

Introduction

- Understanding Local Government
- Serving on Council
- Meeting Procedures
- Conflicts of Interest
- Understanding Financial Reports and Budgets
- Support for Council Members





Understanding Local Government

Council Member Essentials



WALGA

Local Government in WA

- 139 Local Governments
- 1,213 Council Members
- 22,600 Employees

- \$4.5 billion expenditure
- \$49 billion assets
- 88% of public roads

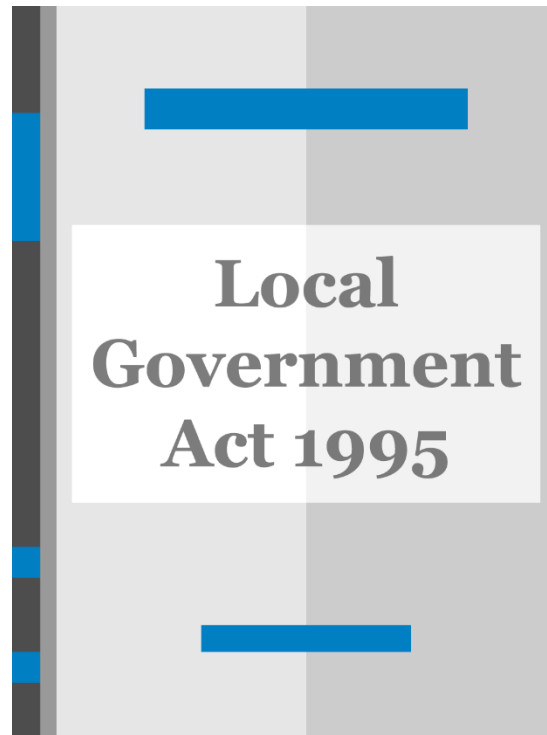


Part IIIB - Local Government

52. Elected local governing bodies

- (1) The Legislature shall maintain a system of local governing bodies elected and constituted in such manner as the Legislature may from time to time provide.
- (2) Each elected local governing body shall have such powers as the Legislature may from time to time provide being such powers as the Legislature considers necessary for the better government of the area in respect of which the body is constituted.

A 'General Competence' Act





People Services e.g. – Libraries, recreational facilities, services for youth, services for the aged, arts and cultural events, community facilities



Property Services e.g. – Local roads, footpaths, parks and gardens, waste services, security services and recycling



Regulatory Services - Land use planning approvals, building permits, swimming pool inspections, animal control, environmental health, parking controls, behaviour in public places



Serving on Council

Council Member Essentials

Separate Powers

The following extract from the Second Reading Speech for the *Local Government Act 1995* provides insight to the purpose and intent of legislating for separate powers:

“The new Act will provide a clear distinction between the representative and policy making role of the elected Councillors and the administrative and advisory role of the Chief Executive Officer and other staff.”

Consequently, clear distinctions are established between the roles and responsibilities of the Council and those of the administration throughout the Local Government Act.

Role of Council

The Council

- governs the local government's affairs;
- is responsible for the performance of the local government's functions;
- oversee the allocation of the local government's finances and resources; and
- determine the local government's policies.

Role of Councillor

A councillor —

- (a) represents the interests of electors, ratepayers and residents of the district; and
- (b) provides leadership and guidance to the community in the district; and
- (c) facilitates communication between the community and the council; and
- (d) participates in the local government's decision-making processes at council and committee meetings; and
- (e) performs such other functions as are given to a councillor by this Act or any other written law.

Councillors do not have specific individual powers but, when working together with fellow Council Members, provide an invaluable service to their community.

Role of Mayor or President

- (1) The mayor or president —
 - (a) presides at meetings in accordance with this Act; and
 - (b) provides leadership and guidance to the community in the district; and
 - (c) carries out civic and ceremonial duties on behalf of the local government; and
 - (d) speaks on behalf of the local government; and
 - (e) performs such other functions as are given to the mayor or president by this Act or any other written law; and
 - (f) liaises with the CEO on the local government's affairs and the performance of its functions.

The Mayor or President has one specific individual power, authorising unbudgeted expenditure in response to an emergency.

Functions of the Chief Executive Officer

**Advise Council
on the functions
of LG**

**Provide advice
and information
to Council**

**Implement
Council decisions**

**Manage the
day-to-day operations
of the LG**

**Liaise with
Mayor or President
on LG's affairs and
performance**

**Speak on behalf
of the LG
with the consent of
Mayor or President**

**Employment,
management
supervision, dismissal
of employees**

Separate Powers

Local Government Body Corporate

Council

- Sets the future direction
- Decides policy
- Allocates the funding to meet resource needs
- Decides on the level of community services
- Responsible Authority for Land Use Planning



CEO

- Primary adviser to the Council
- Provides information
- Implements Council decisions
- Employs and supervises staff
- Manages all the operations of Local Government



Playing your role on Council

A councillor —

(a) represents the interests of electors, ratepayers and residents of the district; and

(b) provides leadership and guidance to the community in the district; and

(c) facilitates communication between the community and the council; and

(d) participates in the local government's decision-making processes at council and committee meetings; and

(e) performs such other functions as are given to a councillor by this Act or any other written law.

A councillor —

(a) represents the interests of electors, ratepayers and residents of the district; and

Declaration by elected member of council

Declaration by elected member

I, Hammond Simms.....

of ¹ 54 Brentwood Lane, Westralia WA 6888.....,

having been elected to the office of ²mayor/deputy mayor/president/deputy president/councillor of the³

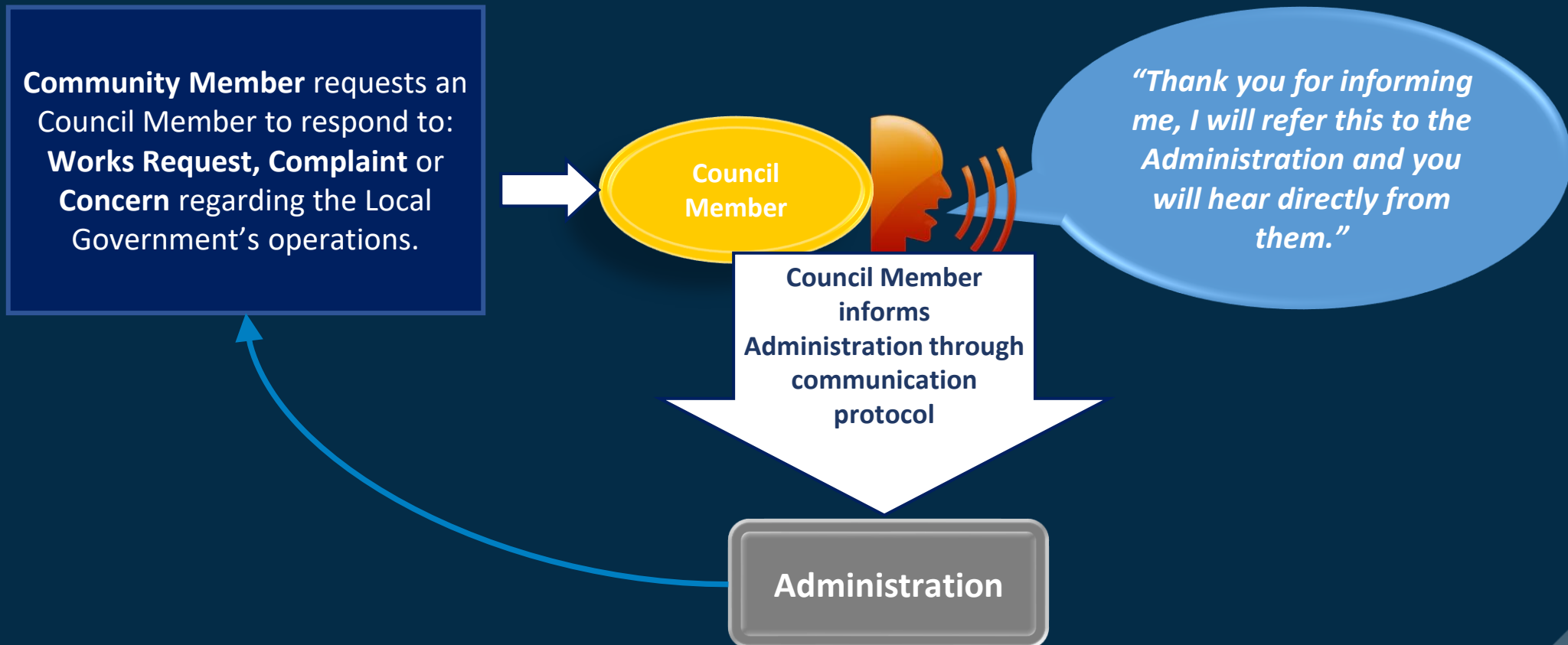
Shire of Westralia.....,

declare that I take the office upon myself and will duly, faithfully, honestly, and with integrity, fulfil the duties of the office for the people in the district according to the best of my judgment and ability, and will observe the code of conduct adopted by the ³ Shire of Westralia under section 5.104 of the *Local Government Act 1995*.



A councillor –

(c) facilitates communication between the community and the council; and



A councillor –

(d) participates in the local government's decision-making processes at council and committee meetings; and

Typically, most meetings deal with:

- Policy and Strategy;
- Dealing with development applications;
- Major Projects;
- Annual budget and monthly financial management reports;
- Range, scope and delivery of services; and
- Monitoring performance and compliance.



*If present at a meeting you **must** vote*



Meeting Procedures

Council Member Essentials

Council Meetings



Laws Applying to Meetings

MEETINGS OVERVIEW > FORMAL GATHERINGS > LEGISLATION

FUTURE REFORM



Reforms will introduce Uniform Meeting Procedures for all Local Governments.
Further information expected in 2024, likely to be in effect late 2024 / early 2025.
Remember to check the eLearning Hub for the latest information.



Model Code of Conduct

At Council or Committee Meetings:

- Must not act in abusive or threatening manner
- Must not make false or misleading statement
- Must not repeatedly disrupt the meeting
- Must comply with local law
- Must comply with direction of person presiding
- Must cease conduct that has been ruled out of order

What do you think?

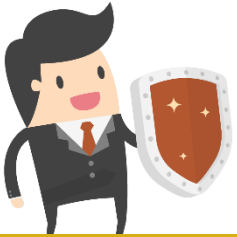


True or False?

At a Council meeting, I can exercise my freedom of speech and make any comment that I wish?

Qualified Privilege

~~At a Council meeting, I can exercise my freedom of speech and make any comment that I wish?~~



Absolute Privilege

An important principle applying to Local Government Council meetings is one of **Qualified Privilege**.



Qualified Privilege

As opposed to **Parliamentary Privilege**, a Council Member has *limited defences* should they be the subject of a claim for damages based on alleged defamatory statements associated with their role on Council.



Conflicts of Interest

Council Member Essentials

Declaring Interests



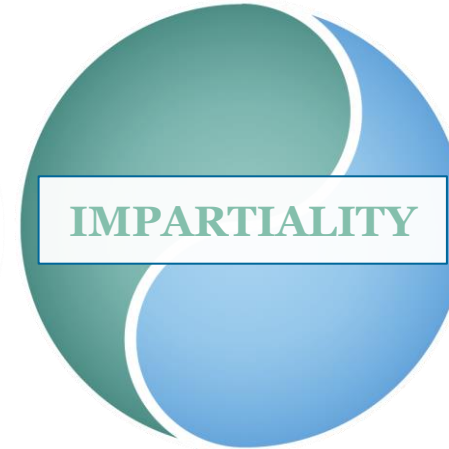
s 5.60A



s 5.61



s 5.60B



Code of Conduct cl.22

Participate & Vote:

Participate & Vote:

You may wear many different hats...

But you are *always* a
Councillor



Part-time Breakdancer

Comedian

Adventurer

Music Lover

Parent

Chef

Councillor



Understanding Financial Reports and Budgets

Council Member Essentials



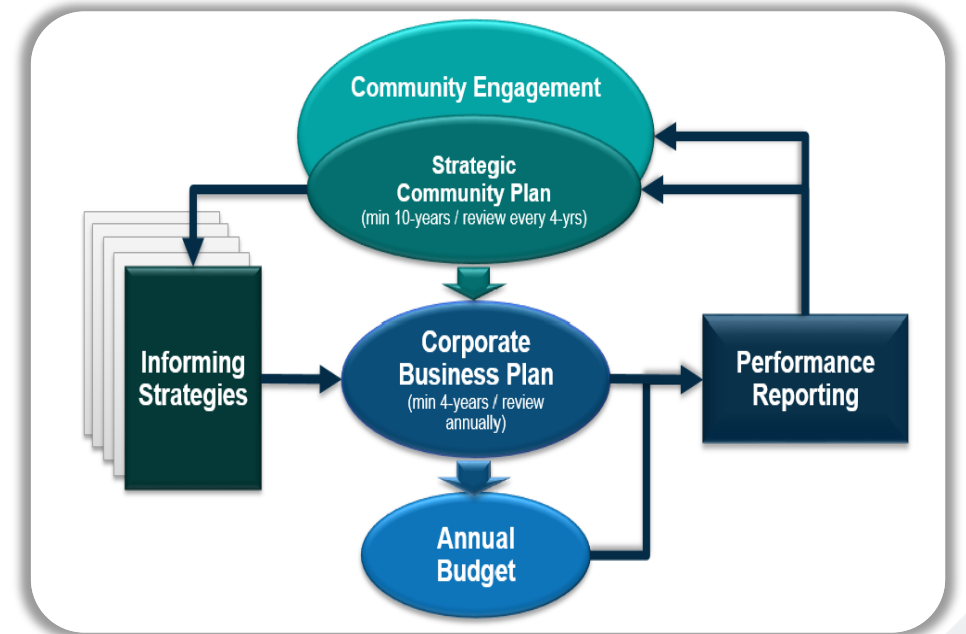
WALGA

Council Plans

A robust strategic planning framework is at the foundation of the purpose of Local Government and aligns with its statutory function of *'providing for the good government of persons in the district.'*

Council Plans:

- ensure community input is reliably generated to inform the medium to long term objectives of the Local Government;
- are developed to meet specific objectives and measurable outcomes;
- identify the resourcing required to deliver the plans; and
- enable rigorous, achievable and transparent prioritisation within available resources of the Local Government.



Council Plans





Environment

Climate change, environmental services, waterwise initiatives, canal management and energy efficiency.

Economic & Activation

Building compliance, economic development, tourism, community festivals and events, business and entrepreneurial programs, City centre activation and regional development.

Governance

Council, administration, rates, advocacy and customer service

Health

Public health monitoring, mosquito management, health inspections and compliance.

Education & Welfare

Senior services, accessibility, youth, community development, engagement and services.

Public Works

Administration, operations, and asset maintenance.

Community Services

Waste management, planning, place activation, cemeteries, community capacity education and engagement, access and inclusion

Recreation & Culture

Recreation centres, community centres, sports ground, libraries and recreation services

Law, Order, Compliance

Rangers services, fire prevention, crime prevention, CCTV surveillance, emergency services and building compliance.

Transport

Roads, carparks, footpaths, bridges, streetlighting and drainage maintenance.

Support for Council Members

- **Council Member Remuneration**
- **Reimbursement of Expenses incl. Child Care**
- **New Parental Leave Provisions**
- **Enhanced Professional Development Policy**
- **Proposed Council Member Superannuation**



THANK
YOU