



Hon David Templeman MLA
Minister for Local Government; Heritage; Culture & the Arts

Our Ref: 66-08408

Hon Colin Holt MLC
Deputy Chair
Standing Committee on Environment and Public Affairs
Parliament House
4 Harvest Terrace
WEST PERTH WA 6005

Dear Mr Holt

Thank you for your correspondence dated 21 February 2019 inviting my comments on the terms of Petition No 101 – Performance of Integrity Oversight Bodies; specifically the petitioner's suggestion that local government employees be subject to the same Code of Conduct as elected councillors.

Section 5.103(1) of the *Local Government Act 1995* (the Act) prescribes that 'every local government is to prepare or adopt a code of conduct to be observed by council members, committee members and employees'.

Section 5.104 of the Act states that 'Regulations may prescribe rules, to be known as the rules of conduct for council members, that council members are required to observe.' It appears that the petitioner is referring to the *Local Government (Rules of Conduct) 2007* which apply only to council members, and council members acting as committee members.

The matter of employee and council member conduct and the issues around the separate and distinct prescribed roles and responsibilities of local government elected members and employees is under consideration during the current review of the Act. The petitioner would be welcome to make a submission to the review in regard to the concerns expressed, with related information on making a submission available at www.dlgsc.wa.gov.au/LGARReview.

Yours sincerely

HON DAVID TEMPLEMAN MLA
**MINISTER FOR LOCAL GOVERNMENT;
HERITAGE; CULTURE AND THE ARTS**

18 MAR 2019