

**Legislative Council**

**Thursday 28 May 2026**

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

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

**Second Reading**

[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's 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, 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. We know that the current minister 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 that 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 level of concern many of us probably 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's 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's 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, 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: either 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.

Onto 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 will put my views on the record. Some of the things will get further discussion no doubt should the bill be into committee stage, which I suspect it certainly will be.

One of the things about representation and the remuneration questions is the argument 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 it 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 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 a more diverse, better quality of candidate 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 that 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, 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* 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 certainly - 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 the 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 strata 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 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.' [OK] 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's 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 it 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 discreet 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 bald 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's been raised by other members and their contributions, which is relating to problems if people are absent for some reason, 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 a 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, 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, that 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 those 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, 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 which I support defining that, 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 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 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 there listed. 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 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. In many ways the arguments 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 and that space should be considered really seriously and supported.

The other concern about 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 been 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 current 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's promoted the need for the reforms in this bill. That's because the current system has

utterly failed to address those things. It's 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 a 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's 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 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 part 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 principle act, are we actually leaving it open that we're actually 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 straight forward 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 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 advisors 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 advisors because I think the costs of temporary advisors are going to be borne by the councils. The reports should therefore belong to the council on behalf of the voters that 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. To do so in a way that's more effective, 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 Electoral Matters Committee, our Joint Standing Electoral Matters Committee 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.