

04 April 2025

Office of Local Government  
Department of Premier and Cabinet  
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Dear Minister,

Submission - Local Government Electoral Bill Discussion Paper.

Thank you for the opportunity to provide a submission on the Local Government Electoral Bill Discussion Paper, however it is extremely disappointing given the importance of this discussion paper that more time was not allowed for Council to fully discuss the matter before providing the below submission.

This submission is made on behalf of Northern Midlands Council.

Northern Midlands Council are generally supportive of the changes, in particular the introduction of offences which will increase the integrity of the electoral system and provide for more transparency to electors regarding candidates. Northern Midlands Council supports more engagement by electors in the municipality and ensuring that those who represent the region are of the highest calibre.

We are concerned, however, with the lack of clarity in some of the language used and insist that parliament ensure that the sector is involved in the progressing of these changes.

Specific Feedback:

VOTING IN PERSON v POSTAL VOTES	
Changes to voting in person as the primary means of participation.	<p>Northern Midlands Council supports reform in this area to ensure that the needs of all electors in the municipality are able to support participation by electors.</p> <p>Northern midlands Council supports a hybrid voting system, which will support those in the community with accessibility issues which may have affected participation previously. Furthermore, Northern midlands Council supports both retention of the postal</p>

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	voting system alongside the ability for persons to vote in person on more than one polling day.
<b>WHO SHOULD VOTE IN LOCAL GOVERNMENT ELECTIONS, AND HOW SHOULD WE ELECT THE DEPUTY MAYOR?</b>	
Should non-citizens enjoy a continuing entitlement to vote at local government elections?	<p>Northern Midlands Council supports retaining the voting entitlements for non-citizens who own property within the municipal area and for permanent residents of the municipality.</p> <p>As an area of increasing diversity, it is Council's position that those who chose to reside here should have a voice in who represents them.</p>
Reforming the entitlement to nominate non-citizens as councillor.	<p>Northern Midlands Council supports the entitlements of non-citizens to nominate as a councillor if they meet the relevant requirements suggested in the discussion paper.</p> <p>As noted above, as an area of increasing diversity, it is Council's position that those who chose to reside here should have the ability to be fully involved in the community.</p>
Remove the direct election of the deputy mayor	<p>Northern Midlands Council does not support the proposal to appoint the Deputy Mayor at the first ordinary meeting after an election. Furthermore, Northern Midlands Council does not support the removal of the role of deputy mayor. Northern Midlands Council acknowledges that other states may not elect the Deputy Mayor via popular vote but takes the position that the current process works and colloquially speaking "If it isn't broken, there's no need to fix it".</p>

LOCAL GOVERNMENT ELECTIONS: TECHNICAL REFORMS	
A MORE FLEXIBLE AND ACCESSIBLE FORMAT FOR LOCAL GOVERNMENT ELECTIONS	
<p><b>Reform 1:</b> Reduce prescription in the statutory framework to enable the Tasmanian Electoral Commission to approve the electoral process.</p>	<p>Northern Midlands Council supports reform 1 as ensuring that Electoral Commission can respond to the needs of the community in relation to local government elections is important to ensure the system is able to support participation by electors.</p>
<p><b>Reform 2:</b> Enable the Tasmanian Electoral Commission to approve procedures for voting, including by telephone and electronic means, for interstate and overseas electors and electors with impediments to ordinary participation, or for other classes of person prescribed by regulation.</p>	<p>Northern Midlands Council supports reform 2 as it is important to our community that we ensure that all electors of the municipality are able to be represented.</p>
<p><b>Reform 3:</b> Legislate that the Tasmanian Electoral Commission is required to approve procedures in accordance with universal franchise principles, namely all electors, including electors with additional barriers to participation, are to be afforded an opportunity to vote in an independent, secret and verifiable manner.</p>	<p>Northern Midlands Council supports reform 3 as ensuring that barriers which stop participation by electors in the municipality are removed allows for better representation in the region.</p>
<p><b>Reform 4:</b> Require the Electoral Commissioner to publish after each election a statement on the implementation of the accessibility principles, after information, including relevant statistics and initiatives undertaken to promote universal participation in the election.</p>	<p>Northern Midlands Council supports reform 4 as the statement from the Electoral Commissioner will ensure that the above reforms are assisting in removing barriers and increasing participation at the local government level.</p>

**A BETTER FRANCHISE FOR ELECTORS AND CHANGES TO ELIGIBILITY TO RUN FOR OFFICE**

<p><b>Reform 5:</b> Increase the number of elector signatures required to support a notice of nomination to the lesser of 30 or one per cent of the number of electors in the municipal area.</p>	<p>Northern Midlands Council does not support reform 5 as a candidate through the campaign process shows if there is a genuine commitment to engage and represent the community which is then evaluated during the election when the community vote for the candidates.</p>
<p><b>Reform 6:</b> Move administration of the 'general managers' roll' from councils to the Tasmanian Electoral Commission, including administration of the process through which land occupier and corporate nominee electors are to enrol.</p>	<p>Northern Midlands Council supports reform 6 as the current process of the General Managers Elector Rolls places an administrative burden on councils and is better aligned with the Tasmanian Electoral Commission.</p>
<p><b>Reform 7:</b> Provide a definition for the purposes of 'occupier' of land that establishes an occupier holds a leasehold interest or licence over land, and/or the person's ordinary place of residence is in the municipal area.</p>	<p>Northern Midlands Council supports reform 7 as a clearer definition of "occupier" is required to give greater clarity around the meaning of the word in the context of local government.</p>
<p><b>Reform 8:</b> Provide that a person seeking enrolment on the supplementary roll must complete a land occupier declaration and provide documentation of the leasehold or licence over land, or evidence of their period of residence in Tasmania to the satisfaction of the Commissioner.</p>	<p>Northern Midlands Council supports reform 8 as providing clear evidence of residence in the municipality will ensure that the relevant requirements are properly being met.</p>
<p><b>Reform 9:</b> Implement the 'one person, one vote' principle and require a nominee of a corporate landowner or occupier of land may nominate one natural person who is an officeholder of the company to be its nominee.</p>	<p>Northern Midlands Council supports reform 9 as it will provide a more balanced democratic process.</p>
<p><b>Reform 10:</b> Provide that all intending candidates (other than incumbent councillors) must complete a prescribed program of pre-nomination</p>	<p>Northern Midlands Council does not support reform 10 as it could be seen a barrier to those who wish would nominate in a local government election for</p>

training prior to their submission of a notice of nomination.	many reasons and could lessen the diversity of those who do opt to nominate for local government.
<b>BETTER QUALITY PUBLIC INFORMATION AT ELECTIONS</b>	
<b>Reform 11:</b> Require that the TEC provides all people submitting a notice of nomination the opportunity to provide a candidate information statement (in an approved format, providing prescribed information) and the Tasmanian Electoral Commission is to publish candidate information through appropriate means.	Northern Midlands Council supports reform 11 as it would provide electors with at some understanding of the candidate's motivation for nomination and how they intend to represent the community.
<b>Reform 12:</b> Provide that the Director of Local Government may provide a statement to be published by the Tasmanian Electoral Commission alongside the candidate information.	The Northern Midlands Council supports Reform 12 as it promotes transparency across the entire sector. It is important for the sector to be involved in developing performance measures and data inputs to ensure consistency among all councils.
<b>Reform 13:</b> Establish that nomination by a registered party is to be included in the information published by the Tasmanian Electoral Commission, and printed on the ballot paper, with the candidate's name to be printed alongside the name of the registered party.	Northern Midlands Council supports reform 13 as it will provide for greater transparency about nominees to electors.
<b>Reform 14:</b> Provide for candidates whose nomination form is not lodged by a registered party to request to be identified with a group name.	Northern Midlands Council does not support reform 14. Candidate collectives should either register as a party in accordance with the <i>Electoral Act 2004</i> or stand independently. Providing the ability for an unregistered 'membership' of candidates may lend itself to frivolity or vexation.
<b>Strengthened donations disclosure and electoral advertising requirements</b>	
<b>Reform 15:</b> Corresponding to the Electoral Act Review Final Report and the amended section 197 of the <i>Electoral Act 2004</i> , introduce new prohibitions on the dissemination of misleading and deceptive statements.	Northern Midlands Council supports reform 15 as elected members should be of appropriate character to hold office and should refrain from misleading and deceptive statements.

<p><b>Reform 16:</b> Remove the general restriction upon a person, without the consent of the candidate or intending candidate, printing, publishing or distributing any electoral advertising that contains the name, photograph or a likeness of a candidate or intending candidate at an election; other than 'how-to-vote' material intended to instruct an elector in the completion of their vote.</p>	<p>Northern Midlands Council does not support reform 16 as there is a lack of definition provided on what constitutes publicly declared 'intending' candidate under the <i>Electoral Act 2004</i>.</p>
<p><b>Reform 17:</b> Clarify the definition of electoral advertising.</p>	<p>Northern Midlands Council supports reform 17 as clarity around definitions can only aid in understanding.</p>
<p><b>Reform 18:</b> Provide that only a candidate, intending candidate, or a person so nominated in the notice of nomination by a candidate, may incur electoral expenditure; and provide that expenditure by other persons to promote or procure the election of a candidate or intending candidate is an offence.</p>	<p>Northern Midlands Council supports reform 18 as it will enhance the integrity of the electoral system and provide for a more robust framework.</p>
<p><b>Reform 19:</b> Institute authorisation requirements for electoral advertising and associated material.</p>	<p>Northern Midlands Council supports reform 19 as the reform is consistent with the <i>Electoral Act 2004</i>.</p>
<p><b>Reform 20:</b> Replace advertising expenditure limits with a general expenditure limit, with reference to the expenditure limit for Legislative Council elections under the <i>Electoral Disclosure and Funding Act 2023</i>.</p>	<p>Northern Midlands Council supports Reform 20, as it establishes a general expenditure limit that provides greater flexibility and more accurately reflects the variety of campaigning activities available to candidates in modern elections.</p>
<p><b>Reform 21:</b> Require that a candidate is to report expenditure made on their behalf in their electoral expenditure return, in the same manner as personal expenditure. The present requirement to attribute, in full, to each candidate so featured the value of advertising featuring multiple candidates</p>	<p>Northern Midlands Council supports Reform 21, as it will increase transparency to electors regarding funding to candidates by third parties.</p>

(for instance, multiple party candidates) will be retained.	
<b>Reform 22:</b> Prohibit any person from incurring any expenditure for or on behalf of a registered party with a view to promoting or procuring the election of a candidate or intending candidate.	Northern Midlands Council supports reform 22 as it will serve to enhance the integrity of the electoral system.
<b>Reform 23:</b> Maintain the \$50 threshold for the disclosure of gifts and benefits and extend this requirement from incumbent councillors to all candidates, who will be required to lodge two candidate donation returns with the Tasmanian Electoral Commission. The new Bill will also require the publication of initial donations disclosures on the Commission's website during the polling period and until the certificate of election.	Northern Midlands Council supports Reform 23, as it establishes greater transparency to electors and will more accurately reflect the variety of donations made to candidates.
<b>Reform 24:</b> Provide that it is an offence for a person other than a candidate or intending candidate to accept a gift or benefit for the purpose of promoting or procuring the election of a candidate, or for the dominant purpose of influencing the way electors vote in an election; and that it is an offence to make a gift or donation to a person other than a candidate or intending candidate for this purpose.	Northern Midlands Council supports reform 24 as it will enhance the integrity of the electoral system.
<b>Reform 25:</b> Provide that it is an offence for a councillor, intending candidate or candidate, at any time, to accept a donation for the purpose of promoting or procuring the election of a candidate or intending candidate at a local government election: <ul style="list-style-type: none"> <li>• over \$50, including services or goods valued in kind, without recording the basic details of that donor</li> </ul>	Northern Midlands Council supports reform 25 as stated with reform 24 it will enhance the integrity of the electoral system and ensure transparency to electors regarding donations to candidates.

<ul style="list-style-type: none"> <li>• over \$50 in cash</li> <li>• over \$50 from a foreign donor.</li> </ul>	
<b>OTHER CHANGES TO SUPPORT THE INTEGRITY OF ELECTIONS</b>	
<b>Reform 26:</b> Provide that a local government election or by-election may not be held such that the polling period overlaps the date of a Tasmanian or Australian Government parliamentary election.	Northern Midlands Council supports reform 26 as it will ensure that electors in the municipality will be able to give more focus on local government rather than a local government election being overshadowed by state or federal elections and campaigning.
<b>Reform 27:</b> Provide the Tasmanian Electoral Commission with powers of investigation.	Northern Midlands Council supports reform 27 as it will enhance the integrity of the electoral system.
<b>Reform 28:</b> Alignment of electoral offences and sanctions with the <i>Electoral Act</i> .	Northern Midlands Council supports reform 28 as it will provide consistency and clarity within the Act.
<b>Reform 29:</b> Provide a statutory caretaker framework, applying from the notice of election to the date of the issue of the certificate of election for all elections other than by-elections and countbacks.	Northern Midlands Council supports reform 29 as it will ensure that future councils are not subject being unrealistically committed to action and prevents the use of council resources for 'campaigning'.
<b>Reform 30:</b> Provide that during the caretaker period, prohibit a council from making any major policy or financial decisions, namely decisions: <ul style="list-style-type: none"> <li>• relating to the appointment, reappointment, remuneration or termination of a general manager, other than a decision in respect of the appointment of an acting general manager under section 61B</li> <li>• committing the council to expenditure greater than one per cent of general and service rating and fees and charges revenue</li> </ul>	Northern Midlands Council supports reform 30 as it will ensure that future councils are not subject to being unrealistically committed to action and it will prevent the use of council resources for 'campaigning'.



<p>raised in the preceding financial year, or \$100,000, whichever is the larger</p> <ul style="list-style-type: none"> <li>• directing council resources in a manner intended, or likely to, influence voting at the election</li> <li>• relating to a matter the council considers it could reasonably defer until after the election period, other than:</li> <li>• decisions relating to a matter the council is required to determine in that period under statute</li> <li>• decisions of a routine and operational nature.</li> </ul>	
<p><b>Reform 31:</b> Provide that during the caretaker period, it is an offence for a council to:</p> <ul style="list-style-type: none"> <li>• publish any material in any format which promotes any candidate or group of candidates for election, or otherwise seeks to influence voters in the election</li> <li>• publish material in relation to the election other than information to promote participation in the election and in relation to election process, or other material of a kind published by the Electoral Commissioner</li> <li>• make resources available to the advantage of any candidate, which are not equally available to all candidates for election.</li> </ul>	<p>Northern Midlands Council supports reform 31 as stated with reform 30 above, it will ensure that future councils are not subject to being unrealistically committed to action and it will prevent the use of council resources for 'campaigning'.</p>
<p><b>Reform 32:</b> Provide that major policy or financial decisions of a council during the caretaker period are of no effect and provide that persons who incur loss or damage due to an ineffectual decision of a council, who acted</p>	<p>Northern Midlands Council supports reform 32 in part however further clarity on compensation limitations is required.</p>

in good faith, are entitled to recover compensation from the council.	
<b>Reform 33:</b> Increase the proportion of electors signing a petition required to compel a council to hold an elector poll to 20 per cent; while restricting the matters about which an elector poll may be held to matters with a legitimate connection to the exercise of a council's functions or powers or to the incorporation of the council, as determined by the council.	Northern Midlands Council supports reform 33 as to be successful will demonstrates genuine engagement with the elector base.

If you have any questions or need clarification on this submission, please do not hesitate to contact me.

Yours sincerely,



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**Mayor** | Northern Midlands Council

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