



City of Busselton  
*Geographe Bay*

## Prospective Candidate Information Session

The City of Busselton acknowledges the Traditional Custodians, the Wadandi people, on whose land we are living, and pay our respects to Elders, past, present and emerging.



# Welcome

- **Tony Nottle – Director, Finance and Corporate Services, City of Busselton**
- **Emma Heys – Governance Coordinator, City of Busselton**
- **Brad Smith – Project Officer, Western Australian Electoral Commission**
- **Catherine Smallwood – Returning Officer**

# Western Australian Local Government & City of Busselton Council

- Local government is the grass roots level of government in Australia
- The strength of local government lies in its closeness to its community and the ability to take account of and respond to local views and ideas.
- The City of Busselton Council consists of nine elected members, including the Mayor
- The Mayor and Deputy Mayor are elected by Councillors

# Legislation, Regulations and Local Laws

- In addition to the Local Government Act 1995, there are many pieces of legislation under which local governments operate.
- Under the Act, local governments have the general power to provide for the good governance of people in their district.
- This means that local governments can make decisions if the Act or any other written law does not prevent them from doing so.
- A local government can also make local laws (legislative function) and provide services and facilities (executive function).

# Legislation

- Local Government Act 1995
- Planning & Development Act 2005
- Health Act 1911
- Dog Act 1976
- Cat Act 2011
- Land Administration Act 1997
- Bush Fires Act 1954
- Local Government Grants Act 1978
- Valuation of Land Act 1960
- Main Roads Act 1930
- Waste Avoidance & Resource Recovery Act 2007
- Rights in Water & Irrigation Act 1914

# City of Busselton Local Laws

Cats Local Law 2014	Cemeteries Local Law 2015
Dogs Local Law 2014	Dust & Buildings Waste Control Local Law 2010
Health Local Law 1997	Holiday Homes Local Law 2012
Jetties Local Law 2014	Parking Local Law 2020
Property Local Law 2010	Standing Orders Local Law 2018
Waste Local Law 2016	Airport Local Law 2012
Activities in Thoroughfares and Public Places Trading Local Law 2015	

# Role of the Council

## The Council:

- Directs and controls the local government's affairs;
- Is responsible for the performance of the local government's functions
- Oversees the allocation of the local government's finances and resources
- Determines the local government's policies
- Employs the Chief Executive Officer

# Role of the Councillors

## The Councillors:

- Represent the interest of electors, ratepayers and residents of the district
- Provide leadership and guidance to the community in the district
- Facilitate communication between the community and the Council
- Participate in the local government's decision making processes at Council and Committee meetings

# Role of the Mayor

The Mayor:

- Presides at meetings in accordance with the Local Government Act
- Provides leadership and guidance to the community in the district
- Carries out civic and ceremonial duties on behalf of the local government
- Speaks on behalf of the local government
- Liaises with the CEO on the local government's affairs and the performance of its functions

# Functions of the Chief Executive Officer

The Chief Executive Officer:

- Advises the Council in relation to the functions of a local government
- Ensures that advice and information is available to the Council so that informed decision can be made
- Causes Council decisions to be implemented
- Manages the day to day operations of the local government
- Liaises with the Mayor on the local governments affairs and the performance of its functions
- Speaks on behalf of the local government with the Mayor's agreement
- Is responsible for the employment, management , supervision, direction and dismissal of other employees
- Ensures records and documents are property kept

# City of Busselton



# Local Government Boundary



# Our City

Total Area	1,454km <sup>2</sup>
Est. Resident Population (2019)	39,623
Average Age	42 yrs
Average Annual Growth (last 5 Yrs)	1.8% pa
Population of Aboriginal descent	604
Number of Bush Fire Brigades	15
Number of Bush Fire volunteers	540
Secondary Schools	6
Local Businesses (2019)	4,029

Total Value of Assets	\$1Billion
Total Non-current Assets	\$755M
Capital Expenditure	\$ 55M
Total Operating Revenue	\$ 75M
Number of Councillors	9
Budgeted (FTE) employees	325.39
Number of permanent employees	353
Number of casual employees (not included in above)	159

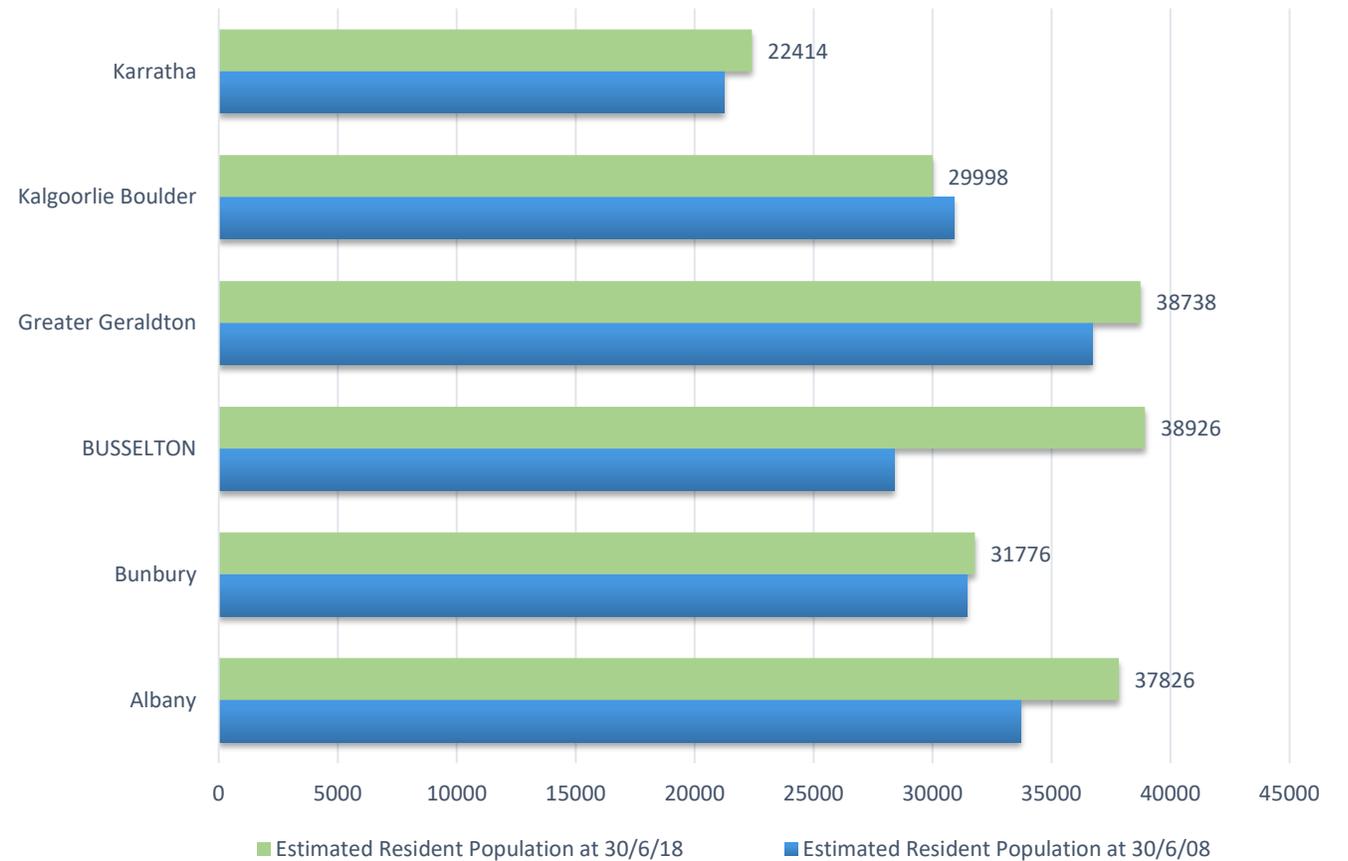
Number of rateable properties – 23,875 as at July 2020

Number of properties issued to external postcodes – 8,370 (35%)

# Our Growing Community

**Busselton is the fastest growing local government area outside of the Metropolitan/Peel region**

Estimated Resident Population Comparison  
30/6/08 and 30/6/2018



**Vision**

Where environment,  
lifestyle and opportunity meet!



# Strategic Planning for our Community

## Strategic Community Plan

*Where  
environment,  
lifestyle and  
opportunity  
meet.*



### ENVIRONMENT

An environment that is valued, conserved and able to be enjoyed by current and future generations.



### LIFESTYLE

A place that is relaxed, safe and friendly, with services and facilities that support healthy lifestyles and wellbeing.



### OPPORTUNITY

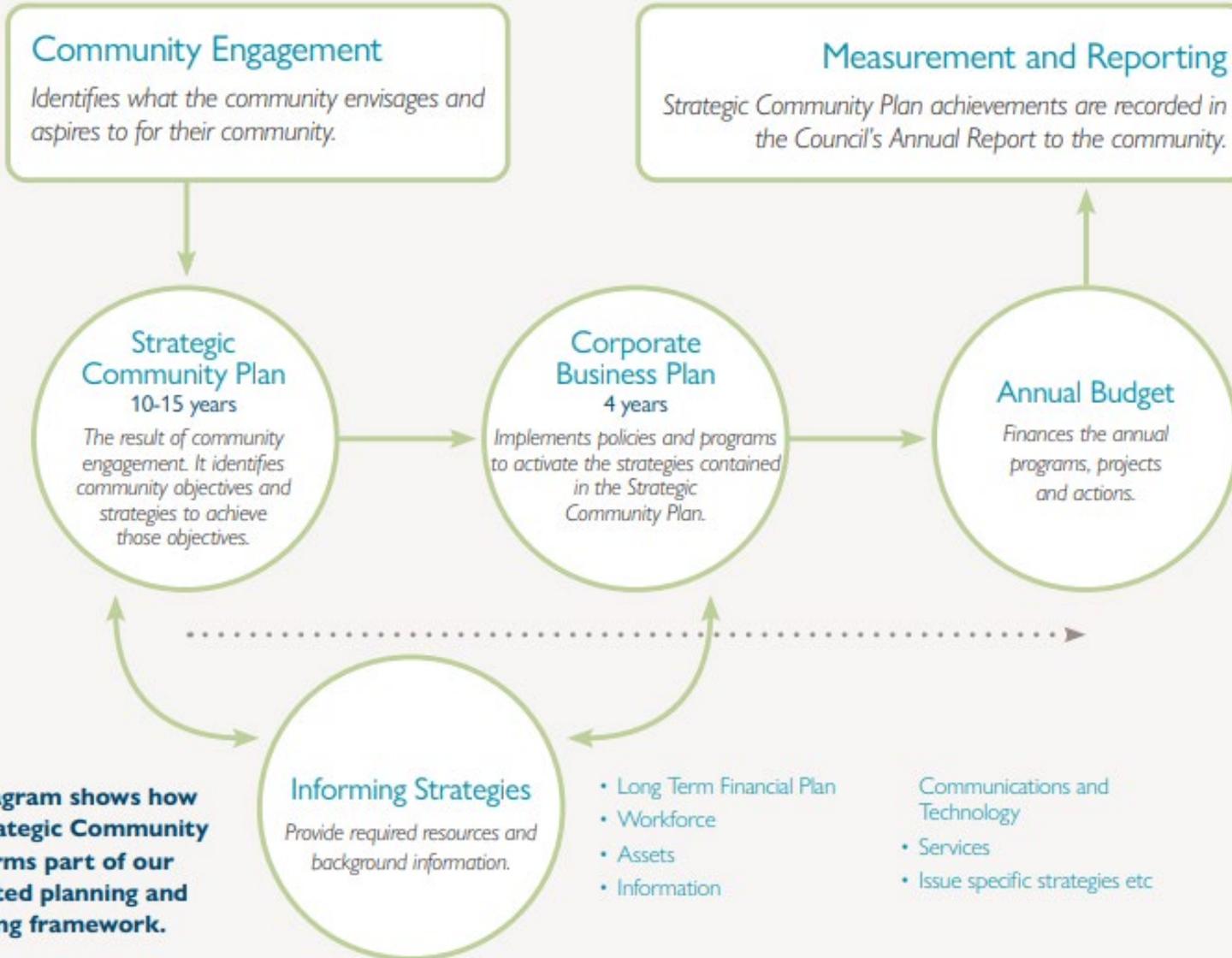
A vibrant City with diverse opportunities and a prosperous economy.



### LEADERSHIP

A Council that connects with the community and is accountable in its decision making.

# Elements of the Integrated Planning Framework



**This diagram shows how the Strategic Community Plan forms part of our integrated planning and reporting framework.**

# Commitments of a Councillor

## Council Meetings:

- Council Meetings and Community Access Sessions are held every Wednesday from 5.30pm (alternating)
- Information Briefing Sessions are held every Wednesday
- Commitments from Councillors on a Wednesday generally start from 10am

# Meeting Schedule

WEEK	TIME	SESSION
1 <sup>st</sup> and 3 <sup>rd</sup> Wednesday	10.00am – 12.00pm	Committee Meetings (as required)
	11.00am – 5.00pm	Information Briefings
	5.00 – 5.30pm	Agenda Briefing
	5.30pm	<b>Community Access Session</b>
2 <sup>nd</sup> and 4 <sup>th</sup> Wednesday	10.00am – 12.00pm	Committee Meetings: <i><b>Finance (2<sup>nd</sup> Wednesday)</b></i> <i><b>Policy and Legislation (4<sup>th</sup> Wednesday)</b></i>
	12.00 – 5.00pm	Information Briefings
	5.00 – 5.30pm	Agenda Briefing
	5.30pm	<b>Council Meeting</b>
5 <sup>th</sup> Wednesday		No Formal Meetings



# Commitments of a Councillor

## Committee Meetings:

- Membership of one or two standing Committees of Council that meet once a month during business hours on a Wednesday morning
- Other committee meetings and other working or advisory group meetings may be during the day or evenings

Committee	Purpose	Meetings
Audit	Established pursuant to statute to assist Council to fulfil its corporate governance, stewardship, leadership and control responsibilities relating to financial reporting, audit and risk	At least twice per year
Finance	Assists the Council to oversee the allocation and use of the local government’s finances and resources.	Monthly
Policy & Legislation	Assists the Council to determine the local government’s policies and to carry out its legislative functions.	Monthly
Airport Advisory	Assist Council with the development of the Airport with a critical role under the Noise Management Plan.	At least six times per year
Bushfire Advisory	Established pursuant to the <i>Bushfires Act 1954</i> to provide advice to Council in regard to all matters relating to bushfire control, prevention and management.	
Local Emergency Management	Established pursuant to the <i>Local Emergency Management Act 2005</i> to assist Council and ensure local emergency management arrangements are established.	Bi-annually
Meelup Regional Park	Assists the Council in managing and promoting Meelup Regional Park. Supported by a Working Group with the same membership.	Bi-annually
BPACC (Working Group)	Provides advice and recommendations in relation to progression of the Busselton Performing Arts and Cultural Centre.	Monthly
Sustainability & Energy (Working Group)	Considers the development and implementation of energy efficiency initiatives.	Quarterly
Marketing & Events Reference Group	Makes recommendations to Council on the allocation of marketing and events funding.	As required
Lower Vasse River Advisory Group	Role in guiding and communicating about the implementation of the Lower Vasse River Waterway Management Plan, and with respect to improving the health and amenity of the River more generally.	

# Fees and Allowances

Council Members receive:

- Annual sitting fees and an IT/Communications allowance, paid monthly:

Annual Mayor Allowance	\$89,753
Annual Deputy Mayor Allowance	\$22,438
Annual Attendance Fees for Councillors (inc Deputy Mayor)	\$31,678
Annual Attendance Fees for Mayor	\$47,516
Annual Communications/IT Allowance	\$3,500

- Reimbursement for travel and childcare expenses, annual corporate clothing allowance

# **Code of Conduct**

**Council Members,  
Committee Members and  
Candidates**



# Code of Conduct

For Council Members, Committee Members and Candidates:

- *Local Government Act 1995; Local Government (Model Code of Conduct) Regulations 2021*
- The Code applies to a person who becomes a Candidate of the City of Busselton for the purposes of the local government elections, **from the date of nomination**
- The City of Busselton Code of Conduct is supported by Council Policy: Management of Complaints of Alleged Breaches of Behaviour

# Code of Conduct

## General Principles:

- Part 2 of the Code sets out the general principles to guide the behaviour of council members, committee members and candidates. These principles sit under the headings of:
  - Personal Integrity
  - Relationships with Others
  - Accountability

# Code of Conduct

## Behaviours:

- Part 3 of the Code sets out the requirements relating to the behaviour of council members, committee members and candidates and the mechanism for dealing with alleged breaches of those requirements:
  - Personal Integrity
  - Relationships with Others
  - Council or committee meetings
  - Complaints: process and other provisions – managed under Council Policy

# Code of Conduct

## Rules of Conduct:

- Part 4 of the Code sets out the rules of conduct for council members, including a council member when acting as a committee member, and candidates:
  - Misuse of local government resources
  - Securing personal advantage or disadvantaging others
  - Prohibition against the involvement in administration
  - Relationships with local government employees
  - Disclosure of information
  - Disclosure of interests

# Code of Conduct

## Rules of Conduct - complaints:

- A council member commits a minor breach if a Rule of Conduct (Part 4 of the Code) is contravened
- Minor Breaches are dealt with by the City's Complaints Officer, Director Finance and Corporate Services
- Serious Breaches are those committed by a council member under any written law, other than a local law and must be reported to the Department of Local Government

# Interests affecting impartiality

- Council members are expected to make decision in the best interest of their community
- Issues must be considered on their merits – transparency and accountability must always be applied

*"an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association"*

- Council Members continue to participate in the decision making processes, including voting

# Financial Interests

Councillors must:

- Disclose financial interests at council and committee meetings
- **Councillors cannot participate in discussion or decision making procedures if they have declared a financial interest**
- Financial interests are also disclosed in Primary and Annual Returns (contained within a public register)
- Failure to declare a financial interest can attract a fine of \$10,000 or imprisonment of 2 years

# Financial Interests

- A financial interest exists if it is *reasonable to expect* that a matter, if dealt with in a particular way, *would result in a financial gain, loss or benefit or detriment* for a person
- It is important to note that that person could be the Council Member, someone with whom the Council Member has a financial relationship with, or a closely associated person
- A *closely associated person* includes employers, spouses and children living with the person, or someone who has given the member a gift.

# The City as a Planning Authority

- Decision made in relation to Development Applications are made under the local government's town planning scheme and the discretion allowed under that scheme.
- When making decisions on Development Applications, Council Members must apply the rules and discretions as they exist, not as they might want them to be
- Local governments must comply with the provisions of the legislation that deal with planning decisions

# Planning Authority

- Council Members must avoid pre-judgement when considering Development Applications
- Council Members must refrain from public comments that could be construed as support or opposition of a Development Application, including during any public consultation or comment



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**2021 Election**



# 2021 Election

- Four Vacancies each for a four year term
- A Special Meeting of Council will be held Monday 18 October 2021:
  - Swearing in of the new Councillors
  - Vote in a Mayor and Deputy Mayor
  - Appoint Councillors to Committees and various Advisory/Working Groups

# Councillor Inductions

Councillors, new and existing, will be required to make themselves available for the week beginning 18 October for the induction process.

- Chief Executive Officer and Senior Management Group introductions
- Directorates and Service Areas overviews
- Key Project Briefings
- Budget Process, Long Term Financial Plan
- Council Training
- Planning matters
- Delegations, Council Policies, Local Laws, Meeting Procedures

# Where to from here?

- Nominations open 2<sup>nd</sup> September and close at 4pm 9<sup>th</sup> September
- Nominations are to be lodge with the Returning Officer, Catherine Smallwood
- Returning Officer [LGro\\_bus@elections.wa.gov.au](mailto:LGro_bus@elections.wa.gov.au)  
0427 237 541
- Election Day – Saturday 16 October 2021
- Count commences at 6pm in the Council Chambers

# Any Questions?

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# Thank you



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