
Local Government Electoral Reform

Exposure Draft Legislation and Prior Consultation Report

December 2025

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Introduction

In February 2025, the Department of Premier and Cabinet (DPAC) released a [Discussion Paper](#) outlining proposed reforms to how local government elections operate in Tasmania. The reforms are a key element of the Tasmanian Government's *Local Government Priority Reform Program 2024-26*. They will modernise the local government electoral framework and address longstanding challenges around accessibility, integrity, franchise eligibility, electoral advertising, and the growing limitations of a universal postal ballot model. The reform program aims to deliver a more adaptable legislative framework to support attendance, postal, hybrid and future electronic voting formats, in anticipation of the next council elections scheduled for October 2026.

Submissions on this initial phase of consultation have been reviewed, with feedback informing the development of **two** draft Bills related to Tasmania's local government electoral system:

1. A Local Government Electoral Bill 2025 which establishes a standalone statutory framework for the conduct of local government elections, and implements key reforms which aim to modernise Tasmania's local government electoral framework.
2. A supplementary Local Government Amendment (Electoral Reforms) Bill 2025 which repeals existing electoral provisions from the *Local Government Act 1993*, and delivers electoral reforms related to council operations including caretaker provisions and the management of pecuniary interests.

This paper provides information on how people can provide feedback on the draft Bills, and an overview of feedback received in response to the prior discussion paper and how this feedback has been incorporated into the draft legislation. Finally, this paper provides an overview on reforms related to the management of interests of elected members.

The paper is structured in three parts:

1. An overview of the current consultation process for the draft legislative package, including key matters we are seeking feedback on.
2. A report on the feedback received in response to the prior consultation, and a description of how this feedback has been incorporated into the draft legislation.
3. An overview of the proposed new management of councillor interests framework.

Current Consultation

The Tasmanian Government has now released the draft legislation for a 13-week consultation period – inviting feedback from the sector, community and key stakeholders until midnight on **28 February 2026**.

General comment is invited on:

- The **workability and implementation** of the provisions contained in the draft Electoral Bill.
- Whether the provisions **accurately reflect the intended policy direction**.
- How the draft Electoral Bill **responds to issues raised** during the initial consultation on the Discussion Paper.
- The **renewed framework for managing interests** included in the Local Government (Managing Interests, Caretaker and Electoral Provisions) Bill 2025, including the draft Personal Interest Return included in [Appendix B](#).

Specific consultation matter – implementation priorities

Due to the technical complexity of moving to a new electoral framework, and delays in developing legislation caused by the 2025 State election, the Local Government Electoral Bill 2025 is expected to have a phased implementation once it becomes law.

A crucial focus of this consultation is identifying (through sectoral, peak body and expert feedback) the highest priority reforms for implementation prior to the next elections. This will inform which provisions the Tasmanian Government will seek to ‘turn on’ with sufficient lead time to allow for education, system updates, and readiness ahead of the October 2026 local government elections.

This is an important opportunity for the public, councils, and stakeholders to help shape Tasmania’s future local government electoral system and ensure the legislation is practical, fair, and fit for purpose.

You can make a submission by email or post to:

Email: LG.consultation@dpac.tas.gov.au

Post:

Office of Local Government
Department of Premier and Cabinet
PO Box 123
Tasmania 7001

In accordance with the Tasmanian [Government Public Submissions Policy](#), submissions will be treated as public information and will be published on our website at www.dpac.tas.gov.au after they have been considered. No personal information other than an individual's name or the organisation making a submission will be published.

For further information, please contact localgovernment@dpac.tas.gov.au.

Important information to note

In the absence of a clear indication a submission is intended to be treated as confidential (or parts of the submission), the Department of Premier and Cabinet will treat the submission as public.

If you would like your submission treated as confidential, whether in whole or in part, please indicate this in writing at the time of making your submission. Clearly identify the parts of your submission you want to remain confidential and the reasons why. In this case, your submission will not be published to the extent of that request.

Copyright in submissions remains with the author(s), not with the Tasmanian Government.

The Department of Premier and Cabinet will not publish, in whole or in part, submissions containing defamatory or offensive material. If your submission includes information that could enable the identification of other individuals then either all or parts of the submission will not be published.

The *Right to Information Act 2009* and confidentiality

Information provided to the Tasmanian Government may be provided to an applicant under the provisions of the *Right to Information Act 2009* (RTI). If you have indicated you wish all or part of your submission to be treated as confidential, your statement detailing the reasons may be taken into account in determining to release the information in the event of an RTI application for assessed disclosure. You may also be contacted to provide further comment.

Prior Consultation – Analysis and Outcomes

Scope of Consultation

The consultation on local government electoral reforms forms part of the Tasmanian Government's commitment to deliver a fit-for-purpose, flexible, and contemporary electoral framework for Tasmanian councils. The reforms build on prior work undertaken during the Local Government Legislation Review and reflects the Government's policy position that local government electoral laws should be structured as standalone legislation.

The purpose of the previous Discussion Paper released in February 2025 was to invite feedback on the design of the proposed electoral reforms ahead of drafting of new legislation. The paper presented high-level reform options in five key areas:

1. voting method flexibility
2. franchise and candidacy eligibility
3. access to electoral information
4. donation and advertising transparency
5. election integrity.

Stakeholders were encouraged to provide feedback on the feasibility and clarity of the reforms, and to raise any practical implementation considerations. With the exception of several key reform proposals, the consultation was not intended to re-examine the underlying policy direction or rationale, but rather to ensure the proposed design of reforms was robust and deliverable.

Approach to Consultation

The Discussion Paper was released in February 2025, with submissions invited until Thursday 4 April 2025. The Office of Local Government (OLG) advised all Tasmanian councils and key sector stakeholders of the consultation period. The paper was made available online via the Department of Premier and Cabinet website, alongside a summary version.

OLG provided an online consultation session for councillors on 25 March 2025, where they were invited to ask questions about the Local Government Electoral Bill reform discussion paper.

OLG also briefed the Local Government Association of Tasmania (LGAT) and coordinated targeted engagement with relevant government agencies. These included the Tasmanian Electoral Commission (TEC), whose operational input as

electoral administrator was essential to assessing the feasibility of the proposed reforms.

Submissions Received

21 submissions were received in response to the Discussion Paper. This included:

- 15 submissions from Tasmanian councils
- three (3) submissions from organisations and peak bodies
- three (3) submissions from individual community members, including councillors.

All submissions were reviewed in detail and thematically analysed to identify support, concerns, and implementation risks.

All submissions are available on the Department of Premier and Cabinet website.

A detailed summary of the technical reforms, feedback and the Tasmanian Government's response are in [Appendix A](#).

Stakeholder Feedback – The Future Format of Local Government Elections

The Discussion Paper proposed two scenarios to guide the future delivery of local government elections in Tasmania, reflecting the need to modernise the electoral framework in response to declining postal service reliability, evolving voter expectations, and increasing delivery costs. Submissions were sought on the merits and limitations of each scenario: Scenario A (attendance voting) and Scenario B (a hybrid model).

Scenario A – Attendance Voting

Scenario A proposed a full move to attendance voting, either via a single polling day or a polling period, supported by limited access to postal and telephone voting for eligible electors. This scenario received limited support across the sector. A small number of submissions expressed support for reintroducing mandated in-person voting, citing perceived increases in vote security, alignment with state and federal electoral models, and improved oversight of ballot handling.

However, the majority of councils, individuals, and organisations opposed Scenario A. The primary concern was accessibility (particularly for voters in rural and remote areas, people with disability, older electors, and those without reliable access to transport). Stakeholders warned that the removal of mail-based voting options would disproportionately impact marginalised communities and would undermine the inclusivity of the voting system.

Submissions also highlighted cost and feasibility barriers, including the significant investment required to deliver and staff in-person polling locations across the state, along with the likely need for public education to shift voter expectations and behaviour. Several respondents noted that such a transition would not be achievable by the 2026 local government elections.

The TEC also did not support Scenario A, citing substantial logistical challenges and unsustainable costs without significant investment in new infrastructure and systems.

Scenario B – Hybrid Voting Model

Scenario B proposed maintaining postal delivery of ballot papers while encouraging in-person return at issuing places, such as council offices or public service centres. This model was strongly supported by most stakeholders and is regarded as a practical evolution of the current system. It was seen as a way to retain broad accessibility while addressing challenges with postal reliability and late returns under the compulsory voting model.

Councils viewed Scenario B as a measured and achievable step forward that could be implemented in time for the 2026 elections, subject to sufficient lead time for community education and investment in issuing place infrastructure. Stakeholders noted that this model would preserve the benefits of mail delivery, while providing additional flexibility to voters who prefer, or need, to return their votes in person. The inclusion of continued access to telephone and assisted voting services for eligible electors was welcomed as a necessary safeguard for inclusion.

The TEC expressed willingness to work with OLG on the development of a hybrid model for future elections.

Some submissions raised implementation concerns, including the need for clarity in the legislation around the roles and operating rules for issuing places, and the potential cost and staffing implications of managing these sites.

Based on the strong and consistent support for Scenario B during consultation, the Tasmanian Government has determined to proceed with this model as the preferred approach for the 2026 local government elections. Scenario B strikes an appropriate balance between accessibility, integrity, and practicality, and will be further developed in collaboration with the TEC and local government stakeholders.

While Scenario B will be adopted as the default delivery model, the legislative framework will retain the flexibility for the TEC to adapt electoral procedures over time, ensuring future models can respond to emerging challenges, technology, and voter needs. To enable this flexibility, the Electoral Commissioner will be given the ability to determine that local government elections are to be held by attendance ballot, but this method of election would only be activated in certain circumstances

(such as when the Electoral Commissioner believes it is not viable to use the hybrid postal model).

Stakeholder Feedback – New Reform

Directions

The Discussion Paper sought targeted feedback on three potential reform directions that, if adopted, would depart from previously agreed outcomes of the Local Government Legislative Review. These proposals were included to test current sector and community sentiment, particularly in light of changing election delivery expectations, rising costs, and increasing participation.

The two directions tested were:

1. Whether non-citizens should retain a limited entitlement to vote in local government elections, with eligibility to nominate for council continuing to be restricted to those enrolled on the House of Assembly roll (Australian citizens and eligible British subjects).
2. Whether the deputy mayor should continue to be directly elected by the public or instead be elected by councillors “around the table”.

1. Continuing Non-Citizen Voting Rights

Stakeholders expressed a range of views on whether Tasmania should continue to permit non-citizen residents to vote in local government elections. The proposal in the Discussion Paper was to allow this entitlement to continue under a revised model, requiring at least 12 months of continuous residence in Tasmania (or personal ownership of property) prior to enrolment.

A number of councils and organisations supported continuing this entitlement, particularly for permanent residents, refugees, and long-term community members. These submissions noted that all residents interact with local government services and decisions regardless of citizenship, and argued that voting in local elections can foster civic inclusion and democratic participation.

However, some councils and individuals opposed continuing the franchise to non-citizens, raising concerns about electoral integrity and administrative feasibility. Stakeholders questioned the TEC’s capacity to verify immigration status and warned of potential misuse of the supplementary roll, particularly in areas with large temporary or seasonal populations.

Despite these differences, many submissions accepted the 12-month residence test as a workable alternative to assessing visa types and supported its use as an objective eligibility requirement. Stakeholders also generally agreed that such voters

should not be eligible to nominate to run for office unless they are enrolled on the House of Assembly roll.

From an administrative perspective, the TEC noted it is not desirable for the TEC to review or verify the immigration status of electors or make determinations based on visa categories, which may change.

Having considered the feedback, the Tasmanian Government will proceed with a revised model allowing for continued non-citizen voting rights, subject to a requirement of 12 months' continuous residence in Tasmania or personal property ownership. This approach balances inclusivity with electoral integrity and avoids placing administrative burden on the TEC to assess visa status.

There was strong support for the proposal to restrict nomination rights to those enrolled on the House of Assembly roll, thereby requiring Australian citizenship (or eligible British subject status). This position was seen as a fair and proportionate measure that upholds the responsibilities of elected representatives, while maintaining an inclusive franchise for voting (noting the above proposal for non-citizen voting in certain circumstances).

Submissions noted that local councillors exercise formal powers over public budgets, land use planning, and infrastructure decisions, and that those powers should be entrusted to individuals who are full participants in Australia's civic and legal framework. The reform was also viewed as aligning Tasmania with Victoria and South Australia, which apply a similar model.

The Tasmanian Government will proceed with the proposal to limit eligibility to nominate for council to those enrolled on the House of Assembly roll. This ensures that those holding elected office are fully part of Australia's civic and legal framework, while maintaining a broad franchise for voters.

2. Changing How the Deputy Mayor is Elected

The proposal to move away from popular election of the deputy mayor and instead allow councillors to elect the deputy from among their number received mixed feedback.

Most councils and many individuals opposed the change, citing what they see as the democratic value of a directly elected deputy mayor and the visibility of the role in public representation. Submissions emphasised that the deputy mayor often steps into the mayoral role in times of absence or transition and argued that the community should retain a say in selecting that person. Some also viewed direct election as a safeguard against factionalism in closely divided councils.

A smaller number of submissions supported reform, citing the significant cost associated with running an additional direct election, and the limited independent

authority held by the deputy mayor. Supporters of the change argued that the deputy mayor's role is essentially supportive and procedural, and that it makes sense for the council to select their own internal leadership at the beginning of the term. It was also noted that Tasmania is the only jurisdiction in Australia that directly elects its deputy mayors, and that casual vacancies in the role are already filled "around the table".

Preliminary estimates from the TEC suggest that the direct election of deputy mayors accounted for approximately \$285,000 in 2022, or about seven per cent of total election delivery costs. These costs are expected to grow in future elections, particularly under compulsory voting and enhanced participation.

Having considered the feedback and the rising cost and complexity of local government elections, the **Tasmanian Government has included the reform in the draft Bill for further consultation**. The proposed new framework will provide for the deputy mayor to be elected by councillors at the first ordinary meeting following a general election. This approach aligns with some other jurisdictions, allows councils to select their own leadership, and supports a more efficient and cost-effective electoral process. The Tasmanian Government considers this change to be proportionate and consistent with the functional role of the deputy mayor – which is to act in the mayor's absence and provide support; not to independently lead or exercise executive power.

With a strong level of feedback from councils now received, the Tasmanian Government is seeking further input from the broader community on how this model should operate. This includes whether once elected by councillors, the deputy mayor should serve for the full council term or for a shorter fixed period. The draft legislation as it stands provides that councils are given the flexibility to appoint for a full term or for a shorter period.

Stakeholder Feedback – Technical Reforms

The Discussion Paper presented 33 technical reform proposals to modernise and improve the integrity, transparency, and efficiency of local government elections in Tasmania. These proposals built on reforms initiated through the Local Government Legislative Review and aligned with changes introduced through the *Electoral Disclosure and Funding Act 2023*. The reforms addressed matters including election delivery, campaign finance, advertising and nomination processes.

Stakeholders were asked to consider the design and practical impact of each proposal, and to provide feedback on implementation, administrative feasibility, and alignment with existing electoral processes.

A More Flexible and Accessible Format for Local Government Elections

Stakeholders broadly supported reforms aimed at creating a more flexible, modern electoral framework for local government elections. There was a strong appetite for reducing legislative prescription and allowing the TEC to approve and adapt electoral procedures under a principles-based model.

This flexibility was viewed as essential to “future-proofing” the electoral system and accommodating diverse voter needs, particularly in the context of increasing participation and technological advancements.

Reform proposals to enable voting by alternative means (such as telephone or electronic voting) for specific elector classes were also welcomed. Submissions noted the importance of improving access for voters with disability, those living remotely, and interstate or overseas electors. The TEC supported the direction of the reform but raised practical challenges, including the cost and complexity of implementing secure, independent and verifiable alternative voting channels. In response, the Tasmanian Government will proceed with these reforms, acknowledging that postal voting will remain available and that any new methods will be implemented with caution and clarity.

The proposal to legislate universal franchise principles also received conceptual support. Stakeholders, including councils, agreed with the importance of ensuring all electors can vote in an independent, secret and verifiable manner. However, the TEC noted that this standard may not always be achievable in practice, particularly for some alternative voting methods. The Tasmanian Government agrees the principles should guide future development, and will work with the TEC to ensure they are applied pragmatically outside the statutory framework.

The proposal for the Electoral Commissioner to publish post-election accessibility reports was supported by councils and the TEC. It was viewed as a valuable accountability measure to track progress in improving accessibility and participation across the system. The Tasmanian Government will proceed with this reform, with reporting requirements aligned to TEC’s existing data practices and operational capabilities.

A Better Voting Franchise for Electors and Changes to Eligibility to Run for Office

This group of reforms focused on clarifying and strengthening the eligibility framework for enrolment and candidacy, particularly in relation to the General Manager’s Roll (GMR), and ensuring candidates have sufficient knowledge and community backing.

There was strong support for reforming the GMR to improve integrity, verification, and consistency. Transferring responsibility for the GMR from councils to the TEC was

widely supported to reduce administrative burden on councils and centralise electoral oversight. Proposed changes to tighten the eligibility criteria for GMR enrolment including strengthening verification requirements and clarifying the definition of “occupier” also received broad backing, with submissions noting these steps would improve public trust and align enrolment with genuine community connection.

The reform to prohibit dual enrolment was similarly well supported and seen as a necessary step to uphold the “one person, one vote” principle. The TEC confirmed its capacity to monitor and enforce the provision.

The proposal to increase the nomination threshold to 30 electors (or one per cent of electors, whichever is the smaller) drew mixed views. While many considered it a reasonable way to confirm genuine candidacy and public support, others, particularly from smaller communities, raised concerns that it may discourage participation. The Tasmanian Government considers the threshold modest and proportionate and will proceed with the reform.

Finally, the proposal to introduce required pre-nomination training for new candidates received limited support. While the benefits of informed candidacy were acknowledged, feedback was mixed on its implementation and scope. Some called for the training to apply to all candidates. The Tasmanian Government will proceed with this reform, by expanding requirements for an intending candidate’s notice of nomination to require an attestation that they have completed a pre-election training course. This training will be designed to be accessible and practical.

Better Quality of Public Information at Elections

Reforms in this category aimed to improve the quality, clarity, and accessibility of information available to voters during local government elections. Submissions reflected a broad commitment to supporting an informed electorate but revealed differing views on how best to achieve that goal.

Stakeholders generally supported the proposal to require the TEC to provide all candidates with the opportunity to submit a candidate information statement. While the TEC noted this is convention and questioned the need for a legislative requirement, other submissions suggested formalising the obligation would promote consistency and voter confidence. The Tasmanian Government will not enforce a mandatory requirement for a candidate information statement. The choice and responsibility for preparing and submitting statements will remain with candidates.

In contrast, there was strong concern about the proposal to allow the Director of Local Government to publish council performance information during the election period. Feedback highlighted risks of perceived political interference and the potential to undermine the neutrality of elections. As a result, the Tasmanian Government will

not proceed with this reform and will instead explore options for improving transparency outside the caretaker period.

Two reforms proposing to allow identification of political parties or candidate teams on ballot papers received mixed feedback and were not supported by the TEC. Submissions raised concerns about the risk of increasing partisanship in local government, administrative challenges, and a lack of enforceable naming standards. The Tasmanian Government has determined not to proceed with these reforms. However, it intends to provide for the inclusion of information about formal party endorsement and group affiliation in the official candidate information booklet to ensure voters continue to have access to relevant context when casting their vote.

Strengthened Donations Disclosure and Electoral Advertising Requirements

Stakeholders generally supported the suite of reforms aimed at increasing transparency and integrity in campaign financing and electoral advertising. Several proposals drew strong backing due to their alignment with existing State electoral laws, especially those introducing new prohibitions on misleading and deceptive statements (Reform 15), requiring authorisation on electoral material (Reform 19), and establishing clear rules on who can incur electoral expenditure (Reform 18 and 22). These changes were seen as necessary modernisations that bring local government elections into closer alignment with accepted electoral standards across Australia and with State elections.

There was also general support for changes that clarify and update definitions and thresholds for advertising and donations (Reforms 16, 17, 20 and 21). These changes were recognised as contributing to a clearer, more consistent and enforceable electoral framework. Where stakeholders requested additional guidance (such as on reporting shared campaign costs or calculating spending under a general cap) the Tasmanian Government will work with the TEC to ensure clear, practical resources are provided to candidates and parties.

The Tasmanian Government considers that, taken together, these reforms will deliver a significant uplift in electoral transparency and public confidence while balancing the practical realities of administering and participating in local government elections.

Other Changes to Support the Integrity of Elections

A number of proposed reforms aiming to reinforce the overall fairness and transparency of local government elections received strong support during consultation. Stakeholders broadly welcomed the introduction of a formal caretaker framework (Reforms 29–32), noting this would align local government practices with those of other levels of government and help maintain neutrality during election periods.

Councils supported the introduction of clear limits on decision-making during the caretaker period, particularly in relation to major financial or staffing decisions and the use of council resources. While some clarification was requested on what constitutes "routine operational" activity, stakeholders endorsed the principles underpinning these changes. The Tasmanian Government will proceed with these reforms and provide detailed guidance to ensure consistent and practical application.

Proposals to strengthen the enforcement powers of the TEC also received widespread support (Reforms 27–28). Submissions acknowledged that enabling the TEC to investigate potential breaches and aligning electoral offences with the *Electoral Act 2004* would promote greater accountability and legal consistency. These reforms will proceed as proposed.

Reforms to prevent the overlap of local government and parliamentary elections (State and Federal) (Reform 26) were similarly well received, with stakeholders recognising the need to reduce voter confusion and administrative strain. The Tasmanian Government will proceed with this reform as a practical safeguard for electoral delivery and public confidence.

The proposal to tighten the threshold and scope of elector polls (Reform 33) attracted more mixed views. While many stakeholders supported clearer criteria and higher thresholds to ensure elector polls are used appropriately, others expressed concern about the potential to limit community participation. The Tasmanian Government will proceed with this reform on the basis that elector polls should be focused on matters within council control and reflect broad community interest, particularly given the costs associated with running these polls. Guidance will support councils and communities in understanding how the provisions apply in practice.

Managing Councillor Interests

Context

Recognising the strong thematic alignment between electoral integrity and the transparent management of councillor interests, the Tasmanian Government has determined to introduce reforms to the councillor interests framework in the *Local Government Act 1993* at the same time as the Local Government Electoral Bill is delivered.

In 2023, the Tasmanian Government released a detailed discussion paper outlining significant proposals to reform how councillors disclose and manage their personal interests. The intent of these reforms is to ensure greater transparency and consistency in managing conflicts of interest across the local government sector.

These initial proposals were ambitious, aiming for comprehensive integration of interest management under the Local Government Act, including continuous disclosures, establishing a dedicated Principal Officer role, and detailed legislative management of perceived and potential conflicts.

A subsequent position paper, released in 2024, reaffirmed the Tasmanian Government's commitment to high standards of transparency, accountability, and integrity within local government. This is essential for maintaining public confidence in local governance and decision-making processes.

The Framework

Following extensive consultation and careful deliberation, the Tasmanian Government has now refined its approach to balance administrative practicality with robust governance requirements. The revised legislative framework, outlined in the supplementary Local Government Amendment (Electoral Reforms) Bill 2025, enhances transparency and accountability without imposing unnecessary burdens on councillors.

The Bill introduces provisions addressing the following key areas:

- Clear separation of interests:** Pecuniary interests involving direct financial implications will continue to be explicitly managed within the *Local Government Act 1993* to ensure rigorous oversight. Non-pecuniary interests (typically personal, social, or community-related) will continue to be effectively managed under the existing, more flexible Code of Conduct framework. This will be supported with further guidance and definitions on types of interests, including actual, potential and perceived interests.

- **Introduction of Personal Interest Returns (PIR):** Councillors will now formally lodge an initial PIR within 28 days of their election, followed by annual submissions. These returns will transparently document relevant pecuniary and non-pecuniary interests and include proactive strategies to manage potential conflicts. This structured yet simplified approach significantly enhances transparency and accountability.
- **Practical conflict management approach:** Councillors will proactively manage conflicts through documented strategies such as declaring interests, recusing from discussions or decisions, and outlining clear mitigation steps. Definitions of conflicts have been clarified and strengthened to support consistent interpretation and effective management.
- **Balanced transparency and privacy:** PIRs will be publicly accessible, but sensitive details, including exact monetary values, residential addresses, and commercial information, will be explicitly protected. This approach balances transparency with necessary privacy protections, responding directly to stakeholder feedback.
- **Simplified and targeted compliance:** The compliance framework strategically targets deliberate breaches, such as knowingly submitting false disclosures or failing to lodge required returns. Minor or inadvertent breaches will primarily be addressed through education and administrative guidance, ensuring appropriate use of regulatory resources and encouraging proactive and voluntary self-identification of non-compliance.

Elements No Longer Proceeding and Reasons

- **Integration of non-pecuniary interests into primary legislation:** Initially proposed for inclusion within the *Local Government Act 1993*, non-pecuniary interests will remain under the Code of Conduct framework. This decision acknowledges the flexibility and responsiveness of the existing Code of Conduct process for dealing with non-pecuniary matters.
- **Regulation of perceived pecuniary interests:** Stakeholder feedback indicated that perceived pecuniary interests would be difficult to regulate effectively. Consequently, provisions relating specifically to perceived pecuniary interests have been removed from the draft Bill and the focus has shifted to how potential and actual interests can be more effectively managed.
- **Continuous or rolling disclosures:** Originally intended for real-time transparency, continuous disclosures raised practical and administrative feasibility concerns. The revised framework replaces this with structured annual disclosures, addressing stakeholder concerns without compromising transparency.

- **Legislated Principal Officer role:** Initially proposed to manage disclosures and conflicts, this role was deemed unnecessary following consultation. Existing responsibilities, particularly those of General Managers, already effectively manage these functions.

Next Steps

The Framework represents a balanced approach that ensures essential transparency and accountability without excessive administrative complexity. Clear separation of pecuniary and non-pecuniary interest management, introduction of formal PIRs, pragmatic conflict management strategies, and targeted compliance measures reflect stakeholder feedback and practical governance considerations.

The Tasmanian Government invites further feedback from stakeholders and the broader community on this refined legislative framework, recognising that ongoing engagement is vital to upholding integrity and accountability standards in Tasmanian local government.

To support consultation, the Tasmanian Government has developed a draft Personal Interest Return form for feedback, which gives a clear picture of the types of information to be provided by councillors. This is in [Appendix B](#) of this paper, and also on the consultation page of the Department of Premier and Cabinet's website.

Appendix A: Technical Reforms Summary

A more flexible and accessible format for local government elections

Reform 1: Reduce prescription in the statutory framework to enable the Tasmanian Electoral Commission to approve the electoral process.

Reform Overview	<ul style="list-style-type: none"> • Simplifies legislative requirements for election procedures. • Shifts detail from prescriptive legislation to TEC-approved procedures under a more flexible, principles-based model. • Aims to future-proof the electoral framework and support flexibility in delivery.
Summary of Feedback	<ul style="list-style-type: none"> • Broad support for a more modern, adaptable system. • Some concern about reduced transparency when procedures are not set in legislation. • Recommended TEC guidance and clear reporting to support public confidence.
Department Response	<ul style="list-style-type: none"> • Proceeding as proposed. • Transparency concerns will be addressed through formal TEC guidance and clear public reporting requirements.

Reform 2: 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.

Reform Overview	<ul style="list-style-type: none"> • Allows TEC to authorise alternative voting methods (such as telephone, electronic) for specific elector groups. • Will improve accessibility for voters unable to use postal or attendance voting. • Applies to electors with disabilities, remote voters, and others prescribed by regulation.
Summary of Feedback	<ul style="list-style-type: none"> • General support for enhancing voting accessibility and flexibility. • TEC supports the reform but noted challenges with secrecy, verification, and delivery costs.

	<ul style="list-style-type: none"> • Some feedback stressed the need for clear eligibility criteria and secure systems. • Some concern about resource implications and consistency with other electoral laws.
Department Response	<ul style="list-style-type: none"> • Proceeding with reform. • TEC will determine eligible voter categories and implement secure methods. • Postal voting will remain available as a complementary option.

Reform 3: 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.

Reform Overview	<ul style="list-style-type: none"> • Embeds principles of electoral access in legislation. • Requires that voting procedures approved by the TEC ensure all electors can vote independently, secretly, and verifiably. • Supports equitable participation in elections.
Summary of Feedback	<ul style="list-style-type: none"> • Broad support for the principle of universal franchise. • TEC raised concerns about how some methods (such as telephone voting) may fall short of full independence or verifiability, and pragmatic application will be necessary in some cases. • Councils supported the principle but called for flexibility in implementation. • Some feedback noted this reform may create high compliance expectations that are hard to deliver in all cases.
Department Response	<ul style="list-style-type: none"> • Proceeding as proposed. • Framework will ensure TEC has latitude to apply the principles in a pragmatic and context-sensitive way.

Reform 4: 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.

Reform Overview	<ul style="list-style-type: none"> Introduces a requirement for the TEC to report publicly on accessibility and inclusion measures after each election. Aims to improve transparency and accountability for how elections support all electors, especially those facing participation barriers.
Summary of Feedback	<ul style="list-style-type: none"> Support from councils and stakeholders. Submissions noted it will promote continuous improvement and build public trust.
Department Response	<ul style="list-style-type: none"> Reform will proceed. Reporting requirements will be designed to align with TEC's operational practices and existing data collection to minimise additional reporting burden while ensuring transparency around compliance with principles.

A better voting franchise for electors and changes to eligibility to run for office

Reform 5: Require that a person lodging a notice of nomination must have it supported by 30 electors entitled to vote in the relevant election.

Reform Overview	<ul style="list-style-type: none"> Increases the nomination threshold to require 30 signatures (or one per cent of electors) supporting each candidate. Aims to ensure candidates have a basic level of community backing and commitment before nominating.
Summary of Feedback	<ul style="list-style-type: none"> Mixed feedback from the sector. Some feedback stated the higher threshold as a reasonable filter for genuine candidates. Concerns were raised that it may deter candidates in smaller communities or create an unnecessary barrier.

	<ul style="list-style-type: none"> • TEC raised concern around the increased administration workload to check enrolment. It has indicated that it is feasible but may impact timeframes and costs.
Department Response	<ul style="list-style-type: none"> • Reform will proceed. • The proposed increase in threshold is considered a modest and reasonable standard that affirms community support for nominees without creating undue burden or introducing a nomination fee.

Reform 6: Transfer responsibility for the maintenance of the General Manager’s Roll to the Tasmanian Electoral Commission.

Reform Overview	<ul style="list-style-type: none"> • Shifts responsibility for the General Manager’s Roll (GMR) from councils to the TEC and creates a new Local Government Electoral Roll. • Seeks to improve consistency, accuracy, and public confidence in the administration of local government elections.
Summary of Feedback	<ul style="list-style-type: none"> • Broad support across councils, TEC, and stakeholders. • TEC supported the reform and noted alignment with their broader role in maintaining electoral integrity. • Councils welcomed the removal of administrative burden and supported centralised oversight.
Department Response	<ul style="list-style-type: none"> • Reform will proceed. • The TEC will be responsible for developing operational protocols to support the transition and ensure roll integrity.

Reform 7: Amend the definition of “occupier” for enrolment purposes, to refer to actual occupation and use, and clarify that tenants and licensees are occupiers for the purposes of the Act.

Reform Overview	<ul style="list-style-type: none"> • Clarifies the meaning of “occupier” for the purpose of enrolment on the General Manager’s Roll. • Ensures eligibility includes tenants and licensees with genuine rights of occupation, not just property owners.
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Summary of Feedback	<ul style="list-style-type: none"> • Widespread support for the reform. • Councils and individuals welcomed the clarification to improve fairness and remove ambiguity. • TEC supported the change.
Department Response	<ul style="list-style-type: none"> • Reform will proceed. • The updated definition will support consistent enrolment practices and inclusive participation across all councils.

Reform 8: Strengthen verification requirements for applications for enrolment on the General Manager's Roll.

Reform Overview	<ul style="list-style-type: none"> • Requires the TEC to apply more rigorous verification processes for enrolment on the General Manager's Roll. • Aims to ensure accuracy and integrity of the roll by confirming eligibility and preventing duplication.
Summary of Feedback	<ul style="list-style-type: none"> • Widespread support for the reform. • Stakeholders endorsed the need for improved verification to support trust in the electoral process. • Some submissions noted the importance of ensuring verification requirements remain proportionate and accessible.
Department Response	<ul style="list-style-type: none"> • Reform will proceed. • TEC will establish verification processes that balance roll integrity with administrative practicality and equity of access.

Reform 9: Expressly prohibit dual enrolment, and require a person enrolled on both the House of Assembly roll and the General Manager's Roll to be removed from the latter.

Reform Overview	<ul style="list-style-type: none"> • Prevents individuals from being enrolled on both the House of Assembly roll and the General Manager's Roll. • Ensures the principle of "one person, one vote" applies consistently in local government elections.
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Summary of Feedback	<ul style="list-style-type: none"> • Broad support from councils, individuals, and TEC. • Submissions emphasised fairness, integrity, and democratic equality. • A small number of submissions called for further restriction of eligibility to exclude corporate nominees altogether. • TEC confirmed it can implement controls to enforce single enrolment.
Department Response	<ul style="list-style-type: none"> • Reform will proceed. • Legislative provisions will reinforce one vote per person and support TEC compliance and enforcement systems.

Reform 10: Require new candidates to complete a pre-nomination training course approved by the Director of Local Government.

Reform Overview	<ul style="list-style-type: none"> • Requires all intending candidates (except incumbent councillors) to complete a prescribed training module before nominating. • Aims to improve candidate preparedness and understanding of local government roles and responsibilities.
Summary of Feedback	<ul style="list-style-type: none"> • Limited support across submissions. • Submissions highlighted the benefits of informed candidacy and improved governance. • Suggested the training be accessible online and available in multiple formats. • Some called for training to be required for all candidates, including incumbents, at the first election following the reform.
Department Response	<ul style="list-style-type: none"> • Reform will proceed. • Training will be designed to be practical and inclusive, with consideration given to transitional arrangements for incumbent councillors.

Better quality of public information at elections

Reform 11: Require that the Tasmanian Electoral Commission provides all people submitting a notice of nomination the opportunity to provide a candidate information statement (in an approved format, providing prescribed information) and that the Commission is to publish candidate information through appropriate means.

Reform Overview	<ul style="list-style-type: none"> • Mandates the TEC to offer all candidates the opportunity to submit a candidate statement. • Requires the TEC to publish these statements in an accessible format to inform voters.
Summary of Feedback	<ul style="list-style-type: none"> • TEC noted it already provides this opportunity in practice and questioned the need to legislate it. • TEC suggested that candidate obligations (such as lodgement timing) remain their responsibility. • Some feedback supported legislating the requirement to ensure consistency and transparency. • Submissions emphasised that the published information helps voters make informed choices.
Department Response	<ul style="list-style-type: none"> • Reform will not proceed. • Candidates will still be able to lodge a candidate information statement under existing practices, however this will not be legislated.

Reform 12: Enable the Director of Local Government to publish council performance statements during election periods.

Reform Overview	<ul style="list-style-type: none"> • Enables the Director of Local Government to publish factual statements about council performance during an election period. • Intended to provide electors with accurate, non-political information that may support informed voting.
Summary of Feedback	<ul style="list-style-type: none"> • Concerns were raised about timing and the potential perception of political interference. • Much of the opposition feedback cited risks to the neutrality of the election period. • Some stakeholders supported improved transparency, but recommended performance reporting occur outside caretaker periods.
Department Response	<ul style="list-style-type: none"> • Reform will not proceed.

	<ul style="list-style-type: none"> • Transparency around council and councillor performance will be pursued through other mechanisms outside of the election period to avoid perceptions of influence or bias.
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Reform 13: 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.

Reform Overview	<ul style="list-style-type: none"> • Provides that candidates formally nominated by a registered political party would be identified as such on the ballot paper. • Aims to increase transparency by informing voters which candidates are officially endorsed by political parties.
Summary of Feedback	<ul style="list-style-type: none"> • Mixed feedback. • TEC opposed the reform, citing concerns about increased administrative complexity, and attendant cost increases (such as larger ballot papers).
Department Response	<ul style="list-style-type: none"> • Reform will not proceed. • Instead, information about party endorsement will be included in the legislated TEC candidate information booklet, ensuring voters are informed while avoiding additional ballot paper complexity and cost.

Reform 14: Provide for candidates whose nomination form is not lodged by a registered party to request to be identified with a group name.

Reform Overview	<ul style="list-style-type: none"> • Enables candidates to nominate a group or team name (other than a registered political party) for inclusion on the ballot paper. • Intended to reflect informal candidate alliances or teams.
Summary of Feedback	<ul style="list-style-type: none"> • Mixed feedback. • TEC opposed the reform, raising concerns about administrative complexity. • Some submissions expressed concern about the enforceability of naming conventions.

Department Response	<ul style="list-style-type: none"> The Tasmanian Government has determined not to proceed with this reform. Group or team names may be communicated through published candidate information and campaign materials, but not included on the ballot paper itself.
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Strengthened donations disclosure and electoral advertising requirements

Reform 15: Introduce new prohibitions on the dissemination of misleading and deceptive statements (corresponding to the Electoral Act Review Final Report and the amended Section 197 of the *Electoral Act 2004*).

Reform Overview	<ul style="list-style-type: none"> Aligns local government electoral law with the Electoral Act by prohibiting the publication of statements that are misleading or deceptive in relation to the election process. Aims to protect electoral integrity and voter confidence.
Summary of Feedback	<ul style="list-style-type: none"> Broad support across submissions. Submissions welcomed consistency with state election laws and the clarity this provides to candidates and electors.
Department Response	<ul style="list-style-type: none"> Reform will proceed. This measure strengthens trust in the election process and ensures consistency with other electoral frameworks.

Reform 16: Remove the general restriction on publishing a candidate's name or image without their consent.

Reform Overview	<ul style="list-style-type: none"> Repeals an existing provision that prohibits the publication of a candidate's name or image without their consent. Aligns local government elections with state and federal practices where no such restriction applies.
Summary of Feedback	<ul style="list-style-type: none"> Broad support across submissions. A few submissions raised concerns about privacy and reputational risks.

Department Response	<ul style="list-style-type: none"> • Reform will proceed. • The change modernises the electoral framework and brings it into alignment with other jurisdictions while preserving broader legal protections.
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Reform 17: Clarify the definition of electoral advertising.

Reform Overview	<ul style="list-style-type: none"> • Updates and clarifies what constitutes “electoral advertising” to ensure consistency and legal certainty. • Seeks to align definitions with the <i>Electoral Act 2004</i> and reduce ambiguity for candidates and regulators.
Summary of Feedback	<ul style="list-style-type: none"> • Broad support from stakeholders. • Some councils and individuals requested that the definition remain broad enough to capture modern communication formats (such as social media, sponsored posts). • No significant concerns were raised.
Department Response	<ul style="list-style-type: none"> • Reform will proceed. • The updated definition will be aligned with the Electoral Act and supported by guidance from the TEC to ensure clarity and adaptability to emerging formats.

Reform 18: Provide that only a candidate, intending candidate, or a nominated person may incur electoral expenditure; expenditure by others to promote or procure election will be an offence.

Reform Overview	<ul style="list-style-type: none"> • Limits electoral expenditure to the candidate, intending candidate, or their formally nominated agent. • Aims to prevent unregulated third-party campaigning and increase transparency.
Summary of Feedback	<ul style="list-style-type: none"> • Broad support from stakeholders. • Some concern about protecting candidates from liability for unauthorised third-party activity. • Some concern about how the reform will be adequately implemented.
Department Response	<ul style="list-style-type: none"> • Reform will proceed. • Safeguards will be included to ensure candidates are not penalised for unauthorised third-party actions.

Reform 19: Institute authorisation requirements for electoral advertising and associated material.

Reform Overview	<ul style="list-style-type: none"> Requires electoral advertising to include information identifying who authorised the material. Aims to promote transparency and accountability in campaign communications.
Summary of Feedback	<ul style="list-style-type: none"> Strong support from stakeholders. Recognised as a standard integrity measure consistent with other jurisdictions. No significant concerns raised.
Department Response	<ul style="list-style-type: none"> Reform will proceed. Authorisation requirements will be clearly defined and enforced through TEC guidance.

Reform 20: Replace advertising expenditure limits with a general expenditure limit, with reference to the Legislative Council expenditure cap in the *Electoral Disclosure and Funding Act 2023*.

Reform Overview	<ul style="list-style-type: none"> Replaces current advertising-specific limits with an overall cap on total electoral expenditure. Aligns local government elections with Legislative Council spending rules.
Summary of Feedback	<ul style="list-style-type: none"> General support from stakeholders. Recognised as a clearer and more enforceable approach to managing campaign spending. Some requests for detailed guidance on calculating and monitoring total expenditure.
Department Response	<ul style="list-style-type: none"> Reform will proceed. Guidance will be developed to assist candidates in understanding and complying with the new expenditure cap.

Reform 21: 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 featured in joint advertising will be retained.

Reform Overview	<ul style="list-style-type: none"> Requires candidates to report not only their own spending but also any expenditure made on their behalf.
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	<ul style="list-style-type: none"> • Confirms that shared advertising must be fully attributed to each candidate featured.
Summary of Feedback	<ul style="list-style-type: none"> • Broad support across submissions. • Seen as improving transparency and accountability. • Some stakeholders noted the need for clear instructions on how to complete returns accurately.
Department Response	<ul style="list-style-type: none"> • Reform will proceed. • Guidance will be provided to clarify reporting obligations, including shared advertising attribution.

Reform 22: 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.

Reform Overview	<ul style="list-style-type: none"> • Prevents third parties from incurring expenditure on behalf of a registered party to influence election outcomes. • Aims to strengthen transparency and restrict indirect or unregulated campaign spending.
Summary of Feedback	<ul style="list-style-type: none"> • Broad support across submissions. • Feedback noted the importance of ensuring consistency with other expenditure-related provisions.
Department Response	<ul style="list-style-type: none"> • Reform will proceed. • Ensures electoral spending remains traceable and accountable.

Reform 23: 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 donation returns with the Tasmanian Electoral Commission.

Reform Overview	<ul style="list-style-type: none"> • Extends donation disclosure obligations to all candidates. • Maintains the \$50 threshold and introduces disclosure during the election period via the TEC website.
Summary of Feedback	<ul style="list-style-type: none"> • Broad support across submissions. • Recognised as an important transparency measure. • Some noted administrative complexity and requested support for compliance.

Department Response	<ul style="list-style-type: none"> • Reform will proceed. • TEC will provide clear instructions and support tools to assist candidates with disclosure requirements.
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Reform 24: 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.

Reform Overview	<ul style="list-style-type: none"> • Prohibits indirect donations through intermediaries or third parties. • Aims to ensure all electoral donations are transparent and reported through candidates.
Summary of Feedback	<ul style="list-style-type: none"> • Support from councils and individuals for closing donation loopholes. • TEC raised concerns about administrative complexity and suggested responsibility may be better placed with councils or OLG. • Some concern about enforceability and overlap with existing regulatory responsibilities.
Department Response	<ul style="list-style-type: none"> • Reform will proceed. • Intended to provide a simpler alternative to third-party campaigner registration schemes. • Implementation details will consider TEC's role and administrative resourcing.

Reform 25: 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:

- over \$50, including services or goods valued in kind, without recording the basic details of that donor
- over \$50 in cash
- over \$50 from a foreign donor.

Reform Overview	<ul style="list-style-type: none"> • Introduces clear donation limits and record-keeping obligations. • Prohibits cash and foreign donations above \$50 and ensures traceability.
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Summary of Feedback	<ul style="list-style-type: none"> • Broad support for integrity and transparency purposes. • TEC raised concerns if they were required to manage disclosures across the council term, noting administrative complexity and precedent from other jurisdictions.
Department Response	<ul style="list-style-type: none"> • Reform will proceed. • Gifts and donations for incumbent councillors will continue to be managed under the existing framework set out in the Local Government Act. • The TEC will not need to have a role in gifts and donations registers for councils outside of election periods.

Other changes to support the integrity of elections

Reform 26: 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.

Reform Overview	<ul style="list-style-type: none"> • Prevents overlap between local government elections and state or federal parliamentary elections. • Aims to avoid voter confusion and administrative pressure.
Summary of Feedback	<ul style="list-style-type: none"> • Broad support for integrity and transparency purposes. • Recognised as a sensible measure to protect electoral integrity and manage resourcing.
Department Response	<ul style="list-style-type: none"> • Reform will proceed. • Aligns with electoral best practice and supports efficient election delivery.

Reform 27: Provide the Tasmanian Electoral Commission with powers of investigation.

Reform Overview	<ul style="list-style-type: none"> • Grants the TEC investigative powers to enforce electoral laws effectively. • Intended to support stronger compliance and deterrence.
Summary of Feedback	<ul style="list-style-type: none"> • Broad support across submissions. • Seen as necessary for the Commission to fulfil its expanded responsibilities.

	<ul style="list-style-type: none"> Some feedback noted the need for clear scope and procedural safeguards.
Department Response	<ul style="list-style-type: none"> Reform will proceed. Powers will be clearly defined to ensure fair and proportionate enforcement.

Reform 28: Align electoral offences and sanctions with those in the Electoral Act.

Reform Overview	<ul style="list-style-type: none"> Aligns the offences and penalties in the Local Government Electoral framework with those in the <i>Electoral Act 2004</i>. Aims to ensure consistency, fairness, and legal clarity across electoral systems.
Summary of Feedback	<ul style="list-style-type: none"> Broad support across submissions. Viewed as necessary to streamline enforcement and promote consistent standards. No significant concerns raised.
Department Response	<ul style="list-style-type: none"> Reform will proceed. Consistent penalties will support better understanding and enforcement of electoral rules.

Reform 29: 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.

Reform Overview	<ul style="list-style-type: none"> Establishes a formal caretaker period during elections. Aims to prevent councils from making major decisions that could influence electoral outcomes.
Summary of Feedback	<ul style="list-style-type: none"> Broad support across submissions. Recognised as standard electoral practice that supports fairness and transparency. Some submissions requested clarification on the caretaker timeframe and scope of decisions affected.
Department Response	<ul style="list-style-type: none"> Reform will proceed. Guidance will clarify caretaker obligations and ensure consistent application across councils.

	<ul style="list-style-type: none"> Caretaker provisions will be included in the <i>Local Government Act 1993</i>, as they relate to the operational decisions of councils as opposed to the conduct of elections.
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Reform 30: Provide that during the caretaker period, prohibit a council from making any major policy or financial decisions, namely decisions:

- relating to the appointment, reappointment, remuneration or termination of a general manager (except acting appointments)
- committing the council to expenditure greater than 1 per cent of general revenue or \$100,000 (whichever is greater)
- directing council resources to influence voting
- relating to matters that could reasonably be deferred, except for statutory or routine operational decisions.

Reform Overview	<ul style="list-style-type: none"> Prohibits councils from making major decisions during the caretaker period to avoid perceptions of bias or misuse of position. Defines clear limits on financial, staffing, and policy decisions.
Summary of Feedback	<ul style="list-style-type: none"> Broad support across submissions. Seen as an important safeguard for electoral fairness. Some councils requested clarification on what constitutes “routine operational” decisions.
Department Response	<ul style="list-style-type: none"> Reform will proceed. Supporting guidance will be provided to ensure consistent and practical application.

Reform 31: Provide that during the caretaker period, it is an offence for a council to:

- publish any material promoting any candidate or group of candidates, or seeking to influence voters
- publish material related to the election other than information promoting participation or official electoral process information
- make council resources available to benefit one candidate over others.

Reform Overview	<ul style="list-style-type: none"> Prohibits councils from using their platforms or resources to influence election outcomes during the caretaker period.
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	<ul style="list-style-type: none"> Ensures councils maintain neutrality.
Summary of Feedback	<ul style="list-style-type: none"> Broad support across submissions. Seen as a necessary integrity safeguard. Requests for guidance on acceptable communication during the period.
Department Response	<ul style="list-style-type: none"> Reform will proceed. TEC and OLG will develop guidance to support compliant council communication practices.

Reform 32: 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 in good faith, are entitled to recover compensation from the council.

Reform Overview	<ul style="list-style-type: none"> Invalidates major decisions made by councils during the caretaker period. Allows compensation for affected parties who relied on such decisions in good faith.
Summary of Feedback	<ul style="list-style-type: none"> Broad support across submissions. Recognised as a necessary enforcement mechanism to support the caretaker provisions. Some requests for further detail on liability and compensation processes.
Department Response	<ul style="list-style-type: none"> Reform will proceed. Implementation will include guidance to councils on the operation of the framework. Councils will remain responsible for obtaining their own legal or financial advice where required in relation to potential liability or compensation claims.

Reform 33: 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.

Reform Overview	<ul style="list-style-type: none"> Raises the petition threshold for triggering elector polls and limits poll topics to council-related matters.
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	<ul style="list-style-type: none"> • Aims to reduce misuse and align polls with council responsibilities.
Summary of Feedback	<ul style="list-style-type: none"> • Mixed feedback from councils and stakeholders. • Some supported the reform as a way to ensure elector polls remain focused and relevant. • Others raised concerns about restricting democratic participation and increasing the threshold too far.
Department Response	<ul style="list-style-type: none"> • Reform will proceed. • Clear criteria and explanatory materials will be developed to ensure community understanding and consistent application.

Appendix B: Personal Interest Return (PIR) Form (Draft Example Only)

Introduction

This form is issued under the *Local Government Act 1993* (the Act) and must be completed by all Councillors. It is a requirement of the Act that Councillors disclose certain personal interests to ensure transparency and support public confidence in the integrity of local government decision-making.

The purpose of this disclosure is to:

- provide a clear record of interests that may conflict, or be perceived to conflict, with a Councillor's public duties
- support the effective management of conflicts of interest
- assist Councils in promoting good governance and accountability.

This return requires you to declare interests held by you and your spouse (including a person in a significant relationship as defined in the *Relationships Act 2003*) as at the primary return date, and to provide details of any income, property, positions, debts, memberships, contributions or other interests that meet the thresholds set out in the form.

You are also required to, where appropriate, indicate how any interests that could give rise to a conflict with your public duties will be managed. Your General Manager can help you decide whether management strategies are required to be listed.

Lodging a complete and accurate return is a legal obligation under the Act. If you are unsure about what to disclose or how to manage a declared interest, you are encouraged to seek independent legal or professional advice.

Directions

- a) The interests you are required to disclose in this return are set out in legislation and apply to you, as the Councillor, and your spouse (including someone in a significant relationship as defined in the *Relationships Act 2003*).
- b) You must complete and lodge a return even if you (and/or your spouse) have no interests to disclose. If you have nothing to declare, please indicate this by selecting 'No' at each question. All sections must be completed.
- c) If there is not enough space in the form to provide all required details, please attach an appendix that is clearly numbered, signed and dated. Be sure to cross-reference the appendix in the relevant section of this form.
- d) You may wish to seek independent legal, financial or other advice to assist you in understanding your obligations and ensuring your return is complete.

- e) In this return, you must also, where appropriate, briefly describe how any disclosed interests that could give rise to a conflict of interest will be managed, including steps such as declaring interests at meetings, abstaining from decisions, or other appropriate actions.
- f) Your completed return must be signed, dated and lodged with your General Manager or another authorised person.

Name of Councillor	
Council	
Date of Return	
Signature of Councillor	

Part A. Sources of income

Have you, or your spouse, received or do you, or your spouse, expect to receive any income in the period between the primary return date and the next 30 June, excluding income received as a councillor allowance?

- ☐ No – continue to Part B
- ☐ Yes – provide particulars below

Explanatory notes

- 'Income' means assessable income under the *Income Tax Assessment Act 1936* (Cth), including but not limited to: employment income, superannuation, pensions, annuities and government payments, investment income, business, partnership and trust income, and foreign income.
- A source of income only needs to be declared if you or your spouse received, or expect to receive, more than \$500 from that source during the return period.
 - When disclosing income from your occupation, you must also provide:
 - a description of the occupation
 - the name and address of your employer, or a description of the office
 - the name of any partnership (if relevant).
- You do not need to disclose one-off sales of personal items (such as a second-hand car or household furniture) unless those sales are made in the course of a business or with the intent of making a profit.

Indicate the source of income (amounts are not necessary)

	Person or entity from which income was received or is expected to be received	Why the income was/is expected to be received (For example: salary, investments, trusts, rental payments)	Details
Example	Acme Consulting Pty Ltd	Salary	Policy Advisor Acme Consulting, 22 Example St, Hobart
Self			
Spouse			

Part B. Land and real property

Have you, or your spouse, held an interest in land or real property as at the primary return date?

- ☐ No – continue to Part C
- ☐ Yes – provide particulars below

Explanatory notes

- This includes any ownership or beneficial interest in land (not as security for a debt) within the municipal district of the Council or an adjoining municipal district.
- You must provide:
 - the full address of the land (as it appears on council rates notices)
 - the purpose for which the land is held (such as residence, investment)
 - the nature of the interest (such as sole owner, joint tenant, trustee).

Exceptions

- You are **not required to disclose** an interest in land if:
 - You or your spouse hold the interest only as the executor or administrator of the estate of a deceased person, and you are not a beneficiary under the will or under intestacy.
 - You or your spouse hold the interest only as a trustee, and the interest was acquired in the ordinary course of a profession or occupation that is not related to your duties as a Councillor.

Example: If you are managing property as part of your work as an accountant or solicitor (unrelated to your Councillor role), and you hold the land only as a trustee, you do not need to declare it.

Complete the table below

	Full Address of Property	Purpose (such as residence, investment)	Nature of Interest (such as sole owner, joint tenant, trustee)
Example	12 Smith Street, Springvale TAS	Residential	Sole owner
Self			
Spouse			

Part C. Corporations and business interests

Have you, or your spouse, held any position or interest in a corporation, business, trust or other entity as at the primary return date, including in a fiduciary capacity (such as trustee or executor)?

This includes positions whether paid or unpaid.

- ☐ No – continue to Part D
- ☐ Yes – provide particulars below

Explanatory notes

- You must disclose the name and address of the corporation, business, partnership or trust, and describe your position or interest (such as director, shareholder, sole trader, trustee, partner).
- This applies regardless of whether or not you received payment for the role.
- This includes business interests carried out in your own name (such as sole trader or freelancer), or as part of a partnership or trust that carries on commercial activities.
- It also includes fiduciary roles where you or your spouse owe duties to act on behalf of another person or entity. For example, as:
 - a trustee of a private or family trust
 - an executor or administrator of a deceased estate (unless exempt)
 - a partner in a business or professional firm
 - a nominee with control or discretion over assets.
- Roles held purely as part of your professional occupation (such as solicitor acting for a client) **do not need to be declared** unless they involve control or decision-making powers over land or assets that may intersect with Council matters.

Exceptions

- You are not required to disclose an interest or position if the corporation is:
 - formed to provide recreation, charity, religion, art, science or other community purpose
 - required to apply all profits to its purpose (it cannot distribute profits)
 - prohibited from paying dividends to members.
- You are also not required to disclose an interest or position if you:

- Hold the position only in your professional capacity and have no discretion or control over relevant assets or decisions (such as an accountant lodging a BAS on behalf of a client).

Example: If you are on the board of a local community garden association that operates as a not-for-profit and does not distribute profits, you do **not** need to declare this role.

Additional guidance (superannuation funds)

- You are not required to declare shareholdings or interests held by a superannuation fund (such as a retail or industry fund) unless:
 - you personally control or direct the investment decisions of the fund (such as via a self-managed super fund)
 - or you are aware of a specific investment that may give rise to a conflict of interest (such as your fund is heavily invested in a company seeking Council approval for a development).
- In most cases, managed funds or pooled investments (such as those held via industry super funds) do not need to be declared, as individual holdings are not within your knowledge or control.

Complete the table below

	Name of Corporation	Address	Nature of Interest / Position
Example	Dovetail Accounting Trust	21 Harper Street, Moonville TAS	Self – Trustee and Beneficiary of family trust
Self			
Spouse			

Part D. Liabilities and debts

Do you, or your spouse, owe money to any person or organisation as at the primary return date? This applies whether or not the debt was due or payable at that time.

☐ No – continue to Part E

☐ Yes – provide particulars below

Explanatory notes

- You must declare the name and address of any person or entity to whom you or your spouse owe a debt of \$5,000 or more.
- This includes loans, credit agreements, or any other outstanding payments.

Exceptions

- You are **not** required to disclose a debt if:
 - The amount owed is less than \$5,000, unless:
 - it is one of two or more debts owed to the same person during the return period and the total owed is \$5,000 or more.
 - The debt is owed to a relative of the Councillor.
 - The debt is a loan of money and:
 - it is owed to a bank or authorised lender (someone whose usual business is lending money) and it was made in the ordinary course of business.
 - The debt is for goods or services provided:
 - during the period of 12 months immediately before the primary return date or during the annual return period
 - in the ordinary course of an occupation unrelated to your role as a Councillor (or your spouse's occupation).

Example: You do **not** need to declare a \$3,000 loan from a bank or a \$1,000 invoice from your mechanic, unless you owe the same mechanic several invoices totalling \$5,000 or more.

Complete the table below

	Name of Creditor	Address	Nature of Debt
Example	John Smith	12 Hilltop Drive, New Town TAS	Private loan of \$7,000 for vehicle repairs
Self			

	Name of Creditor	Address	Nature of Debt
Spouse			

Part E. Trade unions, associations, and political parties

Do you, or your spouse, currently hold a position (paid or unpaid) in any trade union, professional association, or business association?

- ☐ No – continue to Part F
- ☐ Yes – provide particulars below

Explanatory notes

- You must declare any position (such as member, delegate, board role) held by you or your spouse in a:
 - trade union
 - professional association
 - business association.
- This includes positions that are voluntary, unpaid or honorary.
- You must also declare the name of any political party of which you are a member.

Complete the table below

	Name of Organisation	Position Held
Example	Bank of Tasmania	101 Main St, Hobart
Self		
Spouse		

Part F. Travel or accommodation contributions

Did you, or your spouse, receive any financial or other contribution (such as free or upgraded accommodation, flights, meals, or hospitality) in relation to any travel during the annual return period?

- ☐ No – continue to Part G
- ☐ Yes – provide particulars below

Explanatory notes

- You must disclose:
 - the name and address of the person or organisation who made the contribution
 - the dates, destinations, and purpose of the travel.

Exceptions

- You do **not** need to disclose a contribution if:
 - it was made from public funds (e.g. council-funded travel)
 - it was made by a relative
 - it was made in the ordinary course of another occupation (not related to your role as a Councillor or your spouse's occupation)
 - the value of the contribution did not exceed \$250, unless:
 - more than one contribution was made by the same person in the return period and the total of those contributions exceeded \$250.
 - it was made in a personal capacity, and it would not reasonably be seen as related to your role as a Councillor
 - it was made by a political party of which you are a member, and the travel was undertaken:
 - for political activity in Tasmania or to represent the party within Australia.

Note: A non-financial contribution (such as a gift or in-kind support) is treated as equal in value to what it would cost if paid for directly.

Complete the table below

	Name and Address of Contributor	Type of Contribution (such as flight, hotel)	Dates of Travel	From/To Locations
Example	Local Gov Assoc 2 Civic Way	Flights and accommodation	4–6 March	Hobart – Melbourne

	Name and Address of Contributor	Type of Contribution (such as flight, hotel)	Dates of Travel	From/To Locations
Self				
Spouse				

Part G. Dispositions of real property

Have you, or your spouse, transferred an interest in property during the return period but retained a benefit, or acquired a benefit from someone else's transfer?

- ☐ No – continue to Part H
- ☐ Yes – provide particulars below

Explanatory notes

- You must disclose:
 - any property you or your spouse disposed of (in whole or part) where you kept the right to use or benefit from the property
 - any property another person disposed of where you gained use or benefit (even if you don't legally own it).
- This includes arrangements where legal ownership changes, but you still use, access or benefit from the property in some way.

Complete the table below

	Property / Arrangement	Nature of Benefit Retained or Acquired
Example	Transfer of family shack	Continued right to occupy
Self		
Spouse		

Part H. Discretionary disclosures

Is there any other substantial interest (financial or otherwise) that could be seen as creating a conflict between your personal interests and your public duties as a Councillor?

- ☐ No – continue to Part I
- ☐ Yes – provide details below

Explanatory notes

- You must declare **any other significant interest** that:
 - you are aware of
 - might reasonably be seen to conflict with your public responsibilities as a Councillor.
- This includes interests held by you or by a related person or entity, even if the interest is not financial in nature.
- These may include unpaid or voluntary positions in clubs, associations, or community groups, particularly where those groups interact with Council (such as apply for funding, use Council facilities, or make submissions on Council decisions).
- **Example 1:** If a close family member owns a company that regularly tenders for Council contracts, or if you volunteer in a leadership role in a group advocating for decisions your Council makes, you may wish to disclose that interest here.
- **Example 2:** If you are the president of a local sporting club that applies for Council grants or leases Council-owned facilities, this may be a relevant interest to disclose.

Complete the table below

	Description of Interest
Example	My sister-in-law is CEO of a company that regularly tenders for council waste management contracts.
Self	
Spouse	

Part I. Declaration on management of interests

Briefly outline how you propose to manage any disclosed interests to ensure they do not conflict with your public duties as a Councillor.

This may include:

- recusal from specific Council decisions or meetings
- use of a formal conflict of interest register
- disclosure at the start of relevant proceedings
- other appropriate actions.

Complete the table below

	Interest (brief description)	How the interest will be managed
Example	Sister-in-law is CEO of council contractor	Will declare and not participate in any related procurement matters
Example	Joint owner of local business property	Will recuse from votes involving zoning or development in the area
Example	Member of planning industry association committee	Will declare interest at meetings dealing with industry regulation
Self		
Spouse		

Part J. Primary return appendix

- This appendix is provided for use if you need additional space to disclose information beyond what the standard Personal Interest Return form allows.
- Please clearly number, sign, and date each page you include as an appendix.
- Make sure each appendix page is cross-referenced to the relevant part of the Primary Return form.
- Example: If you have multiple income sources, land holdings, or corporation positions that don't fit within the main tables, use the appendix to continue your disclosures.

Signed: _____

Date: _____