

Welcome to the City of Mandurah

2023 Local Government Election – Candidate Information Session

17 August 2023



Welcome from Mayor Rhys Williams

- Role of Council
- Decisions impact on the day to day lives of the community
- Critical leadership role
- Commitment, time and responsibilities





Council's Values and Culture Framework



Overview

Speakers:

- Casey Mihovilovich, Chief Executive Office, City of Mandurah
- Lyn Fogg, Governance Specialist, WA Local Government Association
- Kevan Waters, Returning Officer, Western Australian Electoral Commission



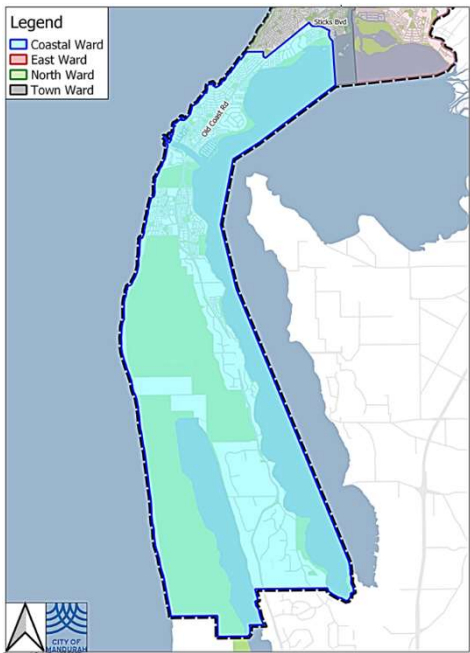
Ward Review



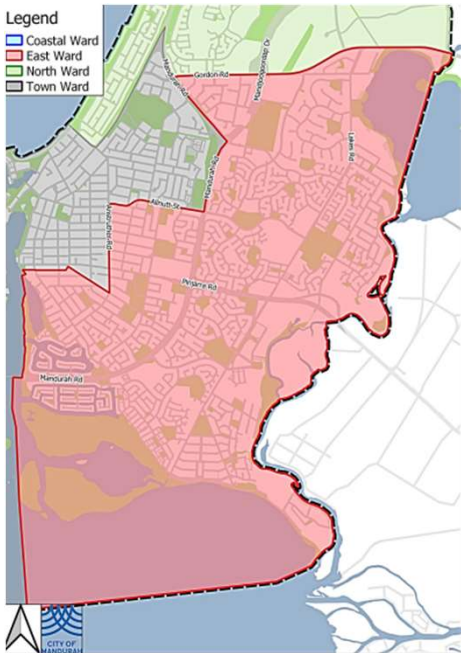
- The City of Mandurah undertook a Ward Review in 2022.
- In accordance with the *Local Government Act 1995* a review must be undertaken every eight years.
- The Ward Boundaries have been amended to take effect for the 2023 Local Government Election.
- The purpose of the review was to assess the City's current structure and to evaluate options to ensure that the ward system and representation levels best suit the characteristics of the district and community.
- Information on the new Ward Boundaries is available on the City's website.



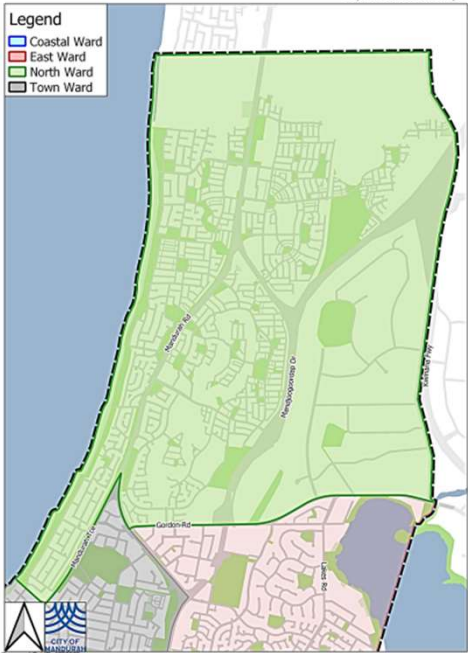
New Ward Boundaries and Vacancies



Coastal Ward
2 vacancies



East Ward
1 vacancy



North Ward
2 vacancies



Town Ward
1 vacancy





**bringing the
vision to life**

- › Strategic Community Plan 2020-2040
- › Corporate Business Plan 2023-2027
- › Long Term Financial Plan 2024-2033

Slide 7

AJO

[@Jane Pole-Bell] to replace slide 6

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City of Mandurah Snapshot

Population of **95,509**

(ABS ERP 2022)

Forecast Population by 2036 **120,787**

(Forecast ID, 2023)

Labour Force of **36,946**

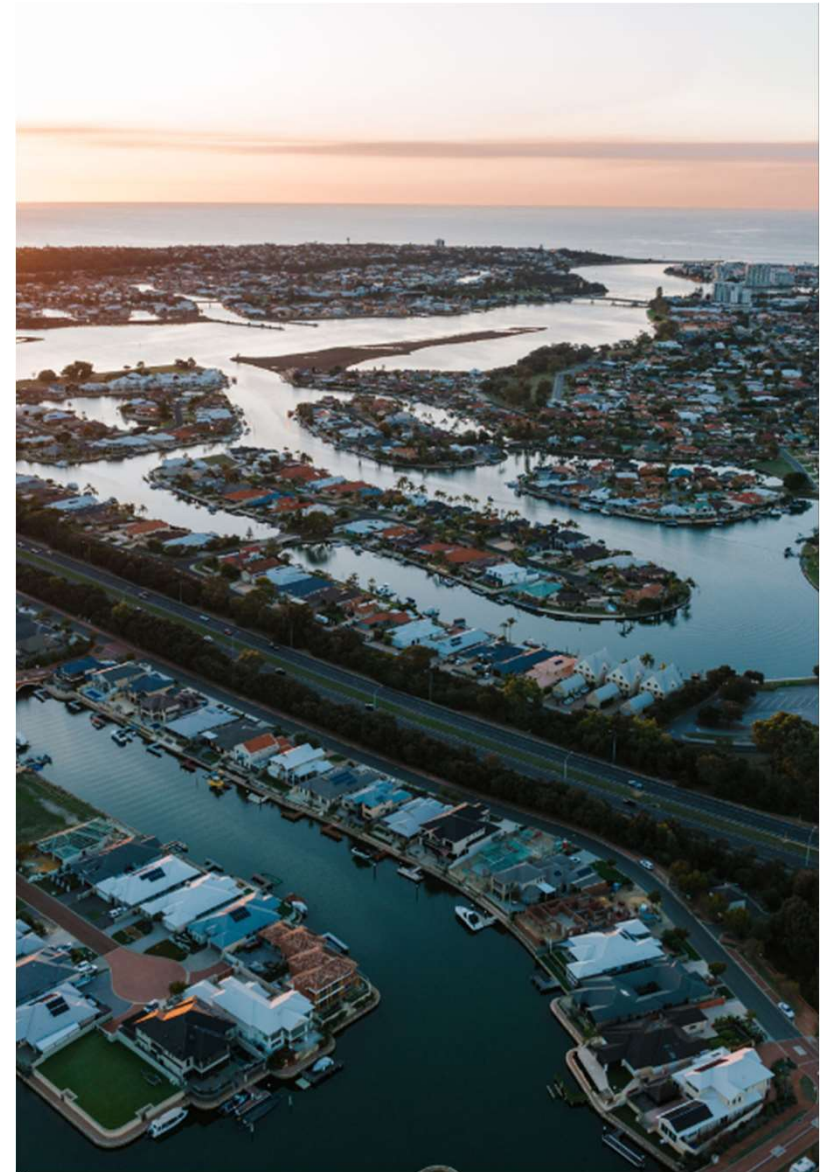
(March Quarter 2023)

Number of Business **4,779**

(ABS 2022)

Unemployment **3.9%**

(March Quarter 2023)



Key Focus Areas

20 Year Strategic Community Plan 2020 – 2040



Economic

- Supporting and empowering local businesses
- Creating local jobs and opportunities
- Fostering innovation and creativity in enterprise
- A diversity of employment, industries and enterprise
- Giving consideration to the impact of industry on the environment

Social

- Engaging, enabling and promoting youth
- People feeling safe no matter where they are
- Hearing and embracing all voices
- Vibrant and welcoming places for all to share
- Protecting the natural environment as we create shared spaces

Health

- A compassionate, interconnected whole of health system
- Technology and infrastructure that aids in better health
- Readily available, highly accessible services and facilities
- Appropriate support for an ageing population
- An understanding of the importance of a protected natural environment in preventative health

Environment

- Nature having a voice at the table in all decisions
- A beautiful, clean, and sustainable environment for all
- Preserving and celebrating the waterways - our greatest asset
- Protecting the natural environment for generations to come
- Deep engagement and respect for the environment

City of Mandurah Commitment

To demonstrate organisational excellence that:

- makes a difference through questioning, challenging and building resilience (COURAGE)
- engages the community through collaboration, understanding and inclusiveness (CONNECTED)
- embraces ideas and opportunities to shape an inspiring, diverse and dynamic community (INNOVATIVE)
- upholds and protects our community through honesty, fairness and empathy (INTEGRITY)
- delivers on its commitments to make a difference in our community (EXCELLENCE)

Slide 9

AJ0

[@Jane Pole-Bell] to replace slide 9

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Hey Mandurah, we're doing a big check-in.

THE BIG
mandurah
MATTERS 
CHECK-IN

Let us know what you think at
mandurahmatters.com.au/communityplan



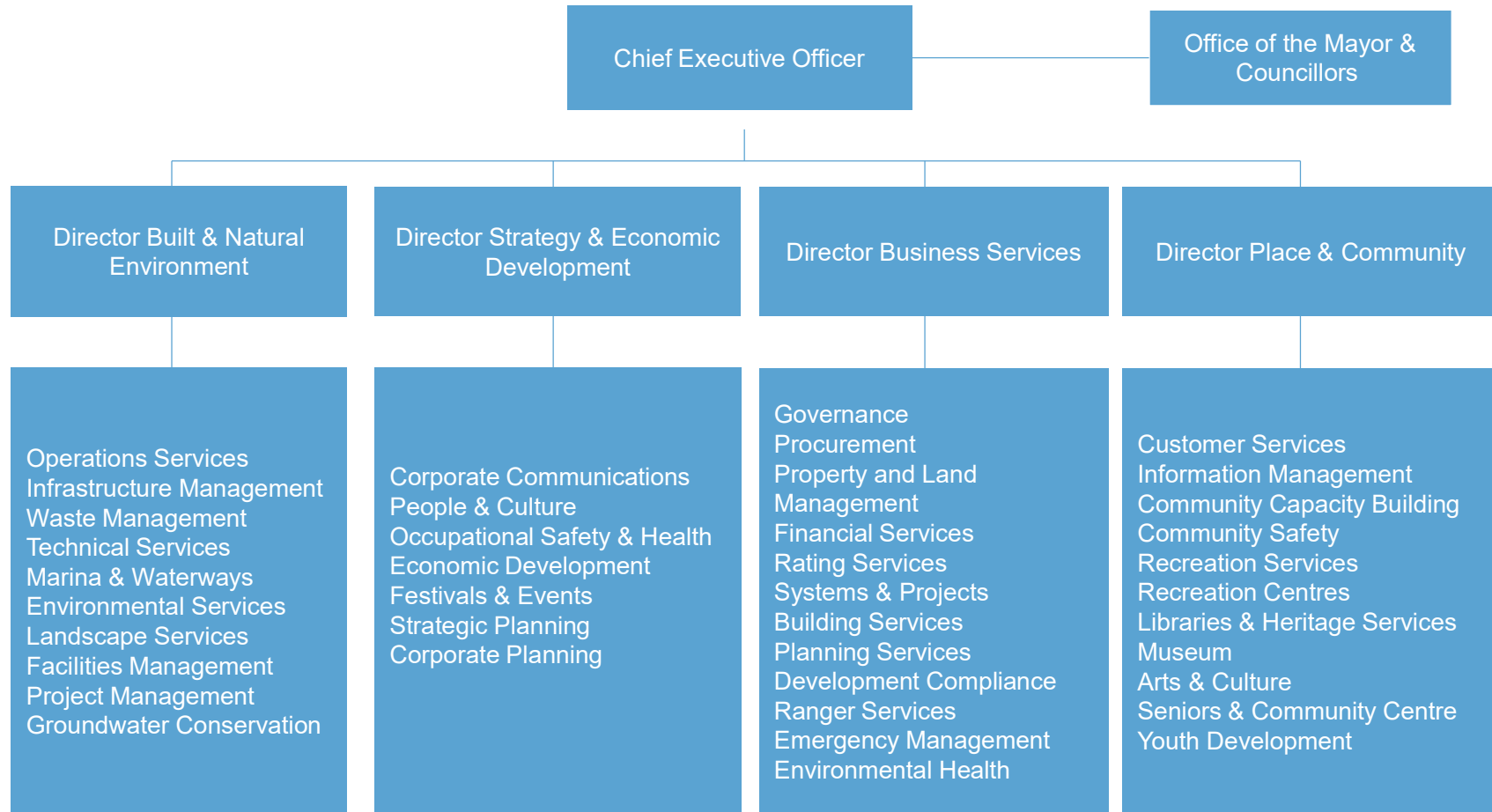
Slide 10

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[@Jane Pole-Bell] added in case they wanted to refer to it?

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Organisational Structure



- 474 FTE (full time equivalent)
- 671 STAFF (including 72 casual employees)
- 70.04% of workforce live and work in Mandurah





KEY PROJECT 2023

Waterfront Project

- Waterfront project is to deliver an iconic Mandurah foreshore precinct for people to meet, play and rest.
- Next stage is the Eastern Foreshore North – Central Precinct plan.
- Project funding partners include the State Government contributing \$10m and Federal Government \$7m and the City \$5m.



KEY PROJECT 2023

Dawesville Community Centre

- Dawesville has experienced significant growth over the last 15 years.
- The Centre consists of an entry reception, 3 officers, room for the Child Health Nurse, an area for a community play group, 2 universally accessible toilets, male and female changerooms and toilets, 6 storerooms, 1 large meeting room, kitchen and a large hall that can be separated to cater for two user groups.
- Lotterywest and State Government funding secured.



KEY PROJECT 2023

Yalgorup National Park

- The Yalgorup National Park is an internationally recognised RAMSAR listed wetland covering 12,888 hectares.
- Major eco-tourism project focusing on the outstanding nature based tourism potential of the Yalgorup National Park.
- This project aims to develop a range of environmentally sustainable trails, attractions and accommodation.
- State Government is delivering this project with support from the City of Mandurah.



Fees and Allowances

Nature of Expense / Allowance	
	Council Member
Meeting Attendance Fees	\$32,470
Use of Private Motor Vehicle	Mileage Allowance
Information, Communication and Technology Allowance	\$3,500
Home Office Furniture (one claim per term of office)	\$500
Clothing and Footwear	\$500
Training and Professional Development	\$8,000 over two years



Electoral Advertising Signage and Permit Request

Local Government Property and Public Places Local Law 2016

- Candidates for the upcoming local election may wish to advertise to seek community support.
- Election advertising means any sign or advertisement which encourages persons to vote for a candidate, political party or referenda or matter relating to any federal, state or local government election.
- A permit is required to erect or place election advertising on public property.
- The requirements of the Local Government Property and Public Places Local Law 2016 as detailed below will be strictly enforced through impoundment of signs and / or the issuance of infringements.
- Further information is available on the City's website.



Caretaker Period Policy

Requests for information

- Candidates shall be provided with equitable access to the City's public information in accordance with the Act.
- All election process enquiries from Candidates, will be directed to the Returning Officer, or where the matter is outside the responsibility of the Returning Officer, to the CEO.

Candidate Requests on behalf of Electors, Residents or Ratepayers

- Where a Candidate requires the assistance of the City to respond to a request made by an Elector, Resident or Ratepayer, then the City will provide the response directly to the requesting Elector, Resident or Ratepayer.

Candidate Campaign and Electoral Materials

- In any campaign Electoral Material, Candidates are prohibited from using the City's official crest, logo or photographs or using City's publications without acknowledgment.



Caretaker Period Policy

Candidate participation at Council or Committee Meetings

- Candidates are requested to identify themselves as a Candidate prior to asking public question, public statement or deputation at a Council or Committee meeting.

Social Media

- Candidates must not provide any responses to posts, statements or questions on the City's social media pages, in relation to their own candidacy or the candidacy of another person.
- In accordance with the Code of Conduct, Candidates must ensure that their use of social media and other forms of communication complies and must only publish material that is factually correct.



Further information

- Western Australian Electoral Commission
- Department of Local Government, Sport and Cultural Industries
- Western Australian Local Government Association
- City of Mandurah website







Candidate Briefing

Presented by:

Lyn Fogg

WALGA Governance Specialist

WALGA

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

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

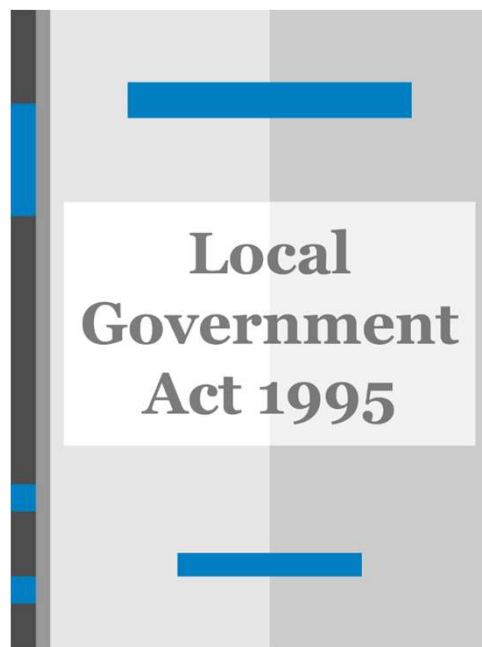


Part IIIB - Local Government

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

e.g. - 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 in law between the roles and responsibilities of the Council and those of the administration through 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.



Declaration by elected member of council

Declaration by elected member —

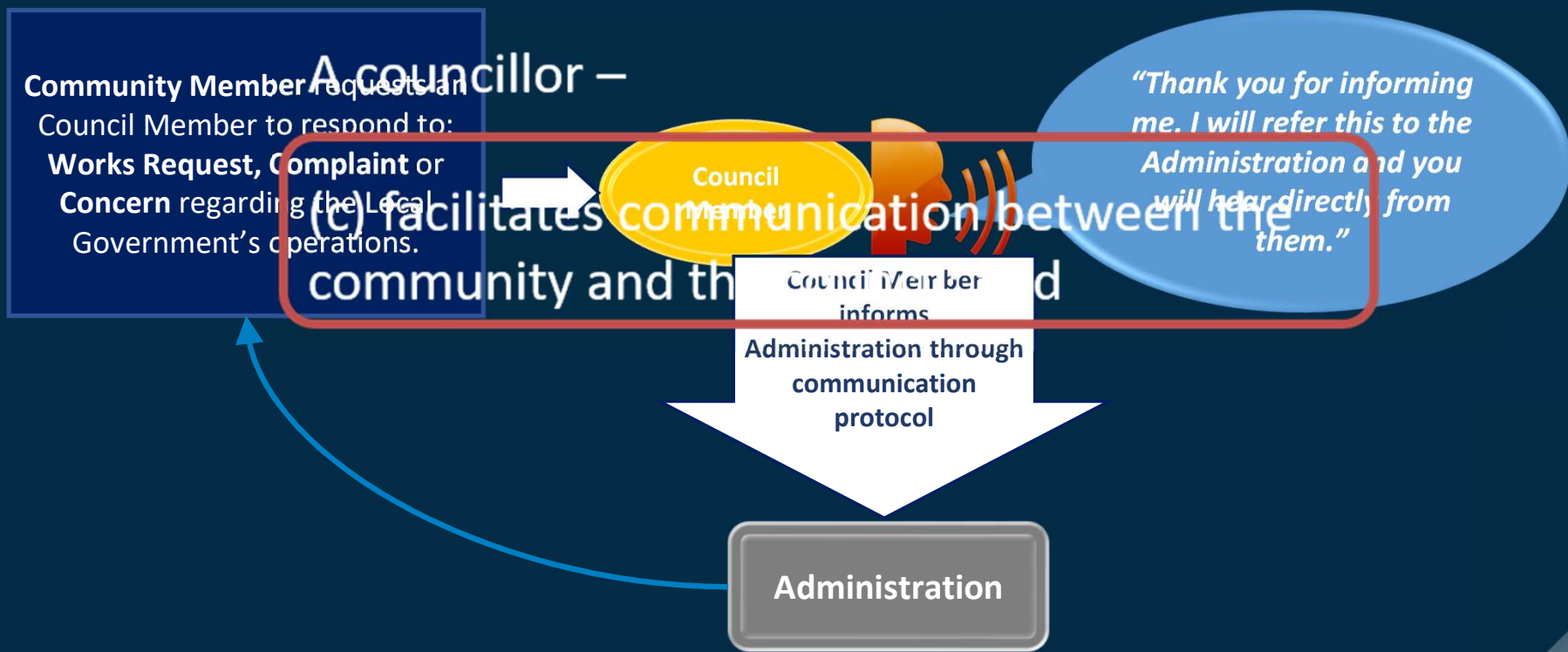
I, Hammond Simms

of ¹ 54 Brentwood Lane, Westralia WA 6888

**(a) represents the interests of electors,
ratepayers and residents of the district; and** councillor of the ³
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*.**



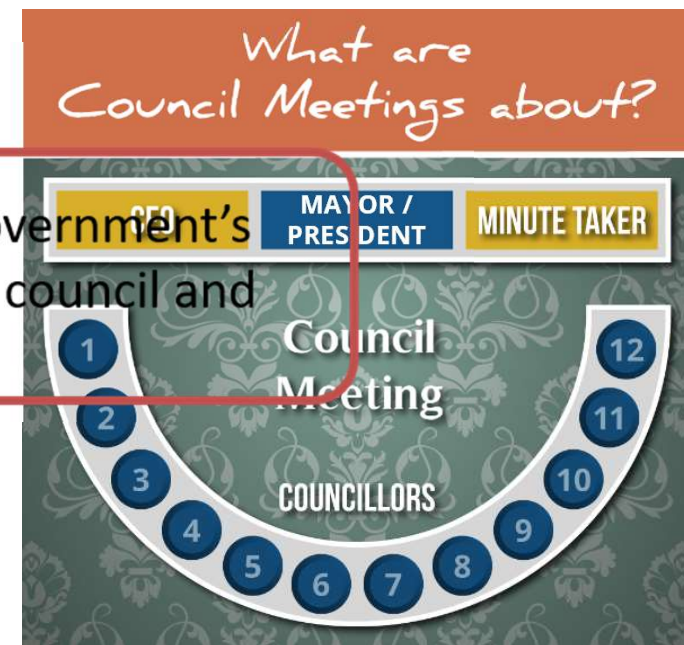


Typically, most meetings deal with:

- 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.

A councillor –

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



*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

Local
Government
Act 1995



Local
Government
(Administration)
Regulations
1996



Uniform
Meeting
Procedures

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.



Meeting Procedures

walga.asn.au/training

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

State and Federal politicians have absolute protections, when speaking on the floor of parliament, known as **Parliamentary Privilege**.



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.



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





Understanding Financial Reports and Budgets

Council Member Essentials

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.

Governance
Council, administration, rates, advocacy and customer service

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

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.



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.

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



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**
- **Advice and guidance**
 - **Your Local Government's CEO | experienced Council Members**
 - **WALGA Governance**
 - **Department of Local Government, Sport and Cultural Industries**



YOUR
Questions
are welcomed



**2023 LOCAL GOVERNMENT
ORDINARY ELECTION
21 OCTOBER 2023**





WAEC KEY CONTACT

Returning Officer

- One per local government
- Conducts election on behalf of WAEC or local government
- First point of contact with questions or complaints





WHO CAN NOMINATE?

- 18 years or older
- Enrolled as an elector of the district
- Cannot be a nominee of body corporate
- Must have completed the mandatory course *Local Government Candidate Induction* available on DLGSC website
- Cannot be a candidate in another election for councillor



WHO CANNOT NOMINATE?

- A member of parliament
- An insolvent under administration
- Convicted of a crime and in prison serving a sentence for that crime
- Convicted in the preceding 5 years of a serious local government offence
- Have been convicted of an offence for which the penalty was imprisonment for more than 5 years
- An elected member of another local government
- Misapplication of funds or property



AN EFFECTIVE NOMINATION

- Completed and signed nomination form (including reference number & date of completion of the on-line candidate induction)
- Completed Candidate profile
- Deposit \$100 cash. Can be EFT as long as it is credited to the local government before the close of nominations
- Additional Written statement containing information that the candidate considers relevant to their candidature (optional)
- Received by the Returning Officer before the close of nominations






ONLINE WAEC NOMINATION BUILDER

- Online nomination builder available from www.elections.wa.gov.au
- You can prepare the nomination form, profile and upload photograph online
- You **cannot** nominate online
- Provide nomination ID at Returning Officer interview when submitting nomination
- Nomination Builder and Candidates Guide - available by 18 August 2023



NOMINATING FOR ELECTION

ONLINE WAEC NOMINATION BUILDER



WESTERN AUSTRALIAN
Electoral Commission

Election Management System


Candidate Nomination

Create a new nomination, or retrieve and edit a nomination that you created previously.

[Create New Nomination](#)

[Retrieve Existing Nomination](#)

Nomination Builder



nomination builder 2021

nomination builder

local government elections

WESTERN AUSTRALIAN Electoral Commission



CANDIDATE PROFILE

Compulsory

- Sent out with postal voting packages and posted on council website
- Written in English – limit of 1,000 characters including spaces
- Is to Contain:
 - Biographical information about the candidate
 - Statement of candidate's policies or beliefs
- Cannot contain:
 - information that the RO considers to be false, misleading or defamatory
- Passport size recent photograph, head or head and shoulders (optional)



ADDITIONAL RELEVANT INFORMATION

Optional

- Written in English and limit of 2,000 characters including spaces
- Accompany the candidate's nomination paper
- Not to contain any information that the Returning Officer considers false, misleading or defamatory
- Can not use Nomination Builder to prepare
- For publication on the Council's website



ELECTORAL ROLLS

Free to candidates for campaigning purposes

- 1 Residents Roll and 1 Owners and Occupiers Roll
- (for the ward or district they are contesting)
- Destruction and deletion of copies of rolls
- Offences for misuse of roll



POSTAL VOTING MAIL-OUT OF PACKAGES

- Lodged by WAEC with Australia Post:
 - From Friday 15 September 2023 (Country Local Governments)
 - From Wednesday 20 September 2023 (Metropolitan Local Governments)
- Maximise campaigning around the delivery of the election packages



POSTAL VOTING

RETURN OF VOTING PACKAGES

- Packages can be posted to the Returning Officer using the supplied reply paid envelope or hand-delivered to the local government office
- Numbers returned to WAEC posted on the Commission's website daily
- Typically about 50% of packages are returned within the first 5 business days of delivery



POSTAL VOTING CANDIDATE RULES

- You cannot assist the elector to mark their ballot paper
- You or a representative cannot take custody of an envelope in which there is a postal vote
- Penalties apply



ISSUE OF REPLACEMENT VOTING PACKAGES

Local Government staff can issue replacement voting papers – the original election package will need to be cancelled first by the local government or WAEC.



ELECTION DAY

CLOSE OF POLL 6.00PM

- Ballot Boxes are opened and votes are counted.
- Optional preferential counting method used. (Mayoral count completed first then Councillor)
- Scrutineers
- The Returning Officer may declare the results on the Monday after election day
- Results are posted onto the Commission's election website www.elections.wa.gov.au



POST-ELECTION PROCEDURES

REFUND OF DEPOSITS

Deposits are refunded to:

- Any candidates elected
- Any non-elected candidates who receive at least 5% of the total number of first preference votes included in the count



AUTHORISATION OF ELECTORAL MATERIAL

- Handbills, pamphlets, notices, letters and other printed articles – must have NAME and ADDRESS of person authorising and the NAME and ADDRESS of printer
- The address must NOT be a post office box
- All online election material requires the NAME and ADDRESS of the person authorising the material



SCRUTINEERS

- Appointment Form
 - Must be appointed by a candidate
- Refer to *Information for Scrutineers available on the WAEC website* for rights and obligations



DISCLOSURE OF ELECTORAL GIFTS

- Chief Executive Officer maintains electoral gift register
- Gift Register is available for public viewing
- Part 5A of the Local Government (Elections) Regulations 1997



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