

## FACT SHEET

### *Local Government Amendment (Miscellaneous) Bill 2018*

The Local Government Amendments (Miscellaneous) Bill 2018 (the Bill) amends the *Local Government Act 1993* (the Act) to:

1. implement key elements of the Government's response to the recent review of the local government code of conduct framework; and
2. improve the clarity and effectiveness of the Act in relation to a range of minor drafting and administrative matters.

The key code of conduct changes include:

- a new requirement for complainants to demonstrate that they have undertaken 'reasonable efforts' to resolve an issue that is the subject of a complaint before a complaint is formally accepted. This will place the onus on parties to try and resolve an issue before formal escalation, and reinforce that a code of conduct should not be an option of first resort in relation to elected member behaviour;
- a new provision in the Model Code of Conduct to allow a Panel Chairperson to dismiss complaints on the basis of 'triviality'. This will improve efficiency by allowing the Panel to focus its time and resources on investigating material behavioural conduct issues;
- a new provision that explicitly prevents all relevant parties from misusing information they obtain as part of a code of conduct investigation; and
- a number of minor amendments focused on improving the overall procedural fairness, confidentiality and transparency of the complaints handling process.

The other general miscellaneous amendments proposed by the Bill address ambiguities and provide clarity in how the Act is administered. Amendments have been the subject of substantial and detailed consultation with the local government sector, and have received broad support.

This Bill does not relate to the Government's major review of local government legislation, which was announced on 26 June 2017. That Review is due to be completed in 2020. Rather, it makes minor changes to the current Act to ensure it remains practically workable and legally effective in the intervening period.