



# QUEENSLAND PARLIAMENT **COMMITTEES**

**Report on subordinate legislation tabled between 10 December 2025  
and 10 February 2026**

Local Government, Small Business and Customer Service Committee



Report No. 10

58th Parliament, April 2026

## Overview

This report summarises the committee’s findings following its examination of the subordinate legislation within its portfolio areas tabled between 10 December 2025 and 10 February 2026. It reports on any issues identified by the committee relating to the policy to be given effect by the legislation, fundamental legislative principles and lawfulness. It also reports on the compliance of the explanatory notes with the *Legislative Standards Act 1992* (LSA).<sup>1</sup>

The report also notes any issues identified by the committee in its consideration of compliance with the *Human Rights Act 2019* (HRA)<sup>2</sup> and the human rights certificates tabled with the subordinate legislation.<sup>3</sup>

## Subordinate legislation examined

No.	Subordinate legislation	Date tabled	Disallowance date*
161	Local Government Legislation (Empowering Councils) Amendment Regulation 2025	10 February 2026	14 May 2026
167	Local Government (Boundary Change) Amendment Regulation 2025	10 February 2026	14 May 2026

\* Disallowance dates are based on proposed sitting dates as advised by the Leader of the House. These dates are subject to change.

## Committee consideration of the subordinate legislation

### Committee Comment



Unless noted below, the committee did not identify any significant issues regarding the policy, consistency with fundamental legislative principles, the lawfulness of the subordinate legislation or non-compliance with the HRA.

Similarly, unless noted below, the committee considers that the explanatory notes tabled with the subordinate legislation noted in this report comply with the requirements of section 24 of the LSA, which includes advice about consultation, and that the human rights certificates tabled with the subordinate legislation provide a sufficient level of information to facilitate understanding of the subordinate legislation in relation to their compatibility with the HRA.

<sup>1</sup> *Legislative Standards Act 1992*, Part 4. See also, LSA s 4.

<sup>2</sup> *Human Rights Act 2019*, s 8, 13.

<sup>3</sup> *Human Rights Act 2019*, s 41.

## **1 SL No. 161 – Local Government Legislation (Empowering Councils) Amendment Regulation 2025**

The Local Government Legislation (Empowering Councils) Amendment Regulation 2025 (SL No. 161) amends the City of Brisbane Regulation 2012 (CBR) and the Local Government Regulation 2012 (LGR) to:

- provide local governments the ability to decide, by resolution, whether to dispose of valuable non-current assets other than by tender or auction, without requiring intervention from the State
- enable local governments, other than the Brisbane City Council, to grant concessions to ratepayers if satisfied the concession is appropriate having regard to the cost of living in the locality where the land is situated
- increase the thresholds for requiring tenders and quotes<sup>4</sup> by increasing the minimum threshold:
  - amount for a medium-sized contractual arrangement in line with Consumer Price Index (CPI) to \$21,000 (increased from \$15,000)
  - amount for a large-sized contractual arrangement in line with CPI to \$280,000 (increased from \$200,000)
  - set by a local government for a valuable non-current asset in line with CPI to \$7,000 (increased from \$5,000) for plant or equipment, and to \$14,000 (increased from \$10,000) for another type of non-current asset<sup>5</sup>
- ensure that all local governments can, by resolution, extend the discount period for the early payment of rates if there are extraordinary circumstances.<sup>6</sup>

According to the explanatory notes, SL No. 161 also makes the following amendments to reduce ‘unnecessary red tape’:

- remove the power for the Minister to grant an extension of time by which a local government must adopt its annual report<sup>7</sup>
- remove the requirement for the chief executive officer of a local government to notify the Minister if the chief executive officer is aware of the material loss of an asset which the chief executive officer is satisfied is also a reportable loss
- remove the requirement to include an annual performance plan for each commercial business unit of a local government
- remove the prohibition on councillors using discretionary funds in a local government election year (from 1 January to the conclusion of the election)

---

<sup>4</sup> SL No. 161 increases the medium-sized and large-sized contractual arrangement thresholds, and the thresholds for a valuable non-current asset contract which is not for the disposal of land, by the all groups consumer price index for Brisbane (CPI) from when the thresholds were introduced; and introduces an automatic indexation mechanism to allow the thresholds to increase annually by CPI. SL No. 161, explanatory notes, pp 4, 12.

<sup>5</sup> SL No. 161, explanatory notes, p 12.

<sup>6</sup> SL No. 161, s 3. SL No. 161, explanatory notes, pp 2, 5-6, 13.

<sup>7</sup> The intention of the amendments is to reduce unnecessary involvement from the Minister. SL No. 161, explanatory notes, pp 2, 6.

- allow local governments to not meet in a particular month if it is impractical or unnecessary to do so, without requiring a ministerial exemption.<sup>8</sup>

Additionally, SL No.161 provides that the remuneration of mayors and deputy mayors can only be decreased, by resolution, to be the same proportion of the maximum amount of remuneration payable as all other councillors of the local government are to receive.<sup>9</sup>

## 1.1 Consultation

The explanatory notes state that consultation was undertaken with the following stakeholders:

- Local Government Association of Queensland
- Local Government Managers Australia (Queensland)
- Brisbane City Council
- Local Government Remuneration Commission.<sup>10</sup>

The explanatory notes add:

*These stakeholders were broadly supportive of the amendments. Where appropriate, the Department of Local Government, Water and Volunteers will provide guidance material for councils on the amendments.*<sup>11</sup>

## 1.2 Compliance with human rights

Assessment of SL No. 161's compatibility with the HRA identified limitations on the right to freedom of expression and the right to take part in public life.

### 1.2.1 Freedom of expression and right to take part in public life

Every person has the right to hold an opinion without interference and the right to freedom of expression.<sup>12</sup> Every person in Queensland has the right, and is to have the opportunity, without discrimination to participate in the conduct of public affairs, directly or through freely chosen representatives.<sup>13</sup>

Pursuant to SL No. 161, local governments are no longer required to include information regarding annual performance plans for their commercial business units in annual operational plans and annual operational reports, or to prepare annual performance plans.

The human rights certificate acknowledges that the amendments limit the right to freedom of expression and the right to take part in public life for members of the public:

*... by removing a requirement which supports the ability of the public to seek and receive information regarding annual performance plans and to participate in dialogue between the public and councillors about these plans.*<sup>14</sup>

---

<sup>8</sup> SL No. 161, explanatory notes, p 2.

<sup>9</sup> SL No. 161, explanatory notes, p 2.

<sup>10</sup> SL No. 161, explanatory notes, pp 16-17

<sup>11</sup> SL No. 161, explanatory notes, p 17.

<sup>12</sup> HRA, s 21.

<sup>13</sup> HRA, s 23(1).

<sup>14</sup> SL No. 161, human rights certificate, p 3.

According to the human rights certificate, the purpose of the limitation is to ‘remove unnecessary red tape for local governments’. Removing the requirement is intended to ‘allow local governments to allocate resources more efficiently and to prepare and publish annual performance plans where considered appropriate’.<sup>15</sup>

The limitation is connected to the purpose of the amendments as removing information compliance requirements removes the need for local governments to allocate staff and funding toward it. The explanatory notes states that there are no less restrictive and reasonably available ways to achieve the purpose of the amendments.<sup>16</sup>

The human rights certificate notes that local governments still have the option of preparing and publishing annual performance plans where considered appropriate and in accordance with the local government principles provided for in the *City of Brisbane Act 2010* and the *Local Government Act 2009*.<sup>17</sup>

Additionally, the human rights certificate advises that:

*... the broader financial and operational transparency and accountability of local governments is maintained through other existing legislative requirements that apply to local governments, including that members of the public can still make requests for information under the Right to Information Act 2009 regarding annual performance plans or other related information.*<sup>18</sup>

#### Committee Comment



The committee notes that local governments can still prepare and publish annual performance plans as appropriate and that other transparency and accountability mechanisms remain in place.

On balance, the committee is satisfied that any limitations on human rights are reasonable and justified in the circumstances.

## 2 SL No. 167 – Local Government (Boundary Change) Amendment Regulation 2025

The Local Government (Boundary Change) Amendment Regulation 2025 (SL No. 167) amends the LGR to implement a recommendation of the Local Government Change Commission (Commission) to alter the external boundary between Ipswich City Council and Somerset Regional Council.<sup>19</sup>

The LGR provides that the external boundaries of a local government area should be drawn in a way that ‘has regard to communities of interest, including that the local

<sup>15</sup> SL No. 161, human rights certificate, p 3.

<sup>16</sup> SL No. 161, human rights certificate, p 4.

<sup>17</sup> SL No. 161, human rights certificate, p 4.

<sup>18</sup> SL No. 161, human rights certificate, p 4.

<sup>19</sup> SL No. 167, explanatory notes, pp 1-2.

government area should generally have external boundaries that do not dissect properties'.<sup>20</sup> The Commission found the proposed change to be in the public interest.<sup>21</sup>

According to the explanatory notes, there was unanimous support from both councils and the affected landholders for the proposed change.<sup>22</sup>

## 2.1 Consultation

The explanatory notes state that due to the unanimous support from both councils and the affected landholders no further consultation was undertaken.<sup>23</sup>



### Recommendation 1

The committee recommends that the Legislative Assembly note this report.



James Lister MP

### Chair

Local Government, Small Business and Customer Service Committee

### Chair

Mr James Lister MP, Member for Southern Downs

### Deputy Chair

Mrs Margie Nightingale MP, Member for Inala

### Members

Mr Adam Baillie MP, Member for Townsville

Mr Mark Boothman MP, Member for Theodore

Mr Michael Healy MP, Member for Cairns

Ms Joan Pease MP, Member for Lytton

<sup>20</sup> LGR, s 9(1)(d)(iii); SL No. 167, explanatory notes, p 2.

<sup>21</sup> SL No. 167, explanatory notes, p 2.

<sup>22</sup> SL No. 167, explanatory notes, p 3.

<sup>23</sup> SL No. 167, explanatory notes, p 3.