

TASMANIA

**LOCAL GOVERNMENT AMENDMENT
(TARGETED REFORM) BILL 2026**

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**LOCAL GOVERNMENT AMENDMENT
(TARGETED REFORM) BILL 2026**

*(Brought in by the Minister for Justice, Corrections and
Rehabilitation, the Honourable Guy Barnett)*

A BILL FOR

**An Act to amend the *Local Government Act 1993*, the
Tasmanian Civil and Administrative Tribunal Act 2020, the
Local Government (General) Regulations 2025 and the
*Local Government (Meeting Procedures) Regulations 2025***

Be it enacted by Her Excellency the Governor of Tasmania, by
and with the advice and consent of the Legislative Council and
House of Assembly, in Parliament assembled, as follows:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Local Government
Amendment (Targeted Reform) Act 2026*.

2. Commencement

The provisions of this Act commence on a day
or days to be proclaimed.

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Part 2 – Local Government Act 1993 Amended

**PART 2 – LOCAL GOVERNMENT ACT 1993
AMENDED**

3. Principal Act

In this Part, the *Local Government Act 1993** is referred to as the Principal Act.

4. Section 3 amended (Interpretation)

Section 3 of the Principal Act is amended as follows:

- (a) by inserting the following definition after the definition of *community*:

community engagement strategy, in relation to a council, means the community engagement strategy established for that council under section 70DA(1);

- (b) by omitting “mayor, deputy mayor and alderman” from the definition of *councillor* and substituting “mayor and deputy mayor”;

- (c) by omitting the definition of *general manager* and substituting the following definition:

general manager means the person appointed under section 61

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(however described) and, in Part 15, includes a person nominated under section 253A;

- (d) by inserting the following definition after the definition of *legal practitioner*:

local government charter means a local government charter issued by the Minister, and in force, under section 20;

- (e) by inserting the following definition after the definition of *scrutineer*:

serious councillor misconduct – see section 28ZR;

- (f) by inserting the following definition after the definition of *Tasmanian Electoral Commission*:

temporary advisor means a person appointed to be a temporary advisor to a council under section 214Q;

5. Section 16 amended (Municipal areas)

Section 16 of the Principal Act is amended as follows:

- (a) by omitting from subsection (2) “Column 1” and substituting “column 2”;
- (b) by omitting from subsection (5AA) “column 1” and substituting “column 2”;

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- (c) by omitting from subsection (5B) “Column 1” and substituting “column 2”;
- (d) by omitting from subsection (6) “column1” and substituting “column 2”.

6. Section 17 amended (Electoral districts)

Section 17 of the Principal Act is amended as follows:

- (a) by omitting from subsection (2) “column 4” and substituting “column 6”;
- (b) by omitting from subsection (3) “column 4 or 5” and substituting “column 6 or 7”.

7. Section 18 amended (Establishment of councils)

Section 18 of the Principal Act is amended as follows:

- (a) by omitting from subsection (2) “column 2” and substituting “column 3”;
- (b) by omitting from subsection (4) “column 2” and substituting “column 3”.

8. Section 20 substituted

Section 20 of the Principal Act is repealed and the following sections are substituted:

19A. Role of council

- (1) The role of a council is to support and improve the wellbeing of the community by –
 - (a) harnessing and building on the unique strengths and capabilities of the community; and
 - (b) providing infrastructure and services that, to be effective, require local approaches; and
 - (c) representing and advocating for the specific needs and interests of the community in regional, state-wide and national decision-making; and
 - (d) promoting the social, economic and environmental sustainability of the community, including by planning for and adapting to climate change risks in the exercise of its functions.
- (2) In performing its role, a council may –
 - (a) perform any duties or functions or exercise any powers conferred on a council by or under this Act or any other Act; and
 - (b) perform any other functions that the council determines are

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reasonably necessary to enable
the council to perform its role.

- (3) A council may do anything necessary or convenient to perform its role either within or outside its municipal area.
- (4) A council may transfer to a single authority or a joint authority –
 - (a) any of its assets and liabilities on any condition it determines; or
 - (b) any of its employees.
- (5) A council may –
 - (a) acquire, hold, dispose of and otherwise deal with property; and
 - (b) sue and be sued in its corporate name.

20. Local government charter

- (1) The Minister, by order, may issue a local government charter.
- (2) A charter issued under subsection (1) must be consistent with this Act and is to –
 - (a) provide clarity and guidance on the role of councils referred to in section 19A and support councils in performing that role; and

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- (b) specify principles and practices to guide when and how councils may undertake functions that are not directly related to, or that extend beyond, performing that role; and
 - (c) specify principles to be followed by councils in relation to –
 - (i) good governance; and
 - (ii) financial management; and
 - (iii) community engagement; and
 - (iv) collaboration and coordination with other councils on matters of shared interest or regional issues; and
 - (d) specify principles and processes by which the Tasmanian Government will support councils to perform their role, including in connection with consultation and engagement between the Tasmanian Government and local government; and
 - (e) contain such other matters as may be prescribed.

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- (3) A council is to have regard to any charter issued by the Minister under this section when performing its functions and exercising its powers.
- (4) The Minister is to ensure that any charter issued under this section is reviewed at least once in each 5-year period.
- (5) The Minister may amend, revoke, or revoke and substitute an order under this section.
- (6) Before making, amending or revoking and substituting an order, the Minister must consult with –
 - (a) councils; and
 - (b) the Local Government Association of Tasmania; and
 - (c) the public –as to the matters that the Minister is considering including in the order, the amended order or the substitute order.
- (7) Section 47(3), (3A), (4), (5), (6) and (7) of the *Acts Interpretation Act 1931* applies to an order under this section as if the order were regulations within the meaning of that Act.
- (8) An order under this section is subordinate legislation for the purposes of the *Subordinate Legislation Act 1992*.

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(9) An order under this section may be combined with an order under one or more of the following sections:

- (a) section 27A;
- (b) section 28AA;
- (c) section 62A;
- (d) section 62B.

9. Section 25 amended (Constitution of council)

Section 25 of the Principal Act is amended as follows:

- (a) by omitting subsection (2);
- (b) by omitting from subsection (3) “column 3” and substituting “column 5”;
- (c) by omitting subsection (4).

10. Section 27A amended (Order relating to Mayor’s functions)

Section 27A(4) of the Principal Act is amended by inserting before paragraph (a) the following paragraph:

- (aa) section 20;

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11. Section 28AA amended (Order relating to functions of councillors)

Section 28AA(4) of the Principal Act is amended by inserting before paragraph (a) the following paragraph:

(aa) section 20;

12. Sections 28AB and 28AC inserted

After section 28AA of the Principal Act, the following sections are inserted in Division 3:

28AB. Mandatory core learning and development activities for councillors

(1) In this section –

immediately preceding term of office,
in relation to a councillor, means
the last term of office held by the
councillor that ended before the
commencement of the
councillor's current term of
office.

(2) The Director may approve one or more courses of mandatory core learning and development activities for councillors.

(3) Without limiting subsection (2), the Director may approve different courses, or different requirements, for –

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- (a) councillors who have not served as a councillor in the immediately preceding term of office; and
 - (b) councillors who have served as a councillor in the immediately preceding term of office.
- (4) A course approved under this section is to consist of learning and development activities relating to the roles and responsibilities of councils and councillors.
- (5) The Director is to, within 28 days of approving a course under subsection (2) –
 - (a) ensure that notice of the approval is issued to each council; and
 - (b) cause a copy of the course of mandatory core learning and development activities to be published on a website maintained by or on behalf of the Department.
- (6) The regulations may prescribe requirements for the learning and development activities required under this section.
- (7) A councillor must, within 12 months after the councillor's election, complete any course of mandatory core learning

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and development activities applicable to the councillor under this section.

- (8) The Director may extend the period referred to in subsection (7) if satisfied that it would be appropriate in the circumstances.
- (9) The Director may only approve a course under this section if the Director has consulted with the Local Government Association of Tasmania as to the suitability of the course for councillors.

28AC. Policy for continuing professional development

- (1) A council must adopt a policy in relation to the continuing professional development of councillors (*a continuing professional development policy*) within 6 months after an ordinary election.
- (2) A continuing professional development policy for a council is to –
 - (a) be prepared by the general manager for the council; and
 - (b) relate to matters relevant to councillors' roles and responsibilities under this or any other Act; and

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- (c) have regard to the professional development needs of councillors; and
- (d) include an estimate of the expenditure to be spent in a financial year by the council in implementing the policy.

13. Part 3, Division 3AAA inserted

After section 28J of the Principal Act, the following Division is inserted in Part 3:

Division 3AAA – Councillor allowances and numbers

28JAA. Allowances

- (1) A councillor is entitled to the allowance prescribed for the councillor's allowance band.
- (2) The allowance band for a councillor is the allowance band allocated to the council as specified in Schedule 3, as determined in accordance with Schedule 4.
- (3) A mayor and deputy mayor are entitled to any prescribed allowances in addition to any allowances referred to in subsection (1).
- (4) Allowances are to be paid in arrears.

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- (5) A councillor, mayor or deputy mayor may, by written notice to the general manager of the council, elect not to receive all or part of an allowance.
- (6) A councillor who is suspended under this Act is not entitled to any allowance during the period of suspension.
- (7) A person who is prohibited from performing the functions or exercising the powers of a councillor under section 339C is not entitled to any allowance during the period of the prohibition.

28JAB. Review of councillor allowances and numbers

- (1) The Minister must undertake a review of councillor numbers and councillor allowances for all councils within the period commencing 12 months before, and ending 6 months before, the date of an ordinary election.
- (2) In conducting a review under this section, the Minister must, in accordance with Schedule 4, determine –
 - (a) the aggregate score for each council; and
 - (b) the councillor number category for each council; and

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- (c) the allowance band for each council.
- (3) The Minister may recommend that the Governor amend Schedule 3 by order under section 28JAD to reflect –
- (a) the councillor number category and councillor numbers; and
- (b) the allowance band –
- determined in accordance with Schedule 4.

28JAC. Requests for reduction of councillor numbers

- (1) A council that is in councillor number category 3 in column 4 of Schedule 3 may apply to the Minister for approval to reduce the number of councillors to be elected for the council to 5.
- (2) An application under subsection (1) must –
- (a) be in writing, and
- (b) include evidence that the council has resolved, by absolute majority at an ordinary meeting of the council, to apply to reduce the number of councillors; and
- (c) be made no later than 6 months before the day on which notice of

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the next ordinary election is given.

- (3) If the Minister approves an application under subsection (1), the Minister is to recommend to the Governor that Schedule 3 be amended accordingly under section 28JAD.
- (4) A council for which an order is made under section 28JAD has 5 councillors from the next ordinary election following the making of the order and continues to have 5 councillors unless –
 - (a) the council’s councillor number category is no longer category 3 as a result of a review under section 28JAB; or
 - (b) the council applies to increase the number of councillors to 7.
- (5) An application under subsection (4)(b) must –
 - (a) be in writing; and
 - (b) be made at least 8 years after the order under subsection (3) was made; and
 - (c) be made no later than 12 months before the day on which notice of the next ordinary election is given; and

- (d) include evidence that the council has resolved, by absolute majority at an ordinary meeting of the council, to apply to increase the number of councillors.

28JAD. Order to amend Schedule 3

- (1) The Governor, by order and on the recommendation of the Minister, may amend Schedule 3 by omitting, inserting or substituting one or more numbers specified in column 4, column 5 or column 8 of that Schedule.
- (2) A recommendation under subsection (1) may be made as a result of –
 - (a) a review under section 28JAB; or
 - (b) an approval under section 28JAC.
- (3) An order under subsection (1) may contain provisions of a savings or transitional nature.
- (4) An order made under subsection (1) has effect despite any provision of this Act.
- (5) An amendment to Schedule 3 applies in relation to the next ordinary election of the relevant council following the making of the order and has effect from the issue of the certificates of election for

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that election, unless otherwise provided
in the order.

**14. Section 28ZA amended (Initial assessment of code
of conduct complaint)**

Section 28ZA of the Principal Act is amended as
follows:

- (a) by omitting from subsection (1)(f) “Panel.” and substituting “Panel;”;
- (b) by inserting the following paragraphs after paragraph (f) in subsection (1):
 - (g) refer the whole complaint to the Director under section 28ZBA;
 - (h) refer part of the complaint to the Director under section 28ZBA.
- (c) by omitting from subsection (3)(b)(iii) “Officer.” and substituting “Officer; and”;
- (d) by inserting the following paragraph after paragraph (b) in subsection (3):
 - (c) if the initial assessor has referred the whole or part of the complaint to the Director, is to –
 - (i) notify the councillor against whom the complaint is made, in writing, of the result of

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the initial assessment and
the reasons for it; and

(ii) provide a copy of the
complaint to that
councillor; and

(iii) provide the Director with
a copy of the initial
assessment of the
complaint and all
documentation and other
evidence on which the
initial assessment was
based.

15. Section 28ZBA inserted

After section 28ZB of the Principal Act, the
following section is inserted in Subdivision 3:

**28ZBA. Referral of code of conduct complaint on
initial assessment to Director**

The initial assessor for a code of conduct
complaint, on an initial assessment, may
refer a code of conduct complaint, or part
of it, to the Director if the initial assessor
reasonably considers that the complaint
includes conduct that is capable of
amounting to serious councillor
misconduct.

16. Sections 28ZHA and 28ZHB inserted

After section 28ZH of the Principal Act, the following sections are inserted in Subdivision 3:

28ZHA. Referral of code of conduct complaint to Director

The investigating Panel for a code of conduct complaint may, at any time, refer a code of conduct complaint, or part of it, to the Director if the investigating Panel reasonably considers that the complaint includes conduct that is capable of amounting to serious councillor misconduct.

28ZHB. Referral of code of conduct complaint to other persons or authorities

- (1) The investigating Panel for a code of conduct complaint may, at any time during the investigation of the complaint, refer the complaint, or part of the complaint, to a person or other authority that the investigating Panel considers appropriate if the investigating Panel reasonably considers that –
 - (a) the complaint discloses that an offence may have been committed; or
 - (b) the complaint would be more appropriately dealt with by that person or authority.

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- (2) A person or other authority to whom a code of conduct complaint is referred under subsection (1) –
 - (a) may accept or refuse the referral;
and
 - (b) must notify the investigating Panel for the code of conduct complaint of that acceptance or refusal within 28 days after receiving the referral.
- (3) If the person or other authority to whom the code of conduct complaint is referred does not notify the investigating Panel as required by subsection (2)(b), the person or authority is taken to have accepted the referral.
- (4) If the person or other authority accepts the referral, the complaint, or the part of the complaint referred, ceases to be a code of conduct complaint.
- (5) If the person or other authority refuses the referral, the investigating Panel for the code of conduct complaint may continue its investigation of the complaint or part of the complaint.

17. Section 28ZK amended (Notification of determination of code of conduct complaint)

Section 28ZK of the Principal Act is amended as follows:

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- (a) by omitting subsections (6) and (7);
- (b) by omitting subsection (9);
- (c) by inserting in subsection (10)(a)(ii) “, the Director” after “Officer”;
- (d) by omitting from subsection (10)(b) “paragraph (a)(ii); and” and substituting “paragraph (a)(ii).”;
- (e) by omitting paragraph (c) from subsection (10);
- (f) by omitting subsection (11) and substituting the following subsection:
 - (11) Subsection (10) does not apply to the disclosure of a document, report or information if at the time of the disclosure –
 - (a) the initial assessor has dismissed the code of conduct complaint to which the document, report or information relates; or
 - (b) the determination report relating to the document, report or information, has been provided to persons as required under subsection (2).

18. Part 3, Division 3B inserted

After section 28ZP of the Principal Act, the following Division is inserted in Part 3:

Division 3B – Serious councillor misconduct
Subdivision 1 – Preliminary

28ZQ. Interpretation

In this Division –

code of conduct referral means the referral of a code of conduct complaint from –

- (a) an initial assessor to the Director under section 28ZBA; or
- (b) an investigating Panel to the Director under section 28ZHA;

decision-maker includes the following persons:

- (a) an initial assessor;
- (b) an investigating Panel;
- (c) the Director;
- (d) the Tasmanian Civil and Administrative Tribunal.

28ZR. Serious councillor misconduct

- (1) For the purposes of this Act, *serious councillor misconduct* means conduct, or an attempt to engage in conduct, by a councillor that is or involves a serious or significant contravention of the code of conduct.
- (2) For the purposes of subsection (1), a decision-maker is to have regard to the following when determining whether conduct, or an attempt to engage in conduct, by a councillor constitutes a serious or significant contravention of the code of conduct:
 - (a) whether the conduct is unlawful;
 - (b) the extent of any actual or potential harm or risk, caused as a consequence of the conduct, to an individual, the council or public safety;
 - (c) the degree to which the conduct impacts negatively on the ability of the relevant council to perform its functions under this or any other Act;
 - (d) whether the conduct involves –
 - (i) deliberate and intentional misuse of council resources, information, or

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authority, for personal gain; or

(ii) undue influence on, or detriment to, the council, community or a community member;

(e) the nature and extent of any material benefit or detriment derived by the councillor or others as a result of the conduct;

(f) whether the conduct is part of a repeated pattern of contraventions or involves collusion with others, and the councillor's role in such collusion;

(g) such other public interest considerations that the relevant decision-maker considers relevant.

28ZS. Ministerial guidelines in relation to serious councillor misconduct

(1) The Minister, by order, is to issue guidelines consistent with this Act to assist decision-makers in determining whether conduct, or an attempt to engage in conduct, by a councillor constitutes a serious or significant contravention of the code of conduct.

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- (2) A decision-maker may have regard to any guidelines issued by the Minister under this section.
- (3) The Minister, by order, may amend, revoke, or revoke and substitute any guidelines made under this section.
- (4) Before making, amending or revoking and substituting an order, the Minister must consult with –
 - (a) councils; and
 - (b) the public –

as to the matters that the Minister is considering including in the order, the amended order or the substitute order.

Subdivision 2 – Assessment of serious councillor misconduct

28ZT. Assessment of serious councillor misconduct

- (1) If the Director receives a code of conduct referral from an initial assessor or an investigating Panel in respect of the conduct of a councillor, the Director must carry out an assessment of that conduct to determine whether to conduct an investigation.
- (2) After carrying out an assessment, the Director may –

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- (a) if the Director determines that the conduct of the councillor is capable of amounting to serious councillor misconduct, determine that the Director will conduct an investigation into that conduct; or
 - (b) if the Director determines that the conduct is not capable of amounting to serious councillor misconduct, refuse to conduct an investigation into the conduct; or
 - (c) refer the complaint to another person or authority if the Director considers that the complaint would be more appropriately dealt with by that other person or authority.
- (3) If the Director makes a determination under subsection (2)(a) –
- (a) the complaint is taken to be a complaint made to the Director under section 339E and ceases to be a code of conduct complaint; and
 - (b) the Director is to proceed under that section and section 339EA in relation to the complaint.
- (4) If the Director refuses under subsection (2)(b) to commence an investigation into a councillor’s conduct, the Director must refer the matter back to the initial

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assessor or the investigating Panel for the code of conduct complaint.

- (5) If the Director does not make a decision under subsection (2) within 28 days of receiving a code of conduct referral, the Director is to notify the initial assessor or the investigating Panel and the complainant that the matter is still under consideration.

28ZU. Determination of Director following investigation of councillor conduct

- (1) After completing an investigation into a councillor's conduct following a code of conduct referral, the Director may do any of the following:
- (a) make an application to the Tasmanian Civil and Administrative Tribunal under section 28ZW;
 - (b) refer the matter back to the initial assessor or the investigating Panel that made the initial referral;
 - (c) refer the matter to any other person or authority;
 - (d) dismiss the complaint.
- (2) A complaint that has been referred back to an initial assessor or an investigating

Panel under subsection (1)(b) is taken to be a code of conduct complaint and ceases to be a complaint to the Director under section 339E.

28ZV. Referral of complaints back to initial assessor or investigating Panel

- (1) If a complaint is referred back to an initial assessor or an investigating Panel under section 28ZT or 28ZU –
 - (a) the Director must provide reasons to the initial assessor or investigating Panel for the referral; and
 - (b) if the complaint is referred back to an initial assessor, the initial assessor is to proceed under section 28ZA in relation to that complaint within 14 days after the referral of the matter; and
 - (c) if the complaint is referred back to an investigating Panel, the investigating Panel is to proceed with the investigation and determination of the complaint.
- (2) On doing a further initial assessment under section 28ZA as required by subsection (1)(b) –

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- (a) the initial assessor is to comply with section 28ZA as if doing a first initial assessment; and
 - (b) if the initial assessor determined on the original initial assessment to investigate a part of the code of conduct complaint and had notified the councillor against whom the complaint was made of that determination, the initial assessor is to notify the councillor of the result of the further initial assessment in addition to any other notice that the initial assessor is required to provide under section 28ZA.
- (3) If a complaint is referred back to an investigating Panel under section 28ZT or 28ZU, the investigating Panel is to notify the complainant and the councillor against whom the complaint is made of the referral back to the Panel as soon as practicable.
- (4) On resuming or continuing an investigation under subsection (1)(c), the investigating Panel may give any directions it considers necessary for the fair and efficient investigation and determination of the complaint.

Subdivision 3 – Tribunal

28ZW. Application to the Tasmanian Civil and Administrative Tribunal

- (1) If, following an investigation under section 339EA, the Director considers that the conduct of a councillor amounts to serious councillor misconduct, the Director may make an application to the Tasmanian Civil and Administrative Tribunal for a decision in relation to the matter.
- (2) An application –
 - (a) is to be made in writing; and
 - (b) is to specify the particulars upon which the application is based; and
 - (c) is to specify the orders sought and the grounds for seeking those orders; and
 - (d) is to be lodged with the Registrar, within the meaning of the *Tasmanian Civil and Administrative Tribunal Act 2020*.
- (3) The Director must, as soon as reasonably practicable after making an application under this section in respect of the

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conduct of a councillor, give a copy of that application to the councillor.

- (4) Unless otherwise specified in this Act, the provisions of the *Tasmanian Civil and Administrative Tribunal Act 2020* apply in relation to an application made to the Tasmanian Civil and Administrative Tribunal under this section.
- (5) At the hearing of an application under this Subdivision, a party to the application may be represented by an Australian legal practitioner.

28ZX. Orders of the Tasmanian Civil and Administrative Tribunal

- (1) If, after hearing an application under this Division in respect of a councillor, the Tasmanian Civil and Administrative Tribunal determines that a councillor has engaged in serious councillor misconduct, the Tribunal may make a finding of serious misconduct against the councillor and may make any one or more of the following orders:
 - (a) cautioning or reprimanding the councillor;
 - (b) requiring the councillor to apologise to the complainant or other person affected by the contravention of the code of

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- conduct, in the manner and form specified by the Tribunal;
- (c) requiring the councillor to participate in counselling or undertake a training course;
 - (d) prohibiting the councillor from nominating as a candidate at any ordinary election or by-election for a period not exceeding 7 years;
 - (e) dismissing the councillor from office;
 - (f) suspending the councillor from office for a period of not less than 3 months but not more than 6 months;
 - (g) imposing on the councillor a fine not exceeding an amount equivalent to 50 penalty units.
- (2) If the Tasmanian Civil and Administrative Tribunal makes a finding of serious misconduct against a councillor, it may make an order that all or any of the costs of proceedings be paid by the councillor and in making such order must take into account the nature and severity of the misconduct.
- (3) If, after hearing an application under this Division in respect of a councillor, the Tasmanian Civil and Administrative

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Tribunal determines that the councillor has not engaged in serious councillor misconduct but has contravened the code of conduct, the Tribunal may make a finding of misconduct against the councillor and may make any one or more of the following orders:

- (a) cautioning or reprimanding the councillor;
 - (b) requiring the councillor to apologise to the complainant or other person affected by the contravention of the code of conduct, in the manner and form specified by the Tribunal;
 - (c) requiring the councillor to attend counselling or a training course;
 - (d) suspending the councillor from office for a period not exceeding 3 months.
- (4) If the Tasmanian Civil and Administrative Tribunal makes a finding against a councillor under subsection (3), the Tribunal may decline to make an order under that subsection if satisfied that it is not reasonable in the circumstances to make such an order.
- (5) A person who, without reasonable excuse, contravenes an order made under subsection (1) or (3) is guilty of an offence.

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Penalty: Fine not exceeding 50 penalty units.

- (6) For the avoidance of doubt, the making of an order by the Tasmanian Civil and Administrative Tribunal under this section is within the original jurisdiction of the Tribunal.

19. Section 45 amended (Election of councillors)

Section 45 of the Principal Act is amended as follows:

- (a) by omitting from subsection (3) “column 5” and substituting “column 7”;
- (b) by omitting from subsection (4) “column 5” and substituting “column 7”.

20. Section 62 amended (Functions and powers of general manager)

Section 62(1) of the Principal Act is amended by inserting after paragraph (h) the following paragraph:

- (ha) to develop and maintain a workforce development plan that addresses the immediate and long-term human resourcing requirements of the council;

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21. Section 62A amended (Order relating to general manager’s functions generally)

Section 62A(4) of the Principal Act is amended by inserting before paragraph (a) the following paragraph:

(aa) section 20;

22. Section 62B amended (Order relating to general manager’s function to liaise with mayor)

Section 62B(4) of the Principal Act is amended by inserting before paragraph (a) the following paragraph:

(aa) section 20;

23. Section 66 amended (Strategic plan)

Section 66 of the Principal Act is amended by omitting subsection (3) and substituting the following subsections:

(2A) A strategic plan for a municipal area is to identify community wellbeing priorities and specify strategies for achieving outcomes in relation to those priorities.

(3) In preparing a proposed strategic plan, a council is to –

(a) consult with the community in its municipal area and any authorities and bodies it considers appropriate; and

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(b) have regard to the local government charter, if any.

(3A) A council is to undertake any consultation under subsection (3)(a) in accordance with the council's community engagement strategy.

24. Section 70DA inserted

After section 70D of the Principal Act, the following section is inserted in Division 2:

70DA. Community engagement strategy

- (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.
- (2) A council is to consult with the community and any authorities and bodies it considers appropriate when preparing a proposed community engagement strategy or reviewing an established community engagement strategy.
- (3) A community engagement strategy is to contain –
 - (a) strategies to ensure that the community is informed about, and has reasonable opportunity to

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contribute to, the decisions, activities and services of the council; and

(b) principles and procedures that the council will follow when engaging and consulting with the community; and

(c) such other matters as may be prescribed.

25. Section 70E amended (Review of plans, strategies and policies)

Section 70E(1) of the Principal Act is amended as follows:

(a) by omitting from paragraph (f) “policy.” and substituting “policy; and”;

(b) by inserting the following paragraph after paragraph (f):

(g) community engagement strategy.

26. Section 70F amended (Orders determining minimum contents of plans, &c., and classes of assets)

Section 70F of the Principal Act is amended as follows:

(a) by omitting from subsection (1)(e) “policy.” and substituting “policy; or”;

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- (b) by inserting the following paragraphs after paragraph (e) in subsection (1):
- (f) a community engagement strategy; or
 - (g) a continuing professional development policy; or
 - (h) a workforce development plan.
- (c) by inserting the following subsection after subsection (2):
- (2A) In an order under subsection (1), the Minister may also specify requirements in relation to the preparation, development, consultation, review, contents and publication of all or any of the plans, strategies or policies referred to in that subsection.

27. Sections 84A and 84B inserted

After section 84 of the Principal Act, the following sections are inserted in Division 3:

84A. Council performance reporting

- (1) The Minister, by order, may specify performance reporting requirements that are to apply in relation to councils.
- (2) In an order under subsection (1), the Minister may specify –

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- (a) the frequency and manner of performance reporting by councils to the Minister; and
 - (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.
- (3) A council must comply with any performance reporting requirements specified in an order under this section.
- (4) The Minister is to consult with councils as to the matters to be included in an order under this section.

84B. Internal audit

- (1) The Minister, by order, may specify requirements that are to apply to councils in relation to the conduct of internal audits.
- (2) The Minister is to consult with councils as to the matters to be included in an order under this section.
- (3) A council must conduct any internal audits in accordance with the requirements specified in an order under this section.

28. Section 122A inserted

After section 122 of the Principal Act, the following section is inserted in Division 9:

122A. Order specifying information in rates notices

- (1) The Minister, by order, may specify the information that, in addition to the information required under section 122(1), is to be included by the general manager in a rates notice.
- (2) The Minister is to consult with councils as to the matters to be included in an order under this section.

29. Section 214E amended (Result of review)

Section 214E(1) of the Principal Act is amended by inserting after paragraph (m) the following paragraph:

- (ma) adjust or determine, in relation to a municipal area, the methodology to be applied under Schedule 4 for the purposes of determining the number of councillors or allowances;

30. Section 214L amended (Recommendation for issuing performance improvement direction)

Section 214L of the Principal Act is amended by omitting subsection (2) and substituting the following subsection:

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- (2) Without limiting the situations in which the Director may make a recommendation under subsection (1), the Director may make a recommendation under that subsection if, in the Director's opinion, the council or councillor has failed to comply with a statutory requirement under this or any other Act or under subordinate legislation made under this or any other Act.

31. Section 214O amended (Consequences of failing to comply with performance improvement direction)

Section 214O(1) of the Principal Act is amended by inserting after paragraph (a) the following paragraph:

- (ab) appoint a temporary advisor to the council under section 214Q for such period as the Minister determines;

32. Part 12C inserted

After section 214O of the Principal Act, the following Part is inserted:

PART 12C – TEMPORARY ADVISORS

214P. Recommendation to appoint temporary advisor

- (1) The Director may recommend to the Minister that a temporary advisor be appointed to a council to assist in

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addressing emerging governance or operational issues at the council.

- (2) Without limiting subsection (1), the Director may make a recommendation under that subsection if –
- (a) in the Director’s opinion there is evidence that suggests emerging governance or operational deficiencies at the council that, if not addressed, may negatively affect the effective delivery of the council’s functions and services to the community; or
 - (b) the council has requested the appointment of a temporary advisor.
- (3) For the purposes of subsection (2)(a), evidence of emerging governance or operational deficiencies may include, but is not limited to –
- (a) ongoing or unresolved conflicts among councillors or between councillors and council employees that disrupt effective decision-making; and
 - (b) governance practices that risk undermining transparency, accountability or compliance with the principles of sound and prudent management necessary to

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- deliver the council's functions;
and
 - (c) financial management practices that indicate potential risks to the council's financial sustainability;
and
 - (d) credible complaints, reports or other information that suggests systemic operational challenges.
- (4) A recommendation under subsection (1) must include –
- (a) the grounds for the recommendation; and
 - (b) a summary of the evidence or observations, such as complaints, reports, or patterns of conduct, on which the recommendation is based.

214Q. Appointment of temporary advisor

- (1) Before appointing a temporary advisor, the Minister must –
- (a) give written notice to the council that the appointment of a temporary advisor is proposed;
and
 - (b) set out in the notice the grounds for the proposed appointment,

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including a summary of the matters relied upon; and

- (c) invite the council to make written submissions to the Minister in relation to the proposed appointment; and
 - (d) allow the council a period of not less than 14 days after the notice is given to make those submissions.
- (2) The Minister must consider any written submissions made by the council within the period referred to in subsection (1)(d) before deciding whether to appoint a temporary advisor.
 - (3) The Minister may, after complying with subsections (1) and (2), appoint a temporary advisor to a council on such terms and conditions as the Minister determines.

214R. Functions and powers of temporary advisors

- (1) A temporary advisor has the following functions in respect of a council:
 - (a) to monitor the council's governance processes and matters;

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- (b) to advise the council about governance improvements that the council should make;
 - (c) to provide general assistance and advice to the council on good governance practices;
 - (d) such functions as are specified in the temporary advisor's instrument of appointment;
 - (e) such other functions as may be conferred on the temporary advisor under this Act or any other Act.
- (2) A temporary advisor has the power to do all things necessary or convenient to be done in connection with, or incidental to, the performance of the functions of a temporary advisor.
- (3) For the purposes of this Act and without limiting subsection (2), a temporary advisor may –
- (a) enter and remain on council premises to perform any function or exercise any power under this Act; and
 - (b) attend meetings of a council or council committee, including meetings that are closed to the public; and

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- (c) require records and documents relating to the council's governance processes and matters to be provided to the temporary advisor.
- (4) If a temporary advisor is appointed to a council, the council, councillors and employees of the council are required to co-operate with the temporary advisor and to provide any information or assistance that the temporary advisor reasonably requires to perform or exercise the temporary advisor's functions or powers.
- (5) A person must not obstruct or hinder a temporary advisor in the exercise of a power or the performance of a function under this Act.

Penalty: Fine not exceeding 50 penalty units.

214S. Report by temporary advisor

- (1) A temporary advisor is to submit a final report to the Minister by the day specified in the temporary advisor's appointment.
- (2) The final report is to include the following:

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- (a) any findings made by the temporary advisor in respect of the council;
- (b) details of any action that the temporary advisor recommends be taken, and the reasons for that action;
- (c) if the temporary advisor does not recommend that any action be taken, the reasons for that recommendation.

214T. Cost of temporary advisor

The Minister may require a council to pay any costs associated with the appointment of, and the performance of functions by, a temporary advisor under this Part.

33. Section 291 substituted

Section 291 of the Principal Act is repealed and the following section is substituted:

291. Assistance to electors

- (1) The Electoral Commissioner may approve any procedures that are reasonable and appropriate to assist an elector whose sight is so impaired or who is so physically incapacitated or illiterate that the elector is unable to vote without assistance.

- (2) Without limiting subsection (1), the procedures may include voting in accordance with Division 7.

34. Section 296 substituted

Section 296 of the Principal Act is repealed and the following Division is substituted:

Division 7 – Alternative voting

296. Interpretation of Division

In this Division –

accessibility and inclusion organisation means –

- (a) an organisation or peak body that focuses on advocacy, support or services for people with diverse needs (whether arising from disability, impairment or other circumstances); and
- (b) any other group or body approved for the purposes of this definition;

alternative voting procedure means a voting procedure approved by the Tasmanian Electoral Commission under this Division;

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remote voting area means –

- (a) the Australian Antarctic Territory, including Macquarie Island and the Territory of Heard Island and McDonald Islands; and
- (b) a ship in transit to or from a place mentioned in paragraph (a) that has been declared by the Tasmanian Electoral Commission to be an Antarctic ship; and
- (c) an area within Tasmania declared by the Tasmanian Electoral Commission to be a remote voting area; and
- (d) an area outside of Tasmania but within Australia declared by the Tasmanian Electoral Commission to be a remote voting area; and
- (e) an area outside of Australia declared by the Tasmanian Electoral Commission to be a remote voting area.

297. Tasmanian Electoral Commission may approve alternative voting procedures

- (1) Subject to this section, the Tasmanian Electoral Commission may approve alternative voting procedures considered necessary and appropriate in the circumstances, including, but not limited to, electronic voting methods such as online voting or voting by telephone, to enable –
 - (a) electors, or classes of electors, in a remote voting area, to vote at an election by an alternative method; and
 - (b) electors, or classes of electors, who the Tasmanian Electoral Commission is satisfied do not have a reasonable opportunity to vote at an election under any other provisions of this Act, to vote at an election by an alternative method.
- (2) The Tasmanian Electoral Commission may act under subsection (1) –
 - (a) on its own motion; or
 - (b) on the request of an accessibility and inclusion organisation.
- (3) Before acting under subsection (1)(b), the Tasmanian Electoral Commission is to, as far as is practicable, consult with

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any accessibility and inclusion organisation that the Commission considers necessary and appropriate.

- (4) The Tasmanian Electoral Commission must not approve any proposed alternative voting procedure under subsection (1) unless the Commission is satisfied that –
- (a) the approval is warranted, having regard to –
 - (i) the practicality, security and integrity of the proposed alternative voting procedure; and
 - (ii) the resources required to establish, implement and maintain the proposed alternative voting procedure; and
 - (iii) the technological capacity, cost-effectiveness and operational feasibility of the proposed alternative voting procedure; and
 - (iv) the risks and mitigations associated with the proposed alternative voting procedure; and

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- (b) as far as practicable, the proposed alternative voting procedure provides for –
 - (i) the authentication and verification of the vote of an elector; and
 - (ii) the preservation of the secrecy of the vote of an elector; and
 - (iii) the security of data transmission.

298. Entitlement to vote by alternative voting procedures

An elector enabled to vote at an election under alternative voting procedures is entitled to vote in accordance with those procedures.

298A. Counting of votes cast by alternative voting procedures

A vote cast by an elector in accordance with alternative voting procedures, and transmitted or forwarded to the Tasmanian Electoral Commission in accordance with procedures approved under section 297(1), is taken to be a postal vote and is to be counted accordingly for the purposes of the election.

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298B. Application of Act to votes cast under alternative voting procedures

- (1) A vote cast in accordance with alternative voting procedures is taken to comply with any requirement under this Act relating to –
 - (a) the marking or numbering of boxes on a ballot paper; and
 - (b) the use of envelopes for the return of ballot papers; and
 - (c) the signing of declarations by electors.
- (2) A vote cast electronically in accordance with alternative voting procedures is taken to be received by the Tasmanian Electoral Commission when it is successfully recorded in accordance with those procedures.

298C. Confidentiality of votes cast under alternative voting procedures

A person who becomes aware of how an elector voted at an election using alternative voting procedures must not disclose that information to any other person, except in accordance with a procedure approved under section 297(1).

Penalty: Fine not exceeding 10 penalty units.

298D. Publication of alternative voting procedures

The Tasmanian Electoral Commission is to publish on its website a statement setting out –

- (a) the alternative voting procedures and the electors or classes of electors to whom they apply; and
- (b) a summary of any consultation undertaken by the Tasmanian Electoral Commission under section 297(3); and
- (c) information about compliance with this Division; and
- (d) any other information approved for publication relating to access by electors to alternative voting procedures.

298E. Independent auditing of alternative voting procedures

- (1) The Tasmanian Electoral Commission must engage an independent person (*the independent auditor*) to conduct audits of any information technology used under any approved voting procedures to record, transmit, store or count votes.

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- (2) Audits under this section are to be conducted and the results of those audits must be provided to the Tasmanian Electoral Commission –
 - (a) at least 7 days before voting opens in each ordinary election at which approved alternative voting methods will be used; and
 - (b) within 60 days after the last declaration of the result of an election at which approved alternative voting methods were used.
- (3) Without limiting the content of the audit, the independent auditor must determine whether test votes cast in accordance with the alternative voting procedures were accurately reflected in the corresponding test ballot-papers produced under those procedures.

298F. Independent monitoring of alternative voting procedures

- (1) The Tasmanian Electoral Commission may appoint one or more independent persons (an *independent monitor*) to monitor and observe the alternative voting procedures used at an election, including the counting of votes cast and the general operation of the alternative voting procedures.

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- (2) An independent monitor must report to the Tasmanian Electoral Commissioner and may make recommendations about the alternative voting procedures, including but not limited to the effectiveness, security and accessibility of the procedures.

35. Section 338AA amended (Director may require information, &c., for purposes of investigation)

Section 338AA(1) of the Principal Act is amended by inserting “carrying out an assessment under section 28ZT or” after “purposes of”.

36. Section 338A amended (Disclosure of information)

Section 338A of the Principal Act is amended as follows:

- (a) by inserting the following subsections after subsection (1):
- (1A) Except as required or permitted by this Act, another Act or any other law, a councillor who attends a meeting of a council or council committee that is closed to the public through the use of electronic means of communication must take reasonable steps to ensure that no other person is able to hear or view the meeting or otherwise

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access the discussions of the meeting.

Penalty: Fine not exceeding 50 penalty units.

(1B) Subsection (1A) does not apply if a majority of councillors present at the meeting agree that the other person may attend, hear or view the meeting.

(1C) For the purposes of subsection (1A), reasonable steps by a councillor include, but are not limited to, the councillor –

(a) attending the meeting –

(i) from a private and secure location where other persons cannot overhear or observe the meeting or otherwise access the meeting discussion; and

(ii) through the use of prescribed secure communication technology and prescribed secure audio technology, if any; and

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- (iii) in accordance with any prescribed requirements or procedures; and
 - (b) ensuring that no audio or audiovisual recording of the meeting, or any part of it, is made and that no transcript of the meeting is produced from any such recording.
- (1D) Subsection (1) applies to a person who is permitted to attend, hear or view a meeting or part of a meeting of a council or council committee that is closed to the public as if the person were a councillor.
- (b) by inserting in subsection (2) “or (1A)” after “subsection (1)”;
- (c) by inserting the following subsection after subsection (4):
 - (5) Except as required, or allowed, by this Act, another Act or any other law, a temporary advisor must not disclose information acquired in that capacity on the condition that it be kept confidential.

Penalty: Fine not exceeding 50 penalty units.

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37. Section 338B inserted

After section 338A of the Principal Act, the following section is inserted in Division 3:

338B. Disclosure of information for code of conduct complaints

- (1) Despite any other provision of this Act or any other Act, a person who attends a meeting, or part of a meeting, of a council or a council committee that is closed to members of the public may disclose information obtained at the meeting or part of the meeting if the disclosure is made for the purpose of –
 - (a) making a code of conduct complaint; or
 - (b) assisting in the consideration, investigation or determination of a code of conduct complaint.
- (2) A disclosure made in accordance with subsection (1) does not constitute a breach of any obligation of confidentiality arising from the meeting or part of the meeting.

38. Section 339 amended (Improper use of information)

Section 339(2A) of the Principal Act is amended by inserting “or any investigation by the Director under this Act” after “investigation”.

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39. Section 339EA amended (Investigations of complaints and other matters)

Section 339EA(4) of the Principal Act is amended by inserting “the carrying out of an assessment under section 28ZT,” after “from”.

40. Section 340A repealed

Section 340A of the Principal Act is repealed.

41. Section 341 amended (Immunity from liability)

Section 341 of the Principal Act is amended as follows:

(a) by inserting the following paragraph after paragraph (d) in subsection (1):

(da) a temporary advisor; or

(b) by inserting in subsection (3) “a temporary advisor,” after “Panel,”.

42. Section 349D inserted

After section 349C of the Principal Act, the following section is inserted in Division 3:

349D. Transitional provisions consequent on *Local Government Amendment (Targeted Reform) Act 2026*

The savings and transitional provisions set out in Schedule 8B have effect.

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43. Schedule 3 substituted

Schedule 3 to the Principal Act is repealed and the following Schedule is substituted:

**SCHEDULE 3 – MUNICIPAL AREAS, COUNCILS
AND ELECTORAL DISTRICTS**

Sections 16, 17, 18, 25, 28JAA and 45

COLUMN N 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6	COLUMN 7	COLUMN 8
Item	Municipal areas	Council names	Councillor number category	No. of Councillors	Electoral districts	No. of Councillors for each electoral district	Allowance bands
1.	Break O'Day CPR 2470	Break O'Day Council	2	7	...	...	2.2
2.	Brighton CPR 2477	Brighton Council	2	7	...	...	2.2
3.	Burnie CPR 2049	Burnie City Council	2	7	...	...	2.1
4.	Central Coast CPR 2614	Central Coast Council	2	7	...	...	2.1
5.	Central Highlands CPR 2463	Central Highlands Council	3	7	...	...	2.4
6.	Circular Head CPR 2465	Circular Head Council	2	7	...	...	2.2
7.	Clarence CPR 2976	Clarence City Council	1	9	...	...	1.1
8.	Derwent Valley CPR 2481	Derwent Valley Council	2	7	2.2
9.	Devonport CPR 3658	Devonport City Council	2	7	2.1

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10.	Dorset CPR 2484	Dorset Council	2	7	2.3
11.	Flinders CPR 2978	Flinders Council	3	7	2.4
12.	George Town CPR 10734	George Town Council	2	7	...	...	2.3
13.	Glamorgan- Spring Bay CPR 2473	Glamorgan- Spring Bay Council	2	7	...	...	2.3
14.	Glenorchy CPR 9815	Glenorchy City Council	1	9	...	...	1.2
15.	Hobart CPR 9814	Hobart City Council	1	9	...	...	1.1
16.	Huon Valley CPR 2469	Huon Valley Council	2	7	...	...	2.2
17.	Kentish CPR 2979	Kentish Council	2	7	...	...	2.3
18.	King Island CPR 1790	King Island Council	3	7	...	...	2.4
19.	Kingborough CPR 2478	Kingborough Council	1	9	...	...	1.2
20.	Latrobe CPR 3657	Latrobe Council	2	7	...	...	2.2
21.	Launceston CPR 10733	Launceston City Council	1	9	...	...	1.1
22.	Meander Valley CPR 2467	Meander Valley Council	2	7	...	...	2.2
23.	Northern Midlands CPR 2482	Northern Midlands Council	2	7	2.2
24.	Sorell CPR 3510	Sorell Council	2	7	2.2

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25.	Southern Midlands CPR 2486	Southern Midlands Council	2	7	2.3
26.	Tasman CPR 2981	Tasman Council	3	7	2.4
27.	Waratah- Wynyard CPR 2488	Waratah- Wynyard Council	2	7	...	...	2.2
28.	West Coast CPR 2489	West Coast Council	3	7	...	...	2.4
29.	West Tamar CPR 2982	West Tamar Council	2	7	...	...	2.1

44. Schedule 4 inserted

After Schedule 3B to the Principal Act, the following Schedule is inserted:

**SCHEDULE 4 – METHODOLOGY FOR
DETERMINING COUNCILLOR NUMBERS AND
ALLOWANCES**

Sections 28JAA and 28JAB

1. Aggregate score

- (1) For the purposes of sections 28JAA and 28JAB, each council is to be allocated an aggregate score in accordance with this clause.
- (2) A council’s aggregate score is the sum of the scores applicable to the council under each metric specified in Table 1.

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(3) The score applicable to a council for a metric is the score specified in column 4 of Table 1 that corresponds to the benchmark in column 3 of that table applicable to the council for the metric specified in column 2 of that table.

Table 1

Column 1 Item	Column 2 Metric	Column 3 Benchmark	Column 4 Score
1.	Population size	Less than 15,000	1
		15,000–24,999	2
		25,000–34,999	3
		35,000–54,999	4
		55,000 or more	5
2.	Total number of rateable properties	Less than 10,000	0.5
		10,000–19,999	1
		20,000 or more	1.5
3.	5-year average value of approved development applications (\$ million)	Less than 50	1
		50–99	2
		100 or more	3

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4.	Written down value of infrastructure assets (\$ million)	Less than 150	1
		150–399	2
		400 or more	3
5.	Urbanisation	Rural small	1
		Rural large	2
		Urban	3
6.	Kilometres of road	Less than 100 km	0.5
		100–249 km	1
		250 km or more	1.5

2. Interpretation of Table 1

(1) In Table 1 –

population size means the estimated resident population of the municipal area, as most recently published by the Australian Bureau of Statistics;

total number of rateable properties means the number of rateable properties in the municipal area;

5-year average value of approved development applications means the average, over 5 financial years, of the total value of

development applications
approved by the council;

written down value of infrastructure assets means the value, after depreciation, of the council's infrastructure assets, including stormwater assets, roads and bridges, and plant and equipment;

urbanisation means the classification of the municipal area under the simplified Australian Local Government Classification system;

kilometres of road means the total length, in kilometres, of roads for which the council is responsible, including urban and rural roads.

- (2) The value of a metric for a council is to be determined by reference to the most recent available data published or otherwise held by the Department.
- (3) The Minister may determine the data to be used for the purposes of Table 1 if the data referred to in subclause (2) is unavailable or unreliable.

3. Councillor number categories

A council is to be allocated a councillor number category specified in column 3 of Table 2 based on its aggregate score

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falling within the range specified in column 2 of that table.

Table 2

Column 1 Item	Column 2 Aggregate score	Column 3 Councillor number category	Column 4 Councillors elected
1	14 –20	1	9
2	6.5 –13.5	2	7
3	less than 6.5	3	7

4. Councillor allowance bands

- (1) A council is allocated to an allowance band specified in column 3 of Table 3 based on its aggregate score falling within the range specified in column 2 of that table.
- (2) A councillor’s allowance band is the allowance band allocated to the council under subclause (1).

Table 3

Column 1 Item	Column 2 Aggregate score	Column 3 Allowance band
1.	16–20	1.1
2.	14–15.5	1.2

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Column 1 Item	Column 2 Aggregate score	Column 3 Allowance band
3.	11.5–13.5	2.1
4.	8.5–11	2.2
5.	6.5–8	2.3
6.	less than 6.5	2.4

45. Schedule 8B inserted

After Schedule 8A to the Principal Act, the following Schedule is inserted:

**SCHEDULE 8B – SAVINGS AND TRANSITIONAL
PROVISIONS CONSEQUENT ON *LOCAL
GOVERNMENT AMENDMENT (TARGETED REFORM)
ACT 2026***

Section 349D

1. Interpretation of Schedule

In this Schedule –

amendment Act means the *Local
Government Amendment
(Targeted Reform) Act 2026*.

2. Reference to alderman or aldermen

- (1) In any Act, statutory rule, by-law or other instrument made under an Act, a

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reference to an alderman or aldermen is taken to be a reference to a councillor or councillors, as the case requires.

- (2) This clause does not affect the validity of any appointment, election, act or decision made before the commencement of this clause.

3. Effect of certain consequential amendments

The amendment by the amendment Act of a provision of any regulations does not prevent that or any other provision of those regulations from being amended or rescinded by a subsequent regulation.

4. Transitional number of councillors

- (1) In this clause –

commencement day means the day on which section 43 of the amendment Act commences;

next ordinary election means the next ordinary election held after the commencement day.

- (2) Despite the amendments to this Act made by the amendment Act, the number of councillors for a council is, until immediately before the day on which the certificate of election for the next ordinary election is issued, to be the same as the number of councillors for the

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council immediately before the commencement day.

- (3) On and from the day on which the certificate of election for the next ordinary election is issued, the number of councillors for a council is to be determined in accordance with this Act as amended by the amendment Act.
- (4) This clause does not affect the validity of anything done by or in relation to councillors holding office before the day on which the certificate of election for the next ordinary election is issued.

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s. 46 Part 3 – Tasmanian Civil and Administrative Tribunal Act 2020 Amended

**PART 3 – TASMANIAN CIVIL AND
ADMINISTRATIVE TRIBUNAL ACT 2020 AMENDED**

46. Principal Act

In this Part, the *Tasmanian Civil and Administrative Tribunal Act 2020** is referred to as the Principal Act.

47. Schedule 2 amended (General Division)

Schedule 2 to the Principal Act is amended as follows:

- (a) by omitting paragraph (f) from clause 2 of Part 5 and substituting the following paragraph:
 - (f) sections 28ZJ, 28ZP, 28ZW and 28ZX of the *Local Government Act 1993*;
- (b) by inserting in clause 3(m) of Part 8 “, 28ZW, 28ZX” after “28ZP”.

*No. 24 of 2020

**PART 4 – LOCAL GOVERNMENT (GENERAL)
REGULATIONS 2025 AMENDED**

48. Principal Regulations

In this Part, the *Local Government (General) Regulations 2025** are referred to as the Principal Regulations.

49. Regulation 49 amended (Allowances for elected members)

Regulation 49 of the Principal Regulations is amended as follows:

- (a) by omitting “2025” from the definition of *current period* in subregulation (1) and substituting “2026”;
- (b) by omitting subregulation (2) and substituting the following subregulation:
 - (2) For the purposes of section 28JAA of the Act, the allowance for a councillor, or the additional allowance for a mayor or deputy mayor, is –
 - (a) for the 12-month period commencing on 1 November 2026, the amount calculated by multiplying the amount specified for the relevant

*S.R. 2025, No. 24

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Part 4 – Local Government (General) Regulations 2025 Amended

allowance band in Schedule 4 by the inflationary factor for the 2026 calendar year and rounding the resulting amount to the nearest whole dollar; and

- (b) for each subsequent current period, the amount calculated by multiplying the allowance for the previous period by the inflationary factor for the calendar year in which the current period commences and rounding the resulting amount to the nearest whole dollar.

50. Schedule 4 substituted

Schedule 4 to the Principal Regulations is rescinded and the following Schedule is substituted:

SCHEDULE 4 – ALLOWANCES FOR ELECTED MEMBERS

Column 1	Column 2	Column 3	Regulation 49 Column 4
Allowance band	Allowance for Councillors	Additional allowance for Deputy Mayors	Additional allowance for Mayors
1.1	52 951	29 932	115 869

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1.2	42 869	26 071	93 798
2.1	32 463	22 209	71 038
2.2	22 064	18 334	48 277
2.3	18 440	15 449	40 353
2.4	15 529	13 518	33 981

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s. 51 Part 5 – Local Government (Meeting Procedures) Regulations 2025
Amended

PART 5 – LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2025 AMENDED

51. Principal Regulations

In this Part, the *Local Government (Meeting Procedures) Regulations 2025** are referred to as the Principal Regulations.

52. Regulation 3 amended (Interpretation)

Regulation 3 of the Principal Regulations is amended by inserting after the definition of *associated reports and documents* the following definitions:

audio link has the same meaning as in the *Evidence (Audio and Audio Visual Links) Act 1999*;

audio visual link has the same meaning as in the *Evidence (Audio and Audio Visual Links) Act 1999*;

53. Regulation 31 amended (Voting procedure)

Regulation 31(2) of the Principal Regulations is amended by inserting “that enables each councillor present at the meeting to vote” after “determines”.

*S.R. 2025, No. 25

54. Regulation 45 substituted

Regulation 45 of the Principal Regulations is rescinded and the following regulations are substituted:

45. Requirement to attend meetings in person

Subject to regulations 45A and 45B, a councillor is required to attend a meeting in person.

45A. Participation in meetings by audio or audio visual link

- (1) If a meeting is to be conducted in person, a councillor may request the authorisation of the chairperson to attend the meeting, or part of the meeting, by audio link or audio visual link.
- (2) A request under subregulation (1) must –
 - (a) state the reason for the request; and
 - (b) specify the date of the meeting to which the request relates; and
 - (c) be submitted to the chairperson not less than 2 hours before the commencement of the meeting to which the request relates; and
 - (d) be in writing.
- (3) A request under subregulation (1) may only be made if the councillor is unable

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to attend the meeting in person due to one or more of the following reasons:

- (a) a natural disaster, severe weather event or road closure preventing, or likely to prevent, the councillor from safely attending the meeting in person;
- (b) the councillor being outside Tasmania as a consequence of the councillor's ordinary employment;
- (c) the councillor's in-person attendance at the meeting would risk the health or safety of –
 - (i) the councillor; or
 - (ii) another person attending the meeting;
- (d) the councillor, the councillor's spouse or partner, or a member of the councillor's family, being required to travel for medical treatment;
- (e) the councillor being required to travel for compassionate reasons;
- (f) the councillor being required to provide care or support to a member of the councillor's

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- family or to the councillor's spouse or partner;
- (g) the councillor suffering from an injury.
- (4) Before the meeting to which the request relates, the chairperson is to –
- (a) grant the authorisation if reasonably satisfied that the councillor has provided a reason specified in subregulation (3); or
- (b) refuse to grant the authorisation if –
- (i) not reasonably satisfied that a reason specified in subregulation (3) has been provided; or
- (ii) reasonably satisfied that the councillor would be unable to comply with regulation 45C.
- (5) The chairperson may, during a meeting, revoke with immediate effect an authorisation granted under subregulation (4)(a) if the chairperson forms the opinion that the councillor is not providing, or is unable to provide, the councillor's full attention to the conduct of the meeting.

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- (6) A councillor attending a meeting, or part of a meeting, by audio link or audio visual link in accordance with this regulation is taken to be present at the meeting if the councillor is able to hear and be heard by the other persons participating in the meeting.
- (7) If a councillor attends a meeting, or part of a meeting, by audio link or audio visual link that is closed to the public, the councillor must comply with section 338A of the Act.

45B. Meeting conducted by audio link or audio visual link in exceptional circumstances

- (1) The chairperson may, if satisfied that exceptional circumstances exist, determine that a meeting, or part of a meeting, is to be conducted by audio link or audio visual link only.
- (2) If a determination is made under subregulation (1), the chairperson may –
 - (a) authorise councillors to attend the meeting, or part of the meeting, by audio link or audio visual link; and
 - (b) invite members of the public to attend the meeting, or part of the meeting, by audio link or audio visual link.

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- (3) If a meeting, or part of a meeting, conducted in accordance with subregulation (1) is closed to the public, the chairperson –
- (a) is to exclude members of the public from the meeting; and
 - (b) may exclude the general manager if the matter to be discussed relates to the contract of employment, or the performance, of the general manager; and
 - (c) may invite any person to remain at the meeting to provide advice or information.
- (4) Attendance at a meeting under this regulation does not count towards a councillor’s attendance by audio link or audio visual link for the purposes of regulation 45C.

45C. Limit on attendance by audio link or audio visual link

A councillor must not attend more than one-third of the scheduled meetings of the council in a calendar year by audio link or audio visual link under regulation 45A.

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Part 6 – Repeal of Act

PART 6 – REPEAL OF ACT

55. Repeal of Act

This Act is repealed on the first anniversary of the day on which the last uncommenced provision of this Act commenced.