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Office of Local Government
Department of Premier and Cabinet
GPO Box 123
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Via Email: lgconsultation@dpac.tas.gov.au

Dear Sir/Madam,

FEEDBACK ON LOCAL GOVERNMENT ELECTORAL LEGISLATION

The City of Hobart welcomes the opportunity to respond to the discussion paper in relation to the draft *Local Government Electoral Bill 2025* and *Local Government Amendment (Electoral Reforms) Bill 2025*.

The enclosed submission was endorsed by the Council at its meeting held on Tuesday 27 January 2026 and provides a response to the proposed changes.

Once again, I thank you for the opportunity to contribute to this important work.

Yours sincerely,



(Michael Stretton)
CHIEF EXECUTIVE OFFICER

City of Hobart Submission - Draft *Local Government Electoral Bill 2025 & Local Government Amendment (Electoral Reforms) Bill 2025*

Local Government Electoral Bill 2025

Key Reform	Comment
2 – ELECTION OF MAYORS, DEPUTY MAYORS AND COUNCILLORS	
<p>Provides for the election of the Deputy Mayor ‘around the table’ by councillors, rather than by direct elector ballot. This must be done by vote of the council (simple majority), and within the first two general meetings of the council.</p> <p>The Bill allows councils to determine the term of deputy mayor to be either the term of council or a lesser period.</p>	<p>DO NOT SUPPORT</p> <p>The Council supports the maintenance of the status quo in relation to the election and role of the Deputy (Lord) Mayor.</p> <p>The Council believes that should, during the term of an office, a Deputy (Lord) Mayor leave permanently, the replacement is selected from the election result system of the prior election (following the usual preferences approach) and not by direct election from the Elected Members.</p>
4 – ELECTORS AND ELECTORAL ROLLS	
<p>Amends 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.</p>	<p>SUPPORT</p> <p>This change will address ambiguity around the extent of association with land required to generate an entitlement to vote in local government elections in some specific instances (for instance, persons making regular use of a secondary property owned by a family member or associate).</p>
<p>Preserves a supplementary roll (‘General Manager’s Roll’) for electors not entitled to be on the House of Assembly (HoA) Roll in respect of an electoral area, as</p>	<p>SUPPORT</p> <p>This change will enable increased consistency in the administration and application of the supplementary electoral roll and the administration of this function will be streamlined.</p>



Key Reform	Comment
<p>well as clear and consistent criteria for applying to be on this Roll.</p> <p>This supplementary roll is now named the Local Government Electoral Roll.</p> <p>This roll is for persons with property-based entitlements (landowners/occupiers, corporate bodies) and non-citizen electors who have lived in the electoral area for a continuous period of at least 12 months.</p> <p>Provides that responsibility for keeping and maintaining the supplementary rolls for electoral areas is to transfer to the TEC (currently council General Managers must maintain their council's supplementary rolls).</p>	
<p>Tightens the criteria for who can nominate to vote on behalf of corporate bodies, including that they:</p> <ul style="list-style-type: none"> • Must not be a director or the secretary of the corporate body. • Must not already be enrolled on the HoA roll for the electoral area. 	<p>SUPPORT</p> <p>These changes will ensure that a person may only have, in any circumstances, one vote in an election for a municipal area.</p>



Key Reform	Comment
<p>Not be the corporate body nominee for another corporate body in the same area.</p>	
<p>Provides for 'one vote, one value' by providing that each elector is entitled to one vote in an election for an electoral area.</p> <p>This changes the current situation where a person may have up to two votes (e.g. one in their own right, and one on behalf of a body corporate).</p>	
5 – COMPULSORY VOTING	
<p>Preserves compulsory voting for those on the HoA roll (status quo).</p> <p>Voting remains optional for electors on the supplementary Local Government Electoral Roll.</p>	<p>SUPPORT</p> <p>The Council supports compulsory voting in Local Government elections.</p>
6 – ISSUING AND RECEIVING PLACES, POLLING PLACES AND ELECTION OFFICIALS	
<p>Reduces prescription and introduces flexibility to 'future proof' elections, allowing the Electoral Commissioner to</p>	<p>SUPPORT</p>



Key Reform	Comment
<p>determine the method of voting at an election. This can include one or more methods, including attendance voting at a polling place and/or postal voting (including provision and receipt of ballots in person and by mail).</p> <p>These provisions provide flexibility for the Commissioner to determine multiple methods of voting, supporting the position of moving to a hybrid postal electoral format, allowing for continued mail voting, with provision of pre-polling and polling places for in-person completion of ballots.</p> <p>The provides for the postal method (allowing for and encouraging for hand returns) as the default election method and allows for an attendance ballot only where the Commissioner is satisfied available postal services are inadequate to ensure the reliable conduct of the election by postal ballot, a postal ballot would be more expensive to conduct than an attendance ballot.</p>	<p>The Council supports the introduction of flexibility to determine the method of voting at an election</p> <p>The Council's preference is a move to compulsory voting by attendance at the ballot box. This is to be supported by an extended pre-poll period and postal voting for persons on the Local Government Electoral Roll.</p>



Key Reform	Comment
The Commissioner will be required to issue a notice as to the chosen method of election at least six months in advance of the notice of an election.	
Preserves issuing and receiving places, which allow for issue and return of ballots during mail (or hybrid) elections.	
Provisions from the <i>Local Government Act 1993</i> are expanded for accessibility, including allowing the Electoral Commissioner to appoint a hospital, convalescent home, nursing home or other similar place at which a mobile facility may be operated as an issuing and receiving place – similar to polling place provisions in the <i>Electoral Act 2004</i> .	
Allows for appointment of polling places, pre-poll polling places and mobile polling places in the event of an attendance ballot. Accessibility provisions mirror those for issuing and receiving places. There is also an additional clause (35) which	



Key Reform	Comment
provides for assistance to vote at a polling place to be provided for those who need it.	
PART 7 – NOTICES OF ELECTIONS AND NOMINATIONS	
<p>Retains a single-phase nomination process, with additional requirements in the notice of nomination – including:</p> <ul style="list-style-type: none"> • A statement as to whether or not the candidate is formally endorsed by a registered party or is running under a group name not associated with a party. • An attestation that a candidate has completed the proposed mandatory pre-election training module (does not apply to incumbent councillors). <p>A notice of nomination must also be signed by at least 30 electors or 1% of electors in the municipal area (whichever is smaller). Currently a notice of nomination must be signed by only two electors.</p>	<p>SUPPORT</p> <p>This change will see the candidate information become part of the statutory elections framework and candidates be afforded a right to submit an information statement as part of the notice of nomination. It will also improve transparency in respect to candidates nominated by a registered party.</p> <p>This change provides an initial test of credible public support for a candidacy, while not imposing a financial barrier on candidates.</p>



Key Reform	Comment
<p>Requires the TEC to publish and distribute a candidate information package. This is currently done as a matter of convention and is the primary way electors become aware of the range of candidates, their reasons for seeking election, views and propositions. However, this is currently not a part of the formal legislative framework.</p> <p>At a minimum, this will include for each candidate - the candidate's name, a personal statement (if provided), and whether the candidate is endorsed by a registered party, running under a group name or is an independent candidate. This information is gathered as part of the notice of nomination.</p>	
PART 8 - BALLOTS	
<p>Provides guidance around ballot material, and provisions on issuing, completing and returning ballots based on various election methods enabled under Part 6.</p>	<p>SUPPORT</p> <p>The Council supports the introduction of flexibility to determine the method of voting at an election, which includes the preparation and provision of ballot materials.</p>
PART 10 – ALTERNATIVE VOTING PROCEDURES	

Key Reform	Comment
<p>This is a broad part which allows the Electoral Commission to approve and deliver alternative voting procedures for classes of electors who face barriers to traditional means of voting. This includes, but is not limited to electronic voting methods such as online voting or voting by telephone.</p> <p>This supports universal franchise principles, consistent with recent reforms to the <i>State Electoral Act 2004</i>.</p>	<p>SUPPORT</p> <p>This reform will enable the Electoral Commission to provide assistance to electors with impediments to participation or who are outside Tasmania during the polling period.</p> <p>This reform will enable methods of voting to include assistive technologies. For instance, voting by telephone with a human operator, or voting using internet-based systems.</p>
<p>Requires the TEC to approve procedures which enable and support accessible voting practices for electors with additional barriers to participation.</p> <p>The TEC is also required to publish after each election a statement on the implementation of the accessibility principles.</p>	<p>SUPPORT</p> <p>This proposal is considered to balance appropriately the independence of the Commission, while providing a transparent accounting of participation at the election for electors with additional barriers to participation.</p>

PART 13 – OFFENCES RELATING TO ELECTIONS



Key Reform	Comment
<p>Introduces a range of offences related to polling and conduct at polling places consistent with the <i>Electoral Act 2004</i>, while also retaining offences relating to elections under the <i>Local Government Act 1993</i>.</p> <p>It also contains offences relating to electoral bribery and treating and intimidation.</p>	<p>SUPPORT</p> <p>The Council supports the introduction of flexibility to determine the method of voting at an election and the development of a legislative framework to ensure elections are transparent and fair.</p>
<p>PART 14 – INVESTIGATORY POWERS</p>	
<p>Provides standard investigatory powers for the Electoral Commissioner (or authorised officers) – consistent again with the <i>Electoral Act 2004</i>. This includes:</p> <ul style="list-style-type: none"> • Power to enter and inspect places. • Power to require production of documents or information. 	<p>DO NOT SUPPORT</p> <p>There are other existing jurisdictions (i.e. Integrity Commission) established to investigate these types of matters, so it seems like a duplication to provide the Electoral Commission with powers of investigation.</p>



Key Reform	Comment
<ul style="list-style-type: none"> • Power to seize and detain. • Power to require attendance and questioning. 	
PART 15 – ELECTORAL ADVERTISING AND PUBLICATION OF ELECTORAL MATTER	
<p>Introduces 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 <i>Electoral Act 2004</i>).</p>	<p>SUPPORT</p>
<p>Repeals an existing provision that prohibits the publication of a candidate's name or image without their consent.</p> <p>This aligns local government elections with state and federal practices where no such restriction applies.</p>	<p>SUPPORT</p> <p>The Bill contains substantial and enhanced protections, including authorisation requirements that attribute electoral advertising to the candidate for whom benefit is intended, alongside continued limits on election expenditure.</p> <p>This is considered to achieve similar objectives to the repealed provision without so directly impinging on speech and expression.</p>
<p>Updates and clarifies what constitutes "electoral advertising" to ensure consistency and legal certainty.</p>	<p>SUPPORT</p> <p>This change will minimise ambiguities and improve clarity.</p>



Key Reform	Comment
Seeks to align definitions with the <i>Electoral Act 2004</i> and reduce ambiguity for candidates and regulators.	
<p>Requires electoral advertising to include information identifying who authorised the material.</p> <p>Aims to promote transparency and accountability in campaign communications.</p>	<p>SUPPORT</p> <p>The change will require that electoral advertisements and associated material can be authorised by a candidate or intending candidate or a nominated person, identifying the candidate or intending candidate who has provided their endorsement for the advertising or material.</p>
PART 16 –ELECTORAL EXPENDITURE	
<p>Replaces current advertising-specific limits with an overall cap on total electoral expenditure.</p> <p>Aligns local government elections with Legislative Council spending rules.</p> <p>Expenditure caps are as follows:</p> <ul style="list-style-type: none"> For a candidate for election to the Hobart City Council, Clarence City Council, Glenorchy City Council, Kingborough Council or Launceston City Council – \$16 000 plus the 	<p>SUPPORT</p> <p>The proposed change will provide more flexibly (and appropriately) capture the range of campaigning activities open to candidates at contemporary elections.</p>



Key Reform	Comment
<p>applicable annual increment for that financial year.</p> <ul style="list-style-type: none"> For a candidate for election to any other council – \$10 000 plus the applicable annual increment for that financial year. <p>The annual increment is a cumulative increase to this limit of \$500 every year for the councils referred to in the first bullet point, and \$300 for all other councils, applying annually from 1 July 2027.</p>	
<p>Requires candidates to report not only their own spending but also any expenditure made on their behalf.</p> <p>Confirms that shared advertising must be fully attributed to each candidate featured.</p>	<p>SUPPORT</p> <p>This change will attribute expenditure made on behalf of candidates (who must have authorised that expenditure) to individual candidates, to enable the effective regulation of electoral advertising and other campaign activities using individual candidate expenditure limits.</p>
<p>Prevents third parties from incurring expenditure on behalf of a registered party to influence election outcomes (strengthens transparency and restricts</p>	<p>SUPPORT</p> <p>This change will complement the above requirement that all electoral expenditure, including advertising, only be made by candidates or intending candidates themselves (or their nominees), which enables regulation and disclosure for individual candidates.</p>



Key Reform	Comment
indirect or unregulated campaign spending).	It is considered appropriate to apply the same prohibition as stands for Legislative Council elections, given advertising (now to be general) expenditure limits are an existing feature of local government elections.
PART 17 – GIFTS AND DONATIONS	
Extends gift and donation disclosure obligations to all candidates. Maintains the \$50 threshold and introduces disclosure via the Tasmanian Electoral Commission website during the election period.	SUPPORT
Prohibits indirect donations through intermediaries or third parties (ensuring all electoral donations are transparent and reported through candidates).	SUPPORT This change is intended to prohibit donations made to intermediaries which could otherwise obfuscate the origins and purpose of gifts or benefits intended to promote or procure the election of a candidate or influence the outcomes of elections.



Local Government Amendment (Electoral Reforms) Bill 2025

Key Reform	Comment
5 – PECUNIARY INTERESTS	
Expands the definition of a close associate to a councillor to include: <ul style="list-style-type: none">• A person who has provided a gift or donation (as defined in the <i>Local Government Electoral Act 2025</i>);• A relative of the councillor or member who resides with that councillor or member on a regular basis.	SUPPORT <p>This change is consistent with the direction provided by the Council in its submission.</p>
Establishes defence provisions for a councillor where they believe a pecuniary interest (where they receive or expect to receive a pecuniary benefit) is one held with a substantial proportion of electors in the municipality (meaning at least 5% or 1 000 electors, whichever is the lesser). <p>This defence also applies to an application or request for approval, authorisation, licence, permit,</p>	SUPPORT <p>This is an everyday citizen test which should reasonably apply for Elected Members.</p>



exemption or other right, or beneficial interest in shares of a company or other body.	
Requires that the existing register of pecuniary interests kept by the General Manager to be published on a council's website.	<p>SUPPORT</p> <p>The Council already publishes its Public Interest Register on the website</p>
5B – PERSONAL INTEREST RETURNS	
This is an entirely new Part which requires a councillor to lodge a personal interest return (PIR) with the General Manager, within 28 days after a certificate of election is issued.	<p>SUPPORT</p> <p>In its current term, Council has resolved to adopt a Public Interests Register Policy. This policy establishes a process for Elected Members to publicly disclose interests to help mitigate the risk of inappropriate decision (or perceived inappropriate decisions) and reputational damage to the City of Hobart. This policy was made in the absence of a holistic legislative framework.</p>
<p>A PIR is to be made by Ministerial Order – and may specify a range of matters including:</p> <ul style="list-style-type: none"> • The assets and classes of assets to be disclosed, including real property and financial interests; • The liabilities and classes of liabilities to be disclosed; • The associated persons and classes of persons whose interests are to be 	<p>The proposed PIRs will be publicly accessible, but sensitive details, including exact monetary values, residential addresses, and commercial information, will be explicitly protected.</p> <p>This approach balances transparency with necessary privacy protections.</p>



<p>disclosed, including individuals, bodies corporate and trustees;</p> <ul style="list-style-type: none"> • Employment, offices and other sources of income to be disclosed; • Gifts, donations or contributions to other entities, and the classes of such gifts, donations or contributions, to be disclosed; • Memberships of associations, including trade or professional associations, political parties and other organisations to be disclosed; • Thresholds for disclosure and time periods to which the disclosures relate; . • Management strategies to be documented by councillors for managing actual, potential or perceived pecuniary interests or non-pecuniary interests arising from the matters disclosed. <p>As with all Orders pertaining to councils, the Minister must consult with councils</p>	
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<p>before amending, revoking or substituting the PIR.</p> <p><i>Note: a draft PIR has been released alongside the consultation draft legislation package.</i></p>	
<p>The General Manager must publish each personal interest return, and any revised personal interest return, on the council's official website as soon as practicable after its lodgement.</p>	
<p>The General Manager must not provide to a councillor any information, other than information included on a public agenda or otherwise available to members of the public, if it is reasonably apparent to the General Manager, from a personal interest return or other information known to the general manager, that the councillor has a pecuniary interest in the matter.</p> <p>Likewise, a councillor must not seek to obtain any information on the above grounds.</p>	
<p>The council must retain each personal interest return, and each revised</p>	



<p>personal interest return, until two years after the expiration of the term of the council during which the return was lodged.</p>	
<p>Offence provisions are included for providing false information, omitting known information, or refusal to lodge a PIR.</p>	
<p>PART 5C - Conduct of Council During Election Period</p>	
<p>This Part introduces 'caretaker' provisions related to the conduct of councils during election periods. During an election period a council cannot make any decision defined as a 'prohibited decision'. This includes a decision:</p> <ul style="list-style-type: none"> • That relates to the appointment, reappointment or the remuneration of a General Manager, other than the appointment, reappointment or remuneration of an acting General Manager • That relates to the termination of a General Manager 	<p>SUPPORT</p> <p>The Council already enacted caretaker provisions on a voluntary basis at the last election.</p>



<p>To enter into a contract, arrangement or agreement the total value of which exceeds whichever is the greater of –</p> <ul style="list-style-type: none"> ○ \$100 000; or ○ 1% of the council's revenue from general and service rating and fees and charges in the preceding financial year ● That would enable the use of council resources in a way that is intended to influence, or is likely to influence, voting at a council election. <p>A council may, if they determine it is necessary and in the public interest for a prohibited decision to be made during an election period, make an application to the Minister for an exemption.</p> <p>Prohibited decisions do not apply to decisions or actions required by councils under statutory timeframes.</p>	
<p>This Part also prohibits the use of any council resources or publication of information promoting or advantaging a</p>	



<p>particular candidate or group of candidates.</p> <p>It also prohibits councils from making resources available that advantage a candidate which are not equally available to all candidates.</p> <p>Information in relation to an election can only be published if it has been published by the Electoral Commission.</p>	
PART 6 –PETITIONS, POLLS AND PUBLIC MEETINGS	
<p>The threshold for petitions requesting elector polls or public meetings has been raised to 20% of electors (from 5% or 1,000 electors, whichever is lesser).</p>	<p>DO NOT SUPPORT</p> <p>The Council considers that elector polls are expensive, especially when held out of cycle with local government elections and are a non-binding process.</p> <p>Accordingly, it is considered that the current threshold is currently too small which can trigger elector polls to easily. A higher threshold would ensure that a poll is called for matters which impacts a substantial proportion of ratepayers, however, the Council believes that the proportion of electors signing a petition required to compel a council to hold an elector poll should be changed to 10 per cent, rather than the proposed 20 per cent.</p>

