



Queensland

# **Local Government Act (Recall Referendums and Review Petitions) Amendment Youth Act 2025**

## **Youth Act No. 8 of 2025**

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**A Youth Bill for a Youth Act to amend the Local Government Act 2009 to establish processes for the recall of councillors, to establish processes for the review of local government action follow petitions, and for related purposes**

**[Assented to 23 October 2025]**





Queensland

# Local Government Act (Recall Referendums and Review Petitions) Amendment Youth Act 2025

## Contents

		Page
<b>Part 1</b>	<b>Preliminary</b>	
1	Short title .....	3
<b>Part 2</b>	<b>Amendment of Local Government Act 2009</b>	
2	Act amended .....	3
3	Insertion of new ch 5, pt 1, divs 4 and 5 .....	3
	Division 4 Recall referendum	
	Subdivision 1 Preliminary	
124B	Purpose of division .....	3
124C	Definitions for division .....	4
124D	What is a recall referendum and the question .....	6
124E	What is the recall area for a recall referendum .....	7
124F	What is a recall trigger for a recall referendum .....	7
124G	What is the recall threshold for a recall referendum .	10
124H	What is the automatic recall threshold for a recall referendum .....	11
124I	Relationship with Referendums Act .....	12
	Subdivision 2 Writ for recall referendum	
124J	Writ for a recall referendum .....	14
124K	Minister to recommend Governor issue writ for recall referendum .....	15
124L	Injunctions requiring Minister to make recommendation	17
	Subdivision 3 Arguments	
124M	Argument in favour of recall question .....	18
124N	Argument against recall question .....	18
124O	Display and publication of arguments .....	18

Contents

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Subdivision 4	Voting and conduct of recall referendums	
124P	Returning officer (recall) and assistant returning officer (recall) . . . . .	19
124Q	Voters roll . . . . .	20
124R	Form of ballot papers . . . . .	20
124S	Who may vote . . . . .	21
124T	How recall electors must vote . . . . .	22
124U	Return of writ for recall referendum . . . . .	23
Subdivision 5	Action following recall referendum	
124V	Recommendation for dismissal where automatic recall threshold reached . . . . .	23
124W	Minister must consider recommending dismissal where recall threshold reached . . . . .	24
Division 5	Review petitions	
Subdivision 1	Preliminary	
124X	Purpose of division . . . . .	25
124Y	Definitions for division . . . . .	25
124Z	What is a review petition and the petition subject . . .	26
124ZA	What is the review area for a review petition . . . . .	26
124ZB	What is the review threshold for a review petition . . .	27
124ZC	Local government to have process for review petitions	27
124ZD	Ministerial guidelines for review petition policies . . .	29
124ZE	Ministerial power to direct action . . . . .	29

**The Youth Parliament of Queensland enacts—**

**Part 1 Preliminary**

**1 Short title**

This Youth Act may be cited as the *Local Government Act (Recall Referendums and Review Petitions) Amendment Youth Act 2025*.

**Part 2 Amendment of Local Government Act 2009**

**2 Act amended**

This part amends the *Local Government Act 2009*.

**3 Insertion of new ch 5, pt 1, divs 4 and 5**

After chapter 5, part 1—

*insert—*

**Division 4 Recall referendum**

**Subdivision 1 Preliminary**

**124B Purpose of division**

- (1) The purpose of this division is to enhance the public accountability of councillors.
- (2) The purpose of this division is primarily achieved by—

- (a) requiring the question of the dismissal of a councillor who has engaged in wrongful or concerning conduct to be put as a non-compulsory referendum to residents represented by the councillor; and
- (b) requiring or allowing the Minister to recommend the dismissal of a councillor after a recall referendum in particular circumstances.

## 124C Definitions for division

In this division—

***assistant returning officer (recall)***, for a recall referendum, means an assistant returning officer (recall) appointed under section 124P(1)(b).

***automatic recall threshold*** see section 124H.

***conviction*** includes a plea of guilty or a finding of guilt by a court even if a conviction is not recorded.

***cut-off day***, for a recall referendum, means the day so described in the writ for the recall referendum.

***minor traffic offence***—

- (a) has the meaning given by *Transport Operations (Road Use Management) Act 1995*, section 108(4); and
- (b) includes an offence against a law of another State or the Commonwealth corresponding to, or substantially corresponding to, an offence mentioned in that section.

***number of electors***, for a recall referendum, means the number of recall electors on the voters roll as at the cut-off day.

***offence*** means an offence against the law of the

State, another State or the Commonwealth.

***operate*** includes to drive, to attempt to put into motion and to be in control of.

***pay a fine***, for an offence, means—

- (a) to pay the fine stated in an infringement notice given under the *State Penalties Enforcement Act 1999* for the offence; or
- (b) to apply under section 23 of that Act to pay the fine stated in an infringement notice given under that Act for the offence; or
- (c) to fail to pay a fine stated in an infringement notice given under that Act for the offence resulting in a default certificate being given to SPER for the infringement notice; or
- (d) to pay, fail to pay or apply to pay in instalments an amount stated in a notice issued in connection with the offence under a law of another State or the Commonwealth corresponding to, or substantially corresponding to, the *State Penalties Enforcement Act 1999*.

***question***, for a recall referendum, see section 124D.

***recall area***, for a recall referendum, see section 124E.

***recall elector***, for a recall referendum, means a person entitled to vote at the recall referendum under section 124S.

***recall referendum*** see section 124D.

***recall threshold***, for a recall referendum, see section 124G.

***recall trigger***, for a recall referendum, see section 124F.

***referendum*** see Referendums Act, schedule 3.

***Referendums Act*** means the *Referendums Act 1997*.

***returning officer (recall)***, for a recall referendum, means the returning officer (recall) appointed under section 124P(1)(a).

***serious traffic offence*** means an offence in connection with the operation of a vehicle relating to the following—

- (a) being under the influence of alcohol or drugs or with alcohol or drugs in blood or saliva;
- (b) failing to provide a specimen of blood or alcohol;
- (c) using a mobile phone or another electronic device;
- (d) failing to wear or ensure a passenger wears a seatbelt or other restraint when lawfully required or in a properly adjusted and fastened manner;
- (e) exceeding a speed limit or other speed restriction by more than 40km/h;
- (f) failing to wear or ensure a passenger wears a helmet.

***vehicle*** includes a motor vehicle, tram, train or vessel.

***voters roll***, for a recall referendum, see section 124Q(1).

***writ for a recall referendum*** means a writ issued under section 124K(4).

## **124D What is a *recall referendum* and the question**

A ***recall referendum***, about a councillor, is a referendum which in substance asks a person whether they are in favour of the dismissal of the



councillor (the *recall question* for the recall referendum).

#### **124E What is the *recall area* for a recall referendum**

The *recall area* for a recall referendum is—

- (a) for a councillor who is the mayor or a local government area that does not have divisions—all of the local government's area; or
- (b) otherwise—the division for which the councillor was elected or appointed.

#### **124F What is a *recall trigger* for a recall referendum**

- (1) Each of the following are a *recall trigger* for a recall referendum about a councillor—
  - (a) conduct by the councillor that is misconduct;
  - (b) three separate instances of conduct by the councillor that are conduct breaches;
  - (c) conduct by the councillor that is unlawful and would significantly diminish a reasonable person's support for or satisfaction with the councillor;
  - (d) conduct by the councillor that a reasonable person would believe is dishonest, wrongful, unethical or inappropriate and significantly diminishes a reasonable person's support for or satisfaction with the councillor;
- (2) Also, each of the following are a *recall trigger* for a recall referendum about a councillor—
  - (a) the making of a decision by the conduct tribunal under section 150AQ that the councillor has engaged in misconduct;

- (b) the making of three decisions by a local government under section 150AG or the conduct tribunal under section 150AQ that the councillor has engaged in a conduct breach;
- (c) the suspension of the councillor under a regulation made under section 122(3);
- (d) the conviction of the councillor of an offence, other than a minor traffic offence;
- (e) the payment of a fine by the councillor for a serious traffic offence;
- (f) the payment of a fine by the councillor for an offence, other than for a minor traffic offence, exceeding 15 penalty units;
- (g) the payment of two or more fines by the councillor for offences, other than minor traffic offences, which added together exceed 20 penalty units;
- (h) the making of a domestic violence order against the councillor under the *Domestic and Family Violence Protection Act 2012*;
- (i) the making of a recognised interstate order within the meaning of *Domestic and Family Violence Protection Act 2012*, section 176A(1) against the councillor;
- (j) the cancellation or suspension of an authority, licence or registration, however expressed, held by the councillor on the basis they—
  - (i) engaged in misconduct, however expressed; or
  - (ii) are no longer a suitable person, however expressed, to hold the authority, licence or registration;

- (k) the councillor being subject to a treatment authority, forensic order or treatment support order under the *Mental Health Act 2016* for 3 months;
- (l) the councillor being absent from 2 or more consecutive ordinary meetings of the local government over a period of at least 2 months, unless—
  - (i) the councillor's office becomes vacant under section 162(1)(e); or
  - (ii) the councillor is suspended under section 175K; or
  - (iii) the councillor is absent in compliance with an order made by the conduct tribunal, the local government or the chairperson of a meeting of the local government or a committee of the local government.
- (3) For subsection (2)(b), the decisions—
  - (a) may be made on the same occasion or on two or more occasions; and
  - (b) need not be made by the same body.
- (4) For subsection (2)(d), a person is taken to have been convicted of an offence—
  - (a) if the person appeals the conviction—when the appeal is dismissed, struck out or discontinued; or
  - (b) if the person does not appeal the conviction—at the end of the time within which an appeal must by law be started.
- (5) For subsection (2)(f) and (g)—
  - (a) the fines may be stated in the same notice or in two or more notices; and

- (b) the fines need not be paid as two separate payments; and
  - (c) the offences need not be offences against the law of the same jurisdiction.
- (6) For subsection (2)(j), the authority, licence or registration, however expressed—
  - (a) may be held for professional, business or personal purposes; and
  - (b) need not be cancelled or suspended by any particular person or in any particular manner.

#### **124G What is the *recall threshold* for a recall referendum**

The *recall threshold*, for a recall referendum, is—

- (a) if the automatic recall threshold is less than the numbers worked out under paragraphs (b) and (c)—the automatic recall threshold; or
- (b) if paragraph (a) does not apply and the number of recall electors is 1,000 or less—the number worked out by multiplying that number by 32%, rounded up to the nearest whole number; or
- (c) otherwise—the higher of the following—
  - (i) the number worked out by multiplying the number of recall electors by 8%, rounded up to the nearest whole number; or
  - (ii) the number worked out using the following formula, rounded up to the nearest whole number—

$$E \times (\log_{0.707107} E + 51.93157)$$

where—

$E$  is the number of recall electors.

$\log_{0.707107} E$  means the exponent by which the number 0.707107 must be raised to produce the number that is  $E$ .

#### **124H What is the *automatic recall threshold* for a recall referendum**

The *automatic recall threshold*, for a recall referendum, is the lower of the following—

- (a) the number worked out by multiplying the number of recall electors by 50%, rounded up to the nearest whole number;
- (b) the number worked out—
  - (i) if the councillor was elected and the system of voting at the election was optional-preferential voting—using the following formula, rounded up to the nearest whole number—

$$E \times \left( 2 \times \frac{F}{T} \right)$$

where—

$E$  is the number of recall electors.

*F* is the number of formal first-preference votes the councillor received in the election.

*T* is the total number of formal first-preference votes cast in the election.

- (ii) if the councillor was elected and the system of voting was first-past-the-post voting—sing the following formula, rounded up to the nearest whole number—

$$E \times \left( 4 \times \frac{F}{T} \right)$$

where—

*E* is the number of recall electors.

*F* is the number of formal votes the councillor received in the election.

*T* is the total number of formal first-preference votes cast in the election.

- (iii) if the councillor was appointed—by multiplying the number of recall electors by 35%, rounded up to the nearest whole number.

## **124I Relationship with Referendums Act**

- (1) This division does not contain all the provisions about recall referendums.
- (2) The Referendums Act contains additional provisions about writs for recall referendums and recall referendums, including about the form and

content of writs and the conduct of recall referendums.

- (3) Generally, the Referendums Act—
  - (a) applies to a writ for a recall referendum as if it was a writ for a referendum to submit a question to the electors issued under section 5 of that Act; and
  - (b) applies to a recall referendum as if it was a referendum conducted by the electoral commission under section 4 of that Act.
- (4) For subsection (3), the Referendums Act applies as if—
  - (a) a reference in that Act to a writ for a referendum is a reference to the writ for the recall referendum; and
  - (b) a reference in that Act to a referendum or a referendum to submit a question to electors is a reference to the recall referendum.
- (5) However, for subsection (3), the Referendums Act applies as if—
  - (a) a reference in that Act to the question submitted to the electors is a reference to the recall question; and
  - (b) a reference in that Act to the cut-off day for electoral rolls is a reference to the cut-off day; and
  - (c) a reference in that Act to an electoral roll is a reference to the voters roll; and
  - (d) a reference in that Act to a returning officer is a reference to the returning officer (recall); and
  - (e) a reference in that Act to an assistant returning officer is a reference to an assistant returning officer (recall); and

- (f) a reference in that Act to an electoral district is a reference to the recall area; and
  - (g) a reference in that Act to an elector is a reference to a recall elector; and
  - (h) the following were omitted—
    - (i) sections 5, 6(1), 10 to 14, 18, 21, 33, 43 to 45 and 75 of that Act;
    - (ii) any requirement in that Act that a person do or not do a thing in relation to a no vote; and
  - (i) a reference in that Act to section 5 of that Act is a reference to section 124K(4) of this Act; and
  - (j) a reference in that Act to section 18 of that Act is a reference to section 124R of this Act; and
  - (k) a reference in that Act to section 21 of that Act is a reference to section 124S of this Act; and
  - (l) a reference in that Act to section 33 of that Act is a reference to section 124T of this Act.
- (6) Unless this division provides otherwise or the context otherwise requires, words and expressions used in this division and the Referendums Act have the same meaning as they have in that Act.

## **Subdivision 2 Writ for recall referendum**

### **124J Writ for a recall referendum**

- (1) The commission must conduct a recall referendum if the Governor in Council issues a



writ for a referendum to the commission under section 129K(4).

- (2) The commission must conduct the referendum in accordance with the writ, this Act and, subject to section 124I, the Referendums Act.

### **124K Minister to recommend Governor issue writ for recall referendum**

- (1) This section applies if the Minister—
- (a) reasonably believes a recall trigger for a recall referendum about a councillor applies; and
  - (b) reasonably believes the facts giving rise to the recall trigger did not become public knowledge during the period between the issue of a previous writ for a recall referendum and the day for the return of the previous writ; and
  - (c) if the councillor has previously been subject to one or more recall referendums—
    - (i) reasonably believes the facts giving rise to the recall trigger became public knowledge after the day for the return of the writ for the most recent recall referendum; and
    - (ii) reasonably believes the recall trigger does not arise out of the same conduct that caused a previous recall referendum; and
  - (d) does not reasonably believe the recall referendum would be unnecessary or futile, including, for example, because the councillor's term is soon ending and the councillor has publicly stated they will be retiring.

- (2) Within 30 days after this section starts applying, the Minister must recommend that the Governor in Council issue a writ for a recall referendum about the councillor.
- (3) Before making a recommendation under subsection (2), the Minister must—
  - (a) request, receive and consider a report from the Independent Assessor about the matters mentioned in subsection (1); and
  - (b) inform the councillor in writing of the recommendation they intend to make and the facts giving rise to the recall trigger; and
  - (c) give the councillor a reasonable opportunity to respond in writing to the recommendation they intend to make, including by giving the councillor the Independent Assessor's report; and
  - (d) if the councillor responds in writing—consider the response; and
  - (e) publish a statement on the department's website stating the recommendation, their intention to make the recommendation, the recall trigger they believe applies and the facts giving rise to the recall trigger they believe exist; and
  - (f) inform the councillor in writing of their right to give an argument under section 124Y.
- (4) For subsection 3(b) and (c), the recommendation the councillor is informed of and given an opportunity to respond to may be different to the recommendation published under subsection (3)(e) and then made under subsection (2).
- (5) If the Minister makes a recommendation under section (2), the Governor in Council may give effect to the recommendation by issuing a writ for

a recall referendum about the councillor.

### **124L Injunctions requiring Minister to make recommendation**

- (1) An application may be made to the Supreme Court for an injunction if—
  - (a) the Minister has failed, is failing or proposes to fail to make a recommendation under section 124K(2); and
  - (b) a recall trigger for a recall referendum about the councillor applies; and
  - (c) the facts giving rise to the recall trigger did not become public knowledge during the period between the issue of a previous writ for a recall referendum and the day for the return of the previous writ; and
  - (d) if the councillor has previously been subject to one or more recall referendums—
    - (i) the facts giving rise to the recall trigger became public knowledge after the day for the return of the writ for the most recent recall referendum; and
    - (ii) the recall trigger does not arise out of the same conduct that caused a previous recall referendum.
- (2) An application may be made by a person who would or would likely be a recall elector for the recall referendum.
- (3) On considering the application, the court may grant an injunction requiring the Minister to make a recommendation under section 124K(2).
- (4) The court must grant the injunction if it is satisfied the matters mentioned in subsection (1)(a) to (d) are established, except for in exceptional circumstances.

- (5) The powers conferred on the court by this section are in addition to, and do not limit, other powers of the court.

## **Subdivision 3 Arguments**

### **124M Argument in favour of recall question**

Within 7 days after the issue of a writ for a recall referendum, the Independent Assessor must give the electoral commission an argument not more than 1,000 words in favour of the recall question.

### **124N Argument against recall question**

- (1) The councillor that a recall referendum is about may give the electoral commission an argument not more than 1,000 words against the recall question.
- (2) The councillor must give the electoral commission the argument within 7 days after the issue of the writ for the recall referendum.

### **124O Display and publication of arguments**

- (1) This section applies if the electoral commission is given an argument for or against a recall referendum under section 124M or 124N.
- (2) The electoral commission must ensure that the argument is displayed in a prominent position at each polling place during voting hours.
- (3) Also, the electoral commission must publish the argument—
  - (a) at least twice before the polling day in a newspaper circulating generally in the State,

- including on the day before the polling day;  
and
  - (b) in any regional newspapers circulating in the recall area or part of the recall area that the commission considers appropriate; and
  - (c) on its website.
- (4) If two or more arguments must be displayed or published under this section, the arguments must be displayed or published—
- (a) at the same time; and
  - (b) adjacent to one another; and
  - (c) using the same formatting and printing style.

## **Subdivision 4 Voting and conduct of recall referendums**

### **124P Returning officer (recall) and assistant returning officer (recall)**

- (1) The electoral commission may, for a recall referendum, appoint—
  - (a) a recall elector as the returning officer (recall); and
  - (b) a recall elector as an assistant returning officer (recall).
- (2) Electoral Act, sections 32 and 33 apply to the electoral commission, a returning officer (recall) and an assistant returning officer (recall) as if—
  - (a) a reference in those sections to an electoral district is a reference to the recall referendum; and

- (b) a reference in those sections to a returning officer (recall) is a reference to the returning officer (recall); and
- (c) a reference in those sections to an assistant returning officer is a reference to the assistant returning officer (recall); and
- (d) sections 32(1) and 33(1) of those sections were omitted.

### **124Q Voters roll**

- (1) The returning officer (recall) for a recall referendum must compile a roll of recall electors (the *voters roll*).
- (2) The voters roll must consist of the persons enrolled on an electoral roll for an electoral district, or a part of an electoral district, included in the recall area.
- (3) The voters roll must—
  - (a) be in the form of the electoral roll used for elections of the Legislative Assembly; and
  - (b) not include the address of a silent elector under the Electoral Act.
- (4) The voters roll must be compiled on the cut-off day.
- (5) An electoral registrar under the Electoral Act must give the returning officer (recall) the assistance the officer reasonably requires to compile the voters roll.

### **124R Form of ballot papers**

- (1) Ballot papers for a recall referendum, other than a completed ballot paper printed for an electronically assisted vote, must—

- (a) be of a material and opacity that, when folded, effectively conceals the way the recall elector voted; and
  - (b) for a ballot paper other than a ballot paper reproduced under Referendums Act, section 18A—be attached to a butt that—
    - (i) is not part of the ballot paper; and
    - (ii) is perforated in a way that allows the ballot paper to be easily detached from it; and
    - (iii) states the recall area; and
  - (c) contain the following—
    - (i) the name of the recall area and the day of the recall referendum;
    - (ii) instructions that in substance explain how a recall elector must vote;
    - (iii) the recall question;
    - (iv) a square opposite the words ‘YES’.
- (2) A completed ballot paper printed for an electronically assisted vote must—
- (a) be of a size or format that enables the recall elector’s electronically assisted vote to be accurately determined; and
  - (b) state the name of the recall area for which the vote is cast and the day of the recall referendum.

### **124S Who may vote**

- (1) The following persons are the only persons entitled to vote at a recall referendum—
  - (a) persons enrolled on the voters roll;

- (b) persons whose names are not on the voters roll because of official error.
- (2) A person is not entitled to vote more than once at the same recall referendum.
- (3) Also, a person who is serving a sentence of imprisonment of 3 years or longer is not entitled to vote at a recall referendum.

### **124T How recall electors must vote**

- (1) A recall elector must vote in accordance with—
  - (a) if the recall elector votes using electronically assisted voting—the procedures approved under Referendums Act, section 32B(3); or
  - (b) otherwise—subsection (2) or (3).
- (2) If the recall elector approves of the recall question, the recall elector may—
  - (a) place a tick or write the words ‘YES’ in the square on the ballot paper; or
  - (b) otherwise mark the ballot paper in a way that clearly and unambiguously indicates that they approve of the recall question.
- (3) If the recall elector does not approve of the recall question, does not wish to vote in favour of the recall question or does not wish to vote in the recall referendum, the recall elector may—
  - (a) not mark the ballot paper; or
  - (b) mark the ballot paper in a way that clearly and unambiguously indicates that they do not approve of the recall question, do not wish to vote in favour of the recall question or do not wish to vote in the recall referendum.



### **124U Return of writ for recall referendum**

- (1) As soon as practicable after the electoral commission has received notice under Referendums Act, section 42(1) from the returning officer (recall) for the recall referendum and before the day for the return of the writ for a recall referendum, the electoral commission must comply with subsection (2).
- (2) The electoral commission must—
  - (a) on receipt of the count from the returning officer (recall), work out the total number of yes votes and write the total on the writ; and
  - (b) write on the writ the recall threshold and automatic recall threshold; and
  - (c) write on the writ whether the recall question has been approved by more recall electors than the recall threshold; and
  - (d) write on the writ whether the recall question has been approved by more recall electors than the automatic recall threshold; and
  - (e) return the writ to the Governor; and
  - (f) publish in the gazette the recall referendum result.
- (3) Publication in the gazette of the recall referendum result is evidence of the recall referendum result.

### **Subdivision 5 Action following recall referendum**

#### **124V Recommendation for dismissal where automatic recall threshold reached**

- (1) This section applies if the recall question for a recall referendum has been approved by more

recall electors than the automatic recall threshold.

- (2) Within 14 days after the recall referendum result is published in the gazette, the Minister must recommend that the Governor in Council dismiss the councillor.
- (3) The Governor in Council may give effect to the Minister's recommendation under a regulation.

#### **124W Minister must consider recommending dismissal where recall threshold reached**

- (1) This section applies if the recall question for a recall referendum has been approved by more recall electors than the recall threshold but less recall electors than the automatic recall threshold.
- (2) Within 14 days after the recall referendum result is published in the gazette, the Minister must—
  - (a) decide whether or not to recommend that the Governor in Council dismiss the councillor; and
  - (b) inform the councillor in writing of the decision; and
  - (c) publish a statement on the department's website stating the decision and the reasons for the decision; and
  - (d) if the Minister decides to make the recommendation—make the recommendation.
- (3) However, if the Minister decides to make the recommendation, the statement must be published before the recommendation is made.
- (4) If the Minister makes the recommendation, the Governor in Council may give effect to the Minister's recommendation under a regulation.

## **Division 5      Review petitions**

### **Subdivision 1   Preliminary**

#### **124X Purpose of division**

- (1) The purpose of this division is to enhance the public accountability of local governments.
- (2) The purpose of this division is primarily achieved by the following—
  - (a) allowing residents to make and sign petitions requesting that the local government review or reconsider a particular matter and recommending that the local government take or refrain from taking particular action;
  - (b) requiring the local government to review or reconsider the matter if a particular number of residents sign the petition;
  - (c) allowing the Minister to direct the local government take action following a review or reconsideration of the matter in particular circumstances.

#### **124Y Definitions for division**

In this division—

*eligible petitioner* see section 124ZC(1)(a).

*petition subject* see section 124Z.

*review area* see section 124ZA.

*review petition* see section 124Z.

*review petition policy* see section 124ZC(1).

*review threshold* see section 124ZB.

**124Z What is a *review petition* and the *petition subject***

- (1) A *review petition*, about a decision, document, act or failure of a local government (the *petition subject*), is a petition that—
  - (a) requests that the local government investigate, review or reconsider the petition subject; and
  - (b) recommends that the local government take a particular action (including an omission or omissions) in connection with the petition subject.
- (2) For subsection (1)—
  - (a) a failure of a local government includes a failure—
    - (i) to cause a state of affairs to come into existence; and
    - (ii) to prevent a state of affairs from coming into existence; and
  - (b) it does not matter that the failure of the local government relates to something the local government—
    - (i) is not required by law to do; or
    - (ii) may only do subject to further agreement, authorisation or approval.

**124ZA What is the *review area* for a review petition**

The *review area*, for a review petition, is—

- (a) if the petition subject only or substantially relates to or affects persons, things, places or matters within a division—that division; or
- (b) otherwise—the local government area.

**124ZB What is the *review threshold* for a *review petition***

The *review threshold*, for a review petition, is—

- (a) if the number of eligible petitioners is 1,000 or less at the day the petition closes—that number multiplied by 24%, rounded to the nearest whole number; or
- (b) otherwise—the higher of the following—
  - (i) the number of eligible petitioners at the day the petition closes multiplied by 4%, rounded to the nearest whole number; or
  - (ii) the number worked out using the following formula, rounded to the nearest whole number—

$$E \times (\log_{0.707107} E + 43.93157)$$

where—

*E* is the number of eligible petitioners at the day the petition closes.

$\log_{0.707107} E$  means the exponent by which the number 0.707107 must be raised to produce the number that is *E*.

**124ZC Local government to have process for review petitions**

- (1) A local government must make a policy (*review petition policy*) that provides for the following—
  - (a) the making and signing of review petitions by persons (each an *eligible petitioner*) who

- are entitled to vote in an election for the councillor or councillors for the review area;
  - (b) the consideration of the review petition by the local government;
  - (c) if the review petition is signed by more eligible petitioners than the review threshold, the review or reconsideration of the petition subject by the local government.
- (2) The review petition policy—
- (a) must provide for the following—
    - (i) the procedures for making and signing review petitions, including the initiation and signature of review petitions by both physical and electronic means;
    - (ii) the required and permitted content and form of, and accompanying information for, review petitions;
    - (iii) who may decide the review area for review petitions;
    - (iv) the period for which review petitions are open for signature;
    - (v) how and by whom rolls of eligible petitions are compiled;
    - (vi) how repeat, offensive, frivolous or vexatious review petitions are dealt with;
    - (vii) the procedures for considering the review petition;
    - (viii) the way review petitions are advertised to eligible petitioners; and
  - (b) must provide that, if a review petition is signed by more eligible petitioners than the review threshold, the local government

must, within 60 days after the close of the review petition—

- (i) request and receive a report of the Independent Assessor about the review petition and the petition subject; and
  - (ii) review or reconsider the petition subject, including by considering the report of the Independent Assessor; and
  - (iii) decide to either—
    - (A) do nothing; or
    - (B) take the action recommended in the review petition; or
    - (C) take or refrain from taking another course of action.
- (3) A local government must implement and comply with its review petition policy.

#### **124ZD Ministerial guidelines for review petition policies**

- (1) The Minister may make guidelines about review petition policies.
- (2) A local government's review petition policy must be consistent with any guidelines made under subsection (1).

#### **124ZE Ministerial power to direct action**

- (1) This section applies if—
  - (a) a review petition is signed by more eligible petitioners than the review threshold; and
  - (b) the local government decides to not take or refrain from taking the action recommended in the review petition.

- (2) Within 14 days after the local government decides to not take or refrain from taking the action recommended in the review petition, the Minister must consider whether or not to—
  - (a) take remedial action under section 121; or
  - (b) make a direction under Planning Act, section 26 or 26A; or
  - (c) direct, by gazette notice, the local government to take the action recommended in the review petition; or
  - (d) direct, by gazette notice, the local government to take other action (including an omission or omissions) that the Minister reasonably believes is appropriate in the circumstances.
- (3) The Minister may only give a direction under section (2)(c) or (d) if the Minister reasonably believes the direction is in the public interest.
- (4) If the Minister decides to give a direction under subsection (2)(c) or (d)—
  - (a) section 120 applies as if—
    - (i) a reference in that section to a power is a reference to the power under subsection (2)(c) or (d); and
    - (ii) a reference in that section to remedial action is a reference to the action recommended in the review petition or reasonably believed by the Minister to be appropriate in the circumstances; and
  - (b) in addition, the Minister must, before giving the direction—
    - (i) request, receive and consider a report from the Independent Assessor about



the review petition and petition subject;  
and

- (ii) publish a statement on the department's website stating the direction, their intention to give the direction and the reasons for giving the direction.