



GOVERNMENT OF
WESTERN AUSTRALIA

**Local Government
Inspector**

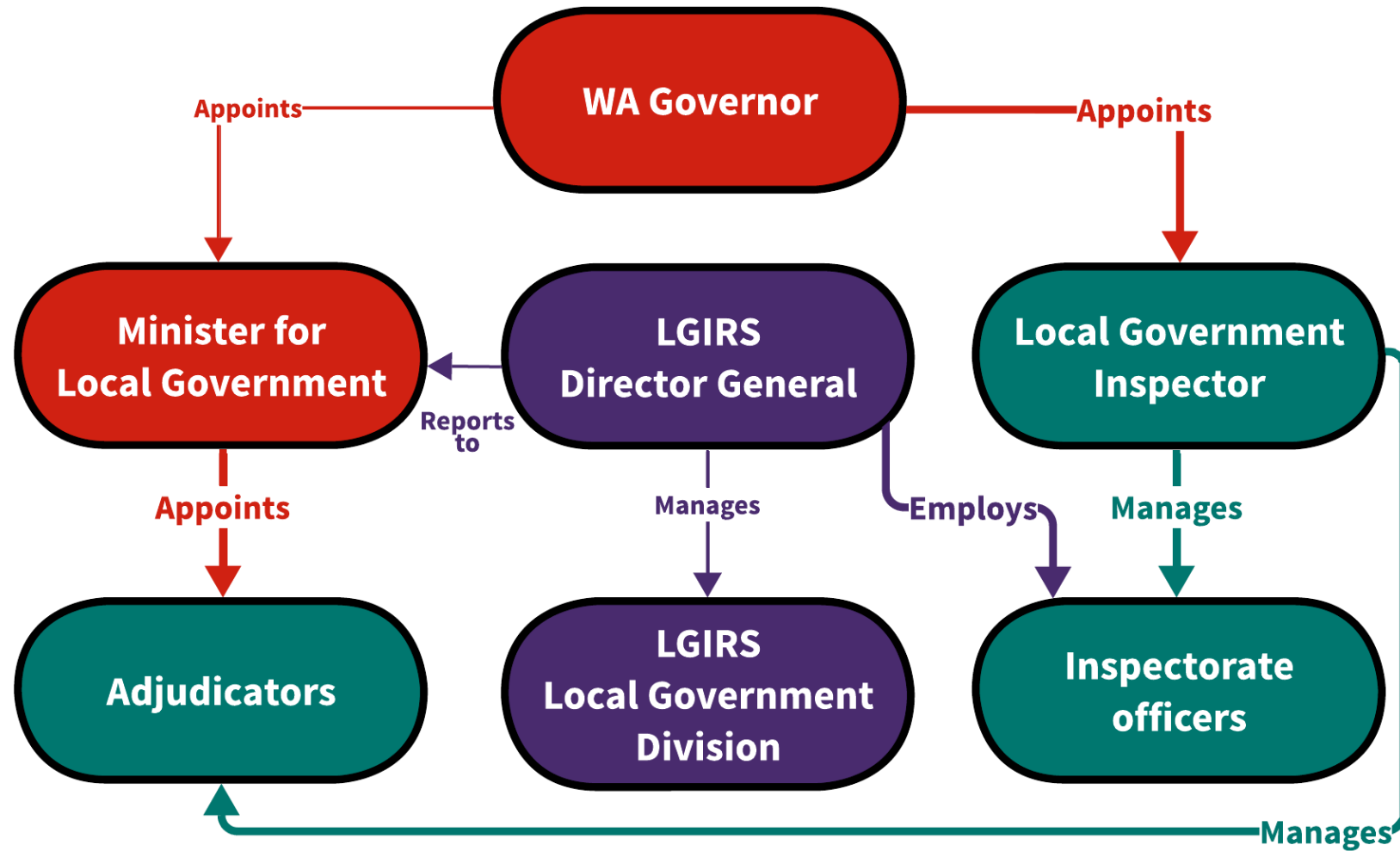
WA Local Government Inspector

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Overview

- The Local Government Inspector, established under the Local Government Amendment Act 2024, commenced on 1 January 2026 as an independent statutory officer appointed by the Governor to strengthen compliance, improve decision-making, and resolve issues early within the local government sector.
- Supported by a specialist inspectorate team, the Inspector has broad powers to intervene, investigate, assess and manage complaints, oversee compliance with the *Local Government Act 1995*, appoint monitors, issue orders, and recommend the dismissal of councils or council members.
- The Inspector is accountable to multiple integrity bodies— including the Minister, CCC, PSC, Auditor General, Ombudsman and Parliament.
- The Inspector provides independent regulatory oversight and enforcement, complementing LGIRS' policy and sector support functions.

Overview



Functions and powers of the Local Government Inspector

Local Government Inspector Functions



Receiving and dealing with complaints



Conducting investigations, including on the Inspector's own initiative



Monitoring the conduct of a local government's operations and affairs



Providing education and information to assist in compliance and conduct



Analysing systems and information



Consulting, providing information, and making recommendations



If necessary, conducting an Inspector's Inquiry

Investigations and compliance powers

Requiring a person to produce information about the local government's affairs

Requiring a person to appear before the Inspector and give evidence

Requiring a person to produce a document, information or property to the Inspector in the person's possession and allow the Inspector access to it

Entry onto local government property (without a warrant) or private property (with a warrant)

The ability to obtain the recordings of meetings (including closed meetings)

Obtain business records and data access orders under Parts 6 and 7 of the *Criminal Investigations Act 2006*

Require a local government to compile information for the Inspector, known as a 'statement of information'

Extend secrecy to some of their notices and directions

Investigations and compliance powers

Appointing	A local government monitor to address issues
Referring	Certain complaints to either local government, an adjudicator or the State Administrative Tribunal
Issuing	Infringement notices, warnings or recommendations
Prosecuting	Offences under the <i>Local Government Act 1995</i>
Directing	A person to comply with the <i>Local Government Act 1995</i>
Recovering	Misappropriated funds and property from council members and employees
Initiating	An Inspector's Inquiry into a local government

Monitors

The Inspector may appoint a monitor to support and address issues. A monitor can also be appointed on request from the Mayor/President, Council or CEO.

A monitor can work with a local government to:

- Build capacity so that a local government performs its functions.
- Promote compliance with laws.
- Implement financial controls.
- Facilitate resolutions for interpersonal problems.
- Monitors are to prepare a report for the Inspector about what they have found and what further action should be taken (if any).

Monitors

The regulations advise that the following cannot be a Monitor:

- an inspectorate officer;
- a member of a council
- a member of the governing body of a regional subsidiary;
- an employee of a local government or regional subsidiary;
- an employee of WALGA or the Local Government Professionals Australia (WA);
- a member of the governing body of, or an employee of, a body corporate the activities of which are, wholly or mainly, advocating or otherwise acting for, or on behalf of, 1 or more of the following —
 - (i) local governments; (ii) members of councils; (iii) employees of local governments

Complaints

A General Complaint is a new complaint type.

- A **general complaint** made by a person to the Inspector that a relevant person of local government has contravened or is contravening a provision of the Act or relevant regulations.
- This could be a breach of an offence provision (that is not a specified breach) or otherwise non-compliance with a requirement of the *Local Government Act 1995*.
- Does not include behavioural, conduct, recurrent or specified breaches.
- The Inspector may dismiss the complaint, accept and investigate the complaint, send the complaint to the local government or another appropriate authority.

Breaches

Type	Role
Behavioral breach <i>(breach of behavioral components of model code)</i>	<ul style="list-style-type: none">• Complaint referred to the local government to be dealt with under the local government's Code of Conduct
Conduct breach <i>(breach of a rule of conduct or prescribed meeting procedure)</i>	<ul style="list-style-type: none">• Inspector is responsible for complaint receipt and investigation• Inspector either dismisses complaint for being frivolous, trivial, vexatious, misconceived or without substance, or accepts complaint• Accepted complaints must be referred for decision by an adjudicator
Recurrent breach <i>(more than two previous conduct breaches)</i>	<ul style="list-style-type: none">• Inspector may either treat this as a conduct breach or as a specified breach
Specified breach <i>(committing a prescribed offence)</i>	<ul style="list-style-type: none">• Inspector is responsible for complaint receipt and investigation• Inspector either dismisses complaint for being frivolous, trivial, vexatious, misconceived or without substance, or accepts complaint• If complaint is accepted, the Inspector can:<ul style="list-style-type: none">○ Make an allegation to State Administrative Tribunal○ Initiate a prosecution in court○ Take other action (e.g. inspectorate officer issuing an infringement notice)

Breaches

Type	Sanction
Behavioral breach	<ul style="list-style-type: none">• As currently provided in the Code of Conduct
Conduct breach	<ul style="list-style-type: none">• Public censure• Public apology• Counselling• Training• Suspend payment of allowances for up to 3 months• Suspension from a committee of council for up to 3 months• Suspension from council for up to 3 months
Specified breach	<ul style="list-style-type: none">• The State Administrative Tribunal may order all the sanctions an adjudicator can order, but for up to 6 months instead of 3 months• Disqualification from being a council member for up to 5 years• Disqualification from being mayor/president or deputy mayor/president (if office is elected by council) for the rest of the council member's term

Infringements

The new Infringement system

The following offences will attract infringements:

- Failure to vote - \$1,000
- Failure to lodge a Primary or Annual return – Council Members, CEO & designated employees - \$1,000
- Failure for an Elected Member or CEO to disclose a gift - \$1,000
- Failure of a Council Member to complete training - \$500

Adjudicators (Not a function of the Inspector)

Adjudicators replace the Local Government Standards Panel.

- All adjudicators must be legal practitioners with at least 5 years' experience.
- Where a complaint of a conduct breach is accepted, the Inspector refers it to the Principal Adjudicator to be allocated to make a finding and potential sanction.
- Adjudicator decisions are to be based upon the evidence presented to determine if there has been a breach on the balance of probabilities.
- Decisions of an adjudicator may be appealed to the State Administrative Tribunal.

Inquiry

- The Inspector can choose to conduct a formal inquiry into a local government.
- This replaces the current Authorised Inquiry.
- An inquiry can result in findings and recommendations which the local government must implement including recommending a council or council member be dismissed.
- The Inspector can advise the Minister to suspend a council or council member.
- The Minister has the power to extend the suspension of a council while an Inspector's Inquiry is underway.
- The Inspector can advise the Minister to recommend to the Governor the dismissal of a council or council member following an Inspector's Inquiry.

Inquiry

- Under section 8.4 (4) the Inspector can recommend that a council member be dismissed only if the Inspector is satisfied on reasonable grounds that —
 - ❖(a) at least 1 of the following applies —
 - (i) the member has failed, or is failing, to perform the member's role, functions or duties under this Act;
 - (ii) the member's conduct has impeded, or is impeding, the ability of another person to perform their role, functions or duties under this Act;
 - the member's conduct has impeded, or is impeding, the ability of the local government to comply with the principles that apply to it under section 5.40; and
 - ❖(b) the seriousness or duration of that failure of conduct make it inappropriate for the member to continue to be a member of the governing body of the local government.

Local Government Inspector Priorities and expectations

2026 Priorities

- Empowering Local Governments to lead their own improvements
- Compliance enforcement; infringing and investigating
- Education and engagement with sector

Expectations

- Understanding of individual and collective obligations under the *Local Government Act 1995*.
- Respectful working relationships
- Elected Members and CEO's to understand their roles and responsibilities as prescribed under sections 2.7 to 2.10 and 5.41
- Work collaboratively to solve identifiable issues, ie interpersonal, financial and compliance matters
- Open and transparent relationship with the community

Connect with the Local Government Inspector



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