



Town of
Port Hedland



Town of Port Hedland
Candidate Information
Presentation

16 January 2024



The Town of Port Hedland would like to acknowledge the Kariyarra, Ngarla, and Nyamal people as the Traditional Custodians of Town of Port Hedland lands. We recognise their strength and resilience and pay our respects to their Elders past, present and emerging. We extend that respect to all Aboriginal and Torres Strait Islander people of the local community and recognise their rich cultures and their continuing connection to land and waters.

WELCOME - Housekeeping

- We appreciate your attendance today
- Please switch mobile phones off or put on silent
- Toilets are located downstairs in front of the reception desk
- Please raise your hand to ask a question as we go or at the end of the presentation
- Bins are located by the entrance
- Emergency exits are marked, and the Muster Point is in the main car park
- Be respectful of other attendees and their opinions



Town of Port Hedland

Steve Leeson

Director Corporate Services

Tom Kettle

Manager Governance

Guest Speakers

WALGA

James McGovern

*Manager Governance and
Procurement*

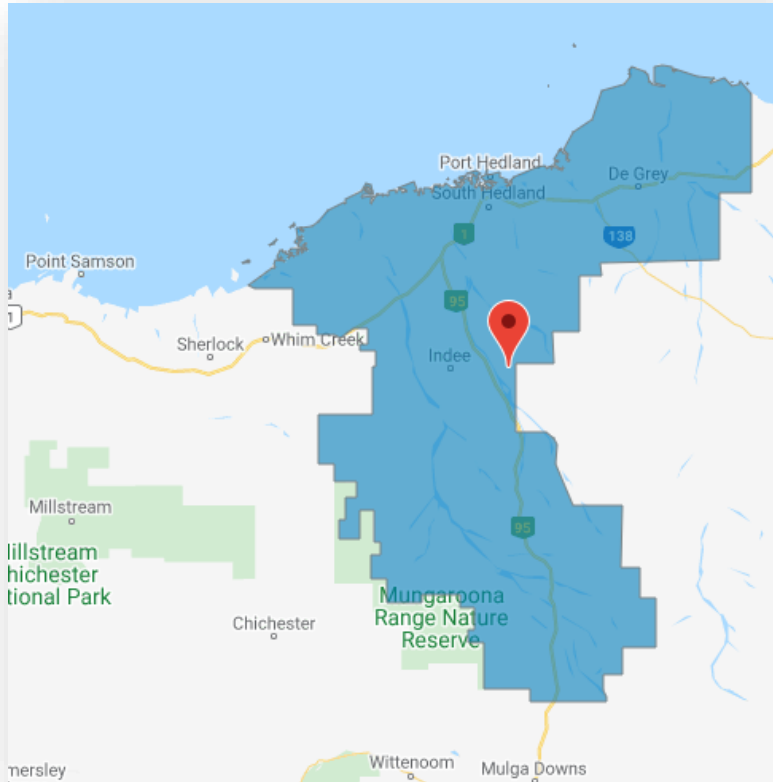
DLGSC

Mustafa Yildiz

*Director Support and
Engagement*



Port Hedland Statistics



Population	16,987
Total Area	18,299 km ²
Number of Ratepayers	6,924
Number of Electors	8,938
23/24 Budgeted Total Rates	\$68 million
23/24 Budgeted Capital Works	\$56 million
Number of Staff (FTE)	270
No. Recreation facilities	7
Length of Roads maintained	678 km

George Osinski

Returning Officer

**Western Australian Electoral
Commission (WAEC)**

LGXro_PortHedland@elections.wa.gov.au

- 0461 435 155

Mayor and Councillors



- The Mayor and 8 councillors are popularly elected for a 4-year term for the District of Port Hedland, with a half Council Ordinary election held every two years
- This election is for 1 Councillor until October 2025
- The Deputy Mayor is elected by councillors (for a period of 2 years)
- Councillors nominate and are elected as members of Audit, Risk and Compliance (ARC) Committee and Chief Executive Officer Performance Review Working Group
- Councillors are also elected to serve on 16 external committees
- Elected Members can expect to spend up to 15-20 hours per week attending to their duties as Elected Members

Meeting and Workshop Attendance



Councillors are expected to attend between 1 and 3 meetings every week, generally outside of normal business hours

Council Meetings (5:30pm start)

- Formal meetings where decisions are made
- Currently held on the last Wednesday of each month (determined by Council)
- Special meetings held for specific purposes e.g. Swearing in Ceremony or consideration of urgent matters
- Council Meetings are live streamed and open to the public

Audit, Risk & Compliance (ARC) Committee Meetings

- Four meetings per year

Annual General Meetings (AGM) of Electors

- Once every financial year to present Annual Report and Audited Financial Statements

Other Meetings

- Confidential Briefings
- Workshops/ Briefings
- Agenda Feedback Sessions
- Budget Workshops
- Consultation Sessions
- Functions and ceremonies
- External Committees
- Community representation

Council and Committee Meetings

Type of Meeting	Frequency of Meeting	Reading Volume
Ordinary Council Meeting	Monthly	200 to 600+ pages
Confidential Briefing Meetings	Monthly	100 to 200+ pages
Agenda Feedback Session Meeting (initial review of OCM agenda)	Monthly	200 to 600+ pages
Audit, Risk and Compliance Committee Meeting	Quarterly	30 to 70+ pages
Workshops or Briefings	As required	30 to 200+ pages

Councillor Training

Newly Elected Members will be required to complete training offered in house within two months following their successful appointment. Training will be conducted by the CEO in conjunction with relevant departments and covers topics such as;

- Roles and responsibilities of Elected Members;
- Organisational structure
- IPR and key documents
- Planning and Development Functions of Council
- Legislation, Acts and Regulations

Elected Members will also be required to complete 5/5 mandatory units of the *'Council Member Training for Elected Members'* course provided by WALGA within 12 months of appointment.

Allowances 2023/24

(approved by Council as part of Annual Budget)

Allowances: (paid monthly)

- Mayor \$80,000pa
- Deputy Mayor \$20,000pa
- Elected Member ICT allowance \$3,500pa

Annual Meeting Attendance Fee: (paid monthly)

- Mayor \$49,435pa
- Councillors \$32,955pa

Costs for attendance at conferences, seminars and training

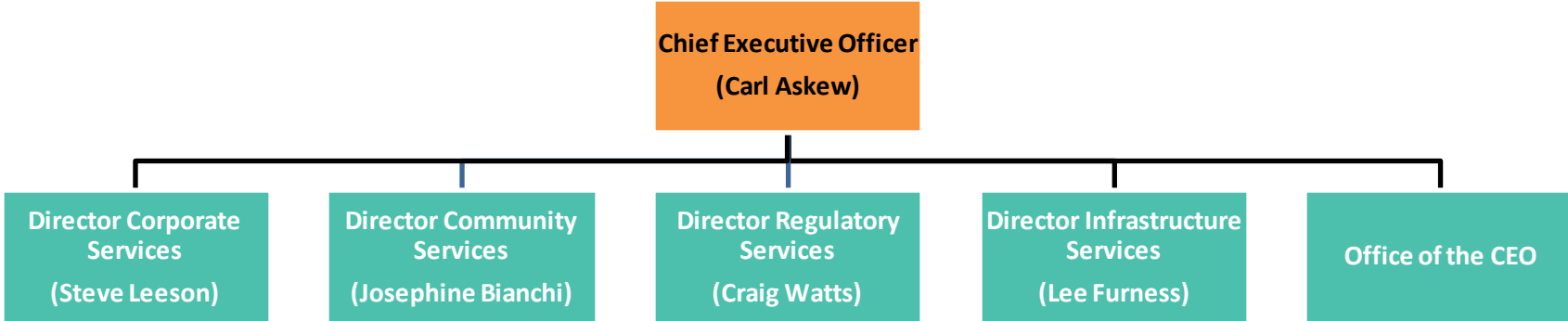
*Amounts prescribed by WA Salaries and Allowances Tribunal.

Reviewed annually



Organisational Structure

The Administration is comprised of **5 Directorates**:



Chief Executive Officer Functions (s.5.41 LGA)

- Advises Council in relation to the functions of a local government;
- Ensures advice and information is available to Council so informed decisions can be made;
- Enables Council decisions to be implemented;
- Manages the day to day operations of the local government;
- Liaises with the Mayor on the local government's affairs and performance;
- Speaks on behalf of the local government with the Mayors concurrence;
- Responsible for the employment, management, supervision, direction and dismissal of employees;
- Ensures records and documents are properly maintained; and
- Performs any other function specified or delegated by the local government or any written law as a function to be performed by the CEO.



Code of Conduct

- Guides the behaviour of Candidates, Councillors and Contractors during the election period
- Personal Integrity
- Relationships with others
- Accountability
- Complaints and management of alleged



Use/Misuse of resources and information



Securing personal advantage or disadvantaging others



Prohibition against involvement in administration



Relationship with local government employees



Disclosure of Information and Interests

Rules of Conduct (incorporated into the Town of Port Hedland Code of Conduct)

- Misuse of local government resources
- Securing personal advantage or disadvantaging others
- Prohibition on involvement in operational matters and relationship with Town employees and contractors
- Disclosure of confidential information
- Disclosure of interests

The Town of Port Hedland Code of Conduct is available on the Town's website

Disclosure of Electoral Gifts

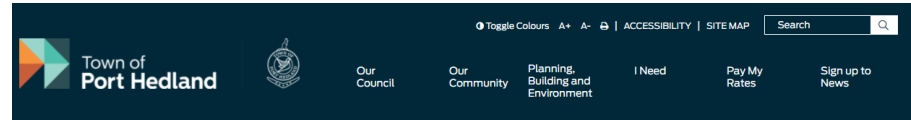
- *Local Government (Elections) Regulations 1997 Part 5A r30A* refers to the disclosure of gifts.
- A gift is only relevant if –
 - the value of the gift is \$200 or more; or
 - The value of the gift is less than \$200, but the gift is one of 2 or more gifts, with a total value of \$200 or more, made by one person at any time as set out in Section 30C
- A gift does not include –
 - A gift by will, a gift by a relative (as defined in S 5.74(1) of the Act, a gift that the candidate would have received notwithstanding his or her candidature, or the provision of volunteer labour



Further Information

Town of Port Hedland Website:

[Candidate Information](#) » [Town of Port Hedland](#)



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Town of Port Hedland

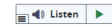
Our Council Our Community Planning, Building and Environment I Need Pay My Rates Sign up to News

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Nominate to be a Councillor

(please refresh this page to display the most up to date information.)

Last updated: Friday 18 March 2022

To stand for election as a Councillor, you must:

- Be 18 years of age or older
- Be an elector of the district (if you are only an elector because you are a nominee of a company then you are not eligible to stand)
- If you are a current Council member, have a term that ends on Election Day

You are not eligible to nominate if you:

- Are an elected member of another council
- Are a candidate for another vacancy of Councillor on the council (except for that of Mayor)
- Are a Member of Parliament
- Are an insolvent
- Are currently an elected member for the local government whose term does not expire on election day except if nominating for Mayor
- Have been convicted of a crime and are in prison for that crime
- Have been convicted in the previous 5 years of a "serious local government offence"
- Are a nominee of a body corporate owner or occupier
- Have been found personally liable of misapplying local government funds or property in the previous five years.

Candidate Information Session

The Town will host a public Candidate Information Session on Monday, 4 April 2022 in Council Chambers at the Civic Centre. The session covered:

- Town organisational structure and function;
- Introduce the Town's Returning Officer: Kathy Mann

Candidate Briefing

Hosted by



WESTERN AUSTRALIAN
Electoral Commission



GOVERNMENT OF
WESTERN AUSTRALIA

Department of
**Local Government, Sport
and Cultural Industries**



Program

- Who can, and who cannot nominate
- What makes for an effective nomination and how to nominate
- Candidate profile
- Electoral rolls and materials
- Postal voting
- Election day
- Scrutineers

Returning Officer - George Osinski

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

WHO CAN/CANNOT NOMINATE?

WHO CAN

- 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

- 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



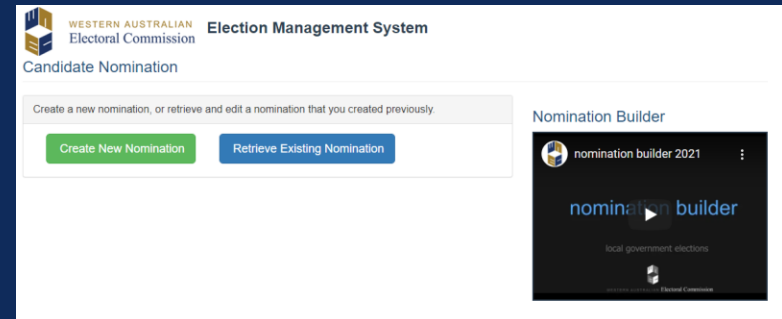
AN EFFECTIVE NOMINATION

- Completed the online course '*Induction for prospective candidates*' via the Dept. Local Governments official website
- 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 available by 18 August 2023



CANDIDATE PROFILE

- 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



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



ELECTION SIGNS

Where can I install election signs?

- You can place elections signs on private property, provided that you obtain approval from the owner of the property first
- Elections signs must not be placed on any Local Government owned property/ fences/ buildings/ parks etc. (i.e Aquatic Centres, JD Hardie, Libraries, Civic Centre)
- Election signs must not obstruct or encroach a public thoroughfare or endanger the public in any way
- Each sign must be erected using its own stake or picket. Signs must not be placed on any existing sign infrastructure



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



POSTAL VOTING MAIL-OUT AND RETURN OF PACKAGES

MAIL OUT

- Lodged by WAEC with Australia Post:
 - From Wednesday, 7 February 2024 (Country Local Governments)
- Maximise campaigning around the delivery of the election packages

RETURN OF 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



ELECTION DAY – 8 March 2024

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



SCRUTINEERS

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





Department of
**Local Government, Sport
and Cultural Industries**

Becoming an Elected Member

**Department of Local Government,
Sport and Cultural Industries**





About DLGSC and Our Role

Our vision

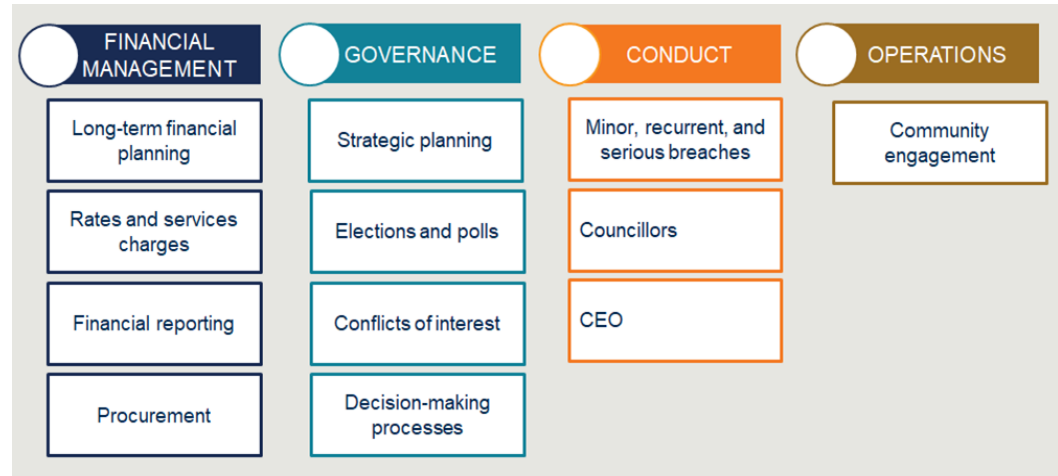
Create a vibrant, inclusive and connected WA community.

Mission

To enable dynamic and inclusive communities and support the WA economy.

Our local government portfolio

The local government portfolio area contributes to our vision by supporting and enabling a robust local government sector to achieve positive outcomes for communities in Western Australia.



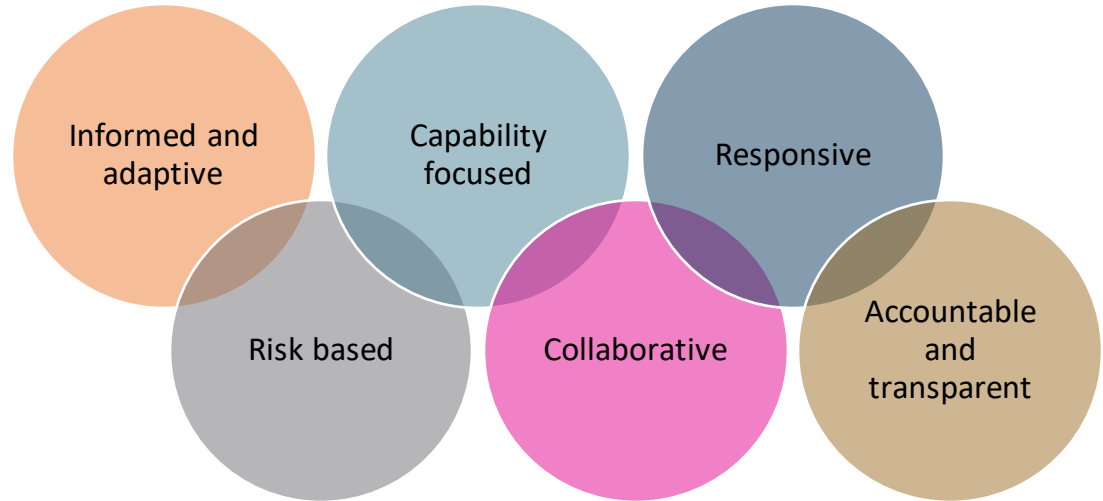
Selection of activities that DLGSC has oversight



Regulatory Mission & Principles

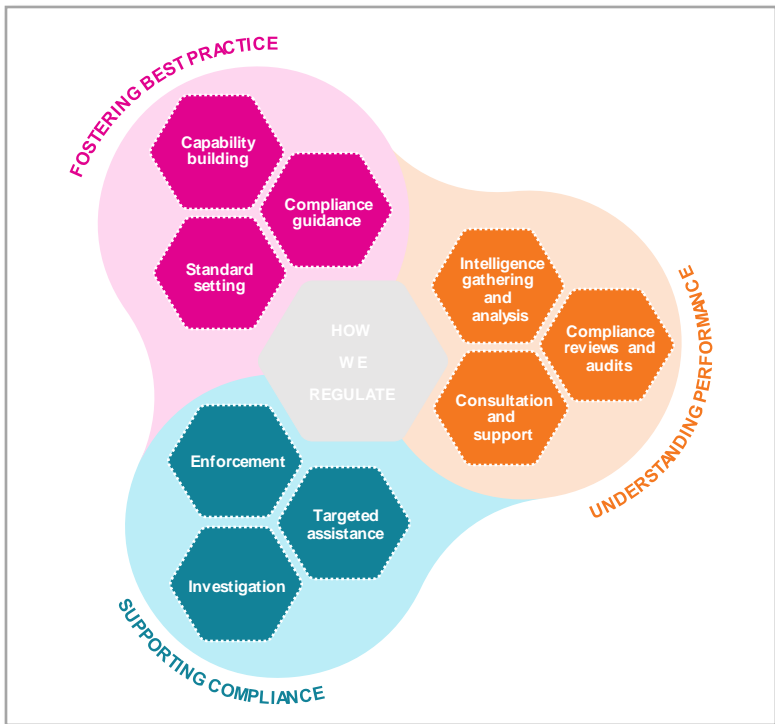
DLGSC's Regulatory Mission

To support and regulate WA local governments using a capability building and risk-based approach where oversight, support and intervention efforts are targeted based on analysis of greatest risks and informed by relevant legislation and an understanding of the challenges local governments experience.





Regulatory Outcomes



To achieve on our regulatory mission, we will work to deliver on the following regulatory outcomes:

- Local governments **exercise** their autonomy in meeting their legislative requirements and community needs.
- Local governments **comply** with their legislative and other requirements.
- DLGSC regulatory activities **support** local governments to develop capacity needed to comply with their legislative requirements.
- DLGSC regulatory activities **empower** local governments to facilitate positive community outcomes.



Getting started – Before you nominate:

- 1 Do mandatory online induction – DLGSC website
- 2 Attend a candidate information session
- 3 Look at local government's policies, plan, meeting minutes, reports
- 4 Attend a council meeting or speak to a current council member
- 5 Plan your campaign and draft your candidate profile
- 6 Make appointment with Returning Officer to submit nomination



Local Government Candidate Induction

- It is compulsory to complete the induction prior to nominating.
- The induction is online and will take approximately 30 minutes to complete.
- On completion, you will receive a unique registration number via email.
- The Returning Officer may request a copy of the email when you submit your nomination.





Topics Covered in the Candidate Induction

- About government in Australia
- Local government in WA
- Local government decision-making
- The role of council members
- Community, council members and local government employees
- Types of decisions by council members
- Qualities and skills of effective council members
- Code of Conduct
- Gifts and conflicts of interest
- Local elections
- Election campaigns
- Declaration and remuneration
- Why stand for council?
- What should you do now?
- Support and information available.



LGTraining@dlgsc.wa.gov.au



Code of Conduct

- *Local Government (Model Code of Conduct) Regulations 2021* was introduced 3 February 2021
- Applies to all council members, committee members and candidates in a local government election
- The Code aims to encourage professional and ethical behaviour to build and strengthen trust in communities



Western Australia

Local Government Act 1995

**Local Government (Model Code of Conduct)
Regulations 2021**



Code of Conduct

- Once your nomination is accepted by the Returning Officer, the Code of Conduct applies **from that point onwards**
- Any alleged breach of the Code may only be addressed if you are elected
- Candidates must demonstrate professional and ethical behaviour during their campaigns
- Rules of Conduct are enforceable by law
- Penalties may apply

The Department accepts complaints about alleged breaches of the Act and Rules of Conduct

Complaints must be made in writing on the approved form

Minor breaches

- Local Government Standards Panel

Serious breaches

- State Administrative Tribunal



What does the Code of Conduct cover?



Use/Misuse of resources and information



Securing personal advantage or disadvantaging others



Prohibition against involvement in administration



Relationship with local government employees



Disclosure of Information and Interests



Optional Preferential Voting (OPV)

1

Vote for just one candidate

Just put a number 1 next to the name of that candidate.

- SMITH, John
- DOE, Jane
- CITIZEN, Neville

2

Vote for some

Just put a 1 next to the name of the candidate you like best and a 2 next to your second choice.

- SMITH, John
- DOE, Jane
- CITIZEN, Neville

3

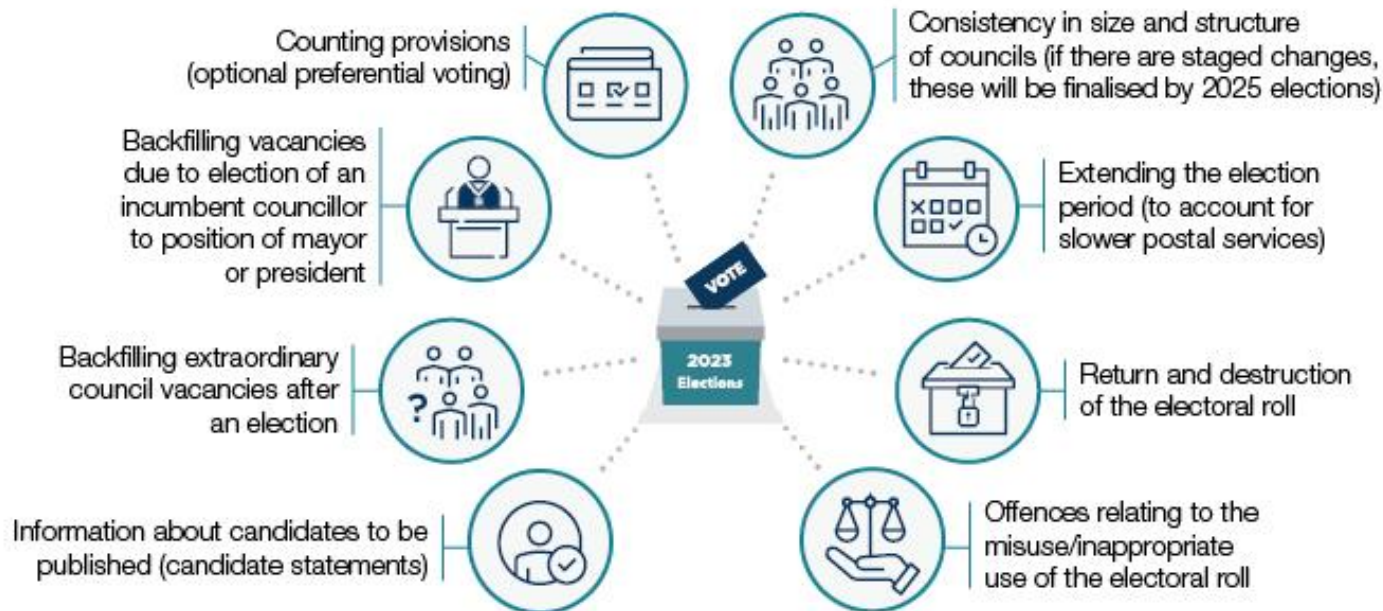
Vote for all

Put a 1 in the box for the candidate you like best, then a 2 and a 3 for your next choices. If there are more candidates, keep numbering.

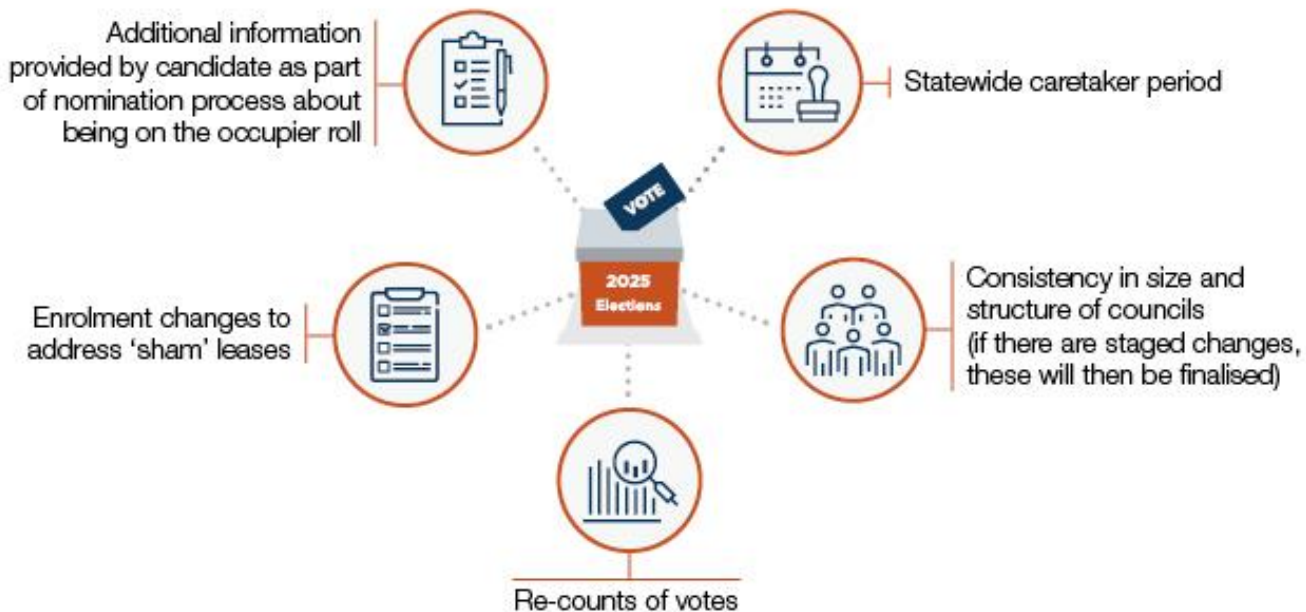
- SMITH, John
- DOE, Jane
- CITIZEN, Neville

- Optional Preferential Voting means you are not required to provide all preferences when casting your vote.
- Greater opportunities for diversity on the council.
- Councils will be more representative of the majority of voters.
- OPV will also applies for Mayor and President elections.

— October 2023 Elections —



— October 2025 Elections —





Local Government Act Reform – 2024

- **Anticipated introduction of Tranche Two bill in 2024**
- Tranche Two will include the introduction of the Local Government Inspector and Monitors
- The Inspector will be appointed to handle complaints, manage investigations and coordinate the proactive resolution of significant problems
- Specialist independent Monitors appointed by the Inspector and will visit and work with local governments to fix problems and provide faster resolutions

Further information



Department of
**Local Government, Sport
and Cultural Industries**

Department of Local Government, Sport and Cultural Industries

dlgsc.wa.gov.au

Local Government Advisory Line

lghotline@dlgsc.wa.gov.au

Phone: 1300 762 511

Council Member's Essentials

- Understanding Local Government
- Serving on Council
- Council Meetings
- Conflicts of Interest
- Council Plans
- Support for Council Members



Local Government in WA

- 139 Local Governments
- 1,137 Council Members
- 22,600 Employees
- \$4.5 billion expenditure
- \$49 billion assets
- 88% of public roads



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 I, member

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 *Shire of Westralia* the

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*.



Community Member requests a Council Member to respond to: **Works Request, Complaint or Concern** regarding the Local Government's operations.

A councillor –

(c) facilitates communication between the community and the Administration



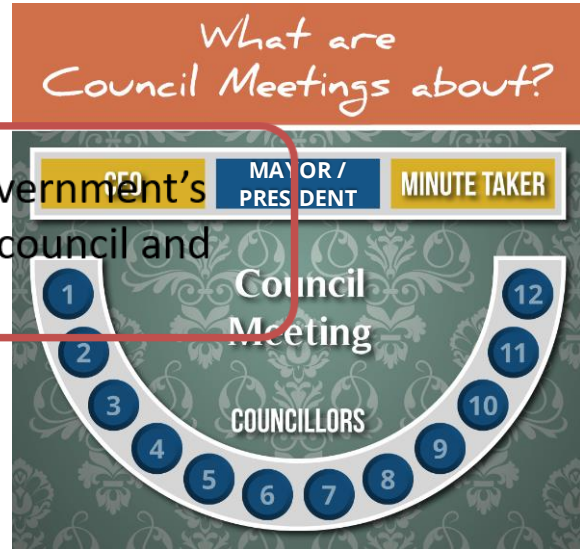
“Thank you for informing me. I will refer this to the Administration and you will hear directly from them.”

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***

Council Meetings



AGENDA

Dear Mayor and Councillors,

I respectfully advise that an **ORDINARY COUNCIL MEETING** be held in the Civic Centre Chambers 13 McGregor Street, PORT HEDLAND WA 6721, on Wednesday 30 August 2023, commencing at 5:30pm.

MEETING AGENDA ATTACHED

Yours faithfully


Carl Askew
Chief Executive Officer

25 August 2023

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

True or False?

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

Qualified Privilege



Absolute Privilege

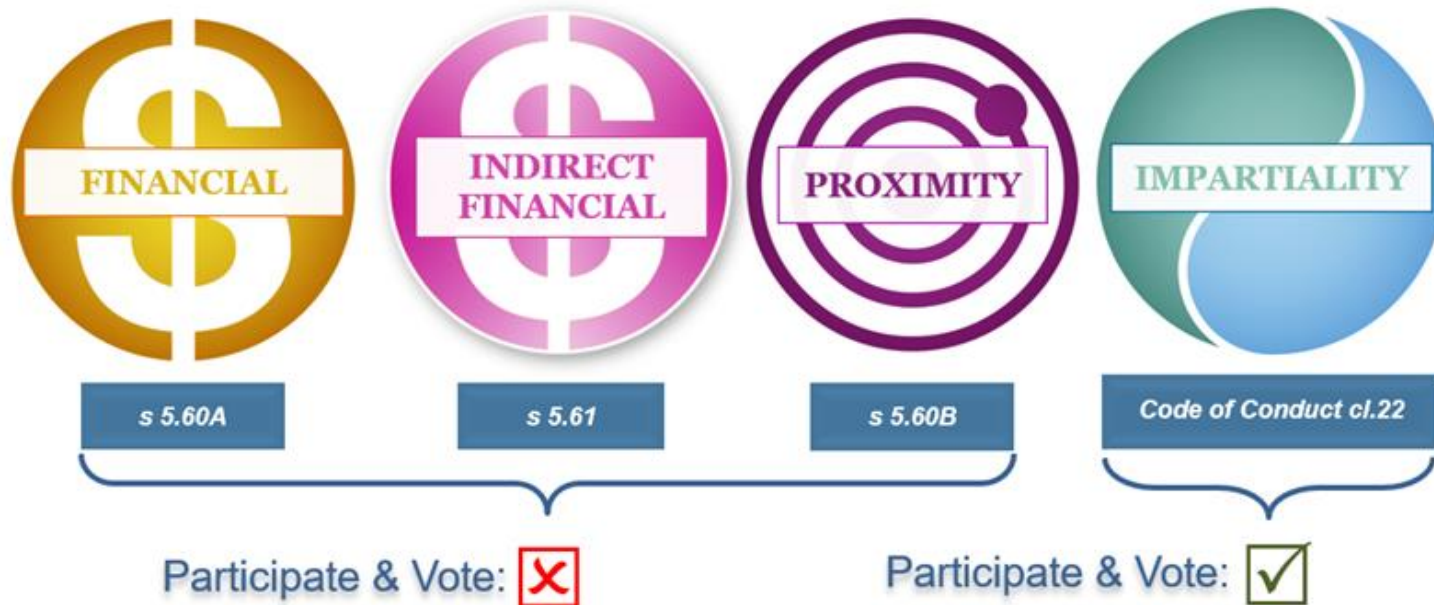
An important principle applying to Local Government Council meetings is one of **Qualified Privilege**.



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.

Declaring Conflicts of Interest



You may wear many different hats...

But you are *always* a
Councillor



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.



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**

