

# Impact Analysis Statement

## Summary IAS

### Details

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| <b>Lead department</b>                                       | Department of Local Government, Water and Volunteers   |
| <b>Name of the proposal</b>                                  | Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025   |
| <b>Submission type</b>                                       | Summary IAS  |
| <b>Title of related legislative or regulatory instrument</b> | <i>Local Government Act 2009</i><br><i>City of Brisbane Act 2010</i><br><i>Local Government Electoral Act 2011</i><br><i>Local Government Regulation 2012</i><br><i>City of Brisbane Regulation 2012</i> |
| <b>Date of issue</b>   | November 2025  |

| Proposal type  | Details   |
|--|---|
| <b>Minor and machinery in nature</b>                 | <p>The below proposals are minor or machinery in nature. The proposals correct technical errors or do not result in a substantive change to regulatory policy or do not result in new impacts on business, government or the community.</p> <p>Amendments to the <i>Local Government Act 2009</i> (LGA), <i>City of Brisbane Act 2010</i>, <i>Local Government Regulation 2012</i> and <i>City of Brisbane Regulation 2012</i>:</p> <ul style="list-style-type: none"> <li>clarify that the obligation for trustee councils to conduct trustee business separately from other local government business applies to all trustee councils, not just Indigenous regional councils</li> <li>ensure that the name of a councillor who engages in unsuitable meeting conduct is included in the councillor conduct register</li> <li>allow Brisbane City Council to adopt its annual budget before 1 August in the financial year or before a later day decided by the Minister, bringing Brisbane City Council into line with other local governments</li> <li>update references to <i>Local Government Electoral Act 2011</i></li> <li>update an offence provision in the LGA to confirm the original intent that a person who is given a notice for making a frivolous complaint following the assessment of their complaint, can be prosecuted</li> <li>empower local governments to deal with competitive neutrality complaints through their administrative action complaints process before referring them to the competition authority if the administrative action complaints process has been unsuccessful, and</li> <li>remove current time restrictions applying to the appointment of an acting Independent Assessor.</li> </ul> |
| <b>Regulatory proposals where no RIA is required</b> | The below proposals relate to the internal management of the public sector or are deregulatory in nature. No regulatory impact analysis is required under the Better Regulation Policy.   |

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| <p><b>Regulatory proposals that are deregulatory</b></p> | <p>Amendments to the <i>Local Government Act 2009</i>, <i>City of Brisbane Act 2010</i>, <i>Local Government Electoral Act 2011</i>, <i>Local Government Regulation 2012</i> and <i>City of Brisbane Regulation 2012</i>:</p> <ul style="list-style-type: none"> <li>• re-empower local governments, rather than solely the Chief Executive Officers (CEO), to appoint senior executive employees of the local government via a local government panel which includes the mayor</li> <li>• re-empower Brisbane City Council, rather than the CEO, to appoint 'senior contract employees' (including at the General Manager level)</li> <li>• empower Indigenous local governments by clarifying rating powers, including providing a framework to enable Indigenous local governments to levy rates and charges in the future</li> <li>• reinforce the longstanding position that the mayor is the official spokesperson of council, while clarifying that all other councillors may communicate with the community about council matters</li> <li>• clarify that the mayor is the default chairperson of ordinary and special meetings of the council, which includes managing the conduct of participants at the meeting</li> <li>• provide a Ministerial power to issue a general approval to all local governments to make major policy decisions to progress disaster recovery related works (for example, procurement contracts) during caretaker periods for local government elections</li> <li>• empower councillors by removing conduct breaches from the councillor conduct framework and making certain councillor training voluntary, rather than mandatory</li> <li>• amend the conflicts of interest and register of interests frameworks which apply to councillors</li> <li>• remove the requirement for local governments to publish statistics on councillor conduct matters in their annual report that are already published on the website in the local government's councillor conduct register</li> <li>• remove the power to make a regulation to limit the functions and key responsibilities of councillor advisors</li> <li>• streamline the process for postal ballot applications by allowing local governments to lodge postal ballot applications directly with the Electoral Commissioner, rather than requiring an application to be first made to the Minister</li> <li>• remove inefficiencies in the ward/division and councillor review process by providing that the Electoral Commission of Queensland, as the provider of the relevant data, must conduct the review and notify local governments and the Minister of the results</li> <li>• change the deadline for a local government's quota review (1 March in the year before the year of the quadrennial elections) to align with Brisbane City Council (1 October in the year that is two years before the year of the quadrennial elections) to allow the Local Government Change Commission sufficient time to complete the necessary boundary reviews</li> <li>• remove the requirement for local governments to give the Minister a copy of a public benefit assessment report and all resolutions made in relation to the report when a local government conducts a public benefit assessment for a new significant business activity</li> <li>• amendments to provide certainty to councillors in relation to remuneration, leaves of absence, vacation of office, and eligibility, including: <ul style="list-style-type: none"> <li>○ when councillors are entitled to begin and end receiving remuneration following their election or appointment to office</li> </ul> </li> </ul> |
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|  | <ul style="list-style-type: none"> <li>○ clarifying that a councillor is entitled to their remuneration when absent from council, including during leaves of absence</li> <li>○ providing certainty to councillors that leaves of absence from council meetings can be rescinded and do not limit carrying out other responsibilities</li> <li>○ providing certainty that the office of a councillor who is elected or appointed to fill a mayoral vacancy is taken to be vacant when the councillor commences in mayoral role, and</li> <li>○ providing for the automatic removal of a councillor from office upon nomination as a candidate for election to the Legislative Assembly</li> <li>• enable sound and robust decision-making by Brisbane City Council's Establishment and Coordination Committee ('Civic Cabinet') by providing for access to committee information by non-member councillors only after decisions are made</li> <li>• prevent unauthorised disclosure of documents which constitute parliamentary proceedings under the <i>Parliament of Queensland Act 2001</i> (responding to a recommendation of the Ethics Committee)</li> <li>• enable election candidates and participants to include contact information other than their physical address in election material, and</li> <li>• clarify the operation of provisions enabling councils to access and remove materials, including quarry materials such as gravel, from relevant land in a local government area.</li> </ul> |
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## Impact assessment

|   | First full year | First 10 years** |
|---|-----------------|------------------|
| <b>Direct costs – Compliance costs*</b> | 0               | 0                |
| <b>Direct costs – Government costs</b>  | 0               | 0                |

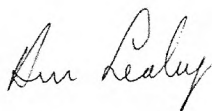
\* The *direct costs calculator tool* (available at [qpc.qld.gov.au/best-practice-regulation](http://qpc.qld.gov.au/best-practice-regulation)) should be used to calculate direct costs of regulatory burden. If the proposal has no costs, report as zero. \*\*Agency to note where a longer or different timeframe may be more appropriate.

## Signed



Bronwyn Blagoev  
Director-General

Date: 19 November 2025



Ann Leahy MP  
Minister for Local Government and Water and  
Minister for Fire, Disaster Recovery and  
Volunteers

Date: 19 November 2025