

LOCAL GOVERNMENT ACT — REFORM

664. Mr A. KRSTICEVIC to the Minister for Local Government:

Given the minister's statements while in opposition and his comment yesterday morning on Gareth Parker's show, and I quote —

We're going to bring some legislation into the Parliament that specifically allows the minister to deal with an individual councillor.

Where is the minister's long overdue local government legislation to sack individual councillors or is he just spin over policy substance?

Mr D.A. TEMPLEMAN replied:

There was so much love between the member for Carine and I yesterday. We went to the casino to present to the Local Government Professionals group and there he was —

The SPEAKER: Minister get to the point. Get to the answer.

Mr D.A. TEMPLEMAN: Yes, it is very relevant, Mr Speaker!

We were so much in sync that Gary Adshead found it difficult to find a wedge between us. He could not find a wedge between us. The fact of the matter is this; the member knows that we have launched a major review of the Local Government Act. Of course, the former minister, the former member for Wanneroo, who was at the same convention yesterday, said at the same convention a year ago that there was no need to review the Local Government Act—it did not need reviewing. The former government had been blinkered for so long that it had no idea. Let me tell members this; we believe very firmly —

Several members interjected.

The SPEAKER: Member for Cottesloe and member for Perth, if you want to have a conversation, go outside.

Mr D.A. TEMPLEMAN: We believe that the Local Government Act is inadequate because when there are issues with a local government's capacity and capability and indeed its integrity to deliver, the only option as the member knows well, is to deal with the entire council. That is despite the fact that only one person or one elected member is causing problems for that council and bringing the council into disrepute, not acting responsibly and in fact breaching—in the case of some, 45 times—the Local Government Act. What we have said is this: there should be a section in the Local Government Act that allows the minister of the day to deal not only with councils when they become dysfunctional—when we see a setting up of the process of a suspension of the council, the establishment of a panel inquiry process and, indeed, at the very height, a commissioner or commissioners—but also there should be a provision in the act to allow for an individual to be dealt with. There will still be a high bar in terms of natural justice. Natural justice must be delivered and it must also be fair. But for goodness sake, we should not see a situation in which two and a half years go by and we still do not have an outcome. We must have a process. In answer to the member's question, we will bring legislation to the Parliament. It is complex but we will get it right because we are going to make sure that it is fair and that it delivers what the intention is that it deliver. Watch out, and I look forward to the member supporting it.