

LOCAL GOVERNMENT — LOCAL GOVERNMENT AMENDMENT
(SUSPENSION AND DISMISSAL) BILL 2018

3411. Mr A. Krsticevic to the Minister for Local Government:

I refer to Ministerial Circular 01-2018, issued to all Local Governments in respect of the Local Government Amendment (Suspension and Dismissal) Bill 2018, and ask:

- (a) which Local Governments contacted the Department in respect of the circular and/or the Bill, on how many occasions;
- (b) what issues were raised by the Local Government, on each occasion of contact; and
- (c) what response or assistance was provided by the Department, on each occasion of contact?

Mr D.A. Templeman replied:

- (a) The Department was contacted once by the following local governments:

Shire of Manjimup;

Pilbara Regional Council; and

City of Swan.

- (b) Shire of Manjimup – Questions were asked about the practical application of the new suspension powers.
Pilbara Regional Council – Will the Bill apply to Regional Councils?

City of Swan – The questions were general in nature concerning the practical application of the new suspension provisions and a comparison of similar powers in other jurisdictions.

- (c) Shire of Manjimup – A detailed explanation was provided on:

each head of power raised;

procedural fairness requirements; and

Departmental process that would be followed in providing advice to the Minister.

The Pilbara Regional Council was informed that the legislation will apply to regional councils as its operation will not be excluded by section 3.66 of the *Local Government Act 1995*. As such, if a councillor was to be suspended from their duties at their parent local government they would not be able to perform duties at the regional council and vice versa.

City of Swan – A detailed explanation was provided on the heads of power raised and the procedural fairness requirements contained within the Bill.

During the discussion about procedural fairness, an explanation was sought on similar powers within other jurisdictions. Descriptions of these powers and references to the other jurisdictions' Local Government Acts were provided as requested.