



Acting General Manager  
Mr Stephen Mackey  
Central Highlands Council  
19 Alexander Street  
Bothwell 7030

[smackey@centralhighlands.tas.gov.au](mailto:smackey@centralhighlands.tas.gov.au)

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The Honourable Kerry Vincent MLC  
Minister for Local Government  
Office of Local government  
P O Box 123  
Hobart 7001

[lg.consultation@dpac.tas.gov.au](mailto:lg.consultation@dpac.tas.gov.au)

Local Government Amendment (Targeted Reform) Bill 2025

Council wishes to make to following comments in regard to the Local Government Amendment (Targeted Reform) Bill 2025

### **Local Government Charter**

Council and Local government supported the proposal to develop a Local Government Charter through the Future of Local Government review, and we still support its inclusion. A well-constructed charter would assist councils and their communities to understand and agree the services that are providing to our communities.

### **New Serious misconduct provisions.**

The current code of conduct provisions and completely ineffective and is extremely time consuming and the sanctions in the most part provide little no deterrent for breaches of the code.

Whilst severe misconduct is to be defined as a serious or significant contravention of the code, with criteria yet to be developed (by order), it is expected that serious misconduct would relate to examples such as dishonesty (including no compliance with disclosures including Pecuniary Interest and conflict of interest provisions, physical violence, gross negligence, wilful and/or repeated misconduct, bullying, sexual harassment, disclosure of confidential information.

**Administration & Works & Services**  
Tarleton Street Tel: (03) 6286 3202  
Hamilton, Tasmania 7140

**Development & Environmental Services**  
Alexander Street Tel: (03) 6259 5503  
Bothwell, Tasmania 7030 Fax: (03) 6259 5722

website [www.centralhighlands.tas.gov.au](http://www.centralhighlands.tas.gov.au)

### **More flexible and effective early intervention tools to address emerging governance challenges in councils.**

This step would appear to be a more efficient method to address the performance at an individual Elected Member or council level that will not require the need for a Code of Conduct Process, or a Board of inquiry process.

This would appear to be a more robust procedure as long as no further sanctions are placed on council for the inappropriate behaviour of only one of their members.

### **Mandating internal Audit for Councils**

We recommend that any requirements be principles based, allowing council to maintain risk-based, proportionate internal audit programs that reflect their unique context while meeting minimum standards for independence, frequency, and reporting.

### **Legislating core councillor learning and development requirements.**

The requirement to develop an Elected Members learning and development policy for the council at the start of each term would ensure that the organisation is focused on ensuring that Elected Members do receive an adequate level of training and development.

Some of this training could be done inhouse through workshops with relevant staff ie meeting procedures and regulations with the General Manager and knowledge of the planning procedures with councils planning officer.

### **Supporting more consistent data**

There needs to be more work undertaken in regard to the information required from councils. We are forever being asked for more data sets on most functions of our organisation, from waste management to freedom of information requests it would appear more efficient if all government departments coordinated what they require and request it in the one document

### **Supporting more consistent data and transparency (Including around council rates)**

Council is not opposed to the requirement of Transparency in regard to rates and charges but feel these could be better addressed by being included in a newsletter than trying to include it in a rate notice.

The reason for this is the complexity of information that is required especially when we have two components in the makeup of the general rate. In that I mean a minimum rate and a cent in the dollar.

We also need to provide more detailed information in regard to the rate notice which shows the land value, capital value, and the AAV.

If transparency is required in regard to councils' rates this should also include the increases to the fire service levy and the waste levy which has been the subject of substantial increases since its inception. It should also disclose from the waste levy what funding from this levy each council receives.

**Establishing the Architecture for improving over time councils' strategic direction on community engagement and wellbeing**

Council fully supports the inclusion of the community engagement and wellbeing in the amended changes to the Local Government Act.

**Introducing temporary advisors for council.**

As a council that has already utilised the service of a temporary advisor to assist council, we found this to be a most productive way to get resolutions to the way we were functioning for the betterment of council and our community.

**Enhancing the efficiency and transparency of the Code of Conduct complaint handling framework.**

The code of conduct process as it is now is totally unsatisfactory its procedures and processes are totally dysfunctional and time consuming. There should not be a requirement for any staff member let alone the General Manager to be the person to mediate any code of conduct complaint.

The best way is for the process to be totally independent of council. In saying that it should be done by TASCAT or a subcommittee under the umbrella of TASCAT.

**Supporting provisions for remote attendance at closed council meetings, aligning with anticipated updates to the Meeting Regulations.**

The range of circumstances that an individual councillor may attend Council and/or committee meeting remotely should include substantial inclement weather events meaning snow and ice making it treacherous to travel from the high county in the case of the Central Highlands.

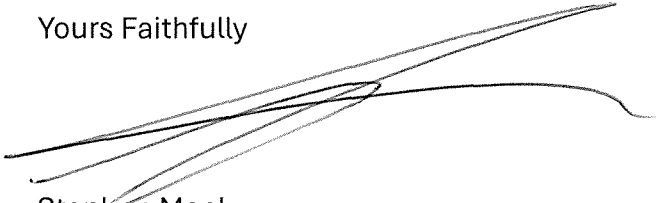
If in the circumstance mentioned above, and if councillor numbers are set at 5 as proposed for the Central Highlands, we had 2 from the Highlands we would be unable to conduct any of the business of the closed session. We currently rely on councillors' complying with the confidentiality provisions this would also mean that the agenda papers are not in full view of other members of their household.

**Requirement for a Council to develop and maintain a Workplace development strategy**

Council supports the proposal to include a Workplace development strategy subject to further consultation on the development of this strategy.

Council is of the strong opinion that some of the proposed changes as outlined above need further consultation to ensure they can be implemented without any unnecessary compliance issues.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'Stephen Mackey', written over a horizontal line.

Stephen Mackey  
Acting General Manager