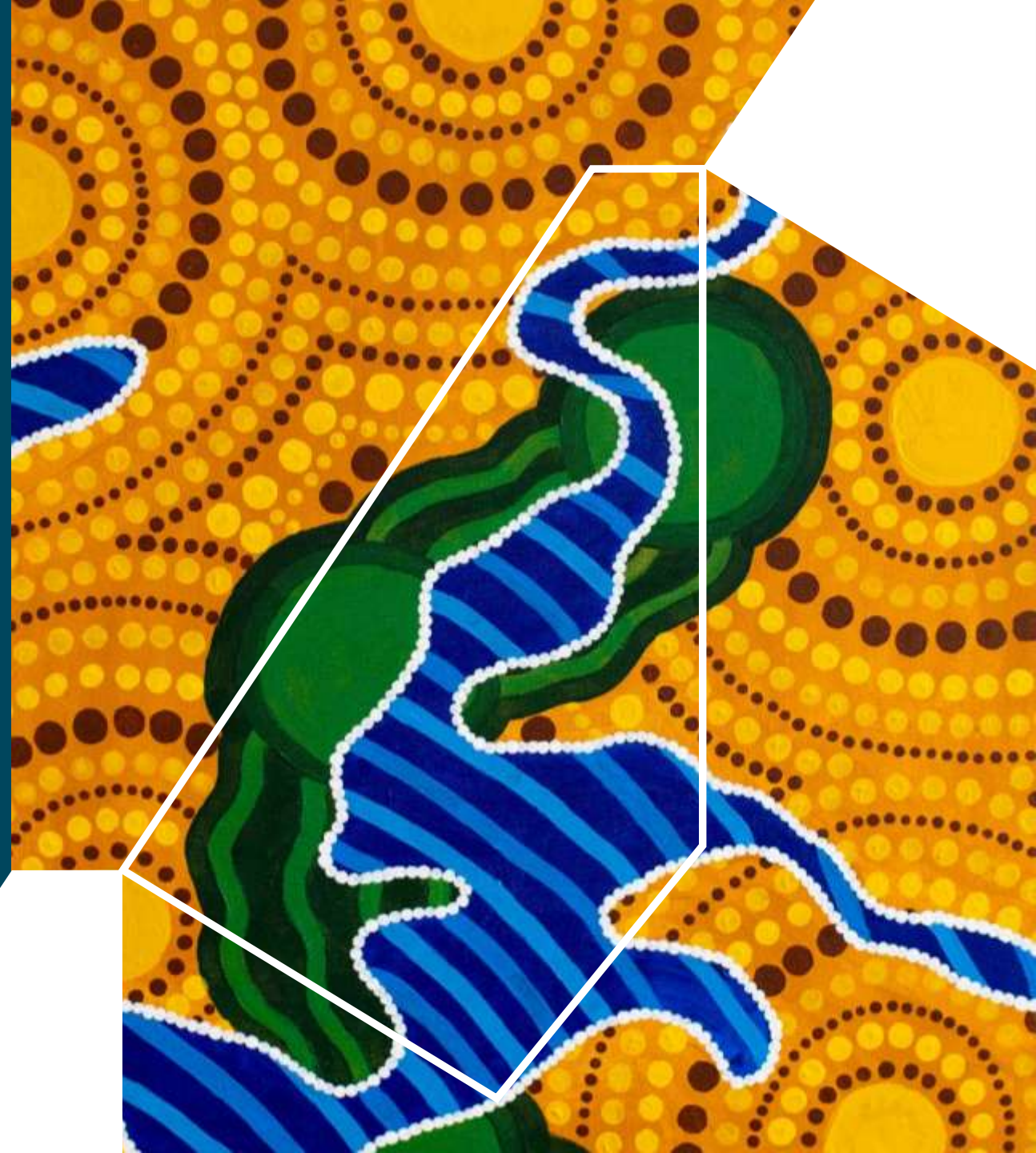


Candidate Briefing

Felicity Morris
Manager Governance and Procurement

Acknowledgement of Traditional Owners

WALGA acknowledges the continuing connection of Aboriginal people to Country, culture and community. We embrace the vast Aboriginal cultural diversity throughout Western Australia and we acknowledge and pay respect to Elders past and present.





01

Introduction

Understanding Local Government

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02

Understanding Local Government



Local Government in WA



139

Councils



1,136

Elected Members



25,500

employees

19,620 Full Time Equivalents (FTE)
Source: WALGA Salary and Workforce Survey



\$4.9bn

expenditure per annum

Source: Australian Bureau of Statistics



\$52bn

of assets

Source: Australian Bureau of Statistics



87%

of all public roads managed

Source: WALGA Road Asset and Expenditure report



WALGA

Influence. Support. Expertise.

100%

of all WA local
Councils are
Members of
WALGA

Western Australian Local Governments are diverse in:



Land size:
ranging from
less than
1.1² km to over
372,000² km



**Number of
staff employed:**
from **13** to
over **1,389**
per council



Population:
range from
101 to more
than **246,000**
people



**Revenue
received:** which
in 2023-24,
ranged from
\$2.7 million
to just over
\$309 million





Basis for Local Government in WA

Elected local governing bodies.

PART IIIB.—LOCAL GOVERNMENT.

52. (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.

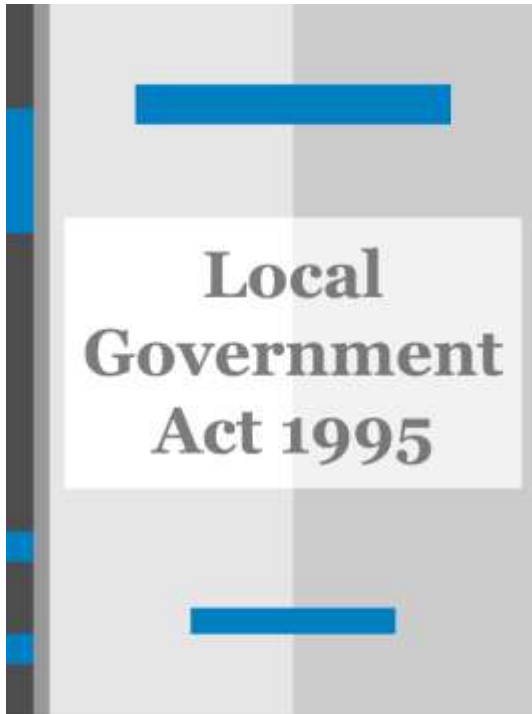
(2) Each elected local governing body shall have such powers as the Legislature may from time to time provide being such powers as the Legislature considers necessary for the better government of the area in respect of which the body is constituted.





Local Government Act

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The Act provides “**general competence powers**” enabling Local Governments to make decisions and do all things necessary or convenient to be done for, or in connection with, performing its functions under this Act, subject to consistency with written and common law.





Local Government Services



People Services

Libraries, recreational facilities, services for youth, services for the aged, arts and cultural events, community facilities



Property Services

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



03

Serving on Council





Separate Powers

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The bill delivers ... **clearer roles and responsibilities** ... by legislating clearer roles for **Council**, the **Mayor** or **President**, **Council Members**, and the **Chief Executive Officer**. This will provide greater clarity ... distinction of strategic and operational functions in Local Governments.

These amendments emphasise the critical separation between the **Council as the governing body**—responsible for establishing policies, making strategic decisions and appointing the chief executive officer—**and the Chief Executive Officer, who is responsible for managing the day-to-day business** of the Local Government.

... Council Members **must not** seek to involve themselves in managing the Local Government's administration, intervening in the service delivery by the Local Government or otherwise seeking to perform the role of the Chief Executive Officer.

Hon. Hannah Beazley, Minister for Local Government

15 August 2024





Role of Council

- Governs the Local Government's affairs
- Responsible for the performance of the Local Government's functions
- Determines the services and facilities to be provided by the Local Government
- Determines the Local Government's policies
- Plans strategically for the future of the district
- Selects the CEO and reviews their performance
- Provides the CEO with strategic direction



Role of Council – Continued

Council must have regard to the following principles:

- The Council's governing role is separate from the CEO's executive role under s.5.41.
- Council respects that separation.

Council must make decisions:

- On the basis of evidence, merits and according to written law.
- Taking into account the Local Government's finances and resources.

Council must have regard to the need to support an organisational culture for the Local Government that promotes the respectful and fair treatment of the Local Government's employees.



Role of Councillors

- Represent the interest of electors, ratepayers and residents of the district and take account of the interests of other persons who work in, or visit, the district.
- Participate in the deliberation and decision-making of the local government at Council and committee meetings.
- Facilitate communication with the community about Council decisions.
- Facilitate and maintain good working relationships with other Councillors, the Mayor or President and the CEO.
- Act consistently with the role of Council.
- Maintain and develop the requisite skills to effectively perform their role.

Council Members do not exercise powers as individuals, only as members of a Council through collective decision-making.



Role of Mayor or President

- Provides leadership and guidance to the Council and Council Members, including regarding roles and responsibilities.
- Acts as the principal spokesperson for the Local Government, and carries out civic and ceremonial duties, acting consistently with Council decisions.
- Presides at meetings of the Council, ensuring that meetings are orderly and held in accordance with the Act.
- Promotes, facilitates and supports positive and constructive working relationships among Council Members.
- Liaises with the CEO on the Local Government's affairs and the performance of its functions.



Role of CEO

- Acts as principal advisor to Council.
- Implements Council's decisions and policies.
- Manages the provision of services and facilities that the Council has determined the Local Government will provide.
- Liaises with the Mayor/President on the Local Government's affairs and performance of the Local Government's functions and speaks on behalf of the Local Government if the Mayor/President agrees.
- Manages the Local Government's administration and operations.
- Responsible for the employment, management, supervision, direction and dismissal of other employees.
- Ensures records and documents of the Local Government are properly kept.
- Performs any other function specified or delegated by the Local Government or imposed under the Act or any other written law.



The Local Government Entity

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Your Role on Council

2.10. Role of councillors

(1) A councillor —

- (a) represents the interests of the electors, ratepayers and residents of the district and takes account of the interests of other persons who work in, or visit, the district; and
- (b) participates in the deliberation and decision-making of the local government at council and committee meetings; and
- (c) facilitates communication with the community about council decisions; and
- (d) facilitates and maintains good working relationships with other councillors, the mayor or president and the CEO; and
- (e) acts consistently with section 2.7(3) to (5); and
- (f) maintains and develops the requisite skills to effectively perform their role.



Your Role on Council

(a) represents the interests of the electors, ratepayers and residents of the district and takes account of the interests of other persons who work in, or visit, the district; and

Declaration by elected member of council

Declaration by elected member

I,

of ¹,

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

.....,

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 under section 5.104 of the *Local Government Act 1995*.



Your Role on Council

(b) participates in the deliberation and decision-making of the local government at council and committee meetings; and

Council meetings often deal with:

- Policy and Strategy
- Community Engagement
- Local Laws
- Applications
- Considering capital works and major projects
- Reviewing financial management information
- Determining the scope and delivery of services
- Monitoring performance and compliance





Your Role on Council

(c) facilitates communication with the community about council decisions;





04

Meeting Procedures



Council Meetings

Formal Meetings:

- Ordinary Council meetings
- Special Council Meetings
- Committee Meetings

Informal Meetings:

- Agenda Briefings
- Forums
- Workshops





Council Meetings

Council Meetings are formal meetings that are called, convened and conducted in accordance with the Local Government Act, Regulations and Meeting Procedures Local Laws.

Effective Council Members prepare for meetings:

- Read and consider the information in the agenda
- Identify and disclose conflicts of interest
- Participate in formal debate and decision-making



Public participation and broadcasting

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Public Participation

- Public question time
- Deputations
- Public attendance

Recording and Broadcasting

- Meetings required to be livestreamed and / or recorded and made available to the public



What do you think?

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True or False?

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



Qualified Privilege

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



Model Code of Conduct

A Council Member:

- 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



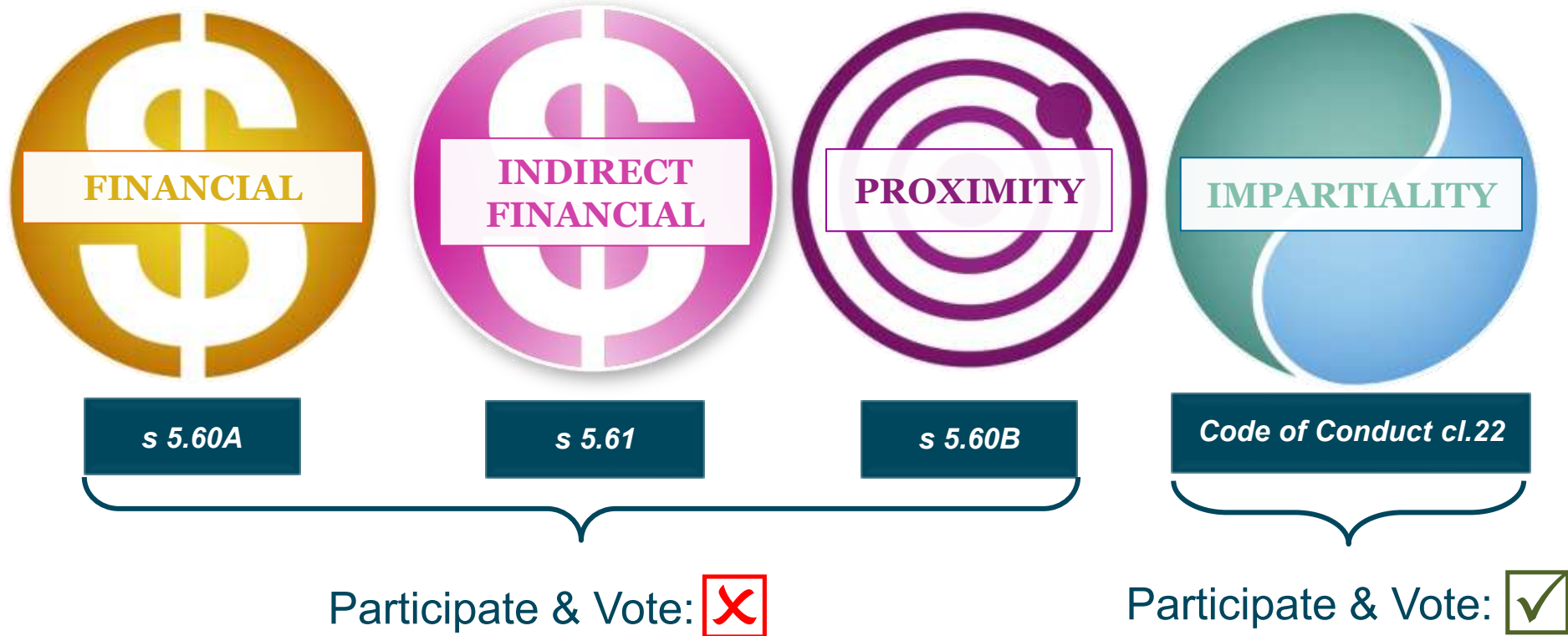
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Conflicts of Interest





Disclosing a Conflict of Interest





Conflicts of Interest

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06

Understanding Financial Reports and Budgets





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 informs 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
- enable rigorous, achievable and transparent prioritisation within the Local Government's available resources.





Council Plans

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Support for Council Members

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- Meeting fees or annual allowances
- Reimbursement of expenses including travel and childcare
- Council Member Superannuation
- Parental Leave provisions
- Mandatory training
- Continuing Professional Development Policy

Advice and guidance:

- Your Local Government's CEO | experienced Council Members
- WALGA Governance
- Department of Local Government, Industry Regulation and Safety



Thank you

