

PARLIAMENT OF TASMANIA
DEBATES OF THE LEGISLATIVE COUNCIL

DAILY HANSARD

Thursday 28 May 2026

Preliminary Transcript

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Thursday 28 May 2026

The President, **Mr Farrell**, took the Chair at 11 a.m., acknowledged the Traditional People and read Prayers.

RESPONSE TO PETITION

No. 49 - *Family Violence Act 2004* Section 9A Reform

[11.01 a.m.]

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Mr President, I lay upon the Table the government's response to petition No. 49 from the honourable member for Murchison.

Response to petition received.

QUESTIONS ON NOTICE - ANSWERS

No. 29 - Land Acquisition Related to Marinus Link and North West Transmission Developments Projects

Mr GAFFNEY question to MINISTER for ENERGY and RENEWABLES, Mr DUIGAN

The March 2026 newsletter from TasNetworks states: 'Of the 142 private landholders where a new easement is required, TasNetworks has achieved voluntary agreements with 97 per cent. The statutory easement acquisition process will be used for remaining landholders.' Additionally, TasNetworks' Land Access, Land and Easement Acquisition and Compensation Process fact sheet states, 'TasNetworks' position is that it will only exercise statutory powers as a last resort. This option will only be considered where all alternative options have been exhausted and it is necessary to allow the timely progress of transmission projects.' The same fact sheet asserts, 'TasNetworks will make all attempts to negotiate a voluntary acquisition of land or easement with a landholder prior to proceeding to statutory acquisition.'

Considering that planning permits granted for the North West Transmission Developments (NWD) and Marinus Link projects are both currently under appeal, and therefore the future of these proposed developments is subject to a degree of uncertainty at the present time:

- (1) At exactly which point in the NWD project timeline does TasNetworks intend to use its powers under the *Land Acquisition Act*?
- (2) Is the Government in a position to ensure that TasNetworks will continue to negotiate in good faith with remaining landholders to attempt to achieve a voluntary agreement?
- (3) Will the Government ensure that the *Land Acquisition Act* will not be used to acquire land or easements until such time as all necessary permits in

relation to the NWTD and Marinus Link have been granted, and all appeals have been resolved, and it is certain that 'Project Marinus' will continue as intended?

ANSWER

TasNetworks is the proponent of the North West Transmission Developments and has provided the following response.

TasNetworks has engaged with landowners along the proposed route for the North West Transmission Developments over many years, with a clear and consistent preference to secure the land access required for the project through voluntary agreement wherever possible.

The project involves approximately 260 private landowners along the proposed route. Of the 142 private landholders where a new or amended easement is required, TasNetworks has reached voluntary agreements with 137.

This reflects a substantial and sustained engagement effort and demonstrates that statutory acquisition has not been TasNetworks' preferred or primary pathway.

TasNetworks has worked carefully with landowners to understand their individual circumstances, property operations and concerns.

Where possible, this has resulted in practical changes to reduce impacts, including adjustments to alignment and tower placement, a reduction in the number of towers from 399 existing structures to 295 proposed structures, reductions in the width of existing easements where possible, funding for landowners to obtain independent valuation and legal advice, confirmation that eligible landowners will receive compensation under the *Land Acquisition Act 1993*, and the introduction of the Strategic Benefit Payment.

In December 2025, following a request from TasNetworks, I, as Minister for Energy and Renewables, provided authorisation to TasNetworks under the *Electricity Supply Industry Act 1995* to rely on statutory powers under the *Land Acquisition Act 1993* to progress easement access for the North West Transmission Developments.

That authorisation was granted in relation to 50 private landholders who, at that time, had not signed voluntary agreements. Importantly, the authorisation was not a direction to immediately proceed to compulsory acquisition.

It was granted on the basis that TasNetworks would continue to exercise all reasonable endeavours to secure easement access through voluntary agreement and would only proceed to the issue of a Notice of Acquisition where agreement could not be reached.

TasNetworks continued to negotiate following the grounding of that authorisation. By the end of March 2026, the number of outstanding landholders had reduced from 50 to five, four of whom are private landholders.

TasNetworks advised government that, despite numerous efforts to reach voluntary agreements, it had assessed that these landholders would continue to refuse to enter into agreements.

The fifth parcel involved a title where ownership records had not been updated since the 1800s. TasNetworks has not been able to locate an owner with whom agreement could be reached, despite efforts including engagement with the Public Trustee.

On that basis, TasNetworks resolved to rely on the statutory acquisition process for the five remaining parcels. Notices of Acquisition were gazetted on 6 May 2026, following the TasNetworks board's financial close decision for the North West Transmission Developments project on 5 May 2026.

TasNetworks will complete the statutory processes, including settlement of compensation, in accordance with the requirements of the *Land Acquisition Act 1993*. TasNetworks will continue to engage with affected landholders respectfully through that process.

It is important to distinguish between securing the easements required for the project and commencing construction. Construction of the North West Transmission Developments will not commence until all regulatory and approval processes are finalised, including resolution of any appeals.

No. 36 - Chemical Use in Schools

Ms THOMAS question to MINISTER for EDUCATION, Ms PALMER

[11.07 a.m.]

Noting the public interest in the use of herbicides, pesticides and fungicides on school grounds and the practice in other Australian jurisdictions to make such information readily accessible, can the minister please outline the Department for Education, Children and Young People's approach to transparency on this issue, specifically:

- (1) Why does the Department for Education, Children and Young People not make publicly available information identifying the herbicides, pesticides and fungicides used on school grounds in Tasmania, noting that comparable information is publicly accessible in other Australian jurisdictions?
- (2) Why are the documents titled 'Chemical Spraying on Ovals and Grounds - Infosheet' and 'Chemical and Hazardous Substances' not available on the department's public website, and why is the latter currently restricted to the departmental intranet?
- (3) What is the rationale for treating these documents as internal operational guidance rather than information suitable for public access, given the clear community interest in chemical use on school grounds?
- (4) Why are members of the public required to make a Right to Information request to obtain this information?
- (5) Has the department considered proactively publishing information on the use of herbicides, pesticides and fungicides on school grounds, or a public

summary outlining chemical use and associated safety standards? If so, what was the outcome of that consideration?

- (6) If the department has not considered or progressed proactive publication of the use of herbicides, pesticides and fungicides on school grounds, why has Tasmania adopted a different approach to transparency in this area compared to other Australian jurisdictions?

ANSWER

- (7) I'm advised that the Department for Education, Children and Young people manages information about the use of herbicides, pesticides and fungicides through a site-based approach.

The use of these substances varies between schools depending on local environmental conditions, the size and nature of school grounds and the types of activities being undertaken.

As a result, information about chemical use is maintained locally through established mechanisms such as chemical registers rather than as a single centralised database.

I understand that in accordance with departmental procedures, information about spraying of large areas at a school site must be made available to the immediate community and staff at the school site.

I'm also advised that across Australia, there is no consistent approach to publishing school-level chemical usage data. Publicly accessible information typically focuses on notification of spraying, policy frameworks and access to information on request.

- (8) I'm advised that these items are operational in nature and are intended to guide staff and contractors in the safe management and use of chemicals within school workplaces and to meet their obligations under work health and safety legislation.

Operational guidance is generally maintained on the department's intranet, where it supports day-to-day staff practice, is technical or procedural in nature, and requires regular updating.

- (9) As noted in my response to the previous question, the documents referred to provide operational guidance for staff responsible for managing chemicals in workplaces.

As there is community interest in this topic, I have asked the department to look at how it can strengthen public-facing information including publishing a high-level summary of chemical use and safety controls.

- (10) Where information about operational matters such as the use of herbicides, pesticides and fungicides on school grounds is not publicly published or

released through routine channels, it can be requested through the right to information process. This process ensures that information is identified, assessed and released in a structured manner, including consideration of any legal requirements or exemptions under the act.

Consistent with guidance from Ombudsman Tasmania, formal RTI applications are intended as a mechanism of last resort and, as already noted, I've asked the department to look at how to strengthen public-facing information in this area, including publishing a high-level summary of chemical use and safety controls.

- (11) At present, the department publicly publishes policy-level information outlining work health and safety requirements, risk management expectations and legislative compliance obligations.

Operational information about chemical use is currently managed through internal systems and, again, I note I have spoken to the department about how we can strengthen that public-facing information.

- (12) Approaches to publishing operational information can and does differ between jurisdictions, reflecting variations in policy frameworks, system design and operational practices.

The department's approach emphasises managing information at the site level where it is used, supporting staff to apply work health and safety requirements in context and publicly publishing policy-level information to provide overall transparency.

TABLED PAPERS

TT-Line Correspondence

[11.13 a.m.]

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) (by leave) - On behalf of the Minister for Infrastructure and Transport, the member for Prosser, and in line with his commitment, I table correspondence from TT-Line regarding its April fuel costs and the level recovered through its temporary fuel surcharge.

Document tabled.

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LEAVE OF ABSENCE

Member for Prosser - Mr Vincent

[11.14 a.m.]

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) (by leave) - Mr President, I move -

That the member for Prosser, Mr Vincent, be granted leave of absence from the service of the Council for this day's sitting.

Motion agreed to.

Ms RATTRAY - Mr President, as the Minister for Local Government is absent, I will be taking carriage of the Local Government Amendment (Targeted Reform) Bill.

EDUCATION AND CARE SERVICES NATIONAL LAW (APPLICATION) AMENDMENT BILL 2026 (No. 7)

Third Reading

Bill read the third time.

LOCAL GOVERNMENT AMENDMENT (TARGETED REFORM) BILL 2026 (No. 10)

Second Reading

Continued from 27 May 2026 (page 79).

[11.15 a.m.]

Ms FORREST (Murchison) - Mr President, I commenced my contribution last evening before we adjourned. I won't be speaking for a long time on this; I think there's going to be a lot of debate around the Chamber on this, particularly in the Committee stage. I intend to put the key matters that I'd like to raise in my contribution on the record and I look forward to listening to other members' contributions as well. I was speaking about the serious misconduct matter and the provisioning of TASCAT, and I hope the Leader, who's now in charge of the bill, can provide some information in her reply to the debate -

Ms Rattray - Through you, Mr President: I was listening last evening.

Ms FORREST - I'm sure you were.

To move on from that point, I do want to note that I welcome the provisions to enable remote location access to council meetings, et cetera. This is particularly an issue for our remote communities, as the Leader herself would know. King and Flinders Island create challenges for elected members who need to leave the island for health treatment. I know there are provisions to seek leave and be granted leave and that sort of thing, but there's one

well-publicised incident with a local government member on King Island whose husband was actually dying and was receiving care on mainland Tasmania - because it is the mainland to them, on our beautiful islands. Under the stress of that situation, she failed three times to seek leave and was thus automatically removed from council.

Now, I think most of us would recognise that as being an inappropriate response, but that was the rule. Whether she could have attended online at some of those meetings that were being held is another matter, but this provision makes it possible. I think we do need to move into the digital world at some stage. I do welcome that. Sadly, my electorate provides many very real examples of the need for this legislation, but that is one. I absolutely welcome that.

I also commend the provisions to facilitate the alternative voting procedures. We know now that local government voting is compulsory. We want everyone to be able to access their democratic right and fully participate in that democratic process. It's absolutely essential for a robust and strong democracy and an inclusive society. Again, I welcome those changes. I think it's really, really important and I'm glad to see them there.

I also support the mandatory training and development requirements for councillors. They're taking on a really important role - as we are, in fact, ourselves. They have a lot of legal requirements placed upon them when they're acting as a planning authority. Particularly, they do need to understand the legislation in which they're applying. Anyone coming into local government - or this place, for that matter, I believe - does need a level of learning and development fit for the purpose of their role. I do remember 21-plus years ago that our induction to this place - the member for McIntyre would have been almost exactly the same, I imagine - consisted of: there's your office, there's your seat in the Chamber, there's the library, and there's the toilet. That's it.

Ms Rattray - Oh, and don't forget the bistro.

Ms FORREST - I didn't know where the bistro was. The rabbit warren that this place can be when you first arrive - I'm sure the new member for Huon has found that a little bit, finding your way around thinking, is this the right corridor? They look a bit the same. It's a bit of a challenge. That's not actually learning, but it's finding your way around. Well, it is learning how to find your way around, I guess. To understand how we do things, the procedural matters and what it actually means to adequately and completely fulfil your role is just as important for us as it is for local government members. I do fear in some respects that what we're doing with this legislation is applying a different standard to local government elected members than we are to ourselves. There's nothing to stop us taking on professional development.

The other point I will raise at this point - I'm getting a bit sick of banging on about this, but I will - is that under the workplace culture oversight committee, in overseeing the delivery of the recommendations made through the Bolt report: *Motion for Respect - Report into Workplace Culture in the Tasmanian Ministerial and Parliamentary Services*, did talk about the need for this. We know there has been a huge amount of work done by our Clerks in terms of developing training programs and things like that for newly elected members, but also, I'm quite sure, for their own staff. There is no money in the Budget for it. There's no money for the Independent Complaints Commissioner. How well has it been displayed in the last 24 hours how much that's needed, and there is not enough money in the Budget for it? Is this government serious about resourcing these requirements?

We're now putting in requirements for local government. They have to have mandatory learning and professional development - we know that that should be the same here and it was recommended in the Bolt report - but there's no money for it. How are the Clerks supposed to do the job we've asked them to do, we all agreed in this Chamber for them to do, without the resourcing to do it? Does this government actually care about the people who work in this place? That's not a rhetorical question, it's a real question, and the Leader might like to address her mind to it. It's a disgrace. I assume that the mandatory learning and development requirements for this bill will fall to local government itself. Let's hope that they're adequately resourced to do it, because this parliament certainly isn't.

Ms O'Connor - They're not. They're not.

Ms FORREST - Exactly. We impose these requirements and then don't resource them to do it. It's all about priorities - all about priorities and I'm so disappointed in this government's priorities at the moment. I could write a book on it.

Mr Hiscutt - Maybe one day you should.

Ms FORREST - What was it, the stories of a - what was it, that book? I can't remember the title.

Mr PRESIDENT - *Confessions of a Ferret Salesman.*

Ms FORREST - The member for Mersey knows about ferrets. The Henley-on-Mersey, they have ferret races, don't they?

Mr Gaffney - They did have pig races, but that was a bit bold.

Ms FORREST - But ferrets were allowed to race. Back on track, I'm sorry for that mild diversion.

I think it's important to recognise what we do in this place has real-world consequences. I do note the role of elected members in local government has evolved well beyond rates, roads and rubbish. That was the old three that we used to always talk about. The member for Montgomery spoke about that. There are a lot of requirements on elected members in local government around governance, around financial oversight, around strategic planning, around asset management. There are higher expectations relating to community engagement in a much more connected world, with the use of social media and operating in a digital world generally. This does mean we need to review what professional development elected members may need, as we also need.

I think there is a lot more pressure, and the Auditor-General has reported regularly on matters in local government, including asset management and things like that. If we want our elected members to be able to fulfil their roles and responsibilities, of course we should be assisting them to do that task; but let's make sure it's resourced to do so. I also acknowledge, I'm pretty sure the member for Montgomery commented that local government is the level of government closest to the community. The responsibilities are broad and getting more and more sophisticated. I think we need to acknowledge that.

It would be unreasonable to expect councillors to shoulder these responsibilities without any structured preparation and ongoing development, but we need to resource it to make sure that it can be delivered. Making it mandatory does take it to another level. When it's mandatory, it's mandatory. Mind you, people can undertake training and just turn up but not take it in, but you can't control that. As I've stated, we could also argue this principle should apply to elected members at all levels of government, including everyone in this Chamber and the other place, but to make it mandatory does set a different level of expectation.

We ask communities to trust us with significant decisions. In my view, ongoing professional development is simply part of meeting that obligation. We shouldn't overlook the fact that it's also an obligation of many professions. You won't be re-registered as a nurse, medical professional, probably the same in teaching, without doing the required hours of continuous professional development. Engineers are the same. This is not some out-of-the-box, weird suggestion. It's part of doing your job well.

On the proposed reduction in the number of elected representatives across certain councils, I will listen carefully to the concerns raised by other members here because I know this has been a matter of great public interest. Those concerns do deserve genuine engagement. I also believe this discussion or decision can't be divorced from the remuneration matter either.

But I want to be clear about one thing. Reducing councillor numbers must not be used as a substitute for the hardest structural question of council numbers - not numbers of members but number of councils. If there are genuine efficiency arguments for rationalising representation, they should remain on their merits, not deployed to avoid the more significant and more politically difficult question of amalgamations or redistribution of boundaries.

I've spoken to the minister about this. This almost needs to be taken away from government. I've said this in the past, in this place: the ideal person or body to do this is the electoral commission. Let them have a look at the boundaries, let them consider the communities' interests, the connectivity between regions. That's as well as the numbers. We don't have the same requirements of one vote, one value as we do for a state parliament, obviously, that do impact on the setting of these boundaries. We need to have a proper look at this.

If this is a substitute or a diversion from taking on that politically difficult thing, that's a disgrace, too. If that's what it's about, and I'm not sure what it's actually about; that maybe it, but it would be far better to ask the electoral commission and fund them to do some work on this. At least take it all out of the hands of elected members at any level. They're an independent organisation who do redistribution assessments all the time. They run elections and all sorts of other things, but that is something they know how to do.

I note there'll be further legislative work ahead on local government, including electoral reform, and will have more to say about those measures when they come to this place. I do note there is likely to be considerable further debate on this bill, but also the future one no doubt. I know it will have quite extensive debate in the Committee stage, I imagine, on the matter of numbers on each council.

Overall, my intent is to support this bill. My electorate has well demonstrated the need for many of these changes. Certainly, into the Committee stage, and I will listen to all contributions both on the second reading and in the Committee stage. In broad terms, this bill

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has been developed with the local government sector, refined through further consultation. There have been genuine concerns raised about the extent of the consultation on the matter of councillor numbers, and this does need further consideration.

I note that some of the feedback, especially from the very small population councils, that the initial intention of reducing some councils to five elected members was not supported, and I also wouldn't have supported that. I know the member for Montgomery raised the question about the process for which some a small number of councils could reduce the numbers to five. I agree entirely with this position that five is too small. It has now been made voluntary, but we will no doubt unpack that process a bit more in the Committee stage.

I'm not sure this should ever be the case, though, that five elected members can form an elected body, due to the case that a small quorum can make pretty significant decisions for their entire council area. Even if it's a small area like King Island, it's still three people making major decisions for that island, for example. The same could occur with West Coast, a much larger area with a number of communities. There are many: Rosebery, Queenstown, Zeehan, Strahan, Tullah, Waratah, Trial Harbour, Bramble Cove, I could go on. Three members could make a decision -

Ms Armitage - The same could occur in Launceston.

Ms FORREST - I don't think Launceston could drop back though.

Ms Armitage - Well, no. If you only have a quorum; if you have nine, a quorum would be five.

Ms FORREST - Oh, to five, yes.

Ms Armitage - Which means you could have three people making those important decisions.

Ms FORREST - There were only five members.

Ms Armitage - I'm saying if you have nine and some don't turn up, you have a quorum with five.

Ms FORREST - Oh, right, yes.

Ms Armitage - You would still have three people making those decisions in large councils.

Ms FORREST - It's a matter of how they operate.

Ms Armitage - Still could happen.

Ms FORREST - Anyway, you can raise that in your contribution, member for Launceston. I'm sure you will. We will hear all about the Launceston Council with very vast experience in the field there, sitting with you.

Ms Armitage - I have three councils in my electorate. Two and a half.

Ms FORREST - The other matter on that is not only the size of the quorum, but also the challenges of dealing with conflicts of interest. If a councillor has to absent themselves from a particular debate as in communities like King Island, everyone's involved in everything. It's such a common thing that one or two of their elected members will be conflicted on a development application being assessed or other matters that come before council. Those things do need to be considered.

Diversity of thinking is also just as important, and perhaps some would say more important, than other diversity, including gender diversity, members of the culturally and linguistically diverse community, those living with disability, et cetera. Diversity of thinking is also critical for effective and inclusive decision-making. The smaller the number, the more likely it is to have people who look just like them sitting around the table.

From feedback I have received, the bill as presented is broadly supported by councillors across my electorate. The general feedback I have from my community is also supportive as it's important to hear from the members of the community who are most directly impacted by the decisions of their local council. It potentially has the opportunity to lift standards of conduct, improve accountability and strengthen community confidence in local government, provided the resourcing is put into it if that's necessary.

At this stage it's my intention to move - I'm not going move that the debate stand adjourned, I did that yesterday. I'm going sit down, but I will support the bill into the Committee stage and look forward to other members' contributions.

[11.33 a.m.]

Ms O'CONNOR (Hobart) - Mr President, the Greens will support the bill being taken through to the Committee stage, obviously. There's actually quite a bit to commend from the targeted reform bill, but there are a number of matters that are of serious concern to the Greens, and more importantly to the communities we represent. They relate to the proposed reduction in councillor numbers, and also what we regard as a quite extraordinary authority that would be delegated to TASCAT to decide whether or not someone could seek to stand for local government again. I can foreshadow we will be moving amendments so that the reduction in councillor numbers is removed from the bill. Those amendments were circulated to members last week.

We all know in part why we are here. First of all, local government reform is long overdue. This is the first substantial reform we've seen to the *Local Government Act 1993* for a very long time. In the past decade or so, we've seen some extraordinary devolutions at a local government level. We've seen incredibly poor behaviour, disservice to ratepayers, governance dysfunction, petty disputes at councils like the Glenorchy City Council, Huon Valley Council, and I believe the Dorset Council had some very serious problems. I remember the Derwent Valley Council - Mr President, you would have been aware of utter dysfunction happening at that local government level. Of course, there will be a whole range of reasons for that. Some of it will be to do with a quality of candidates who are standing, some of it will be about resourcing, some of it will be because often the work of councils happens out of sight and out of mind. It's not like in here when we're formulating positions on policy or legislation where it's broadcast, it's observed from time to time by the media. At a local government level, what we rely on in many ways is members of the local community who go along to council meetings to ask questions and to observe. Some of their observations are not particularly flattering of some councils and some members of local government.

In saying that, we should all be very thankful for the good people who put their hands up to run for local government. In some ways it would be a thankless task. You're very poorly remunerated for very hard work. The decisions that you make are very weighty and they can have an impact on thousands and thousands of people. I did a quick head count around the Chamber here, and I think that more than half of the representatives of the current Council, which is eight members of the Legislative Council now, have come out of local government. It's possibly nine, actually, as I look at you.

That's right. Well, there we go. That's a really positive affirmation of the quality of people who are standing for local government and the fact that local government is where some of our finest members of state parliament have come from. It's really important we support local government, and that we encourage diversity - diversity of thought, as the member for Montgomery said, but also diversity of circumstance, culture, life experience and all of that. It is regrettable that at the moment, to a significant extent, local government does not represent the diversity of the Tasmanian community.

Part of the reason we're here with the targeted reform bill is because of that evidence of dysfunction at a local government level. I also think, though, part of the reason we're here is because the government is trying to avoid the hard conversation about a reduction in council numbers. It is a really hard conversation. We have 29 councils and if you ask the everyday Tasmanian whether that's too many councils, of course they will say yes.

Of course they will say that, but if they're living down in Tasman and you ask them if they'd be happy if the Tasman District Council was amalgamated or merged, well, what we saw in a vote that happened four or five years ago when the residents of Tasman were given the opportunity to amalgamate with Sorell Council, they said no. They said no, because people do understand that it's important to have that representation of their community of interest at a local government level.

Because successive governments haven't been able to have that conversation about voluntary amalgamations, incentivised amalgamations, we are here talking about reforms that would reduce the number of councillors by 50 while maintaining the number of councils at 29. The government is squibbing on the harder conversation and signalling that, well, we're reducing something. What they're reducing, of course, is democratic representation at a local government level. In doing that, they'll reduce diversity at a local government level.

That's why, in significant part, we have real concerns and we don't believe that the consultation on these reforms has been substantial enough. It would appear very much that the consultation has been targeted to councils themselves. There's no evidence that those councils have gone back to their communities and said, there's a proposal that we shrink the council from nine to seven members. Do you support that? There's no evidence that there has been a community conversation about this.

The member for Montgomery last night asked if Tasmanians supported this. He thought that if all their bread-and-butter concerns were met, they probably did, but the bottom line is we don't know. We don't know and we're just starting to see in recent days emails coming in from people all over the island. Some members may write them off as being emails that have been sparked by the Planning Matters Alliance Tasmania. I don't think it's respectful to be that dismissive because these are everyday Tasmanians from all over the island who are concerned

primarily about this bill's effect of reducing councillor numbers by 50. That is a very substantial loss of democratic representation at the local government level.

In another time and place, when we had another premier, David Bartlett, he embarked on a really important body of work: the social inclusion project. David Bartlett had a deep understanding of the necessity of creating strong and inclusive communities, and so he asked Professor David Adams to undertake work on a social inclusion framework for Tasmania and what the elements of that framework might be. A key, top five, finding of Professor Adams was that the greatest, most important vehicle for effective social inclusion in Tasmania is local government. Councils are at the coalface of communities. They are often where people go first when they have a problem or they want a solution. Councils have a capacity to deliver community services in a really connected way that the state government probably does not.

Regrettably, that social inclusion agenda fell by the wayside, but the fact remains that local government is the front line of government in Tasmania. It is the first place people will think to go when they've got a problem.

It is also the front line of the response to climate change. I note again the member for Montgomery's concern that within the bill, in the provision that relates to the role of local government, specific reference is made in the last clause there to a response to climate change. I would say, with the greatest of respect to the member for Montgomery, that an effective adaptation response to climate change has to be driven at the local government level. It absolutely has to. Planning decisions that allow for sea level rise and storm surge are made at the local government level.

Mr Hiscutt - Through you, Mr President: I didn't say that they shouldn't, just that it's covered through environmental sustainability.

Ms O'CONNOR - I thank you for your interjection. I dispute that, because environmental sustainability has a whole range of metrics and values associated with it that are much less about protecting communities from the accelerating impacts of global heating. I'm very glad to see that specific reference is made to climate change within the proposed provision for the role of local government. In saying that, Tasmania, of all the jurisdictions, has the lowest and weakest investment from state government into local government to support their adaptation efforts.

For two years the Local Government Association of Tasmania (LGAT) had this little amount of funding, it was less than half-a-million dollars, that allowed them to employ a person for two or three days a week that worked with councils on their adaptation programs and pathways. It was a role that provided some connective tissue between councils to drive co-ordinated adaptation action. It was a really good initiative. It was a really important role, underfunded at the time as it was, because having one person on as a 0.5 full-time equivalent is nowhere near enough for what we know is needed. To cut a long story short, the Local Government Association of Tasmania put in a budget submission last year and asked that the funding for that role be extended and they were unsuccessful. That was kind of it, in terms of what the state was investing in local government adaptation measures.

Through the State Planning Office, of course, local government has access to a range of planning tools, understanding sea level rise, storm surge susceptibility, landslip risk, bushfire risk. Those planning tools are really critical because they hopefully allows councils to make

informed decisions, but it falls a long way short of what the state government needs to do to support local government to help communities stay safe as global heating intensifies and accelerates.

This bill makes a suite of reforms to the *Local Government Act 1993*. Many of them are very positive and will improve governance, and we believe it will improve conduct, but as I said earlier, there are some real problems there with the aim to reduce representation. This bill is arguably the first substantial reform to come out of almost a decade of loose conversation about local government and its future.

The bill proposes the use of a formula to allocate to councils either seven or nine seats for the loss of 50 seats statewide. It allows for councils to voluntarily apply to be reduced to only five members. There's nothing in the amendment bill that would require a council that wanted to shrink itself to five to engage on that question with their community, only that the minister needs to be satisfied that there has been some level of community consultation.

I sense that there's an understanding of the danger of this provision of shrinking a council to five possible members, given that you could have three or five close friends or ideologically very aligned councillors who will be making decisions that affect many, many thousands of people. That is not a governance improvement by any measure, and I hope this Council recognises that and strikes out those provisions in the amendment bill. As well as this reduction in numbers, there's a new allowance formula establishing six bands.

In correspondence to the Director of Local Government of 7 December last year, the Local Government Association of Tasmania broadly supported these measures; they state that a majority of councils have indicated support or support in principle for the proposed reforms. They say, however, a number of individual councils have raised concerns with specific aspects of the methodology that need to be investigated by the government. It was also felt by many councils that the relatively small increases in allowances was tokenistic, unlikely to sufficiently encourage more candidates to stand, and not sufficient to offset the loss in representation or diversity associated with a reduction in councillors.

It was also noted that reducing councillor numbers without deeper reforms is piecemeal and distracts from the more challenging reforms that many believe local government in Tasmania urgently needs. There are a number of councils that were supportive in principle of the reforms but had significant concerns over the risk associated with establishing a council with only five elected representatives. That came from LGAT. Despite knowing that, the government made the decision to put that provision in anyway. From our briefing, was it one council who said they wouldn't mind being able to do that?

Ms Webb - One.

Ms O'CONNOR - One council said yes, we wouldn't mind being able to shrink ourselves. In response to that, the government drafts legislation that gives all councils the capacity to shrink themselves.

Ms Thomas - Not all; only five.

Ms O'CONNOR - Okay, the smaller ones, yes. Still, why would you put that in there if only one council has asked for it and there's no certainty that they engage with their community

on it? If you go to submissions from various councils - and some of them are smaller, but some of them are medium-sized councils - I think these concerns are legitimate and have not been sufficiently responded to by government, which obviously had its eye on reducing council numbers, because it didn't want to have the bigger, harder conversation.

The West Tamar Council says that the security of a sector is important and the ability for councils to attract and retain staff is critical. Some councillors believe that this reform is fiddling at the edges that sees more disruption to the sector. The council believes that if the state government wants to amalgamate councils, then it should just get on with it, rather than slowly reduce confidence in the sector and its councillors. Further, the council sees this proposed reform as an attack on democracy and notes that the reduction of numbers of members in state parliament has now been reversed, and therefore is sceptical that this proposal will not end up being reversed for similar reasons.

Devonport City Council:

The reduction in Councillor numbers does not address the underlying structural challenge facing local government in Tasmania.

Devonport City Council is concerned about the impact on diversity and governance. It says in its response:

The discussion paper claims that reducing Councillor numbers will strengthen governance by attracting more diverse and skilled candidates. Devonport City Council strongly disagrees. Reducing the number of Councillors will likely have the opposite effect ...

Northern Midlands Council, from the office of the Mayor:

The Northern Midlands Council does not support a reduction in the number of councillors. Northern Midlands Council takes the position that reducing councillor numbers risks diminishing the diversity of views and backgrounds represented on council. Councillors already face significant demands and reducing their number will increase individual workloads, particularly leading to delays, lack of responsiveness and reduced capacity to act in the best interests of municipal residents. The proposal does not address the real challenges facing local government. In summary, the council does not support a reduction in councillor numbers.

Waratah-Wynyard Council:

The proposed decrease in Councillor numbers at Waratah-Wynyard by one would result in the loss of a valuable voice, including the insights and intelligence of an individual that would otherwise inform debate and decision-making.

Waratah-Wynyard Council feels strongly that the proposals amount to disappointing minor amendments to the local government landscape rather than the major reforms, including structural reforms, that were promised at the outset of the Future of Local Government process.

West Coast Council says, in its response in a letter to Mr Vincent, it is concerned about:

Less representation from smaller communities and elevated risk of skewed representation isolating smaller communities through a lack of democratic voice. Lack of democratic representation of all communities across the local government area. Reduced capacity for unique smaller communities to be represented through reduced members is not desirable and undemocratic.

Here we have the Central Highlands Council, who says:

Keeping councillor numbers at 9 will ensure a program of engagement at the Community Development Committees and officer level and support community interests and benefits to ensure [our] focus is aligned to changing needs.

It is in our communities best interest, at this stage, for the councillor numbers to remain at 9.

Derwent Valley Council says:

Council is opposed to the proposed reduction in councillor numbers and the rigid application of the scoring framework. Council believes the proposed changes risk undermining local representation, particularly in regional and rural communities. We are concerned that the reforms may reduce democratic engagement, increase governance risks and fail to reflect the unique needs of individual councils.

Their key concerns: a loss of representation. Reducing Derwent Valley Council from eight to seven councillors may limit community access to elected representatives and reduce diversity in decision-making. It was noted that there's a high proportion of candidates from one area in the region. They identify a governance risk that small councils may struggle to maintain quorums, especially during periods of absence or conflict of interest. They're concerned about a community perception that the combination of fewer councillors and higher pay may be viewed negatively by the public. There's also concern about the tone used throughout the government's discussion paper as to the calibre of sitting or future representatives in relation to allowances paid. They believe what's being presented is a one-size-fits-all model, with the scoring framework not adequately accounting for local context, historical representation, or community expectations.

Here's a big council, Burnie City Council. It says:

In the discussion paper, it is stated that 'fewer, better-paid councillors will assist in attracting skilled and diverse candidates, improving decision-making and professionalism.' Council does not agree with this statement as a range of other legislative reforms are necessary to enhance professionalism and behaviour and apply appropriate sanctions in the case of a breach of these standards. A reduction in councillor numbers does not guarantee better decision making.

Of course, I pause at this moment to note that some of those concerns raised by Burnie City Council have been addressed through those governance and misconduct processes that are outlined in the amendment bill; the reduction in councillor numbers is not addressed.

Huon Valley Council says that while the discussion paper points to the fact that there are a high number of councillors in Tasmania, this is reflective of the number of councils in Tasmania, not the appropriate number of councillors required for the performance of roles and functions of an individual council. Huon Valley Council says nowhere in the discussion paper is the issue of fair representation addressed in context of the role of local government and this is a flaw in the proposal.

Recognition of Visitors

[11.57 a.m.]

Mr PRESIDENT - We've had various groups in from Holy Rosary this morning. We're currently going through the local government amendment bill and the honourable member for Hobart making her contribution. All other members will get their chance to have their say. I didn't get an opportunity to welcome the other two groups because I don't like to interrupt members on their feet, but as there was a natural gap I thought I would. I know that the members in the Council this morning will make you welcome to the parliament and hope you enjoy your day here.

Members - Hear, hear.

Ms O'CONNOR - It was a welcome break in proceedings, I'm sure, for everyone.

The bill introduces serious misconduct provisions, and these are welcome. They allow a complaint to be lodged with the Director of Local Government and referred to TASCAT, who have very broad powers for sanctions, including suspensions, dismissal and disqualification, as we've discussed earlier, for up to seven years.

We all know that for all its fine work, the Civil and Administrative Tribunal of Tasmania is made up of unelected members. To have an administrative body of unelected members tell a member of the community they shall not participate in a democratic election for seven years is a very significant overreach within this bill. The bill provides that the minister can appoint temporary advisers to councillors with governance issues. The Local Government Priority Reform Program of 2024-2026 had this as the power of the Director of Local Government to direct a council to appoint an independent adviser.

Performance improvement directives are being expanded from a councillor misconduct tool to a tool that the minister can use to issue a directive in respect of any statutory brief.

The bill also provides for mandatory training for councillors within 12 months of their election to office. I completely take on board the comments of the member for Murchison about an apparent double standard that is at play here.

The minister is empowered to issue an order establishing a local government charter and a role statement is introduced for councils to support and improve the wellbeing of the community. Isn't it great, that there is that recognition within the amendments that the primary role of council and the lens through which all its work should be undertaken is the wellbeing

of the community? That's a very welcome change. This is through harnessing and building community strengths, delivering infrastructure and services, representation and advocacy, and promoting the social, economic and environmental sustainability of the community, including specifically, as I mentioned earlier, in relation to climate change. The bill also requires 10-year plans to be linked to community outcomes and how you measure those community outcomes will remain an open question at this point.

I often think about how we measure wellbeing. The Kingdom of Bhutan, for example, has the happiness index and they measure the wellbeing of their community in ways that are probably very different to how we measure ours here but, by all accounts, the Kingdom of Bhutan is a very happy community in broad terms, and that's partly because their government has placed a focus on happiness and wellbeing.

Ms Webb - Priorities matter.

Ms O'CONNOR - That's right. Priorities actually affect culture.

The bill also requires councils to have the capacity to hold internal audits; allows the minister to issue standards for data reporting and rate information reporting; and it provides for alternative voting methods, which is really important. It also provides for remote meetings. Probably one of the very few positives that came out of the COVID emergency period was that there's much more flexibility, certainly for us in here, to participate in committees remotely, which mitigates, to an extent, the huge responsibility and the weight of committee work, particularly for northern and north-western members because you can participate fully in the committee online. That's something we should definitely be encouraging at a local government level.

The bill also makes changes to the code of conduct framework to facilitate the new serious misconduct provisions and to provide for confidentiality requirements.

I will close with what the government said this was all about. The Office of Local Government in the Department of Premier and Cabinet produced a brief paper on the Local Government Priority Reform Program 2024-2026 that claims there are five strategic reform priorities:

- (1) Lifting standards of professionalism, conduct, and integrity - we can all support that.
- (2) Driving a high performing, transparent, and accountable sector - yes, tick.
- (3) Improving local democracy and representation - it feels a bit like that Sesame Street test, where one of these things is not like the other, because no. 3 in the stated reform priorities is not the effect of this bill.

It is not the effect of this bill when you cut representation at a local government level by 50 seats. As the member for Hobart, I have the Hobart City Council within my division and this bill would shrink local democratic representation and mean that the council for our capital city is supposed to operate with nine members. I think that's untenable given the complexity, the variety and the volume of matters that come before members of the Hobart city council. I think that would be same for the Glenorchy City Council, Clarence City Council,

Kingborough Council and Launceston City Council. They're all, to some extent or another, city councils and the decisions that are being made by councillors are weighty decisions that have a significant impact on the community. I think it should concern us that government wants, for example, the Launceston and Hobart City Councils to function with three fewer members yet undertake the same work, which is likely to increase in complexity in the years ahead. This comes back to the point that the government hasn't made the case for slashing numbers in this way. I think it has been done - and this is not on the minister, Mr Vincent, who's a very admirable and honest person, but this process precedes him as minister - I think there has been only very casual regard to a community conversation about slashing councillor numbers in the way that this bill proposes to do. I feel like it's by design because the government wanted this outcome: to reduce councillor numbers as part of a broader suite of local government reforms. But it was not certain that it would have broad community support and, therefore, the consultation on the shrinking of numbers has been parsimonious at best.

The other two objectives of the reform priorities are '(4) Supporting council financial sustainability' - that's very necessary - and '(5) Supporting council and community-led structural reform' - yes.

In some ways, through these reforms, we are loading up councils with extra governance and training and community engagement work at the same time as we are seeking to shrink their capacity. We're demanding more of councils in community engagement, while taking away the councillors that they had previously elected. It's not really stacking up. They make a big thing in this paper about improving local democracy and representation and, to be honest that feels a bit like gaslighting. I know that's a somewhat overused word, but it applies here because you don't improve democracy and representation by cutting democratic representation. You just can't.

We will support this amendment bill going into Committee stage. I note the proposed amendment from the member for Montgomery, which I think has merit, but I'd argue that maybe TASCAT shouldn't be given any power to ban someone from running for local government. I don't know, but I will listen to the arguments.

We also have a series of amendments to retain democratic representation for the people of Tasmania. I note the concerns of the Planning Matters Alliance Tasmania and thank them for their work, who say that ratepayers haven't been adequately involved in the conversation about the reduction of local representation. The Planning Matters Alliance observes that it's unlikely that councils engaged directly with their communities on the issue of reducing councillor numbers. The Planning Matters Alliance doesn't support a reduction in local councillor numbers as it doesn't believe the state government has justified the benefit of less representation at the local government level and we can't do anything but agree with them.

They make the observation that local government is a critically important stepping stone to state parliament. The Planning Matters Alliance is concerned that reducing the number of councillors will reduce the diversity of representation in the Tasmanian parliament. Reducing diversity increases the risk of poor decision outcomes for the Tasmanian community and the environment.

They say reducing local representation is sadly just the latest move in the Tasmanian Liberal government's ongoing undermining of local government since 2014. We have seen this through the way more and more planning decisions have been taken away from councillors and

delegated to officers, and there are more and more permitted uses, which limit the capacity of councillors to have any influence really on development approvals.

I really look forward to listening to other members, particularly those with a background in local government. I find it quite instructive. I look forward to the debate.

[12.10 p.m.]

Ms THOMAS (Elwick) - Mr President, I rise in support of the Local Government Amendment (Targeted Reform) Bill 2026. As other members have noted in their contributions - and I have appreciated and enjoyed listening to the contributions so far - this bill moves to enact some of the reforms identified through the comprehensive Future of Local Government Review undertaken during 2022 and 2023 and culminating in the release of the final report in October 2023, some two-and-a-half years ago.

The government has, in my view, been rather slow to act on the recommendations of that review, so it is pleasing to finally see legislation before the parliament that begins implementing reforms that reflect the contemporary nature of local government today, and it certainly was a comprehensive review process. I was mayor of Glenorchy at the time and participated in a significant number of workshops, and council staff participated in a significant number of consultation processes.

It's really important that when the government does these processes, it does act and make changes in response to recommendations raised, lest councils lose heart in participating in consultation processes; again, it's pleasing to see us here at this point today.

Local government in Tasmania is no longer simply roads, rates and rubbish. Councils today are responsible for increasingly complex planning matters, major infrastructure assets, long-term financial sustainability, community wellbeing initiatives, emergency management responsibilities, strategic land use planning, environmental matters and increasingly sophisticated governance obligations. The expectations placed upon councillors continue to rise and the legislative framework governing local government must evolve accordingly.

The way I see it, there are three major elements to this bill: the changes to councillor numbers and allowances; stronger tools to deal with governance issues and serious misconduct; and reform setting out the modern role of councils and expectations around community engagement, strategic planning and other matters. I support the direction of these reforms.

On councillor numbers and allowances, I wholeheartedly support the move to reduce councillor numbers to between seven and nine per council, with the number for each council to be determined using the scoring methodology set out in the bill. I do note, as the member for Hobart has just discussed in some detail, there is also provision for a further reduction to five councillors in a small number of councils, subject to approval by the minister following a request from the relevant council.

It's important to note on this matter that Tasmania currently has one of the highest numbers of local government elected representatives per head of population in Australia, while at the same time having some of the lowest levels of remuneration. Importantly, to my mind, this reform is not about reducing representation; it is about fairness and equity in representation. The system proposed in this bill is far more robust than what is currently in place, and it introduces consistency in determining the level of representation across the state.

Currently, Devonport has nine councillors and so do King Island, West Coast and Central Highlands. Meanwhile, Flinders Island has seven. Surely the residents of Devonport should be entitled to the same relative level of representation as residents of King Island or the West Coast, the same relative level of representation. This point seems to have been somewhat lost in the discussion so far. When you examine the current councillor numbers across Tasmania, what becomes apparent is a hodgepodge of representation arrangements that have evolved over time without any particularly robust or consistent methodology underpinning them. The new model proposed in this bill establishes a fairer and more transparent system based on objective metrics.

I know concerns have been raised regarding the provision allowing certain councils to seek permission to reduce their numbers to five councillors. Importantly, what we've heard from the minister in the briefings is that this provision was included following feedback from some of those small councils themselves. I respect that the minister appears to have listened to the feedback received from these councils through consultation and has attempted to find a middle ground here. I would expect that any request to the minister for a reduction to five councillors would require a thorough assessment process, including clear evidence of community support, before any minister for local government would approve such a request.

I would expect if there was community outrage at the idea of a council reducing its number of councillors to five, the minister would steer clear of approving any such request. Perhaps that's something that the Leader can comment further on, in relation to how that process would work. I would also expect that if an approval by the minister for five councillors proved problematic in practice, there would be some mechanism available to reverse that approval. I'm not entirely certain whether the bill expressly provides for that circumstance. I hope the Leader may clarify in reply whether any permission for a reduction to five councillors could subsequently be withdrawn if governance or other difficulties emerge. Once that permission is granted, how long is it granted for? What are the mechanisms for it to be withdrawn if it proves to be problematic?

I also note concerns raised particularly by the Planning Matters Alliance Tasmania and some of its members and community members regarding the adequacy of consultation on councillor numbers and allowances. In response to those concerns, the facts as I understand them are these: the discussion paper on councillor numbers and allowances was released for an eight-week consultation period in September 2025 and was accompanied by a reasonable level of media coverage across television, radio, print and online platforms. A final position paper was then released in March this year, specifically outlining the reforms ultimately incorporated in this bill.

The reason these provisions were not included in the very first exposure draft of the targeted reform bill that was released in October 2025 was that this consultation on councillor numbers and allowances was occurring concurrently with consultation on the broader draft bill itself. Perhaps that process was not perfect; I acknowledge it's not ideal that these provisions weren't included in the draft consultation bill, but I do not think that it is accurate to claim that these matters were not adequately consulted on. Importantly, if these reforms are to apply for the October 2026 local government elections, they do need to be legislated now. It is important that these provisions apply for the 2026 October elections because these changes will absolutely influence whether people choose to nominate for local government; I have no doubt about that.

Diversity around the council table matters. It is fair to say that councils currently lack representation from people with higher-end professional backgrounds in areas such as infrastructure management, asset management, governance, planning, finance and law. That is not intended as a criticism of current elected members, not at all - far from it. Councillors from all walks of life bring valuable lived experience and perspectives to local government. It is also true that many highly qualified professionals who may have valuable expertise to contribute are not putting their hands up to run for council.

Why? Because they can often secure better-remunerated board positions or consultancy work elsewhere without the cost and stress of election campaigns and without exposing themselves and their families to the relentless criticism and negativity that can sometimes accompany public office. Not selling it very well, am I? The reality is councils today are custodians of significant infrastructure assets and are responsible for increasingly complex financial and planning decisions. As infrastructure and asset management costs continue to rise and councils remain heavily reliant on ratepayer revenue, communities benefit from having elected representatives with the experience and expertise to properly scrutinise technical advice and ask the right questions.

That is not to say that staff do not provide technical expertise - they absolutely do. I take this opportunity to give a shout-out to all the dedicated staff in local government land. The staff do a lot of the heavy lifting in local government and they are at the coalface supporting community members every day, too. I sincerely thank them for their dedication to our local communities, for what they do to make our communities safe, functional and fun. I thank them for the work they do also to support elected members in their decision-making. The technical expertise and information staff provide is critical to decision-making, but as we know in this place, good governance depends not only on receiving expert advice, but on having elected representatives with sufficient knowledge and confidence to interrogate that advice and test assumptions. That is how risk is minimised and better outcomes are achieved for communities.

That is why another aspect of this bill is also important: the mandatory learning and development requirements for councillors. I strongly support these reforms. Mandatory induction training within the first 12 months of office, together with ongoing professional development obligations, are sensible modern reforms that will help strengthen governance capability across the sector. However, there are still some practical questions that should be addressed: what will the cost of this training be and who will pay for it? Is it fair that we are effectively setting a higher formal professional development expectation for local government elected members than currently exists for members of this parliament?

As members know, while opportunities for professional development exist through organisations such as the Commonwealth Parliamentary Association, there is no structured, continuing professional development framework applying to members of this parliament. Without formal expectations, it is easy for those opportunities to fall behind the immediate pressures of constituent work and parliamentary duties. I would be interested in hearing the Leader's reflections on that issue of higher expectation being set for local government elected members in her reply.

Turning to councillor allowances: what we are presented with in this bill is a new methodology for determining allowances, which, at the base level, have not received a substantive increase since 2012 - fourteen years without a substantial increase.

Now, unlike members of parliament though, councillor allowances have at least continued to receive annual inflationary adjustments through the wage price index mechanism. Nevertheless, the base structure itself has remained largely unchanged, despite the increasing complexity and expectations associated with local government roles. The new model proposing this bill determines allowances for councillors, deputy mayors and mayors using a scoring system based on population size, number of ratable properties, five-year average development approval values, infrastructure asset values and kilometres of road maintained. Importantly, this is the same methodology used to determine councillor numbers for each council. Numbers and allowances will then be reviewed every four years in the lead-up to local government elections. I would appreciate the Leader confirming in reply whether annual indexation arrangements will continue between those four years. I'm fairly sure clause 49 of the bill covers this but would like that confirmed.

I note that for the highest banded councils, the mayors of Hobart, Launceston and Clarence will receive allowances approaching the remuneration of members of parliament. Some may raise concerns about that. I don't, because the workload, responsibility, scrutiny and public expectation placed on modern mayors and councillors are substantial. While council service may once have been viewed as a largely voluntary community service undertaken for the love of your local area, the reality today is very different, while still somewhat the same, I say. Councillors are expected to make decisions involving tens or hundreds of millions of dollars in public assets and infrastructure, complex planning frameworks, legal risks, strategic growth, and community wellbeing. That level of responsibility warrants fair and reasonable remuneration. If we genuinely want to attract a broader and more diverse range of capable people into local government, then remuneration must reflect the seriousness of the role.

However, I'm deeply disappointed the government has missed the opportunity in this bill to separately provide superannuation to councillors and to structure remuneration as taxable salary plus superannuation, similar to how most board positions are remunerated. The government's response to this issue has essentially been that the value of superannuation is notionally built into the allowance already and that, broadly speaking, feedback from the sector was that councillors did not want separate superannuation arrangements. Well, I certainly know that that was not Glenorchy City Council's position. I know that if we genuinely want to attract new and different people into local government, then how remuneration is structured matters just as much as the amount itself.

Taking the proposed band 1.2 allowance structure that applies to councils including Glenorchy and Kingborough, the mayoral allowance would be \$136,667. Once you notionally allocate 12.5 per cent superannuation, around \$17,000, the effective taxable component becomes approximately \$119,000. Assuming no other income, after tax, the take-home remuneration is roughly equivalent to what a band 6 State Service employee would receive.

Whilst the proposed allowance structure is certainly an improvement, and I welcome that improvement, let us not pretend people run for local government for the money, particularly not mayors. Why would somebody choose this role over a secure Monday to Friday State Service position with flex time, leave entitlements and employer-funded superannuation? Why would someone choose to spend night after night and weekend after weekend attending community events, public meetings and council functions while simultaneously exposing themselves and their families to relentless scrutiny and social media abuse? Because they love their community, that's why, because they genuinely want to represent and serve it. That is why people put their hands up and that needs to be recognised through this debate.

The least we can do is properly structure the remuneration in a contemporary and fair way. That opportunity has been missed through this bill, and that is a significant disappointment. Whilst I support the bill and these allowance reforms as an improvement on the current arrangements, they don't go far enough - far from it. I will continue advocating for remuneration to ultimately be structured more like a board salary with proper tax and superannuation provisions separately incorporated.

Turning now to the third major component of the bill, the strengthened tools dealing with governance issues and serious misconduct. I also support these reforms as they stand.

I want to focus particularly on the serious misconduct provisions, because I know this is an area of some contention and concern for some members. I appreciate some members may be uncomfortable with the maximum penalties available under these provisions. However, it is important to place these penalties in context. These are maximum penalties. They are intended to apply only in the most serious cases and would likely be used rarely, if ever.

Importantly, similar maximum penalty provisions already exist in the current act in relation to matters such as breaches of confidentiality. Also, importantly, to my knowledge, those provisions have never actually needed to be utilised, and perhaps that is because the existence of such significant penalties itself acts as an effective deterrent. That is precisely the point of these reforms. That is precisely the point of having a seven-year maximum penalty in these reforms.

The current code of conduct framework simply doesn't cut it. It simply does not provide a sufficient deterrent in serious cases. Nor does it provide a sufficient mechanism for efficiently and effectively acting on cases of misconduct. Should members seek to reduce the disqualification period to, say, four years, effectively one council term, I don't believe it would adequately preserve the intent of these provisions or maintain the necessary deterrent effect. Unfortunately, in recent years we have seen examples where the current maximum penalty of a three-month suspension simply did not reflect the seriousness of the behaviour involved.

There was a well-publicised matter involving a Waratah-Wynyard councillor whose conduct was clearly well beyond what the community should reasonably expect from an elected representative and a three-month suspension well below community expectations. There was also the case involving a Brighton councillor who accumulated multiple suspensions relating to abusive behaviour towards both councillors and staff. As I understand it, these concerns escalated over time to the point where staff members reportedly feared for their wellbeing and safety.

Yet, under the current framework, the process for removal from office remained lengthy, cumbersome and ineffective. They got three strikes for various counts of abuse behaviour towards other councillors and staff, and received three suspensions during their term. For their last suspension, they refused to apologise and indicated that they were going to sue the councillor who brought on the code.

The process took two to three years before any chance of removal from office. The harm done over that time is significant. It's harm done to staff and councillors, let's not forget that. What results is not usually the offender not running again, because they can. It's usually those who are affected who don't run again or who quit their jobs at council as a result. The current

system is incredibly unfair and unjust. That's what this penalty provision of seven years would go a long way to changing as a significant deterrent.

We've also seen cases where councillors have sought to use their own elected office to improperly influence council processes involving their own private business interests. Again, evidence has shown the existing code of conduct framework was not sufficient to address behaviour of that seriousness. There are other matters currently before processes that I will not comment on, for obvious reasons, but that have caused significant harm to council staff members.

Broadly speaking, the existing sanctions framework has not acted as a deterrent. In some instances, arguably, it has emboldened behaviour because the consequences have been viewed as relatively minor or manageable. That is not good enough for local government staff, for fellow councillors or for the communities they serve.

We have the opportunity here today to change that by legislating for this harsh maximum penalty, and effective and efficient processes for matters to be determined through TASCAT. Councillors hold positions of public trust and where serious misconduct occurs, the system must have meaningful powers available to respond appropriately. That does not mean every allegation should attract severe penalties, nor does it mean procedural fairness should be abandoned. Not at all, quite the opposite.

The seriousness of these powers means natural justice protections and fair processes are critically important. But ultimately, the community rightly expects that where genuinely serious misconduct occurs, there are consequences available beyond simply a short suspension.

In terms of TASCAT having the power to apply such significant penalties, I'm comfortable with that proposition. Tribunal members already exercise similar powers in relation to complaints against registered health practitioners. Tribunal members are able to impose fines, suspend practitioners or even cancel professional registrations entirely in cases involving serious misconduct. These are significant powers affecting people's livelihoods and professional standing, and they are exercised carefully, independently and with appropriate regard to procedural fairness and the evidence before the tribunal. TASCAT members are sufficiently qualified and experienced to hear those matters and determine an appropriate penalty based on the evidence presented; in this case that would be presented by the Director of Local Government.

Indeed, I would argue they are far better placed to undertake that role than attempting to politicise these decisions or leave them to less specialised processes. The only realistic alternative I can see is the Magistrates Court. However, that would not align with the broader movement of civil and administrative matters into TASCAT since its establishment, and would only further clog an already stretched Magistrates Court system. TASCAT was specifically created to provide a more accessible, specialist and efficient forum for administrative and disciplinary matters of this nature. In my view, these provisions are entirely consistent with that purpose.

For full disclosure: I do note, as honourable members in this place know, my husband does work at TASCAT; however, he's not a tribunal member, to make that clear.

Importantly, none of this removes the need for fairness, proportionality or due process; nor should these provisions ever be used lightly. Communities rightly expect that people who are elected to public office are held to appropriate standards of conduct and, where genuinely serious misconduct occurs, there must be meaningful mechanisms available to respond.

Before I close, I want to touch on online participation, which some other honourable members have referred to. I welcome the provision in the legislation of mechanisms to enable online participation in council meetings. There are a couple of questions I have for the Leader in relation to the discretion of the chairperson to decide whether the circumstances under which an elected member is requesting online participation are determined to be exceptional, so as to warrant online participation: were there any other mechanisms considered for who might make this decision? I say this having had experience, as the chairperson of a council, as mayor, having had, through COVID, an extraordinary power enacted to allow online participation in meetings, and having councillors who were writing to me at the time when we were able to be back in the chamber, but that power still existed, seeking to participate in meetings online for various reasons that they proposed to me as chairperson.

The difficulty that I experienced in determining the legitimacy of the extraordinary circumstances that this member was proposing, and where there is conflict between a chairperson, a mayor and an elected member, that poses a difficult decision to be made and can cause difficulty and all sorts of claims that can ensue if a councillor who is refused a request to participate online feels unfairly treated. So, my questions in relation to that are: were there any other mechanisms considered for who might make that decision, be it the general manager or the minister? I don't know what the other options might be, or whether it would be a vote of the council in its entirety. Were any of those mechanisms considered? How was it decided that the chairperson ought to be the one who makes that decision?

My other question is in relation to the provision that online participation is to be limited to one-third of council meetings, which, if you meet monthly, would be four meetings a year that a councillor would be able to participate online should they receive the consent of the chairperson. Why was that provision to limit it to one-third of meetings included, and was consideration given to there being any broader scope for the minister or someone else to determine that it should be allowed for longer? The reason I ask these questions is in relation to an elected member who was very dear to my heart, and with whom I served with on Glenorchy City Council, who has passed now: Alderman Jan Dunsby, who for a long time suffered illness and was hospitalised. The thing that kept her going and brought her purpose in those days while she was in hospital was participating in council workshops online. She was well enough to do that. It would be remiss of me on behalf of Alderman Dunsby, who I'm sure would be watching over saying, Bec, in exceptional circumstances where someone's hospitalised for a long period, they should be able to participate, if they're well enough, more than four times a year. I ask that question on behalf of Alderman Dunsby, who I can hear in my ear, over my shoulder, imploring me to ask that question.

Ms Rattray - Hopefully you can provide her with an answer this evening.

Ms THOMAS - Thank you. Ultimately, this bill recognises that local government in Tasmania has evolved, the responsibilities of councils have evolved, the expectations of communities have evolved, and the legislative framework governing local government must evolve, too. This bill will not solve every issue facing the sector. There is still more work to do, particularly around long-term financial sustainability, the real big issue that needs to be

addressed. Still more work to do around workforce capability and modern remuneration structures, but these reforms do represent a significant and overdue step forward. For these reasons, I support the bill.

[12.37 p.m.]

Ms ARMITAGE (Launceston) - Thank you, Madam Deputy President. As a former councillor and deputy mayor of Launceston, I feel I have a good understanding of council, like other members in this place. More recent members of council are probably a little bit more up to date than I am with the workings.

This bill seeks to bring in a number of measures to address issues which have arisen over time for our local governments and councils. It's clear that community expectations change, the scope of work that's undertaken by local government changes and expands, and consequently the people who are representing their communities come to their positions as councillors with different priorities, backgrounds, skills and expertise.

It's difficult to have a one-size-fits-all legislative framework for our local governments, but it's also necessary for them to have the space to run their communities as they think necessary, and for each of them to be held to the same standards and rules as other councils. I think it was the member for McIntyre who might have mentioned that even in our role, more often than not, we actually get called on with council issues. I would say probably 25 per cent of the issues that I deal with every day, every week in Launceston would be council issues, so I have to keep up with local council issues because I find it's far easier to deal with it than it is to pass it on.

Ms Rattray - Through you, Madam Chair: I think sometimes people haven't realised that we're no longer on our own local council because we are still on Council, as in the Legislative Council.

Ms ARMITAGE - You're quite right, and with the name Launceston, obviously too. Sometimes when I wander up to Prospect I'm often told, no, we're with Meander Valley Council, and I say, well, yes, you are; however, I am no longer Launceston City Council, but now the Launceston Legislative Council.

Madam DEPUTY PRESIDENT - Maybe you need to change the name of your electorate.

Ms Rattray - They've already done that once since I've been here, change the name of your electorate: you used to be the member for Paterson.

Ms ARMITAGE - That was a long time ago, I must say.

Madam DEPUTY PRESIDENT - Some of us have a long memory.

Ms ARMITAGE - I've only been here 15 years, so that was before my time. It is further necessary, as the minister pointed out, that communities can have trust in their local councils and that they operate with integrity, honesty and professionalism. The Future of Local Government Review highlighted a number of issues and challenges that have arisen in local government with the input of those who work with councillors, live in the community and from councillors themselves. Receiving 6,500 submissions to this review indicates the level of

engagement with the community and the necessity for changes. That's probably a good time to mention the amount of emails we've received asking about consultation. I think it really important that there obviously has been consultation, but maybe some in the community have missed it, which is unfortunate, but it does happen.

To this end, the bill addresses three key areas:

- the introduction of changes to councillor numbers and delivering a different allowance structure for elected members;
- equipping regulators and decision-makers with more flexible and effective tools to support councils dealing with emerging governance and capability issues, and clearer and more decisive avenues for dealing with serious councillor misconduct;
- enhancing councils' strategic capability through better long-term planning, internal auditing and greater transparency for the community.

To the first issue, as the minister pointed out, Tasmania has one of the highest numbers of local government elected representatives per head of population of any jurisdiction and some of the lowest levels of remuneration. I must say when I first started on council, I think I was paid \$9000 and was quite amazed that I was actually getting paid to do something I liked. It's obviously different for each person.

This bill will seek to assign councils to a representation category of either nine or seven councillors using a scoring system based on population, infrastructure, development activity and geographic size. It further establishes six allowance categories. This ultimately reduces the total number of councillors by 50, to 213 statewide.

The rationale is that no council should have fewer than seven councillors, and Tasmania's five largest councils will each have nine elected representatives. Along with the scoring system to determine remuneration, the allowances those councillors will be entitled to will be determined according to the complexity and workload of activities undertaken by those councils and their councillors.

The minister stated that this would be a cost-neutral reform and that estimated savings at the statewide level are estimated at approximately \$85,000. At the individual level, it's expected that some councils will experience modest savings and other small cost increases. I wonder if more information could please be provided about that and what measures are in place to ensure that no individual council or anyone employed at any of those councils will be negatively impacted. I will mention it shortly with regard to some of the questions raised by some of the councils about costs associated and how some of the advice is unclear.

Serious councillor misconduct has unfortunately been in the spotlight a few times in recent years. While it's not necessary to go into specifics, it's obviously necessary for communities to be able to have faith and trust in councils, councillors themselves and local government as an institution. I do have a letter from a local councillor, which I think is worth commenting on and perhaps noting because I will raise it when we get into the Committee stage.

I won't name the councillor, but it does say:

I'm concerned that the Section 28ZR serious councillor misconduct on page 30 of the bill makes no reference to psychological or psychosocial harm. 2B infers that the risk of physical harm is the focus, just as the risk of physical harm is the focus when seeking a restraining order from the police. Psychosocial harm causes so much damage to recipients' health and wellbeing and their ability to do their job well. I hope you can mention this important and relevant point.

Could that be noted, perhaps in your response, whether that's included?

That being said, this bill seeks to introduce three reforms: new serious councillor misconduct provisions, more flexible early intervention tools to address governance issues at councils before they escalate, and new learning and development requirements for councillors to ensure they have the knowledge and skills to confidently and competently serve their communities.

This bill employs the Director of Local Government to investigate and refer instances of serious misconduct to TASCAT. Serious councillor misconduct is defined as a serious or significant breach of the Local Government Code of Conduct and is to be determined by reference to criteria and considerations outlined in the bill, and supported further by ministerial guidelines.

Can the minister please give some further information about what sort of evidence is to be required for escalation to TASCAT? Allegations should be taken seriously; however, I'm wondering what sort of evidence will be required to substantiate and escalate any matters of this nature. It would be a disappointing outcome to see a mechanism like this intended to help and improve the local government sector be used as something of a vehicle for vexatious and frivolous claims to be made and disrupt the business of local councils and councillors. That being said, Madam Acting President -

Madam DEPUTY PRESIDENT - It's deputy, actually.

Ms ARMITAGE - Sorry, Deputy President. You're acting as well.

Ms Rattray - That's actually the member at the lectern, if she gets up there.

Madam DEPUTY PRESIDENT - She's speaking about herself; she can't be in two places at once.

Ms ARMITAGE - It's always about me. That being said -

Madam DEPUTY PRESIDENT - At least you're honest.

Ms ARMITAGE - Always, probably too honest sometimes. I believe it's appropriate where there has been a robust investigation and fair hearing for TASCAT to have the power to issue an expanded set of sanctions, including dismissal and disqualification from office, as well as costs. I believe the community wants it and expects it. At ordinary jobs, a person can be dismissed for misconduct and I don't believe someone holding an elected position at local government level should be held to expectations that are any different.

The appointment of independent temporary advisers to step in where there's clear evidence of emerging governance issues at a council is a good step. It will mean that issues can be prevented before they start or before they get too out of hand. As we know, when these sorts of issues arise, they can result in the mechanisms of local government slowing down or stopping entirely, which can be extremely costly to investigate and repair. This is in addition to the reputational harm that can be done to councils and councillors, and the level of trust and confidence the community likewise has in their local council.

The implementation of learning and development for councillors is an additional good step. As I mentioned earlier, our communities are changing and our elected representatives are changing along with it. That's a wonderful thing because it means that people see themselves reflected in councils, and that new skills and different experiences and background enrich what councils have to offer. But it's also important to ensure that each council and councillor is on the same page regarding expectations and competencies.

It's reasonable for communities and electors to have the expectation that the people they vote in to represent them know how they can actually do that. Understanding the foundations of local government, a basic idea of how things like laws work and how every person's voice counts is completely necessary. To this end, the completion of mandatory training focused on statutory duties, meeting procedures and the principles of good governance is necessary and is a step in the right direction.

I do wonder what measures will be available to compel councillors to undertake this training. Would noncompletion or refusal to participate be considered serious councillor misconduct? If I could have more information about how this would be enforced, Leader, it would be appreciated.

I have a number of letters and submissions, some of which are worth reading into the *Hansard*. It was mentioned by the member for Hobart, from the office of the Mayor of the Northern Midlands Council. It says:

We are concerned, however, with the lack of information regarding funding for the implementation of some reforms and the lack of clarity in some of the language used.

Additionally, we are wary of the word 'mandate' as it seems to be a way of enforcing rules which lack mechanisms for accountability and enforcement.

while generally they're supportive of the change.

From the CEO of the Launceston council, now called the City of Launceston:

The City of Launceston broadly supports the intent of the bill, particularly its focus on strengthening governance, improving transparency and enhancing the long-term strategic capability of councils. These are important and necessary reforms that reflect the evolving role of local government as a key driver of community wellbeing and economic development. In particular, council supports measures to strengthen integrity and accountability, including the introduction of an independent pathway for serious councillor misconduct and expanded early intervention tools. Greater emphasis on

strategic planning, workforce development and community engagement, recognising the increasing complexity of council operations and expectations. Improved transparency through consistent performance reporting and enhanced rates information for the community. However, consistent with previous council discussions and sector feedback, council offers the following comments and suggested refinements.

Councillor numbers and representation. Council acknowledges the intent to provide a consistent, data-driven methodology for determining councillor numbers. While they support a more structured and transparent approach, it's important that any model retains flexibility to reflect the unique characteristics, growth pressures and service demands of individual municipalities. They encourage ongoing review mechanisms to ensure the methodology remains responsive to changing local conditions over time.

Ministerial powers and local autonomy. The bill introduces expanded ministerial powers in areas such as performance reporting, internal audit requirements and rates notice content. While consistency is important, council emphasises the need to maintain an appropriate balance between state oversight and local decision-making. Clear consultation requirements and safeguards should be embedded to ensure councillors retain the ability to respond to local priorities and community expectations.

Temporary advisers and intervention mechanisms. Council supports early intervention tools to address governance issues before they escalate. The proposed temporary adviser model is a constructive step, provided it remains advisory in nature and does not undermine the role of elected members or the administration. Clarity around thresholds for intervention and strong procedural fairness will be essential.

Implementation and resourcing. The breadth of reform, particularly in areas such as workforce planning, community engagement strategies and internal audit functions, will have resourcing and capability implications for councils. A staged implementation approach is appropriate and council would strongly encourage continued partnership with the sector, including consideration of funding support, shared service models and practical guidance to ensure successful delivery.

In summary, council supports the direction of the proposed reforms and recognises the opportunity to strengthen the local government sector. They encourage continued collaboration with councils to ensure the final framework strikes the right balance between consistency, accountability and local flexibility. Council appreciates the opportunity to contribute and would welcome ongoing engagement as the reforms progress.

That was from Sam Johnson OAM, GAICD, the Chief Executive Officer of the City of Launceston. The City of Launceston also put in their official feedback, whereby most, or all, of the proposals were supported apart from miscellaneous amendments. The submission from the City of Launceston to the Department of Premier and Cabinet said, 'however, face-to-face attendance should be encouraged, perhaps through conditions on remote attendance to enhance

communication and strong team bonds.' I believe with that, and it has been mentioned by other members, people can attend remotely. I think it's really important that that is in exceptional circumstances, because the last thing you really want is the majority of councillors to decide they can actually do it remotely and find that's an easier way to go, so it should be under exceptional circumstances.

From the Meander Valley Council, my third council, unlike the member for McIntyre, I don't have six, I have two reasonably within my electorate and Northern Midlands Council, where I have probably two streets, but still.

Ms Rattray - They all count.

Ms ARMITAGE - They all count, and it's very important to represent them all as best we can.

The Meander Valley Council notes:

... that there are several proposed additions being introduced, including a Workforce Development Strategy, Community Engagement Strategy, Internal Audit function, Mandatory Information in Rates Notices. It is anticipated that for the majority of councils in Tasmania, the ability to achieve compliance with the proposed new mandatory requirements will require consultants to develop this work. The existing workforce simply will not have the capacity, and in some cases experience, to take on new projects of this nature. The developments of these new additions would come at a cost which would ultimately need to be passed on to the property owners of each respective Local Government Area, if pursued by the Tasmanian Government. At a time when the demand for council services has never been higher and many property owners are experiencing cost of living pressure, we highlight this point.

And I believe it is an important point because in many of the areas here, one of the overall things that keeps coming through from the submissions is the cost of implementing these proposals and who is going to pay. At the end of the day, while it mentions that it would probably be cost neutral to deal with allowances, the other proposals are not cost neutral and the people who will be paying are the ratepayers, who are already struggling now. It would be good to hear from the government what they believe the overall cost for the proposals are and whether they intend to actually provide extra funding.

Ms Rattray - Through you, Madam Deputy President, I'm certainly not the minister, but I have some thoughts and I'm hoping that the advisers are keen to hear them.

Ms ARMITAGE - I look forward to your thoughts, Leader.

The feedback from Meander council is supportive of most of the proposed legislation, but there has been some concern about introducing the need for a policy for continuing professional development, where the general manager must prepare a policy for council adoption in relation to the continued professional development of councillors within six months of an election.

The question here from Meander was:

It is unclear at this time what will be required from the proposed new Policy and is therefore difficult to comment on. There is, however, a level of apprehension that the General Manager is being required to prepare a professional development policy for the Councillors, who employ the General Manager.

Maybe that could be explained in the response, Leader?

I won't go through all the comments.

Ms Rattray - A very proactive council - through you, Madam Deputy President.

Ms ARMITAGE - All my councils are very proactive and very good councils.

Another one that I think could do with an answer when you get to the response, Leader, is introducing the need for a community engagement strategy whereby:

70DA(1) A council must establish and implement a strategy for engagement with the community when developing the council's plans, policies and programs and for the purpose of determining its major activities;

84A(2)(b) the scope and types of performance indicators and metrics that are to be used; and

(c) the methodologies and protocols for the measurement, reporting and presentation of performance data.

The council feedback: 'While the details are unclear' - I'm reading in a lot of the representations from a variety of councils. Many of them say the details are unclear and I would hope that details would be clear so they can make a good submission. So, it says:

While the details are unclear, it is expected that a consultant engagement would be required in order to develop a community engagement strategy, at the Council's cost. It is recommended that this requirement be on a non-compulsory basis rather than mandatory as proposed.

Because with everything being mandatory, obviously the cost is there for the councils that can't afford it.

84A. Introducing the requirement for mandatory performance reporting

(1) The Minister, by order, may specify performance reporting requirements that are to apply in relation to councils.

In this case, the Meander Valley Council is 'very supportive of the mandatory performance reporting, a position provided to the Tasmanian Government in previous submissions'. Another one:

84B. Introducing the need for internal audit

- (1) The Minister, by order, may specify requirements that are to apply to councils in relation to the conduct of internal audits.

The council feedback on this one was:

The details of what is proposed by internal audit is unclear, this could take many forms. In principle Council is supportive of the introduction of an internal audit function, however recommend that this be on a non-compulsory basis rather than mandatory as proposed.

It is a bit disappointing when we keep hearing that it's unclear.

Sitting suspended from 1 p.m. to 2.30 p.m.

QUESTIONS

Spirit of Tasmania Ships - Tug Boat Assistance at Port of Devonport

Mr GAFFNEY question to LEADER for the GOVERNMENT in the LEGISLATIVE COUNCIL, Ms RATTRAY

At the Port of Devonport, Tasmania, the dredge main shipping channel from the mouth of the Mersey River to the wharfs and turning circle is not direct, it veers to the left or, for want of a better explanation, has a dogleg change of direction. Consequently, this restricts the length of vessels entering the port. Some ships and those of maximum length or thereabouts are required at times to have assistance from tugboats to navigate that section, including other areas of the port and the turning circle. *Spirit of Tasmania I* and *Spirit of Tasmania II* do not need to use tugboats.

Whilst it has been confirmed that the two new larger ships, *Spirit of Tasmania IV* and *Spirit of Tasmania V*, will be able to navigate the river, there are some questions if the vessels will be able to do so without the assistance of a tug. My questions are:

- (1) Will the two new ships for Tasmania, *Spirit IV* and *Spirit V*, require tug assistance each time:
 - (a) to traverse the channel when entering and exiting the port, or
 - (b) to use the turning circle?
 - (c) If at any time whatsoever tug assistance is required, what is the estimated cost per sailing per ship?
- (2) When the budget for the Port of Devonport operational cost was being compiled by the management of TT-Line Company Pty Ltd, what was the total annual amount considered for tug assistance?

ANSWER

Mr President, those are excellent questions from the member for Mersey, particularly relating to the Mersey River, of course.

I did receive that earlier in the day and I have attempted to have something available, but I don't have that with me now. Can I please take it on notice a little longer? Would you like me to provide that on behalf of the Leader's office before we come back to this place after the Estimates process?

Mr Gaffney - Yes, that's fine.

Ms RATTRAY - Thank you.

Macquarie Point Stadium - Cost Risk

Ms O'CONNOR question to LEADER for the GOVERNMENT in the LEGISLATIVE COUNCIL, Ms RATTRAY

[2.33 p.m.]

My question relates to the budget paper 1, page 98, when it talks about the risks associated with cost escalation for the Macquarie Point Stadium. The paragraph says:

The total estimated cost of the Stadium is \$1.13 billion, and the associated funding and delivery models remain unchanged from the 2025-26 Budget. However, complete designs will not be available until after the appointment of the Design and Construction Head Contractor. As a result, current estimates are based on schematic-level designs and cost allowances, rather than finalised marketprices.

... this means there remains a risk that procurement outcomes and detailed design decisions place upward pressure on costs as scope, constructability and market conditions are finalised.

Given what the Treasury said there in the risks section, does the government stand by its claim that in December last year it had an industry standard P90 that allowed it to estimate the cost of the proposed stadium with 90 per cent probability at \$1.13 billion?

ANSWER

Mr President, again, this is a very good question from the member for Hobart that I didn't have any notice on, so thank you for bringing it to the House now.

If the Minister for Infrastructure were here, he would probably be all over that for you, but he is not available today. I'm not sure that's something you might well be able to progress next week through Estimates, but if not, it will certainly be in the Leader's pile of questions to be answered. I will get it back to you as soon as possible.

Ms O'Connor - Thank you, Leader.

Mt McCall Roadworks

Ms O'CONNOR question to MINISTER for PARKS, Mr DUIGAN

[2.35 p.m.]

My question follows on from my question yesterday about construction works on Mt McCall Road, which even though you're the Minister for Parks, you didn't seem to know were happening; do you have any further update for the Council on those works inside the Wilderness World Heritage Area?

ANSWER

Mr President, noting that Parks looks after a very, very extensive network of roads across the state and they are some 10,000 kilometres, I believe, upwards of - it would not be, I'm sure, the best use of my time to be across all roadworks at all times, but I will certainly look into that, and have done regarding Mt McCall.

I'm advised recent works undertaken on Mount McCall Road were routine maintenance activities funded through the critical roads program, less than \$20,000, delivered in accordance with an approved reserve activity assessment and scoped by Parks and Wildlife staff.

The works utilised standard plant and equipment including backhoe, excavator, tractors and light vehicles.

Parks has an obligation to maintain Mount McCall Rd to an accessible four-wheel drive standard - I recently rode my motorbike up there, it's very good - supporting safety, access and commercial rafting operations along the Gordon River. The maintenance program reflects a proactive asset management approach following more substantial rehabilitation undertaken five years ago to prevent deterioration and avoid higher future costs.

Greyhound Racing Transition Bill - Timeframes

Ms THOMAS question to LEADER for the GOVERNMENT in the LEGISLATIVE COUNCIL, Ms RATTRAY

[2.37 p.m.]

Leader, in this place on Tuesday I asked the honourable Deputy Leader a question. As the Deputy Leader responsible for bringing the greyhound racing transition bill through this House, he undertook to seek some information through your office, and the way I interpreted it, was to report back to the Chamber as to when the bill would likely be brought back for debate and decision. I'm wondering if you have any updates to provide the House in his absence.

ANSWER

Mr President, I might have to take the lead of ministers and seek some advice. Just as I thought would be the response, and I obviously appreciate the honourable member re-asking where that information is, given that the Deputy Leader took that on notice. I feel sure when he took that on notice, he genuinely believed that he would be here and be able to provide

something. He's not, and he hasn't provided anything to the Leader's office in regard to the response. Again, as soon as that is available - and I have asked the Leader's office to follow up there - we will get it to you.

**LOCAL GOVERNMENT AMENDMENT (TARGETED REFORM)
BILL 2026 (No. 10)**

Second Reading

Resumed from above (page 34).

[2.39 p.m.]

Ms ARMITAGE (Launceston) - Thank you, Mr President. I did receive a lot of correspondence with regard to this bill, some from councillors, some from councils. While I'm not prepared to name the councillors, I think some of the comments are worth putting on the record. From a Tasmanian councillor:

In my opinion, this targeted reform bill has been left far too late in the four-year term to implement.

It mentions reducing councillors and bringing in a lower quorum; that doesn't seem like good democracy to this person, with a large or small council to represent its constituents.

They're concerned that it poses a risk of biased opinion and a huge lack of diversity in representation and decision-making. A smaller councillor group may also be easy to control and influence. This could have the potential to wipe out independent representation and increase partisanship in local government.

They continue: no true financial saving by reducing numbers of councillors but paying them more. It also mentions that some local government areas have been traditionally low in elected people who identify as female. There's good representation in Tasmania, currently well-balanced in gender overall in councils of around 42.5 per cent at present regarding elected females; however, overall in Australia, women are still underrepresented in every level of government as of this year. It says:

I would like to see a gender impact assessment requirement before this reform is carried out to evaluate the impact of the proposed change on the representation of women on councils and the participation of first-time, nonincumbent female candidates; monitoring and public reporting six months after the election for gender representation data for each council; and comparative data showing changes from previous elections.

There is concern, particularly around some female candidates - and I think some have come in later as well who haven't had much of a chance to be able to be there and represent over a long term - that by reducing the numbers, it certainly does make it harder for them to get back and to represent maybe more minority groups as well. I think the member for Murchison mentioned, when you were talking about quorums - I must admit that every now and again I do watch Launceston's council meetings, and on many occasions I have failed to see 12 councillors there. I can understand the need to reduce, but of course reducing to nine

and then if some don't turn up, with the quorum of five, then possibly three people could be making these really important decisions, and I think that's something that really is worth considering. Even if they had 10, you're still looking at really small numbers if people don't turn up, and I think that's a real issue.

The other issue that's not addressed in here is when people leave council during the meeting and don't return. I know that does happen in different councils around the state. I have heard from a variety of general managers that sometimes people do leave for a variety of reasons, which makes it really difficult, particularly to have quorums if you've got lower numbers. I do have some concerns with reducing the numbers.

I certainly will support the bill into Committee, and I'm really interested to hear further from other members. I can understand the reasoning behind it and I can certainly understand the reason that you'd look at paying more. I can remember from my time on council, there are some councillors who work very hard, and there are some councillors who turn up on council meeting days.

I think that's the real problem that you've got, even for the smaller councils: how do you fairly compensate the ones who work really hard on the smaller councils? When I was looking at the amount that the smaller councils receive, they could work equally as hard as someone who turns up purely on a council day on a larger council. It really is a difficult matter to actually attribute fair pay. To me it is a real problem because I can recall, during my earlier times on council, when there was at least one councillor who would turn up and open the documents at the council table. Realistically, how do you attribute fair pay for someone, on one of the smaller councils, such as Flinders, who works really, really hard and doesn't earn anywhere near as much as someone in a larger council who feels it's okay just to turn up?

That's no reflection on any of the councils in my electorate, I think they're all great, but I'm just wondering about how fair it can be for some of the smaller councils. I know that just because you've got a small area doesn't mean you don't work hard. I think that's really important, too, but I do appreciate the problem for the minister in trying to reflect fairness.

I also received an email, and I think the member for Nelson also received it, from a constituent of yours who is also a friend of mine, with regard to serious breach of code of conduct; we had concerns and requested a move to amend in the Committee stage section 18 to omit the proposed clause 28ZX - concerned that it would still leave a wide range of sanctions available to the tribunal, including removing a councillor from office. I do note that we have amendments on foot to address some of these issues.

This bill also establishes the architecture for improving the strategic capability and performance of councils over time. This puts community wellbeing at the centre of strategic planning and these aren't just pie in the sky concepts. Community wellbeing extends to every activity a council undertakes, including things like holding events, which goes to mental and social wellbeing; implementing cleanliness and beautification within municipalities and preventing and ameliorating pollution, which goes to environmental safety; keeping roads and footpaths safe and maintained, going to road safety and pedestrian accessibility; ensuring that pets and animals are being looked after responsibly - and many other things that are necessary to keep a municipality safe and ticking along. To this end, statutory requirements for councils to have community engagement strategies will be necessary because, ultimately, people need

to be able to have a say over what's right for their communities and what will have the best outcome for their wellbeing.

This bill also empowers the minister to mandate clearer information around rates, ensuring ratepayers can better understand how their rates change over time. I'm not really sure that ratepayers care about understanding. I think they're more concerned about the amount they're paying. I think that that's something that is certainly difficult. I do have concerns with some of the mandatory requirements in the bill that ratepayers will be paying more to cover those extra costs because we all know where the councils are getting their money.

It prescribes an internal audit function for all councillors, bringing them into line with the standards expected of state government agencies, which will ensure council audit panels are also better supported. The government, as I understand it, has a roadmap prepared to ensure the measures in this bill will be properly implemented and, I do hope, funded.

From October 2026, local government elections will proceed under the new legislative framework for councillor numbers and allowances. The commencement of the new serious councillor misconduct framework is in the pipeline, too. However, I'd like to get a more concrete understanding about the timeline expectations for this, Leader. Is it expected for these provisions to be in place for the incoming councils after the October 2026 elections?

There will be many changes to grapple with for the councillors who are elected in October 2026. I know that many who are councillors now support and have advocated for many of the changes contained in this bill and that there's an appetite and enthusiasm for a number of the changes this bill makes. I expect that, as with any suite of reform measures, there may be issues and challenges, but the community rightly has high expectations of their councils and I hope that this bill will progress that. As I said, in the three councils that I have in my community I'm very fortunate that we do have really good councillors. It's a little bit sad in some ways to think that, particularly in the case of Launceston, three of those councillors won't be coming back because everyone on the council now performs very well and does a great job for their community. I do feel a little sad in that way that by passing the bill we have before us, we're actually taking away some representation from people who are doing a really great job at the moment. I do have some concern. I will pass it into Committee and listen to the extra contributions that are coming.

[2.49 p.m.]

Mr GAFFNEY (Mersey) - Mr President, I rise to share my thoughts on the Local Government Amendment (Targeted Reform) Bill 2026. I greatly appreciate the contributions from members.

My speech has morphed into something a little longer than I initially thought to offer. Indeed a week ago, I was not inclined to speak to the bill at all. Hopefully, however, my contribution will give greater context and understanding to this debate. By and large, I am supportive of the bill and I will not repeat some of the issues already very well expressed by previous speakers.

We all arrive in this place with different lived experiences, knowledge and life skills. I have an education background. Members here may have come from health, community policy, advocacy, journalism, real estate, retail, finance, legal, agriculture, small business,

tourism or trade, to name but a few of the sectors. I think the diversity in this place is a great strength.

However, some of us in this place also have experience in local government and, whilst it might have been 12 years ago for me, it is a sector that is still very dear to the heart. It is a leadership role that allows us to give our time and energy back to the communities we love and are very much still part of. It is a role that you could suggest is the beginning of preparation for our place in this Chamber. Mel and I spent 1993 in London on a 12-month Commonwealth teacher exchange program and on return my wife suggested I do something for the community at last and stand for council.

Ms Rattray - She wanted to get you out of the house.

Mr GAFFNEY - Yes. As a 34-year-old I was first elected in 1994 to the Latrobe Council, serving as a councillor for four years and deputy mayor for another four years. I was elected as mayor in 2003 and to the Legislative Council in 2009. I stepped down as mayor in 2014 due to the 2013 act that precluded individuals holding a dual role in local and state government. As an interesting aside there, my first mayor was Miles Ford. He died in office and I became the deputy mayor as Burt Campbell took over the reins until he died in office, so it was a career path I was a little bit worried about.

In 1994 all elected members' positions were up for grabs. Latrobe Council had nine positions vacant, with the top five vote-getters getting a four-year term and the next four receiving a two-year term. So, at the next election in 1996 there would be four vacant positions, half in, half out. Back in 1994, there was no salary associated with the role of being a councillor, then in 1998, or thereabouts, it changed. Elected members still didn't receive a formal salary as their roles were considered part time, but I remember receiving an annual allowance of \$4000. However, we all decided around the table that it was too much money. We couldn't accept that, so we only took \$2000 each. We actually fell foul of the intent of the annual allowance, and after a couple of years we were directed and required to accept the full \$4000 amount.

The title of the bill intrigues me as it's yet another bill that looks to have been given the once-over by a copywriter to suggest a radical change. I speak to the bracketed subtitle of 'Targeted Reform', as if it's something that needs to be blown up.

For the record, I believe the 1993 Tasmanian local government reforms were real reforms: a major overhaul of the sector that reduced the total number of municipal councils from 47 to 29 through extensive boundary amalgamations. The changes were designed to modernise the state's operations, eliminate unnecessary state intervention and enhance community affordability. They were an effort to legitimise the third sphere of government, and most people in this place would have been taught there were three tiers of government - the federal, state and local - but at this time we were saying that the three spheres of government were all equal and had a common connection.

The *Local Government Act 1993* was to provide the constitutional basis of local government in Tasmania. It established a system of local government by setting up 29 councils, defining the council boundaries, determining the number of councillors for each council and the way they were to be elected, and defined the powers and functions of the council as a corporation and as a governing body, as well as the individual roles and responsibilities of the general manager through the council administration.

At that time, the state Labor government had worked to develop a mature relationship with local government through the innovative Partnership Agreements Program and the establishment of the Premier's Local Government Council. It was one the premier chaired and was designed to facilitate direct collaboration between state and local leaders.

We've had previous legislation with genuine reforms to local government, some of which could be said to be quite radical. Think of changes to water and sewage to produce TasWater and the challenges of its council dividend payments, and the move to a single statewide planning scheme, both of which are still causing some consternation.

I remember, in 2006, when I became president, I was 46 and I had been mayor for four years. Lynn Mason AM, a highly regarded president of LGAT and mayor of Flinders Island, was retiring and my general manager said to me, 'Michael, a number of the general managers think you should stand for the president's role.' I hadn't really thought about that position but threw my hat into the ring. Some people around will recognise there was Sandra French from Burnie City Council, Darryl Gerrity from the wild West Coast, Janie Dickenson, now Janie Finlay, from Launceston City Council, and there were another couple of nominations from down south, I think one might have been Richard Green from Clarence.

I was pleasantly surprised to get elected, but I had to leave the education department so I could fulfil both the Local Government Association of Tasmania role and my mayoral role. At that time the value of that was \$35,000 less than my assistant principal role, but my wife knew that I was interested and she was very supportive of that. I can also remember President Lynn saying, 'Michael, don't worry, we've just finished the 2005 review of the Local Government Act so you should have no problems coming into that role.' Indeed, the then minister of local government, the honourable Jim Cox, stated about the review:

It is widely recognised that this Government has made Tasmania a national leader in the way State Government interacts with and works collaboratively with Local Government.

In my role I have been keen to meet with people from Local Government. An initiative I have introduced is the undertaking of a regular program of visits to Councils. I am currently undertaking my second round of visits. I have found these very productive and a useful means of keeping up with the different local issues specific to each Council.

This Government continues to take our strong and positive relationship with local Government very seriously, because we believe that the community deserves governments that can work well together, with the common goal of delivering the best possible outcomes for all Tasmanians.

We recognise an important ingredient in the strong relationship we have built with Local Government is the mechanisms we have set in place to provide for open and honest communication between the two spheres of government. These include our Leading Partnership Agreements Program and the statewide State-Local Government Consultation Communication Partnership Agreement.

Our excellent working relationship with Local Government has assisted in the successful passage of the review of the *Local Government Amendment Act*.

I can remember signing that protocol document between the consultation on behalf of LGAT with the then Premier, Paul Lennon. However, at that same time of the review of the act there was also work being undertaken regarding the financial sustainability of the 29 Tasmanian councils. My word, that was an interesting time, with councils coming under significant pressure, especially those who were found financially suspect. I think I took over the mantle in August and in about September or October of 2006, KPMG released the financial sustainability of councils report. As I'd only been in the president's role for a couple of months, it was a baptism of fire - with media and many ratepayers wanting to amalgamate councils, especially those who were financially weak. I suppose the trouble with that was putting two financially weak councils together does not automatically mean that they're going to be a stronger council in financial terms.

I am suggesting, the history of local government demonstrates that there is always going to be an ebb and flow as local government evolves. Whilst in 2006 the KPMG report created a media storm, LGAT came out of that bruised, but still resolute and still together. Good grief, think of the response that we would have in this place if the federal government now did a financial audit of all the states and territories in Australia. Could you imagine the response to Tasmania's current financial position?

Ms Forrest - I think they have a view on it.

Mr GAFFNEY - Crisis averted, amalgamate.

I was seeking smooth sailing going into 2007 until the new treasurer, in December 2006, the honourable member Michael Aird, contacted me and said, 'Mr Gaffney, I was wondering if we could meet, I need to talk to you about water and sewerage'. But that's a whole new other story. In my mind that was very much a reform process.

I would suggest that tinkering with the *Local Government Act* by introducing minor changes is not what I would call reform. The bill in itself is more than a series of timely amendments and adjustments, with a couple of points that merit further scrutiny.

One of the strongest points raised with me has been the question of consultation on the decision to reduce councillor numbers across Tasmania. The government points to the 6500 submissions received during the Future of Local Government Review. That figure is accurate and the review was indeed one of the most open and extensive engagement exercises undertaken in this sector. However, many of those 6500 submissions did not address councillor numbers. They were not asked to. The review's terms of reference did not contemplate a statewide reduction in representation, nor did the review's final report recommend it.

The only consultation that directly addressed council numbers was the 2025 discussion paper, which received 49 submissions statewide from councils, councillors, staff, community members and peak bodies - 49 submissions on a reform that will reduce the number of elected representatives in Tasmania by around 50 positions, with 263 councillors cut to 213. That's a 20 per cent reduction. We can take some consolations: the discussion paper proposed going further by reducing council numbers by 60 to leave just 203.

There is a feeling from parts of our community that they feel blindsided by this move. That is not to say that the proposal isn't worth considering. It's a fact that the exposure draft did not include the specific provisions relating to reducing councillor numbers or how their allowances would function. The result is a gap in perception with the September 2025 government discussion paper, which did touch on councillor numbers and allowances, and the community expectation that before such changes would be put to parliament, they would be open for public discussion and feedback.

Indeed, the relationship between state and local government was then seen to have been more important, as can be reinforced by the 2005 message from Paul Lennon as Premier and Treasurer. He said back then:

I'm pleased to present to you the 2005-6 State Budget. 'Our State. Our Lifestyle', State and Local Government snapshot.

The 2005-06 Budget provides exciting opportunities for Tasmania.

The Budget is unashamedly about making Tasmania's unique lifestyle even better and the State Government is working vigorously to protect and enhance the quality of life for all Tasmanians.

State and Local Government play an important role in safeguarding the lifestyle values which set us apart and make Tasmania an increasingly attractive place to live in - particularly for young families and young people wanting to build their future here.

Tasmania leads the country in demonstrating what can be achieved through State and Local Government working together in a spirit of cooperation and trust.

Our Partnership Agreements Program continues to deliver positive outcomes for Tasmanian communities. Important local issues are tackled through Bilateral Partnership Agreements between the State Government and individual Councils, while regional agreements are resulting in unprecedented cooperation among Councils.

The Premier's Local Government Council [PLGC] is delivering improved planning between our two spheres of government, while progressing important statewide issues such as taxation arrangements, waste management and simplifying planning schemes. In the next year, we look forward to the completion and implementation of the new statewide Partnership Agreement for Young Tasmanians and the first Tri-partite Partnership Agreement on positive ageing.

This year's Budget sees record spending on health, education and roads.

The Budget includes an exciting initiative, 'Main Street Makeover', where the State Government will provide financial assistance to selected Councils for the purpose of street scaping the main streets of towns on important strategic tourism routes.

This will add to the unique character and identity of selected towns, while making them a symbol of even greater pride and confidence for those communities.

The State Government looks forward to continue to work closely with Local Government as together we continue to shape a brighter future for all Tasmanians.

I can remember that period in the relationships between state and local government, and I can remember writing a grant application for the \$250,000 for Station Square in the middle of Latrobe. We were successful and the funding was well received.

In looking back to more recent times and the matter in hand, the Devonport City Council did write to Mr Vincent in October 2025 to provide its considered feedback to the government discussion paper: Reforms to Councillor Numbers and Allowances. Its concerns firstly related to council numbers and not councillor numbers. Secondly, to the council banding score methodology, and lastly the likely impact on diversity in governments. I would like to quote from the council's response. For those of you listening to this speech, Mersey electorate is Latrobe Council and Devonport Council LGA, so that's part of my electorate:

The discussion paper claims that reducing Councillor numbers will strengthen governance by attracting more diverse and skilled candidates. Devonport City Council strongly disagrees. Reducing the number of councillors will likely have the opposite effect, narrowing the pool of representation and making it harder for diverse voices to be elected. Fewer positions mean increased competition and a higher barrier to entry, which can disadvantage underrepresented groups and diminish the breadth of perspectives around the Council table. Devonport currently has a diverse and engaged group of Councillors and does not consider any demographic will be represented to either a greater or lesser extent simply due to the quantum of the Councillor allowance.

We've seen ongoing tweaks and changes to how councillors are elected from half in, half out to all in, all out, how mayors and deputy mayors are elected and the introduction of compulsory voting, all of which seem to have come in a rush to meet an election deadline. Devonport City Council rightly identifies the risk in the bill of fewer opportunities for new councillors to be elected, opportunities that will see candidates needing to achieve a much higher quota threshold, as well as needing to overcome the increasing benefit of the strength of incumbency for elected councillors. Councils need fresh faces and fresh perspectives and the input of a younger generation.

Central Coast Council, a neighbouring council, also gave its feedback to the discussion paper Reforms to Council Numbers and Allowances 2025 with this conclusion:

In conclusion, reducing the total number of councillors from 263 to 203 significantly reduces community representation and accessibility. Councillors play a vital role in engaging with residents, representing local interests, and managing increasingly complex governance and service delivery expectations. Fewer councillors will mean higher workloads per individual, less diversity of viewpoints, and reduced stability for

communities - particularly in rural and regional areas - to have their concerns heard and acted upon.

The proposed 14.25% increase in councillor allowances is relatively insignificant when considered against inflation and the growing scope of councillor responsibilities. This adjustment will not materially change the capacity of councillors to dedicate more time, or to attract a more diverse or 'higher-quality' of candidates, as the paper suggests. Councillors face considerable opportunity costs for their public service, and the minor increase proposed will not materially offset this.

They continue with:

No compelling evidence has been presented that fewer councillors with slightly higher allowances will deliver improved decision-making, efficiency or community benefit.

The local response seems to be unanimous from two relatively large north west councils. Good to talk about in theory, but the idea has too many easily foreseeable problems to work in practice. We must take note of these rational concerns, and I would welcome the government's own feedback to address them.

At the time the subject of councillor numbers and allowances was out there as part of a much broader discussion on local government, there was a large government focus on reducing the number of councils, either by statute or by voluntary mergers. In that context, these concerns are entirely reasonable and perhaps come on the back of the government's seemingly increasing desire to rush its preferred legislation through parliament regardless of public sentiment on the matter.

For our community, it's the perception of a lack of due process, the wagoning of legislation with the whip hand of the government that results in a natural distrust of these changes. I shared these community concerns with Dion Lester in his role as LGAT CEO. His email and reply included these comments:

The reasons these reforms were not included in the first draft of the targeted amendment bill is because that process was running concurrently, released in October. But it was important that these changes were included in the final bill as it meant that they would be in place if approved well ahead of the October 2026 elections. The system being proposed by the government for numbers and allowances is far more robust than what is currently in place and it means across the state there is a consistency in what determines the level of representation. Surely Devonport residents should be entitled to the same level of representation as King Island or West Coast?

I think this point has been lost with the concerns over the lack of representation. To illustrate this point, currently Devonport has nine councillors and so does King Island, West Coast and Central Highlands, but Flinders has seven. This is a hodgepodge of representation that does not serve all Tasmanians fairly, whereas the new system balances gaining a level representation based on population complexity, geographic and size fairly.

I cannot disagree with his observations. I have the highest regard for Dion Lester in his role as CEO of LGAT, but LGAT is there to serve the interests of councils and its elected members. If the bill passes, I wonder what the government can do to reassure ratepayers. For many people, they're not ready to accept these changes before they've been listened to and their concerns have been properly addressed.

I think sometimes we forget how quickly time goes in this place. Sometimes, it's better to take a slow path with a longer consultation period. It does ensure that the legislation has been publicly tested where even the most vehement opponents can be heard. Even though people may not agree with it, they cannot argue that they have not had the chance to have the input into it.

As a little aside, I remember Dying with Dignity Tasmania wanted me to introduce a voluntary assisted dying bill in December 2019, as a reintroduction of the 2012 and 2016 failed bills with additional clauses from the Western Australian model. I disagreed with that approach, and I released a new draft. We went out to the Tasmanian community for authentic consultation and feedback, thus delaying the bill for a significant and important amount of time.

This approach was not well received by some members of Dying with Dignity Tasmania. I remember in June 2020 going into one of the Dying with Dignity meetings in Kingston and saying that I can battle the AMA, I can battle the Catholics and the Australian Christian Lobby, but if Dying with Dignity Tasmania does not come fully on board, I don't think any other party member will pick up the baton and run with this legislation and I will be out. I don't think they realised how much feedback was generally a little bit negative on the drafting of the original bills, but DWD president Hilde Nilsson was wonderful and said, 'We're on board'. The support we received from then on from them and many others was great. Whilst the public consultation passage of the *End-of-Life Choices (Voluntary Assisted Dying) Act 2021* took longer, the proof is in the pudding.

The drafts took account of community input and became a better bill for it, and one that is now firmly established as the end-of-life Tasmanian option if you're eligible. That's not to say the proposed changes are wrong in their intent, as council governance is an evolving issue. It must not fear change. If you look back to 1994, that was the year that removed the classic parochial council wards where we had almost mini-mayors in each ward. At the time it was a controversial change, but how could we imagine returning to a system such as that?

There are genuine community concerns in how councils operate and the ever-increasing costs of the rates burdens on residents. The most forward-thinking councils do consider new ways of operating. I only have to look at the Latrobe and Kentish Council resources-sharing practices with their separate councils of elected members and mayors. Over the last 16 years the shared services model now sees a shared CEO, shared professional and administration staff teams and they share their works teams across both council areas. The result has been increased service levels, timely project management and some of the lowest rates in Tasmania. I'm sure Jeff Morgan - I welcome him as the newly appointed CEO of Latrobe and Kentish Councils - will be keen to strengthen the shared services model. I also understand that it was a shared services model that attracted Jeff, and many highly qualified candidates to apply, and I congratulate him on that appointment. I did chair the first meeting of the Latrobe and Kentish, and it was interesting. You've got to have the right people around the table. The two Kentish councillors, whom I won't name, came at the time and they said, 'Well, what can you give us?',

so we quickly had to reassess what we wanted to do there, but eventually we came to a good model.

I would like to turn to the misconduct provisions in the bill, as they will bring a significant and beneficial shift in the code of conduct and governance protocols. Sometimes councils, communities, and even councillors and mayors themselves, have expressed frustration with the current system. The existing framework has struggled to deal effectively with serious misconduct, with bullying and harassment, and with the patterns of behaviour that undermine the function of councils. The Future of Local Government Review identified them as a barrier to good governance and many councils know all too well that the tools available to them have been inadequate. I was in that space at the time the code of conduct, protocols and guidelines were put in place, and it was recognised immediately that there were issues with it, but it was a step as we evolved as a sector of government. The bill does go to strengthen the Director of Local Government's powers, clarifies the thresholds for misconduct and expands the range of sanctions that can be applied. It does introduce a more structured hierarchy of behavioural expectations from low-level inappropriate conduct through to serious misconduct that may warrant suspension or disqualification.

Ratepayers need to know that councillors who engage in the weaponisation of process, harassment, intimidation or persistent noncompliance can be held to account. Councils deserve a system that protects their ability to function, and councillors themselves deserve clarity about the standards expected of them. The bill gives the director the ability to impose significant consequences, including suspension and, in some cases, disqualification. These are serious interventions in the democratic mandate of an elected representative. It is therefore essential that the processes underpinning these decisions are fair, transparent and procedurally robust.

The bill must ensure that the code of conduct system cannot be used to pursue political and personal disagreements or vendettas, and must ensure that councils are protected from vexatious or retaliatory complaints.

As the bill seeks to reduce councillor numbers across the state, fewer councillors will mean heavier workloads, increasing public scrutiny and more pressure on those who remain - a change that brings its own problems and one that needs to be considered more deeply in the government's determination to reduce councillor numbers.

The other essential change is a requirement for mandatory training that has to be completed within the councillor's first 12 months in office. Councils are not like a board, where members are appointed on a skill-based need. A council's members are elected by their community and are expected to already have these skills or some of them, or at the very least, acquire them quickly. This positive change will ensure that every elected member has access to the training and information they need and will allow them to fully understand what is required of them. It formalises the expectation and will help them get it right. The additional requirements for councils to have formal professional development policies act as a backstop and will ensure skill gaps can be identified and addressed, and not left as an optional 'maybe', no matter how long a councillor may have been on council. I support this initiative. There have been many times when councillors had the opportunity to do professional development, through LGAT and conferences, and those who perhaps might do well to take them up often don't.

We also have a situation where council meetings and processes are weaponised against councillors, deputy mayors and mayors by vexatious members of the public. I know that it causes distress with limited means of response. We only have to look back a year ago with Mayor Freshney's heartfelt motion, to quote from the Latrobe Council's Facebook post from that time:

Councillors present resolved to challenge the normalisation of abuse against Elected Members and Council Officers, and pledged their support for the Local Government [Association] of Tasmania's Lift the Tone campaign to promote civility in public debate.

Mayor Peter Freshney moved the motion and shared some of his own personal experiences as an elected representative, detailing the personal impacts of a now five-year orchestrated campaign waged against elected representatives, Council staff and management. A campaign which appears to be designed to undermine Council, divide our community, discredit leaders and inflict reputational damage.

Through supporting this motion, Latrobe Councillors draw a line in the sand, and put on notice those who deliberately seek to bring our Council into disrepute, and who intentionally set out to cause harm to those elected or employed in the service of our community.

For those who've been in, that's very strong words from a mayor who felt he had to get to that stage. What can the government do to protect elected members of local government and council staff from these abuses? The Lift the Tone campaign found that 78 per cent of councils reported experiencing bullying, harassment or intimidation in the last two years. With the high barriers to election that will come with the reduced numbers, the misconduct framework must be especially careful not to create a climate of fear or risk aversion that inhibits debate or deters people from even considering standing for office. Whilst we can move the deckchairs in the *Local Government Act* and respond to reviews and discussion papers, at the core of it are local people looking to best serve the interests of their community.

As an aside, it seems to me that in recent years there have been more instances of, as I put it, a certain discomfort between some elected members, mayors and senior staff. I'm not certain if that's to do with the social media platforms people sometimes use and post comments that are less than positive, or could it be that in 2014, when it went to all-in and all-out elections every four years, that it introduced a more competitive and combative nature into local government, and heaven forbid that we would ever succumb to party politics like some jurisdictions. I'm sure that many of us can remember when it was half in, half out every two years, which means there was a rolling sense of succession, which meant that the community had the opportunity to constantly feedback into the local council because of the fact that elections were a regular, biennial process. It also allowed those members who, for certain circumstances, did not want to continue their four-year term to bow out at the next election without it being too much trouble for communities.

When voting was optional, only those ratepayers who really wanted to exercise their right to vote would do so, and were possibly more inclined to read up about the candidates and be more informed about who they wanted to have on council. We now have compulsory voting, which has advantages and is completely fine and brings consistency to our elections. We do

need to ensure that we have a process in place where the community is fully informed and fully aware of who is nominating for council, and that those candidates with limited financial means are not disadvantaged. The bill can look to protect and better inform councils and councillors.

The government must find a way to protect them from public abuse. If we don't, then only those with the thicker skins and biggest egos will even consider throwing a hat into the ring to become a councillor. It will be the greatest loss to our community to miss the calmer and more considered community members for fear of being destroyed by the experience. \

I would like to close off the debate by saying that being involved in local government is an immensely rewarding experience. I encourage anyone who might be thinking of standing for your local council in this year's elections to just do it. Have a go. It's a perfect opportunity to give back to your local community, to meet lots of new people, and you never know where or what it may lead to. I will be supporting the bill into the Committee stage.

[3.19 p.m.]

Ms WEBB (Nelson) - Thank you, Mr President. I rise to speak on the Local Government Amendment (Targeted Reform) Bill 2026. I certainly have appreciated leaving my contribution to the end so I could listen to all the other very valuable contributions, particularly as I don't have a background in local government as so many others here in this place do, and have had particular insight, expertise and experience to bring to their reflections on this bill and their contributions to it in this place. It's been really informative and educative for me, so thank you to those members.

As others have done, I also want to particularly make note of and acknowledge the importance of local government as a tier of government in our state. Local government is certainly of foundational importance in our community. As others have alluded to, it is very much at the grassroots of things. It's very tangible in people's lives. It's about things that affect people's everyday lives and it's very much about governance and decision-making that's closest to the community on matters that have that bearing on daily lives.

It's an interesting space; because of that, it's incredibly important, but it can also be incredibly challenging, I think, in many ways because of where it's situated in our community and in the governance and decision-making arrangements we have for our community. I certainly agree with the statement in the second reading speech that says Tasmanians need and deserve a local government segment that is democratically robust, underpinned by professionalism and integrity, and trusted by the communities they serve. That's true. That's exactly what Tasmanians need and deserve from the local government sector, and I think that there are certainly aspects of this bill that deliver on that and help move us further in that direction, which is really positive. There are also, though, some other aspects of this bill which I don't necessarily believe further that end and intent, and that I do have some concerns about.

Others have touched on some of those areas in their contributions, too. I don't think I'm going to be saying anything that's necessarily new and radical here in raising a few of the concerns that I have as I make my contribution. I found it really interesting to hear some historic reflections from some members around the workings of local government and the sorts of things that were focused on the interplay and partnership between local and state government as it has changed and evolved over the years; that's really interesting to hear.

I really appreciated the member for Hobart's reflections on the creation of the social inclusion unit and Professor David Adams' time as our inaugural social inclusion commissioner under the Bartlett premiership. It was particularly focused and had a lot of relevance and interaction with the local government sector. I think it was incredibly valuable work and it was a such a shame, I think, that that social inclusion unit and commissioner were dismantled far too quickly. It was really about extending a focus on community cohesion in Tasmania in a very particular way that we've been unable to arrive at and deliver on again since. That's a shame. I think we should be aspiring to return to something that brings a similar focus to those matters - now more than ever, actually.

Back to the bill: clearly, sitting behind this bill that arrives for our consideration are a whole range of issues in the local government space that have been very much in need of solutions and being addressed. Some of them have come up through and been considered through the Future of Local Government Review process; others have been triggered by events that have transpired in recent years in the local government sphere, in the areas of some of the members in this place and have been discussed somewhat in other contributions. Clearly, some of the issues that have arisen are thorny indeed, particularly those around behaviour and what we would consider to be serious misconduct behaviour. I will talk more about that aspect of the bill shortly, but of course the reason that such poor behaviour is problematic isn't just the impact that it has on those directly involved, maybe the people against whom particular abusive behaviour or concerning behaviour is directed, but also on everybody around them in the local government area, the other elected members who are also affected, staff members who are also affected, and the community who's watching is also affected. It ripples out right through to actually being a deterrent to people wanting to get involved in that area altogether.

That is the absolute opposite of what a good outcome is for our state, for the health of our local government sector, and for good decision-making in our local government sector. We want to have a better mechanism for dealing with serious misconduct in this area, because that's important in and of itself to address behaviour in the immediate sense. But it's also important in delivering for us a healthier, more robust, more democratic local government decision making entity broadly across the state.

Certainly, the Future of Local Government Review was undertaken in quite a comprehensive way. There was a lot of good work and good consultation as part of that. We know the current Minister for Local Government - who unfortunately is not with us today, which is a shame given that this is such a significant bill going through this place in his portfolio - has a genuine commitment to seeing positive progress in this area. He and his office, and those in the department, have all been working on many of these matters and this bill over a period of time, progressing it and other reform areas.

That sort of progress is made also being involved with, interacting with, consulting with external people related to this too, whether that's LGAT, whether it's the councils themselves, the elected reps, the staff in those councils, and of course Tasmanian community members, many of whom are persistently engaging in these discussions and assisting to shape these reforms. There's a high level of engagement generally on these matters, which is why there is now some consternation about particular matters of consultation on some aspects of this bill, I will come to that in a moment, too. We know, probably, that the level of concern many of us have seen through our inboxes in recent days in relation to this bill about a lack of consultation on one aspect of the bill in particular is there because people care, people are engaged, people

do want to be helping to better shape their local government sphere and their communities via that. That engagement comes from a place that's positive.

There's also something I would like to flag up front before I delve into the more specific aspects of the bill. It's this: we are dealing with a bill called the Local Government Amendment (Targeted Reform) Bill 2026, something that has significant consequence to the shape and function of our local government sphere. We are doing that within months of a scheduled local government election, within a stone's throw of it. I am uncomfortable making changes of these sorts to the act especially in terms of the electoral matters relevant in this bill, changes to the act at this stage of the local government electoral cycle. It's now a pattern we're being asked to do this. We had the hugely significant changes where we had the move to compulsory voting in local government elections brought in through this place at this exact same timing - just ahead of the 2022 local government elections. We were passing that during budget time in 2022, spitting distance from the elections that were about to occur then.

Here we are, doing something similar now in terms of a bill that contains matters of quite significant consequence, some of which will have a bearing on the upcoming election. That is very poor practice. We are repeating this as a pattern now. The thing about it is, unlike our state elections - which could literally occur any moment, as we were so readily reminded last year - we know exactly when our local government elections are going to be held. They're on a four-year cycle. They're always in the October of that year. It's set. There's nothing really that changes it, probably apart from some major disaster of some sort. I think even during the COVID year we managed to have them pretty much on schedule because we had a bit of run-in time. They weren't due in the COVID year, so we didn't even need to deal with it that year. We do know when they're going to be.

Given that, here we are, months out from the elections during what would definitely be regarded as the electoral period for those elections. I know that because there are certain things that can't happen now because it's within six months of that election, therefore it is regarded as the electoral period. For example, in my electorate of Nelson, which crosses over with the boundaries of the Kingborough local government area, there are certain arrangements brought about by the arrival of the new member for Huon in this place and a mayor stepping out of her role where there couldn't, for example, be a by-election to replace the mayor role there and for a new deputy mayor to be necessarily dealt with in the same way. Certainly, the by-election couldn't happen because we're within six months of an election. They've had to go through the process of appointing a new deputy mayor around the table and have that deputy mayor step up to be acting mayor through to the election time. That's fine, that's according to the rules, but what it tells me is it's regarded as too close to the election to do significant things. But here we are, we're dealing with the bill that is going to have some relevance to the upcoming elections.

If we were to amend this bill in our Chamber today, of which potentially there's a good likelihood we might, then it won't pass the parliament today. It would then have to go back to the other place, and it couldn't be dealt with in the other place, I don't believe, until their next sitting week, which would be, I believe, mid-June. If this bill potentially doesn't pass this parliament until mid-June, then what we're going to be seeing is it doesn't get royal assent till perhaps late June, three months out, from a local government election that we've known is going to be happening for four years. I don't believe it's appropriate.

I regard that there would be two appropriate ways of dealing with a bill of this sort that brings in reforms of this sort that are relevant to significant structural matters and electoral

matters for the local government sphere. I'm going to put those on the record here for future reference in case we were to find ourselves again in four years' time dealing with a matter of significant local government reform within spitting distance of the next set of local government elections. Here's what I suggest instead: Bring legislation on local government electoral matters well away from scheduled local government elections. We know when they're going to be. Do it mid-cycle instead so they can be implemented, socialised, well understood well before the electoral period. Everybody leading into an electoral period has a clear understanding of what changes may have been made. The community understands it, potential candidates understand it, current members understand it, staff understand it. Do it then.

The other option would be to lay out a proposal leading into an electoral period for local government and allow it to be a matter of discussion, debate and community conversation for the election. Allow candidates potentially to take a position on the things that were being changed, reforms that were being proposed. Allow that to go to an election, where it may be a matter that some voters may wish to take into consideration when they're voting in that circumstance. Allow it to be a democratic matter of conversation during an election.

The thing not to do is to do it like we're doing it right now, spitting distance out, where a change will come hard in crunching into the election actually occurring - very, very far from best practice, in terms of a reform process.

On to some of the matters in the bill in a little bit more detail. Again, it's going to touch into things members have already said but I will put my views on the record. Some of the things will get further discussion no doubt should the bill be into the Committee stage, which I suspect it certainly will be.

One of the things about representation and the remuneration questions is the argument that we need to attract and retain high-quality Tasmanians with diverse backgrounds and skills for local government. Crucial to attaining that goal is making the changes that are in this bill. Some of those things I agree with. We absolutely want to be attracting and retaining great people into our local government sector from a diverse range of backgrounds. Diverse backgrounds mean better decisions being made; we know that, it's a researched fact. It's also more democratic in terms of representation. If you've got diversity around the table, you're going to be reflecting your community more readily.

One of the challenges I'm particularly interested in broadly across our electoral system, not just at the local government area, but through the other levels of government too, is that challenge of attracting. How do we attract that diverse range of citizens to run as candidates and be elected? We know that it can be daunting. We know that it can be something that's not seen as appealing. That can even be something people might look at with trepidation, even if they were fundamentally interested in getting involved with governance at any level of our government system, whether that's local, state or federal.

Having said that, while we do want to be thinking about how we attract and retain people and bring forward diverse candidates, I think it can be also tempting to make assumptions, though, about what may attract people to put themselves forward, and indeed, what may deter them from putting themselves forward. The idea that raising the allowances, for example, as we're looking at doing in this bill, will by definition help attract better candidates is, I think, potentially a long bow. It may do, I don't know that we've got the evidence to tell us that it will do. It may do, I think, in and of itself. I may get to this further later on when I talk about

allowances. But don't get me wrong: I think those allowances should be raised. I think there's an argument to raise them just purely on the basis of what is appropriate to provide as an allowance for someone doing that job. That's absolutely a question to put and consider. I think inevitably that leads us to the conclusion that we should be having those allowances set well and truly higher than they are now.

That aside, I don't know that we can assume that raising allowances delivers on more diverse, better-quality candidates coming to put themselves up for election. It may do, but I haven't seen the evidence of that yet. On the other side of that, there are other things we might have to think about more in terms of what we need to do to. I think it's a simplistic thing to just put the allowances up and think that's going to do it. I think we need to think beyond that and think about what more we need to attract, retain and inspire good candidates to put themselves forward. Probably, more needs to be done on removing the things that deter people from doing it.

We've heard a lot from other members about the sorts of risks that are there for people in terms of the way they're treated by their community, the way they might be treated by fellow elected representatives in local government, the sorts of treatment and behaviour they might be exposed to. Those sorts of things we know are likely to be deterrents. I think addressing those more effectively, removing those is really important. Again, in the other aspect of this bill, how we deal with serious misconduct is a good way of starting to make better progress on that. It is certainly important for us to continue to think about those as we go forward.

One of the things I find problematic about the narrative around this bill and the way things have been treated structurally within it is the government's assertion that there's a natural relationship between levels of representation and appropriate allowances. I'm not sure that I accept the premise of that, that there is a natural relationship there. There are matters to examine about how we deliver the right level of representation for communities. Then there's a question about how we ensure that allowances are appropriate to provide to people for the job they're doing. I can see why it's tempting to bring those two things together in a narrative the way the government has presented here, but I refute that that is actually an appropriate thing to do. I think those two questions should be dealt with differently.

If they were dealt with separately, we don't then have to make certain conclusions that have been drawn in this bill, particularly around reduction in representation. I think appropriate representation is really crucial in any democracy and it warrants being considered in and of itself, not linked to financial matters per se. Those are just some broad thoughts. I haven't quite got my remarks framed up as neatly as some of the other members. I'm going to ramble a little, I think, but onward.

I do think that the democratic principles that sit behind the question of representation at a local government level are really important. I think that absolutely we would want to, and the government has consulted with LGAT and councillors themselves about things like the number of representatives - elected reps - and their preferred size and that sort of thing, but of course we know consultation with the broader community is the other half of that equation. You don't just consult with the sector itself; you consult with the community who the sector represents. I think that part of the process here has been flawed. I think that's been raised and made really clear by some key stakeholders that we would do well to take on face value here, because they are stakeholders who have a genuine interest in a functional and appropriate local government sector.

It's not that they're looking to be obstructive to better progress, but they're certainly champions for community voice and community having the chance to have a say in any changes being contemplated and brought forward to this place. When we hear groups like PMAT tell us that there has been a flawed consultation on what we now see in this bill, the reduction in councillor numbers statewide, we should listen to that and try to appreciate and understand the issue that they're raising. I've tried to understand what the criticism is, and I think there is a genuine criticism to be made of the process that we should recognise here. It should give us pause for thought when we consider whether what we're looking at in the bill is exactly the right way forward, and whether it might be an opportunity to apply a precautionary principle to some elements of what's in this bill and consider amendments.

What we do know is that there was an exposure draft of this bill that was consulted on late last year. Just prior to the exposure draft of the bill going out, there was a discussion paper put out in September which was about reforms to councillor numbers and allowances. That discussion paper was out for the consultation. Submissions to that closed on 7 November. There was crossover between that discussion paper on reforms to councillor numbers and allowances and an exposure draft of a bill, and that bill was called the Local Government Amendment (Targeted Reform) Bill 2025. That's what that exposure draft was called, and that was being consulted on across the same period, from 6 October through to 17 November.

Now, what occurred was that the bill that went out for consultation - and seasoned stakeholders like PMAT know that an exposure draft of the bill is crunch time. That's when you really want to get people interested, looking at it, providing input, being engaged and having community voice heard. An exposure draft is absolutely the time for that to be mobilised. When that exposure draft went out, it didn't have councillor numbers in it. That was a matter to note, the fact that the discussion paper went out at a similar time for consultation, something to note. I looked at the discussion paper on page 4, and under a heading of how the reforms will happen, it did say that:

It is proposed the changes will be implemented through amendments to the *Local Government Act 1993* before the October 2026 local government elections. This approach ensures timely delivery and broad support from communities, councils, and Parliament. The reforms complement other improvements, such as councillor education, stronger sanctions for poor behaviour, paid parental leave, and flexible meeting attendance, to make being a councillor more accessible and appealing.

Now, having said that, then, in that discussion paper, it's not clear that what they were saying is the things we consult on in this discussion paper will be slotted into the bill we're also consulting on now without those matters in it. You could read that, and I probably would have read that as an external stakeholder as: there will be another bill to complement - as it said there to complement - the one we're consulting on right now, concurrently with this discussion paper. I think there could readily have been an expectation from key stakeholders and from community members that they would have a chance to see an exposure draft of a bill that was to give effect to any changes on councillor numbers and allowances that might arise out of the discussion paper that was consulted on late last year.

That didn't happen. There was no consultation on an exposure draft of a bill with those things. They just arrived in the Local Government Amendment (Targeted Reform) Bill 2026

when that was tabled in the other place on 26 March this year, which, of course, had matters to do with councillor numbers and allowances in it.

It was called virtually the same thing as the exposure draft bill that was consulted on last year, which is a shame in a way because if you're an external stakeholder and you noted that that bill was being tabled in March, you might not have clocked that a whole raft of new stuff relating to councillor numbers and allowances had been put into it since the exposure draft went out. You might not look at it because it hasn't changed its title from the exposure draft that didn't include those things. The only thing that was changed was the year that was tacked on at the end, 2025 to 2026.

Now, I'm not going to assume that there was anything nefarious about that, but it was problematic and it could be anticipated to be problematic for external stakeholders. The other thing we have to think about is that not only did those consultations late last year happen concurrently, it was also an incredibly active and heightened time for consultations on planning-related matters in this state because it was in the heat of the stadium debate with all the matters, consultations and advocacy with this parliament about that. It was occupying the attention of thousands upon thousands of Tasmanians at that exact time. People may well have thought, 'Well, we're going to have a future opportunity and another exposure draft on councillor numbers and allowances not far down the track, so we'll look out for that when it comes.'

I do, therefore, have a great deal of sympathy for the concerns raised by PMAT, the Tasmanian Conservation Trust and many members of the public who have been contacting us in the last week, raising concerns about insufficient opportunities to make genuine representations and engagement on the matters to do with allowances and councillor numbers. People are particularly concerned about councillor numbers because it represents a lessening of representation. There're no two ways about that. We can have a conversation about whether that's appropriate, whether it hits the right balance, but removing councillor numbers is a reduction in community representation. I feel quite perturbed that this unideal situation arose in the development of this bill, where people in the Tasmanian community who wished to engage with this haven't had the opportunity to do so as fully as possible. I completely accept that we won't always get those things absolutely right and, yes, there will always be limitations and people who missed out or didn't hear about it or whatever, but this is pretty fundamental. We're talking about a pillar, a principle of democracy in a significant stratum of our governance and we're talking about reducing democratic representation. It's not just any old matter, it's not just any old bill, it's not just any old policy that's being given effect to here. It's really fundamental. I've probably said enough on that to make my view on it and consternation about it clear. I hope that we can think about that in a precautionary way when we're considering some of those aspects of the bill in the Committee stage if we get there.

On the matter of changes to councillor numbers, the quote from the second reading speech that jumps out to me is, 'Having the "right" number of councillors to serve the local government area is critical to ensuring effective and efficient governance, representation, and service delivery.' I think that's an interesting comment because I think to myself, sure, but what constitutes the right number is a very nuanced question, particularly in relation to each of those things, in relation to effective and efficient governance, in relation to representation and in relation to service delivery. Those are all distinct areas and the question about what the right number is, is quite nuanced for each of them. For me, the primacy in that consideration should go to representation. What is the right number for representation?

We hear, on the one hand, the arguments made that Tasmania is over-governed because we have a high number of councillors per person; apparently, second only to the Northern Territory across Australian jurisdictions of states and territories. I find those sorts of assertions and the suggestion that having that high number per capita representation is a negative problematic and in error. When you look at the facts, our proportions are not that different to most states and territories - the Northern Territory, Tasmania, South Australia and Western Australia are all fairly similar. Also, the government's proposed changes aren't going to shift where we sit very much. We will move from being second-most to third. Our ratio will change from one councillor per 2120 people to one councillor per 2746 people. It shifts the data a little bit. It doesn't move us much compared to other jurisdictions. If how we compare to other jurisdictions is an important indicator, then why are we only shifting ourselves so minimally? The answer to that is because it's fundamentally not the right question in determining if we have the right level of representation. How we compare with others isn't the right question. What's a functional level of representation to deliver what we need to deliver is the right question here. What represents something that's democratically robust is the right question here.

We do have a higher number of councillors than some of the other states, Victoria, New South Wales and Queensland quite distinctly, but we have to ask, are we comparing apples with apples when we compare ourselves to those states? They are the three largest and most populous states in the country. We have an entirely different arrangement here in our state with our decentralised population. We are not entirely clustered in the capital city, which those three states virtually are, with a huge proportion of their population there. We are decentralised. We have a lot of discrete rural and regional communities around our state. That is absolutely the basis for an argument for a different framework and a different level of representation. Local government is about communities of interest and, if you're not all just clustered into a great big urban area, then communities of interest do look different.

I think it's problematic to make the assertion that we're over-governed. I think we are differently governed because it suits our different and unique situation here. It's not necessarily a bad thing. We should always be asking ourselves, is this the right arrangement? We should look to improve it, but that doesn't mean we have to solely on the basis of bold comparisons of numbers with states like New South Wales or Victoria that say that we're wrong.

I note the argument that apparently some councillors are voted in with very few votes and apparently this is undemocratic. This is a problematic assertion, entirely problematic. Any multi-member electoral system is going to have the potential for some members in the multi-member electorate to be voted in on a smaller number of votes. That's how it works. It's how our Hare-Clark system works, too. I think this is a stalking horse for criticising our Hare-Clark system. I think any member here should be incredibly careful about accepting this argument as a reason for changing the local government arrangements on representation because it's a stalking horse for making criticism of our world-class, democratic gold-standard Hare-Clark system in our lower House here. Just watch out for that.

Apparently the way things have worked at the moment - I think the example that was given in the discussion paper was that in 2022 a Flinders Island councillor was voted in on 17 presumably primary votes. If that councillor position was removed, the next councillor up from that received 22 votes. If you reallocated the 17 because we had reduced the numbers, for example, on that council, you'd be reallocating 17 votes across the rest of them. The one above them who received 22 votes might have got some of those 17, they might have had their votes

bumped up to what, maybe 25? Still, on this argument, a small number of votes, right? That's problematic because it's the way the democratic system works. This is how a multi-member electorate being and having members voted in that situation works. We have the same thing that's happened here. We can look at our House of Assembly or even our Senate elections at a federal level, we see members in our lower House seats, the final members in our Hare-Clark arrangement voted in on a small percentage of the votes. That small number of votes in Flinders - it sounds so exciting, doesn't it, to say, oh my God, 17 votes is all that person got. Well, really? Apparently, that was actually 2.4 per cent of the votes that were available. Sometimes in our Hare-Clark system the person voted in seventh got a similarly small proportion of first preference votes. The way we arrange this is that you cluster around, you do the redistributions across the counts. This is our democratic way of filling multi-member seats. Again, it's more about the quality of people we have coming forward for election and having great candidates stand. Whatever arrangement we put in place for multi-member elections, the more people of great quality we have standing, the better we get a great set of people come out the other end elected - even if some of them who are the last few to be elected are elected on smaller proportions of votes.

Cutting numbers right down to something as low as five is problematic. We've pulled back from what was suggested in the discussion paper to what is in the bill here. I still find that problematic. Seven is problematic to some extent, to be honest. That's the current number for some of our local councillors already. You have a much higher barrier to new entrants the smaller the number gets. You have much less diversity of opinion around the table. You have a much greater chance of there being problematic interpersonal relationships that influence the way decisions are considered and made. It can be really difficult if you get down to a number as low as five in this sort of governance arrangements. That's not even getting to the issue that has been raised by other members in their contributions, which is relating to problems if people are absent for some reason, or if they have to step aside because of a conflict of interest. If there's a reason they're not there when a decision's being made - you might have a quorum that is quite low and then a majority of that quorum being only a handful of people making potentially significant decisions. That is a very well-made point, and the member for Launceston spent some time speaking about this. I agree with the things she was highlighting in terms of a problem.

The issue of five as a functional number of people to make decisions on behalf of a community is a question we haven't given enough consideration to yet. It was in the discussion paper that went out last year. There was some stepping back from it in this bill to make it only an option that could be for certain councils to consider requesting. I still find that highly problematic, especially because in this bill there is not a high enough bar for how that request can be warranted. I don't think it does strongly enough require the right level of community consultation and endorsement of such a request going to the minister. There can be the risk of self-interest of current councillors of the day who might be making that request of the minister that is present in the way it's laid out in the bill. It's highly problematic we don't have enough accountability on how that request would be made, how the minister might assess that request and then assessing the impact of that request.

Whether it was the right thing to do down the track and whether it could be reversed, I am not of the view we are in a position to say it's the right thing to do to allow councils to reduce their numbers to five at this point in time. That should be, under the precautionary principle, something that's given much more thought to and potentially addressed down the track. Given that, I've got amendments to that effect that I've shared with members already, and

I will make an argument for if and when we get to that stage in the Committee section of our consideration of the bill. I just don't think the case has been made. I don't think the consultation has been undertaken appropriately. I think that not enough urgency to progress that element of the bill has been demonstrated for us to endorse that aspect at this point in time.

I think, broadly, the whole concept of us reducing our representation in many across-the-board ways is problematic. Obviously, when you looked at the submissions made to the discussion paper last year, a whole lot of issues were raised by councillors. There were actually higher levels of divergence in views put forward. There was a stark divide, in fact, with some councils and some people in support of reductions of councillor numbers and others very much against it. Certain municipal leaders welcomed adjustments. Other members have read in various parts of submissions or correspondence from different councils, but we did see also in those submissions some pretty severe criticisms from academic experts, from community advocates, and from various individual councils around some of the matters presented.

I think that really has to give us pause. We really do have to think to ourselves: what's right here? I appreciate the argument that what we have now is a hodgepodge that has sort of organically been arrived at over time and it isn't able to be consistently - there's no consistent rationale behind why x council has nine, y council has seven and z council has 12 necessarily, so I appreciate that there's an inclination to try to systematise that and to make that, in some sense, a consistent approach that we can apply. I just don't know if we have sufficiently, actually gone through a process to arrive at what we've arrived at in this bill. I have a lot of concern. I'm mindful of time so I will move on.

I do think that, as a broad democratic principle, when you take away the level of representation and when you lessen it across the community, we're weakening accountability. We are potentially amplifying marginalisation. It does make it more difficult for new entrants and for more diverse, marginal entrants to enter into these spaces. We potentially increase apathy and disengagement. If people in the community think, oh, well, there're those seven spots, the same seven people always run, everyone knows them and knows their name, so there's no point me having a go, it's also that people disengage from even an ongoing interaction with their local members and their local decision-making because they just see that same small group of people, a handful, making the decisions and going forward without necessarily feeling like there's an opportunity to influence that or be heard. That's problematic.

Again, I think it's highly concerning to be lessening our democratic representation. I would have preferred our emphasis to have been to level up rather than level down, actually. I'm saying that being mindful that, of course, that has financial implications when we're also talking about raising allowances, and I don't think that needed to be a zero-sum game. I think it's an imposed narrative that we had to do this in some sort of cost-neutral way. The raising of allowances isn't so exorbitant that it was going to be beyond the pale that we could maintain or potentially consider increasing, in some instances, councillor numbers. Anyway, we've got what we've got in front of us for today to consider, so we can only look at what we can do in this bill.

Some other thoughts that I had is that we are only, I mentioned earlier, one local government election into the change to compulsory voting for local government elections. We only did it for the first time in 2022 and we have yet to well understand what impact that has had and will have as it becomes more embedded on our local government electoral landscape,

on the candidates who stand and who are elected. We are yet to be able to observe and see any patterns or trends in, say, the intrusion of party-aligned candidates into our local government electoral space, among other things. I feel like it's a shame in some ways that we would think to be doing significant changes to representation in terms of numbers at a time that we're still to understand how compulsory voting is playing out in who stands and who gets elected in our local government elections.

To move on to the other important aspect of the bill, standards of conduct: this is clearly a matter that could and should be progressed, I think, with really good thought behind it. We've seen a lot of obvious consultation and interaction with the relevant stakeholders on how to deal with this. There are clearly issues that need to be dealt with here. We are clearly, under our current system, not able to manage inappropriate, improper, damaging, harmful behaviour in ways that are timely and effective. When the second reading speech points to the need for stronger mechanisms to address instances of serious misconduct by a councillor, I agree that that's needed. I agree that we do have to consider what the community would expect in this space, but I think we also have to be really careful that we are not breaching or setting aside important democratic principles as well. Some of my remarks are going to focus in on getting that balance right.

We do have the new serious misconduct provisions, and I support the fact that it will be further defined under ministerial guidelines. I think we absolutely needed the flexible early-intervention tools to address these things, which the bill provides for. Essentially, an assessment is made quickly on whether it's likely the complaint is relating to serious misconduct and if so, via the director, it can be sent to TASCAT to be dealt with. I think that is an excellent development. That's going to address a whole range of issues around what has been experienced under the current system, where there's a lack of timely, appropriate responses. We won't see that anymore if we are able to fairly quickly send it off to TASCAT for assessment. I think that's appropriate. TASCAT will, under this bill, then have a range of considerations it can look at in terms of sanctions if a finding is made of serious misconduct as a result of a complaint.

Overall, I think it is positive for there to be a range of sanctions available to TASCAT at that point, although I do have some specific concerns about some of the ones that are listed there. The ones that I think are really important, new ones that are beyond what's available anywhere now in our current system, is that a fine can be levied. I think that actually could be a significant tool in the toolbox here to help deter and prevent repeated misconduct behaviour, which has been a real feature. People have been able to point to the current system utterly failing to deal with that.

Quickly getting it to TASCAT, giving TASCAT the ability to put in place a period of time that the person has to stand aside, up to six months, is really positive, and can levy a fine. It's not an insignificant fine either, I think I'm correct. When I quickly looked it up, it's 50 penalty units, which I think is about \$10,000. That's nothing to sneeze at. If TASCAT makes a finding against you and they use a number of things on the list that's available to them, for example they might say you have to apologise, you have to do this training, you're banned for six months and you can pay \$10,000, thanks very much.

Compared to what's available now, all of that being able to happen in a much quicker timeframe compared to what's available now should, I think, have the opportunity to make a significant difference, particularly to people who are presently, unfortunately, repeat offenders

in this space. If and when we get there, I will argue some of the more problematic options provided in the sanctions list to TASCAT can be paused or adjusted because of the risks they pose to some democratic principles, and we can allow it to play out under what is provided for otherwise, as I've just said, and see how well that works. There's enough that's different there already that can make a difference in outcomes to what we're seeing now.

The ones I have particular concerns about are the disqualification from office for up to seven years that can be done under the current arrangements in the bill. That's problematic. There's an amendment being brought to us to consider there, which I support. I drew up an amendment also which I suspect I won't need to move because the amendment from the member for Montgomery in that space should be considered very seriously and supported.

The other concern, in the list of sanctions there in the bill, is that TASCAT can look at dismissing from office. Now, I appreciate there's alignment with some other sanctions in the bill, but those are ones that are brought through courts and for behaviour that's being dealt with through a court. This is not a court, it's a tribunal. It's a different level of consideration of a complaint. I have really serious reservations about removing an elected person from office and that power should not be given lightly in any sense. It's not that's what's happening here, but we would do that as a last resort. It's an important democratic principle that somebody is elected by the people and they can be removed by the people by not being elected next time. If we start looking at providing powers to remove people from office any more broadly than is absolutely necessary - and the power is still there for courts to do that here for behaviour that is going to be dealt with in the court, that's still available. To give it to the tribunal is overreach at this point in time. The tribunal would be incredibly disinclined to use that, but I don't think we should be putting them in a position of having to consider it. I don't think it's appropriate to be there. That's an argument I will make if and when we get to that.

I know the horror stories that are being rolled out about bad behaviour currently in this term of local government, which has certainly made the case for the need for change here. It has promoted the need for the reforms in this bill. That's because the current system has utterly failed to address those things. It has been insufficient. There is plenty we are doing in this bill that is a game changer for how things can be dealt with. But I really encourage us to think carefully and apply the precautionary principle, particularly when matters of democratic rights and principles are at stake. It's certainly no small thing to remove an elected representative from office. It's no small thing to prevent a citizen from standing for office and for the people to decide whether they want that person as their representative.

To wrap up my contribution, there are some specific questions. I will put some of them now because then they will be able to be followed up in more detail potentially during the Committee stage. I know it's right at the end of my contribution, so it's difficult; I should have put the questions at the start, so you had time to consider them. My apologies, but we can always follow up anything you have to respond to now, Leader, in your summary on these questions. We can potentially explore it in more detail during Committee stage.

On page 39 of the bill, in that list of sanctions that TASCAT has available to them we were just speaking about, in that list, (d) prohibiting the councillor from nominating as a candidate at any ordinary election or by-election for a period not exceeding 7 years, this is the one I'm talking about. This has been raised with me by somebody external and I couldn't answer it when they asked me about it. I put it here so we can get clarity - neither this bill nor the principal act defines 'election' or 'by-election'. Here in paragraph (d) of this clause, when we're

prohibiting the councillor from nominating as a candidate at any ordinary election or by-election, are we sufficiently specifying local government election and by-election? Or because we haven't defined those things in this bill or in the principal act, are we actually leaving it open that we're prohibiting a councillor from nominating for any election of any kind at any level of government in this state - state government as well? That's my question here on that.

The other area relates to the arrangements on alternative voting. There's a section of the bill that relates to alternative voting. The first question is: were the matters relating to alternative voting in this bill consulted with disability representative organisations? A pretty straightforward first question.

Then there will be more detail to go into during Committee, so I won't bog us down but start the ball rolling. In many ways, I can see in the provisions in this bill the attempt to replicate and mirror some arrangements and things laid out in our *Electoral Act 2004* that apply to our state elections. But there are some important differences. One of them, for example, is when we look to the *Electoral Act 2004* in a similar section, it has an object for the alternative voting section in that act. Here, in this act we're not putting an object in. The reason that that's potentially problematic is that the object in the *Electoral Act 2004* says this:

The object of this division is to ensure that electors of all abilities and needs are reasonably provided with the opportunity to vote at an election.

That sets up the object at the start of the section that refers to alternative voting. It's an important way to interpret then that section. Why haven't we replicated an object in a similar way across into this bill for this section that relates to alternative voting methods?

Then I have some more granular questions about the alternative voting sections that are probably more appropriately gone into during the Committee stage, but I certainly would like those two broader questions answered if I could, at this stage of things. That was, were disability organisations consulted on what's in this bill on alternative voting? Why haven't we brought across objects that would replicate what's in the *Electoral Act 2004* in its similar section? That will start us off for this section.

The other thing I flag with members, because I've done an updated set of amendments and sent them around, is relating to that section of the bill about temporary advisers and reports they may make to the minister. The amendments I've made are about transparency on those reports. We will discuss them at the time should I bring them in the relevant section. My aim behind it is applying a principle that the voters in that local government area will ultimately be paying for the reports made by temporary advisers because I think the costs of temporary advisers are going to be borne by the councils. The reports should therefore belong to the council on behalf of the voters who have paid for it, and in most circumstances should be able to be made public. There would be a justifiable set of circumstances where that might not be the case, but I have an amendment to the bill which basically requires the tabling of those reports except under certain circumstances. I hope members might take a look at that and will discuss it more in the Committee stage.

On that, I support the bill through to the next stage. I'm hoping we may make some tweaks and adjustments to this bill. There are some really good reforms and changes in it that are important and will assist our local government sector to undertake its role and to do so in a way that's more effective and less harmful, but we've always got to have in mind the degree to which

we are being mindful of and protective of democratic principles when we're talking about anything to do with electoral systems in this state.

Currently, our Joint Standing Committee on Electoral Matters formed in this place in 2024, doesn't have in its purview matters to do with local government elections. That may be something we look at down the track because, on behalf of this parliament, my personal view is it would be very worthwhile for our Electoral Matters Committee to look at local government and have such matters in its purview. That would allow for a parliamentary mechanism on a regular basis that could be the 'go-to' spot for inquiries, election reviews, and all the sorts of things that the Electoral Matters Committee does in relation to state government-level electoral processes. That's a discussion for another day, but there are matters in this bill as part of these reforms that could well have gone through the Electoral Matters Committee to great benefit for our parliamentary consideration.

I note the bill and support it through to the next stage.

[4.21 p.m.]

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Mr President, I acknowledge the very considered contributions that have been made to this very important debate. I believe the importance of local government has not been lost on anyone in this place. Whether you have a background in local government or not, we're all members of a community and we all have a local government area, whatever our situation is.

I do have quite a lot of answers to questions and I trust that they meet the needs and expectations of members. I mentioned to the advisers sitting up in the corner that if members don't feel that their questions have been answered adequately, they will let me know and I will deliver that message in turn. I want to very much thank the advisers who have been with us on this journey so far. I know there's quite a bit more to go but I thank them for their diligence and having typed answers is very much appreciated, I can assure you.

I know that there will be an overlap of some answers to some questions, and I will name the member; and if I miss that another member asked a question and I haven't allocated it to them, please forgive me, and we will work through that in the Committee stage, if we get there. Never assume that.

The first area is the TASCAT workload, consultation and funding for the members for McIntyre and Murchison. The expected case volume for TASCAT is extremely low. This is a targeted mechanism for rare egregious behaviour. We hope there's not a lot of that in local government. Individuals and councils cannot apply directly to TASCAT; the Director of Local Government acts as the sole statutory gatekeeper, ensuring only thoroughly investigated cases proceed. TASCAT has been consulted on this framework and has expressed confidence in this model, noting the statutory design will keep the referral volume tightly constrained.

The members for McIntyre and Montgomery asked about temporary advisers and their powers. The bill provides temporary advisers with the necessary powers to effectively undertake their roles and functions, specifically information-gathering, with authority to access council premises and ensure they are not subjected to deliberate obstruction. It should be noted that the role of an adviser is advisory only. They do not have any powers to direct councils or make decisions on their behalf. This is a different model to the appointment of an administrator or commissioner under a board of inquiry process and is intended to help avoid the need for

such processes by allowing for earlier intervention and support where there is evidence that it is needed.

Advisers will not be appointed lightly and the bill provides clear matters that the Director of Local Government must consider before recommending their appointment to the minister. This includes evidence of emerging governance and operational deficiencies such as - and I asked for some examples because I thought that would be useful for members working through that, and especially myself - ongoing or unresolved conflicts among councillors or between councillors and council employees that disrupt effective decision-making; governance practices that risk undermining transparency, accountability or compliance with the principles of sound and prudent management necessary to deliver the council's functions; financial management practices that include potential risks to the council's financial sustainability; and credible complaints and reports on other information that suggests systemic operational challenges.

This one is for the member for Montgomery: the role of local government and charter concerns about the broad scope and potential ambiguity especially regarding climate change. The query was whether the local government charter is subordinate legislation and therefore disallowable by the parliament. The answer is, the role statement included in the bill was developed through the Future of Local Government Review, which involved broad and deep consultation with the sector and community over an almost two-year period. The role's statement is intended to reflect contemporary concepts of local government well beyond roads, rates and rubbish, and guide how councils perform their duties. In doing so, it will help establish a clear framework to distinguish between providing direct services versus advocating for action from state, federal or the private sector. Specifically, the proposed charter will establish principles and requirements that councils must consider and navigate before assuming services or functions that fall outside their traditional scope. It will also establish and define clear good-governance principles for the sector in subordinate legislation, which has not been the case until now.

Given its importance as a foundational document in guiding how local government is to operate within the remit of its new role, including its relationship with the state government, the charter does have the status of subordinate legislation and will be subject to parliamentary scrutiny.

In relation to the specific question about climate change, and in direct response to sector feedback regarding community expectations, the government has removed the previous reference to 'mitigation' in respect to climate change from the statutory role statement in the final bill. While the role did not explicitly imply a role for councils in mitigation and those associated broader policy settings, government recognised the inclusion of the term 'mitigation' may have created an unhelpful perception. I want to be clear that the role is designed to act strictly as a strategic overlay to guide how councils perform their existing responsibilities, not to impose a new suite of unfunded operational functions. I hope that gives the member some additional information and some level of comfort.

The next area that I'm going to cover was raised by the members for Montgomery, McIntyre and Elwick: workforce development and the support for general managers (GMs) and cost to councils. I think that was covered by nearly all members because they were such detailed contributions. The bill introduces a requirement for general managers to develop and adopt a workforce development plan for their councils once every term of council. This

implements recommendation 3 of the Future of Local Government Review. The requirement provides for substantial flexibility for councils to shape these plans in a way that meets the scale, needs and circumstances of their individual workforces.

The development of the plan in and of itself is not intended as an onerous or costly task and reflects existing good practice at a number of councils. It's certainly my hope and expectation that smaller councils will be able to engage with and leverage the existing capabilities of larger councils via a collaborative engagement supported by the Office of Local Government and LGAT. Early discussions between the Office of Local Government and LGAT have identified a need to work together to develop support material, guidelines, templates, et cetera. This will occur in the lead up to the implementation, which is not at this stage planned until the second half of 2027 under the government's proposed phased implementation plan.

A question asked by the honourable member for Launceston, why is the general manager statutorily responsible for developing the professional development policies for council, given the elected council is actually the GM's employer: a very good question, and while the policy is prepared by the general manager, the provisions provide that the document is ultimately approved by the elected council. The general manager is well placed to work with the elected council to identify areas where support is required, ensuring the draft policy is tailored to the elected body's operational scope, duties and specific needs.

Again, the member for Montgomery, I think to this question on numbers and allowances and particularly section 28JAD, will orders be made by the government but subject to parliamentary scrutiny, the answer is no. The bill provides that the Governor may make an order adjusting numbers and/or allowances following either a routine four-yearly review, or a request by specified councils to move to five elected members on the recommendation of the minister. Parliament will not have a role in this process. This is consistent with the existing order-making provisions under section 214E which provide for a range of changes to councils, including amalgamations, where such changes are recommended by a local government board.

In relation to the new order-making powers, parliament is being asked through this bill to agree to a clear framework and process in which changes to numbers and allowances reforms can occur. Further parliamentary scrutiny of the outcomes of the application of those processes is not considered necessary, given the constraints they place on the minister in making any recommendations to the Governor. In the case of routine reviews, for instance, the minister may only recommend changes that result from the application of the methodology that is being approved by the parliament in this bill. The minister may not make recommendations to the Governor outside of that statutory methodology.

Again, the member for Montgomery, on serious misconduct, are these guidelines subordinate legislation and therefore disallowable by the parliament: the serious misconduct guidelines are not subordinate legislation and are therefore not a disallowable instrument. The parameters of what constitutes misconduct are established in the bill itself. The guidelines are intended to support decision-makers, including the Director of Local Government and TASCAT, in assessing conduct against these parameters. They are subject to mandatory community and sector consultation, but will ultimately not be binding on decision-makers, given their advisory status. I can provide assurances to the Council that, consistent with the intention of the consultation provisions in the bill, all feedback will be duly considered in the development and finalisation of these guidelines.

Again, the honourable member for Montgomery, why does the bill contain so many provisions for ministerial orders and what is driving this trend? The targeted reform bill creates heads of power for substantial detail to be prescribed in subordinate legislation and other instruments, including ministerial orders and guidelines. This is consistent with contemporary legislative drafting practice and supports the move, as recommended by the 2020 local government legislation review, towards a more principles-based legislative framework which provides for the establishment of fundamental policy direction in principal legislation while allowing for greater flexibility in subordinate legislation to respond to changing operational and other circumstances in the sector. This is not an attempt to avoid scrutiny or transparency; all order-making provisions are subject to mandatory consultation required under the bill. It's also noted that the act presently includes a number of ministerial order-making powers which are currently utilised, including:

- Local Government (Audit Panels) Order 2014;
- Local Government (Appointment and Performance of General Managers) Order 2024;
- Local Government (Content of Plans and Strategies) Order 2014;
- Local Government (Code of Conduct) Order 2024; and
- Local Government (Management Indicators) Order 2014.

Another answer where there were matters raised by the honourable member for Montgomery and the honourable member for Launceston in regard to temporary advisers and questions about qualifications for advisers, and concerns that costs are imposed on councils: the bill provides that a temporary adviser is appointed to a council by the minister on recommendation of the Director of Local Government, who is an independent statutory officer. As part of any recommendation, the director would specify a suitable person to be appointed as an adviser. The bill provides threshold tests to guide the director in recommending whether an adviser be appointed. In recommending a suitable person, the director will consider the expertise of a person relative to the issues experienced by the council, for example financial, operational or governance.

The bill also provides procedural fairness to councils facing the potential appointment of an adviser, giving them a right of reply to a proposal from the minister to appoint an adviser, and this would include the opportunity to consider the proposed appointee or appointees. The objective here is to ensure that there is as much buy-in as possible by the council to which the adviser is being appointed. I also want to reiterate that the adviser's role, as the title suggests, is purely advisory. Their role is to monitor and provide advice and assistance to councils. They will have no direct influence or control on the operations or functions of a council while present and their recommendations are not binding.

With regard to costs, consistent with the existing statutory arrangements for a board of inquiry - I will get my blood pressure up again - the minister retains discretion regarding cost allocation. Oh, that's good to hear. I will be able to take that message back to my community. This flexibility allows the minister to equitably determine which costs should be recovered from the council and which, if any, will be absorbed by the state, taking into account the specific circumstances.

Three members on the implementation burden on councils, especially new strategic planning and reporting requirements, so the member for Launceston, the member for Murchison and the member for Montgomery - certainly getting a gig here today. The government has developed a staged implementation roadmap specifically to avoid hitting councils with an operational rush prior to the October 2026 elections. While integrity measures such as the serious misconduct pathway and temporary advisers will commence upon or soon after royal assent, the new strategic, operational and planning requirements will be staged over the first part of the new council term. This staged approach ensures councils are not overwhelmed, allows time for the state to develop and provide necessary practical assistance, and ensures the newly elected cohort of councillors has genuine ownership over the development of their strategic documents.

The Office of Local Government and LGAT will continue to refine a detailed reform, engagement and implementation schedule to provide councils with certainty regarding the rollout of subordinate legislation and supporting instruments, and ensure change is manageable, logical and provides councils with sufficient lead time for more complex changes. Implementation and transition costs are not expected to be significant, given a large number of councils already meet many of the requirements proposed under the bill and taking into account the phased approach.

The member for Murchison, with a query on the need for serious misconduct provisions, particularly the size of the stick with respect to dismissal and barring provisions. The concept of serious councillor misconduct creates an avenue to respond to serious breaches of the councillor code of conduct involving conduct that falls so far short of community expectations it warrants potential dismissal and barring of an elected member from office.

Presently the most serious sanction that can be issued by a code of conduct panel is a three-month suspension. The only way for a councillor to be dismissed currently are if they are convicted of a crime, suspended three times for code of conduct breaches, and convicted of misuse of public office or improper use of information.

There's more, just being delivered. The state cannot presently dismiss a councillor if they are convicted of an offence that is not a crime. Examples of offences that are not crimes include prohibited behaviour - the member for Murchison talked about the former Waratah-Wynyard councillor who was convicted of this offence - common or aggravated assault, motor vehicle stealing, possession of stolen property, stealing with force, computer-related fraud and supply of alcohol to minors. There are a few examples that have been presented and that are not crimes.

There is also no way of dismissing a councillor for deliberately undermining the functioning of council, such as aggressively and repeatedly disrupting council meetings or intentionally bullying or harassing other members of council or council staff. The serious misconduct provisions are intended as a circuit breaker that would likely be used on very rare occasions but are also intended to act as a clear signal and a deterrent that serious misconduct will not be tolerated. I repeat that: it's a clear signal and deterrent that serious misconduct will not be tolerated. All other jurisdictions can refer a councillor to a tribunal that has the authority to dismiss the councillor and to bar a councillor from running for office for certain periods.

There are several safeguards built into the proposed model to ensure a referral for serious councillor misconduct is only contemplated in those rare instances as indicated above. These

safeguards intentionally seek to prevent the weaponisation, and the provisions for political purposes, or to constrain political expression or communication.

Firstly, the factors to be considered when determining serious misconduct have a clear focus on conduct which is unlawful, or which go to the actual or potential risk or harm to others, or which impact on the ability of council to perform its statutory functions. For example, instances where there is evidence of bullying and harassment may, for example, trigger a potential referral, as could serious instances of misuse of council resources or information involving collusion, dishonesty and personal financial gain.

Secondly, an application to TASCAT for a decision in respect to serious councillor misconduct may only be made by the Director of Local Government following an assessment and an investigation in which the director is satisfied that the conduct is likely to meet the established test. Matters may be referred to the director by other authorities, including the Code of conduct panel, the Integrity Commission or the Ombudsman, but an allegation of serious councillor misconduct cannot be made directly to the director or to TASCAT by a councillor or community member.

Thirdly, TASCAT retains the discretion to accept the application and, where accepted, proceeds with the matter in accordance with the provisions of the TASCAT Act. A councillor who is the subject of serious councillor misconduct proceedings is entitled to legal representation as part of those proceedings. It is also open to TASCAT to make a finding of an ordinary breach of the code of conduct where it believes the conduct does not meet the seriousness threshold. And finally, for this question, not finally, where TASCAT finds that a councillor has engaged in serious misconduct, all the usual appeal avenues are available to the councillor.

To the member for Hobart: community input not received on allowances and numbers. The government's proposed numbers and allowances reforms were consulted on separately but in parallel to the other reforms being progressed via the targeted reform bill, noting the legislative amendments needed to give effect to numbers and allowance changes are now included in the final bill. On 12 September 2025, the Tasmanian government released a discussion paper on its proposed numbers and allowances reforms. That discussion paper noted that the changes would require relatively straightforward supporting legislative amendments to implement. The timing of the targeted reform bill subsequently provided an opportunity to include these changes in that bill before the 2026 elections and avoid a separate legislative process.

The discussion paper was released for an eight-week public consultation period, closing on 7 November 2025. The reforms attracted significant community and media interest, including prominent articles and editorial coverage in *The Mercury*, *The Examiner*, *The Advocate* and on the ABC. There were 49 submissions received during the consultation period, including 24 from councils, nine from individual councillors, 13 from members of the public and three from organisations. All submissions are published on the Department of Premier and Cabinet's website. The final position paper, released in March 2026, makes reference to the key issues and themes flagged in consultation, which informed the final position.

To the member for Elwick. What if a community strongly opposes a council's request to go to five after it is made? It is at the discretion of the minister to approve a request made by a council with respect to a reduction to five members. If there was evidence of deficient

community engagement or strong opposition to such a request, that would be central to the minister's consideration as to whether or not they exercise that discretion.

Again to the member for Elwick. Who will pay for mandatory training? It is appropriate that the local government sector takes ownership of the design and delivery of its own professional development and LGAT acknowledges this. To support this transition, the state government provided funding to LGAT to develop the framework, fund online modules and establish a learning management system. The ongoing operation of the system will be funded through council contributions to LGAT.

Again the member for Elwick. Is it fair that this bill is setting a higher bar for MPs with training? The role of councillor is highly complex, with responsibilities for strategic decision-making around matters such as planning and the management of millions of dollars' worth of community assets. They also operate within a different governance framework than state parliamentarians, without the direct accountability of the parliament. It is, therefore, reasonable that councillors have at least a baseline understanding of their role and responsibilities, which the mandatory core learning requirements look to provide.

Ms Thomas - Through you, Mr President. I appreciate the answer about the five and the community consultation. My question further that I'll ask in Committee is, if approval to five is given and then it goes bad, can the minister withdraw that approval?

Ms RATTRAY - Noted, Mr President. I've had exceptional support today and prior.

The members for Murchison and Hobart, why isn't the government progressing structural reform or amalgamations instead?

Ms O'Connor - Through you, Mr President. I wasn't advocating for amalgamations, just to be clear, forced amalgamations. It's a discussion that needs to be heard.

Ms RATTRAY - I'll just take that off, Mr President.

Ms O'Connor - You don't want to force councillors to do this. Just be careful.

Ms RATTRAY - I won't refer to any member for that. I will just make a comment around why the government isn't progressing structural reform of amalgamation and I take that back. I may have misheard that as well.

Ms O'Connor - I may have been a bit loose with my language.

Ms RATTRAY - The allowances and numbers reforms are wholly unrelated to amalgamations and are aligned with the broader package of reforms in this bill that aim to uplift governance standards and make the role of councillor more appealing and accessible to a greater cross-section of our community. The government has adopted a policy of no forced amalgamations in response to concerns from the crossbench, councils and communities. There you have it. The government is still working with councils who have a genuine interest in exploring opportunities from voluntary structural reform. I hear some chatter in two of my communities from time to time in that regard and I expect that will continue.

The member for Elwick, somewhat nervous about attributing questions and answers now, but I will continue. Will the annual allowance indexation still apply? Yes, that process is in the local government general regulations and still applies from 1 November each year.

Again, the member for Elwick about superannuation and the suggestion it should be paid separately. Councillors have received a 9 per cent superannuation equivalent component of their allowances since 2004, which was raised to 12 per cent last year, in line with the national increase to the superannuation guarantee. During the allowance and numbers review, it was tested whether to make it mandatory for councils to pay this figure into a councillor's nominated superannuation account. Feedback on this was not comprehensive to support a case for change. The sector is broadly comfortable with the status quo, noting that the flexibility currently provided for councillors making voluntary contributions recognises the diversity of their circumstances. Of the 23 individual council submissions on the reforms, only five councils supported mandatory superannuation and that included Glenorchy City Council.

Again, the member for Elwick, why is the chair responsible for approving remote meeting attendance? The new remote meeting provisions are designed to establish a clear yet flexible framework with a legitimate range of circumstances where the chair of a council meeting, typically the mayor, may approve a councillor's request to attend a meeting remotely. It is appropriate that the chair be given a degree of flexibility to use their judgement as to whether or not they are reasonably satisfied that any of the valid specified reasons for remote attendance are met. The objective is to allow for flexibility when it is genuinely required, but to ensure face-to-face meetings remain the default and remote attendance is not allowed on an 'as of right' basis. I think the member for Launceston just used a bit of an example about looking in and watching a council meeting. I was very impressed.

Further supporting this objective is the restriction on an elected member being able to attend remotely no more than one-third of scheduled council meetings in a given calendar year and establishing highly prescriptive test thresholds or requirements, such as defining the exact threshold of an injury, providing an exhausting list of compassionate reasons, or determining how family relationships are verified. It is likely to make the job of a chair more complex than it needs to be and opens up the risk of a chair not being able to act responsibly and with appropriate discretion if certain unforeseen circumstances were to arise that, nonetheless, should allow a person to attend remotely. The requirement that the chair must be reasonably satisfied that a valid reason exists acts as a measure to ensure fairness. This imposes an objective legal standard, meaning the chairperson cannot act unfairly or unreasonably refuse a genuine request. It is open to the chair to take advice from the general manager when making these assessments, but it is appropriate that the chair has the final decision.

Again, the member for Elwick, why is the government limiting a councillor's ability to attend meetings remotely to only one-third of scheduled meetings in a calendar year? Local government is a community-facing institution. The default statutory position under the proposed new regulation 45 remains that councillors are required to attend meetings in person to ensure robust face-to-face debate and transparent decision-making. The provisions recognise that life circumstances such as acute illness, sudden caring responsibilities or work-related travel can occasionally prevent physical attendance. Regulation 45A provides a pragmatic mechanism for councillors to participate remotely when these specific situations arise, without losing their voice at the table. Our government has consulted extensively on the draft regulations and the local government sector agreed that the one-third cap represents the right

balance, ensuring councils continue to meet in person where reasonably possible while preventing remote attendance from being the permanent norm for individual councillors.

A common question is how this cap affects a councillor requiring long-term medical recovery. This bill is designed for temporary disruptions. Extended convalescence is already appropriately provided for under existing leave of absence provisions. It is also important to note that if a chairperson declares an entire meeting must be held remotely due to exceptional circumstances under regulation 45B, such as a severe weather event, attendance at the meeting does not count towards a councillor's individual one-third cap.

Back to the honourable member for Launceston, do the considerations in the serious misconduct provisions only capture physical impacts of misconduct or do they also include psychosocial harm: I can confirm that harm under the new serious councillor misconduct provisions is not limited to physical injury. It expressly extends to psychosocial harm.

Again, to the honourable member for Launceston, explain the cost neutrality of the numbers and allowance proposals: under the initial reform proposal, the allowance increase percentage was determined so as to be offset by the reduction in councillors. This meant no council would incur a cost of increasing their councillor allowances, aside from a small number of councils that progressed an allowance band under the new methodology. This has slightly changed due to no council reducing their number to five councillors, but no council has expressed any concern with incurring a cost from increasing their allowances.

Again, to the honourable member for Launceston and the member for McIntyre, will the state or LGAT be providing off-the-shelf model policies to help reduce the administrative and financial burden of these requirements: many of the new requirements are expected to be supported by models and templates to reduce administrative burden and support compliance. I'm also advised the Office of Local Government and LGAT are refining the implementation approaches for these reforms, and this includes consideration of which new requirements will benefit from that kind of approach. This has worked well in the recent past for other statutory documents.

Again, the honourable member for Launceston, what specific types of evidence will the Director of Local Government be required to provide to TASCAT when referring a serious misconduct matter, and how do we know that it won't be used vexatiously or frivolously - I have added 'frivolously': the bill provides that the director, and only the director, will be empowered to refer serious misconduct matters to TASCAT for determination. This is designed to ensure only complaints of merit are referred and avoids any prospect of this provision being used as a political weapon. TASCAT will be the ultimate independent arbiter for these matters. TASCAT is not bound to accept a referral and will make its own determinations where it does not accept a referral. All the usual procedural protections that apply in TASCAT will apply once a matter is referred to its jurisdiction, including appeal rights in respect of its decisions.

Again, the honourable member for Launceston, what measures are there in the bill to compel councillors to participate in learning and development: the primary immediate mechanism for compliance is public transparency. Councils will be required to publish training completion rates in their annual report, providing a proportionate incentive for councillors to fulfil their obligations. In cases of deliberate or material noncompliance, existing regulatory tools such as issuance of a performance improvement direction (PID) remain available.

Again, the honourable member for Launceston, why is the bill unclear on details for new strategic planning requirements: the lack of prescriptive detail in new strategic planning and reporting requirements recognises the breadth of capability and capacity across our local government sector, as well as differences in community service needs and expectations. This means councils are provided flexibility in how they develop and deliver these obligations.

For example, councils will retain discretion to explore cost-effective solutions in response to the internal audit requirement, such as aligning common audits and shared service solutions. These provisions have been configured to ensure maximum flexibility for councils to develop shared capability, and this intent will be carried over to the drafting of the order. The Office of Local Government and LGAT will engage in a collaborative engagement and co-design exercise over the next 12 to 18 months to develop and fine-tune the detail of all the new requirements - a lot of work going on in LGAT and the Office of Local Government if this passes.

To the honourable member for Mersey, feedback to concerns about reduction in representation: in assessing councillor number reductions, the government has looked at comparable rates of representation across jurisdictions and methods of determining these rates to ensure there are no notable divergences or disparities across councils. It is also noted that if broader structural reform were to be pursued through voluntary amalgamations, this would also be expected to lead to a reduction in councillor numbers overall and a further change in the ratio of elected members to community members.

Nothing in the bill prevents the future consideration of structural reform, including representation, and indeed, the methodology established by the bill provides a template to consider appropriate levels of representation and remuneration for any future councils, including those that may grow in size through voluntary amalgamation.

To the member for Nelson, will these reforms impact diversity of elected members -

Ms Webb - I didn't ask that question. I discussed that in my response.

Ms RATTRAY - Okay. The discussion was had on the reforms impacting diversity of elected members. The decision about who the community elects to represent them at a local level certainly is a matter for the community. There is no reason to believe that the next cohort of councillors will be drawn from the same pool as the current cohort or candidates from the last election. The government is putting in place a range of reforms to improve the attractiveness of running for office, including increased allowances, greater professionalism and improved conduct, parental leave and flexibility to attend remotely.

Furthermore, the technical questions, concerns that ordinary elections and by-elections are not defined and may have the effect of barring beyond local government elections: this is not the case. Both terms are defined in the interpretation of the *Local Government Act 1993*, so the scope of the barring is clear under the existing and proposed statutory scheme.

A question on disability organisations consulted on the alternative voting procedures: yes, these groups were specifically consulted in the development of the changes, most notably at the discussion paper stage.

Ms Webb - Can I just interrupt, through you, Mr President: I'd like a list, then, of ones who were consulted, because I know of an absolute central one that certainly wasn't. So, let's just be really accurate here about it.

Ms RATTRAY - Thank you. Again, a noted question, a list. I will read on, but I have certainly noted that.

Ms Webb - That's okay. We can come to it in the Committee stage, anyway, if we don't get it today.

Ms RATTRAY - Yes. I was saying most notably at the discussion paper stage, and they are being brought in in response to the experience of this stakeholder group at the 2022 local government elections. Specifically, the Office of Local Government has previously consulted with the Premier's Disability Advisory Council, Disability Voices Tasmania and Blind Citizens Australia, including via a workshop facilitated by the TEC.

Ms Webb - Not on this bill; not on these arrangements.

Ms RATTRAY - This says specifically the Office of Local Government has previously consulted.

Ms Webb - Well, I'm very interested to hear that, because that's exactly the group that I'm talking about that wasn't consulted.

Ms RATTRAY - Again, I will take that on notice.

The alternative voting procedures have also been developed in close consultation with the Tasmanian Electoral Commission and mirror changes recently put in place for Tasmanian parliamentary elections. We know that a couple of members in this place would be pretty pleased with the outcome of that.

Why is there no object in the bill for alternative voting procedures? There is no object provision to the alternative voting provisions because of drafting styles and the structure of the *Local Government Act*. This does not impede or limit the functioning of the part of its consistency with the *Electoral Act 2004* and the Tasmanian Electoral Commission is comfortable with the drafting of the provisions as it currently stands. Does that meet some expectation?

Ms Webb - That's an answer. We can discuss it further in the Committee stage.

Ms RATTRAY - Okay, right.

That was considerably lengthy and it appears from interjections from a number of members that the team down the back still have some work to do to provide another set of answers. Certainly, if members would like to make contact - I'm just checking; there might be something more. If that's alright, I will just check.

As I've said, there appear to be some outstanding responses that need to be required for members to feel comfortable. Given the time, the hour of the day, I had a discussion with the Leader's office staff and I've also been around the Chamber - but I apologise to the member for

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Murchison that she wasn't in the Chamber before I had to take the call - in suggesting that we adjourn the debate and come back to the Committee stage. Because I have adjourned the debate previously as the member for McIntyre, I need to seek leave to adjourn the debate, so I do so. I seek leave to adjourn the debate.

Leave granted.

[5.13 p.m.]

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Mr President, I move -

That the debate be adjourned.

Debate adjourned.

Ms RATTRAY - I thank members for being able to do that.

BUILDING AMENDMENT BILL 2026 (No. 1)

House of Assembly Agreed to Council Amendments

The House of Assembly advised that it had agreed to amendments made by the Legislative Council.

RESIDENTIAL TENANCY AMENDMENT (SAFETY MODIFICATIONS) BILL 2025 (No. 59)

First Reading

Bill received from the House of Assembly and read the first time.

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Mr President, I move -

That the second reading of the bill be made an order of the day for Tuesday next.

Motion agreed to.

JUSTICE AND RELATED LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2026 (No. 12)

First Reading

Bill received from the House of Assembly and read the first time.

[5.15 p.m.]

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Mr President, I move -

That the second reading of the bill be made an order of the day for Tuesday next.

Motion agreed to.

ADJOURNMENT

Ms RATTRAY - Mr President, I move -

That the Council at its rising adjourn until 9.30 a.m. on Friday 19 June 2026.

Motion agreed to.

Ms RATTRAY - Mr President, I move -

That the Council do now adjourn.

Member for Murchison - Sharing of Private Email to Media

[5.17 p.m.]

Ms FORREST (Murchison) - Mr President, I rise again this evening on the matter of the leak to the media of a confidential committee email. Last night I spoke on Adjournment and asked a simple question: who in this government shared a private internal communication with Pulse news? At the time I spoke last night, Pulse news had not published that story. Since then, the story has been published on Pulse Tasmania's website and on its social media, leading, as expected, to much public commentary - I must say, mostly positive in support of my calling out this behaviour but also, not unexpectedly, creating a forum for many further misogynistic and sexist and inappropriate comments.

I would have thought the question that I asked, concerning both the breach of confidentiality and a workplace safety matter, would have prompted some response from the government today, but no, not from any of them, not even from my colleagues in this Chamber.

Mr Duigan - Who said it was the government?

Mr PRESIDENT - Order. We can't have interjections on Adjournment.

Ms Thomas - They shared it on their webpage, on their Facebook.

Ms FORREST - The reason I'm standing on this side of the Chamber, Mr President, is I can face the only Liberal member in the Chamber this evening, acknowledging that one of the members is ill.

I did receive one call, Mr President, at 2.20 p.m. this afternoon: the Leader for the Government in this House contacted me to advise that she was unable to secure a meeting with the Premier to discuss these matters. I want to be clear: the Leader has done everything that is required of her and I sincerely thank her for that. This failure does not rest with her and it seems even the Leader for the Government in this House is not fully respected by the government she represents here. It rests with the Premier, who, when presented with a matter involving in the confidentiality of parliamentary communications and workplace safety of members and staff working in this parliament, could not find the time.

We do not sit again until mid-June, as we just moved in the previous motion - almost four weeks to go. This means four weeks in which these matters will go unaddressed, unacknowledged and apparently unconsidered by those who govern this state. I know the Legislative Council sits alone that week, as the other place will have risen for its winter break on 18 June, the week before we sit. It's highly likely the media will report that day that the parliament has risen for the winter break, but we know that won't be true.

This is a cultural problem, a workplace cultural problem: a cultural problem within the government. We know the culture flows from the top. One would have expected some communication from the leader of our government, the Premier, by now, but no. No phone call, not even a text message. Is he doing anything about this serious breach or just hoping it goes away?

Let me be clear about where things stand: I have a range of options available to me in pursuing this further, and I intend to consider all of them carefully. Members will recall that we all signed up to the code of conduct last year and, more recently, the member for Huon did. Everyone at this place and the other place signed up to that. The Premier himself moved the motion to adopt the new code of conduct and the establishment of the Independent Complaints Commissioner in the other place. The motions were supported unanimously.

This code exists explicitly for situations like this, where the conduct of those connected to this parliament falls short of the standards that we have collectively committed to uphold. The leaking of a confidential committee communication to the media is not a grey area; it is a serious matter that goes to the integrity of our processes and, in this case, the safety and dignity of members.

Members will also recall the establishment of the Independent Complaints Commissioner, a body created to provide an independent avenue for addressing exactly these kinds of complaints. I supported the establishment; we all did; but we also know, and this Chamber has raised it before, that the Independent Complaints Commissioner needs to be adequately resourced to do its job, and that has not happened. In the Budget before us, there is inadequate funding.

It is deeply troubling when we establish accountability mechanisms with one hand and then see the government starve them of funding with the other. If members cannot have confidence that the complaints will be properly investigated, that undermines the entire framework we put in place. Leadership is needed in this matter. Leaders should be role models for our community.

I also understand the member for Rumney has had no contact from the Premier either, but she can speak for herself. I did check with her a little while ago and she has also had no

contact with the Premier, the leader of this state, on a matter of great concern about matters that could well fit under our code of conduct.

I will not be making any hasty decisions about which avenue to pursue, but I want the government and everyone else who may be involved in this leak to understand clearly this is not a matter that should simply be left to fade away during the recess. I will be pursuing both matters further - the leak of confidential committee information to the media and the underlying workplace safety and welfare matters - and stand by my call last night for the identification of the responsible person or persons and a formal apology to me, to my fellow committee members, our committee secretary, and all members who expect and deserve a safe workplace.

I cannot adequately describe how deeply disappointed I am - disappointed at the lack of respect shown to a member of this parliament, disappointed at the complete absence of communication from a government which speaks constantly of accountability and transparency and signed up to our code of conduct, and disappointed, most of all, at the lack of any genuine commitment to ensuring this is a safe, respectful workplace for everyone who serves in it. This matter is not over, and it does require a formal response from the Premier. Thank you, Mr President and thank you to the members for their indulgence.

The Council adjourned at 5.24 p.m.