’s conduct, means all proceedings or actions that are required or permitted to be taken under chapter 5A in relation to the conduct are complete.	22
	23
	24
	25
	26

Clause 111 Amendment of sch 1 (Serious integrity offences and integrity offences)	27
	28
(1) Schedule 1, part 2, under heading ‘This Act’, entries for sections 150EM(2) and 150EY—	29
	30
<i>omit.</i>	31
(2) Schedule 1, part 2, under heading ‘This Act’—	32

insert—

1

150EI(3) Councillor’s material personal interest at a meeting

Clause 112 Amendment of sch 4 (Dictionary)

2

(1) Schedule 4, definitions *close associate*, *declarable conflict of interest*, *eligible councillor*, *employment-related or upgraded travel or accommodation* and *prescribed conflict of interest—*
omit.

6

(2) Schedule 4, definitions *conduct breach*, *investigation policy*, *investigation report* and *referral notice—*
omit.

9

(3) Schedule 4—
insert—

10

11

associate, of a councillor, see section 150EG.

12

conflict of interest see section 150EF.

13

material personal interest see section 150EE.

14

(4) Schedule 4, definition *related party*, ‘section 150EP’—
omit, insert—

15

16

section 150EH

17

Part 5 Amendment of Local Government Regulation 2012

18

19

Division 1 Preliminary

20

Clause 113 Regulation amended

21

This part amends the *Local Government Regulation 2012*.

22

[s 114]

Note—

See also the amendments in schedule 1, part 2.

Division 2 Amendments commencing on assent

Clause 114 Replacement of s 44 (Minimum requirements for complaint process)

Section 44—

omit, insert—

44 Complaints management process

The complaints management process adopted by
the relevant local government under section 306
applies to a competitive neutrality complaint in
relation to the business entity.

Clause 115 Amendment of s 45 (Making a complaint)

(1) Section 45(1), ‘or the competition authority’—

omit.

(2) Section 45(2)(b)(iii)—

omit.

(3) Section 45(3)—

omit, insert—

(3) Subsection (4) applies if—

(a) the relevant local government makes a
decision about the complaint; and

(b) the complainant tells the local government
that the complainant is not satisfied with the
decision.

(3A) The relevant local government must give the
following to the competition authority as soon as

	practicable—	1
	(a) the complaint;	2
	(b) the local government’s decision about the complaint and the reasons for the decision;	3
	(c) information obtained from any investigation of the complaint.	4
	(4) Section 45(3A) and (4)—	5
	<i>renumber</i> as section 45(4) and (5).	6
Clause 116	Amendment of s 48 (Competition authority refusing to investigate)	7
	(1) Section 48(1)(a)—	8
	<i>omit.</i>	9
	(2) Section 48(1)(b) to (d)—	10
	<i>renumber</i> as section 48(1)(a) to (c).	11
Clause 117	Amendment of s 71 (What ch 4 is about)	12
	Section 71(2)—	13
	<i>omit.</i>	14
Clause 118	Amendment of ch 4, pt 2, hdg (Land exempt from rating)	15
	Chapter 4, part 2, heading, after ‘rating’—	16
	<i>insert—</i>	17
	and prescribed local governments	18
Clause 119	Insertion of new s 73A	19
	After section 73—	20
	<i>insert—</i>	21

[s 120]

73A Local governments to which Act, s 94A applies	1
For section 94A(1) of the Act, the following local governments are prescribed—	2
	3
(a) Aurukun Shire Council;	4
(b) Cherbourg Aboriginal Shire Council;	5
(c) Doomadgee Aboriginal Shire Council;	6
(d) Hope Vale Aboriginal Shire Council;	7
(e) Kowanyama Aboriginal Shire Council;	8
(f) Lockhart River Aboriginal Shire Council;	9
(g) Mapoon Aboriginal Shire Council;	10
(h) Mornington Shire Council;	11
(i) Napranum Aboriginal Shire Council;	12
(j) Palm Island Aboriginal Shire Council;	13
(k) Pormpuraaw Aboriginal Shire Council;	14
(l) Woorabinda Aboriginal Shire Council;	15
(m) Wujal Wujal Aboriginal Shire Council;	16
(n) Yarrabah Aboriginal Shire Council;	17
(o) Northern Peninsula Area Regional Council;	18
(p) Torres Strait Island Regional Council.	19

Clause 120 Amendment of s 186 (Councillors)	20
(1) Section 186(1)(d), (e) and (f)(vii)—	21
<i>omit.</i>	22
(2) Section 186(1)(i)—	23
<i>omit.</i>	24

Clause 121 Amendment of s 187 (Administrative action complaints)	25
(1) Section 187, heading, after ‘complaints’—	26

insert—

and competitive neutrality complaints

(2) Section 187(1)(a), after ‘complaints’—

insert—

and competitive neutrality complaints

(3) Section 187(2), after ‘must’—

insert—

, for each type of complaint mentioned in
subsection (1),

(4) Section 187(2)(a) and (b), ‘administrative action’—

omit.

Clause 122 Amendment of s 247 (Remuneration payable to councillors)

(1) Section 247—

insert—

(2A) However, a decision not to pay the maximum
amount of remuneration to a councillor must not
be made only because the councillor was absent,
with or without the local government’s leave, for
1 or more ordinary meetings of the local
government.

(2) Section 247(4), ‘subsection (3)’—

omit, insert—

subsection (4)

(3) Section 247(8), ‘Subsections (4), (5) and (6)’—

omit, insert—

Subsections (5), (6) and (7)

(4) Section 247(2A) to (8)—

renumber as section 247(3) to (9).

[s 123]

Division 3	Amendments commencing by proclamation	1 2
Clause 123	Amendment of s 186 (Councillors)	3
	(1) Section 186(1)(f)(iii), ‘section 150R(2)’—	4
	<i>omit, insert—</i>	5
	section 150R(3)	6
	(2) Section 186(1)(f)(iv) to (vi)—	7
	<i>omit.</i>	8
	(3) Section 186(1)(g), (h), (j) and (k)—	9
	<i>omit.</i>	10
	(4) Section 186(1)(f)—	11
	<i>renumber</i> as section 186(1)(d).	12
Clause 124	Omission of s 239C (When summary of investigation report or investigation report must be made publicly available)	13 14 15
	Section 239C—	16
	<i>omit.</i>	17
Clause 125	Replacement of s 254AB (Ordinary business matters relating to documents—Act, s 150EF)	18 19
	Section 254AB—	20
	<i>omit, insert—</i>	21
	254AB Matters in relation to which the Act, ch 5B does not apply—Act, s 150ED	22 23
	For section 150ED(1)(d) of the Act, the annual operational plan adopted by a local government under section 174 is prescribed.	24 25 26

Clause 126	Amendment of s 254D (Public availability of agendas)	1
	Section 254D(5), definition <i>related report</i> , from	2
	‘meeting—’—	3
	<i>omit, insert—</i>	4
	meeting, means a report or other document	5
	relating to an item on the agenda for the meeting	6
	that is made available to councillors or committee	7
	members for the purposes of the meeting.	8
Clause 127	Amendment of s 254H (Recording of reasons for particular decisions)	9
	(1) Section 254H(2)—	10
	<i>omit.</i>	11
	(2) Section 254H(3) and (4)—	12
	<i>renumber</i> as section 254H(2) and (3).	13
		14
Clause 128	Amendment of s 254J (Closed meetings)	15
	(1) Section 254J(3)(j)—	16
	<i>omit.</i>	17
	(2) Section 254J(4)—	18
	<i>omit.</i>	19
	(3) Section 254J(5) and (6)—	20
	<i>renumber</i> as section 254J(4) and (5).	21
Clause 129	Insertion of new ch 27	22
	After chapter 26—	23
	<i>insert—</i>	24

[s 130]

Chapter 27 Transitional provision for Local Government (Empowering Councils) and Other Legislation Amendment Act 2025

382 Investigation reports and local government meetings

- (1) This section applies if, under section 366 of the Act, an investigation report about the conduct of a councillor is prepared and given to a local government.
- (2) Former sections 239C, 254D, 254H and 254J continue to apply in relation to the investigation report despite the enactment of the *Local Government (Empowering Councils) and Other Legislation Amendment Act 2025*.
- (3) In this section—
former, in relation to a provision of this regulation, means the provision as in force immediately before the commencement.

Clause 130 Amendment of sch 5 (Financial and non-financial particulars for registers of interests)

- (1) Schedule 5, section 1, definition *conflict of interest*—
omit.
- (2) Schedule 5, section 1, definition *reporting term*, paragraph (a), from ‘relevant’—

[s 131]

	<i>omit, insert—</i>	1
	councillor's term of office; or	2
(3)	Schedule 5, section 13(2)—	3
	<i>omit.</i>	4
Clause 131	Replacement of sch 5A (Content of extracts of registers of interests of councillors)	5
	Schedule 5A—	6
	<i>omit, insert—</i>	7
	Schedule 5A Content of extracts of registers of interests of councillors	8
		9
		10
		11
	section 295(3)	12

Column 1	Column 2
Interest	Period
a gift mentioned in schedule 5, section 12(1)(a)	the financial year in which the gift is received
gifts mentioned in schedule 5, section 12(1)(b)	the financial year in which the gifts first total \$500 or more
a sponsored travel or accommodation benefit mentioned in schedule 5, section 13	the financial year in which the sponsored travel or accommodation benefit is received
a donation mentioned in schedule 5, section 14B(1)(a)	the financial year in which the donation is made
donations mentioned in schedule 5, section 14B(1)(b)	the financial year in which the donations made first total \$500 or more

[s 132]

Column 1	Column 2
Interest	Period
another interest mentioned in schedule 5	the period for which the councillor holds the interest

Clause 132	Amendment of sch 8 (Dictionary)	1
	(1) Schedule 8, definition <i>conflict of interest</i> —	2
	<i>omit.</i>	3
	(2) Schedule 8—	4
	<i>insert—</i>	5
	<i>sponsored travel or accommodation benefit</i> has	6
	the meaning given by section 150EF(4) of the	7
	Act.	8
Part 6	Amendment of Local	9
	Government Electoral Act 2011	10
Clause 133	Act amended	11
	This part amends the <i>Local Government Electoral Act 2011</i> .	12
Clause 134	Amendment of s 26 (Who may be nominated)	13
	Section 26(2)—	14
	<i>omit, insert—</i>	15
	(2) Also, a person may be nominated as a candidate	16
	for an election only if—	17
	(a) the person has, within 6 months before the	18
	nomination day for the election,	19
	successfully completed a training course	20
	approved by the department’s chief	21
	executive about—	22

	(i) the person's obligations as a candidate,	1
	including the person's obligations	2
	under part 6; and	3
	(ii) the person's obligations as a councillor,	4
	if the person is elected or appointed,	5
	including obligations under a Local	6
	Government Act within the meaning of	7
	the <i>Local Government Act 2009</i> ; or	8
	(b) the person is a councillor—	9
	(i) who has, at any time, successfully	10
	completed a training course mentioned	11
	in paragraph (a); and	12
	(ii) whose office has not, before the	13
	nomination day for the election,	14
	become vacant under the <i>City of</i>	15
	<i>Brisbane Act 2010</i> , section 162 or the	16
	<i>Local Government Act 2009</i> , section	17
	162.	18
Clause 135	Amendment of s 45AA (Application for direction that poll	19
	be conducted by postal ballot)	20
	(1) Section 45AA, heading, 'direction'—	21
	<i>omit, insert—</i>	22
	recommendation	23
	(2) Section 45AA(1), 'Minister for a poll to'—	24
	<i>omit, insert—</i>	25
	electoral commissioner to make a written	26
	recommendation to the Minister that a poll	27
	(3) Section 45AA(2)(a), 'Minister'—	28
	<i>omit, insert—</i>	29
	electoral commissioner	30

[s 136]

Clause 136	Amendment of s 45AB (Referral of application to electoral commissioner for recommendation)	1
		2
(1)	Section 45AB, heading—	3
	<i>omit, insert—</i>	4
	45AB Deciding application for recommendation	5
(2)	Section 45AB(1)—	6
	<i>omit.</i>	7
(3)	Section 45AB(2), ‘The’—	8
	<i>omit, insert—</i>	9
	For an application by a local government under section 45AA, the	10
		11
(4)	Section 45AB(2), before paragraph (a)—	12
	<i>insert—</i>	13
	(aa) as soon as practicable after the application is made, give the Minister notice of the application; and	14
		15
		16
(5)	Section 45AB(2)(b), from ‘give’ to ‘approved’—	17
	<i>omit, insert—</i>	18
	make a written recommendation about whether the poll should be conducted by postal ballot	19
		20
(6)	Section 45AB(2)—	21
	<i>insert—</i>	22
	(c) give the recommendation and reasons to the Minister.	23
		24
(7)	Section 45AB(2)(aa) to (c)—	25
	<i>renumber</i> as section 45AB(2)(a) to (d).	26
(8)	Section 45AB(2) to (4)—	27
	<i>renumber</i> as section 45AB(1) to (3).	28

Clause 137	Amendment of s 45 (Direction that poll be conducted by postal ballot)	1
		2
	(1) Section 45(1), from ‘about an application’—	3
	<i>omit, insert—</i>	4
	under section 45AB, the Minister must consider	5
	the recommendation and decide whether to give a	6
	direction that the poll the subject of the	7
	recommendation be conducted by postal ballot.	8
	(2) Section 45(2), ‘approve the application’—	9
	<i>omit, insert—</i>	10
	give the direction	11
	(3) Section 45(2)(b), ‘section 45AB(4)’—	12
	<i>omit, insert—</i>	13
	section 45AB(3)	14
	(4) Section 45(3) and (4), ‘approval’—	15
	<i>omit, insert—</i>	16
	direction	17
Clause 138	Amendment of s 177 (Author of election material must be named)	18
		19
	(1) Section 177, heading ‘Author of’—	20
	<i>omit, insert—</i>	21
	Person who authorised advertisement etc.	22
	containing	23
	(2) Section 177(2)—	24
	<i>omit, insert—</i>	25
	(2) The particulars are—	26
	(a) the name of the person who authorised the	27
	advertisement, handbill, pamphlet or notice;	28
	and	29

[s 139]

	(b) the person’s address, post office box or other address prescribed by regulation.	1 2
Clause 139	Amendment of s 178 (Distribution of how-to-vote cards)	3
	(1) Section 178(2)—	4
	<i>omit, insert—</i>	5
	(2) A how-to-vote card must state—	6
	(a) the name of the person who authorised the card; and	7 8
	(b) the person’s address, post office box or other address prescribed by regulation.	9 10
	(2) Section 178(4)—	11
	<i>omit, insert—</i>	12
	(4) For subsection (2), if the card is authorised for a group of candidates or for a candidate who is a member of a group of candidates, the authorising person must be a member of the group.	13 14 15 16
Clause 140	Amendment of sch 1 (Other matters nomination must contain)	17 18
	Schedule 1, section 7, from ‘that’—	19
	<i>omit, insert—</i>	20
	that—	21
	(a) the candidate has, within 6 months before the nomination day for the election, successfully completed a training course approved under section 26(2) of the Act; or	22 23 24 25
	(b) the candidate is a councillor—	26
	(i) who has, at any time, successfully completed a training course approved under section 26(2) of the Act; and	27 28 29

[s 141]

-
- (ii) whose office has not, before the
nomination day for the election,
become vacant under the *City of
Brisbane Act 2010*, section 162 or the
Local Government Act 2009, section
162.

Part 7 **Minor and consequential** 7
 amendments 8

Clause 141 **Legislation amended** 9
 Schedule 1 amends the legislation it mentions. 10

Schedule 1	Other amendments	1
	section 141	2
Part 1	Amendments commencing on assent	3
		4
	City of Brisbane Act 2010	5
1	Section 92C(1)(a), ‘section 92B’—	6
	<i>omit, insert—</i>	7
	section 92BA or 92BB	8
2	Section 92C(1)(b), from ‘Minister’s’—	9
	<i>omit, insert—</i>	10
	approval under section 92BA(4) or 92BB(4).	11
3	Section 252(2)(j), ‘sustainability’—	12
	<i>omit, insert—</i>	13
	planning	14
4	Schedule 1, parts 1 and 2, ‘Local Government Electoral Act’—	15
	<i>omit, insert—</i>	16
		17

	<i>Local Government Electoral Act 2011</i>	1
	City of Brisbane Regulation 2012	2
1	Section 255H, ‘section 194C(1)(a)’—	3
	<i>omit, insert—</i>	4
	section 194C(1)	5
	Local Government Act 2009	6
1	Section 83(3)(b), ‘indigenous regional council’—	7
	<i>omit, insert—</i>	8
	local government	9
2	Section 90C(1)(a), ‘section 90B’—	10
	<i>omit, insert—</i>	11
	section 90BA or 90BB	12
3	Section 90C(1)(b), from ‘Minister’s’—	13
	<i>omit, insert—</i>	14
	approval under section 90BA(4) or 90BB(4).	15
4	Section 90D(3), ‘<i>Local Government Electoral Act 2011</i>’—	16
	<i>omit, insert—</i>	17
	Local Government Electoral Act	18

Schedule 1

5	Section 150AU(1), after ‘under section’—	1
	<i>insert—</i>	2
	150SE or	3
6	Section 152, ‘<i>Local Government Electoral Act 2011</i>’—	4
	<i>omit, insert—</i>	5
	Local Government Electoral Act	6
7	Section 170(2)(b), after ‘section 196(3)’—	7
	<i>insert—</i>	8
	or (4)	9
Part 2	Amendments commencing by proclamation	10
		11
	City of Brisbane Act 2010	12
1	Section 194A(2)(a), ‘a close’—	13
	<i>omit, insert—</i>	14
	an	15
	City of Brisbane Regulation 2012	16
1	Section 242F(5)(b), ‘prescribed conflict of interest or declarable conflict of interest’—	17
	<i>omit, insert—</i>	18
		19

	material personal interest or conflict of interest	1
2	Section 242G(2)(c), ‘section 177X(2) or (4)’—	2
	<i>omit, insert—</i>	3
	section 177F(7) or 177G(6)	4
	Local Government Act 2009	5
1	Section 197A(2), ‘a close’—	6
	<i>omit, insert—</i>	7
	an	8
	Local Government Regulation 2012	9
1	Section 254F(5)(b), ‘prescribed conflict of interest or declarable conflict of interest’—	10
	<i>omit, insert—</i>	11
	material personal interest or conflict of interest	12
2	Section 254G(2)(c), ‘section 150FA(2) or (4)’—	13
	<i>omit, insert—</i>	14
	section 150EI(7) or 150EJ(6)	15
		16