



Nominating to become an Elected Member

2023

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Introduction

Nominating to become an Elected Member of the City of Subiaco is an important decision. The role is rewarding and challenging, and can often be time consuming, demanding and complex. Being an Elected Member is an opportunity to contribute to the community and influence decisions that shape the future of the district.

Elected Members are representatives of the City's electors. Their responsibilities range from making decisions about community assets such as playgrounds, parks, roads and public facilities to making judgements about competing pressures and demands on the City's resources.

This guide has been developed to assist people who may be interested in becoming an Elected Member at the City of Subiaco. It highlights some important issues relevant to being an Elected Member, including what is expected when performing the role and what support is available to assist Elected Members in their role.

Section 2.10(a) of the *Local Government Act 1995* states “a Councillor represents the interests of electors, ratepayers and residents of the district”. This is important to remember as it is not uncommon for newly-elected Councillors to commence their role with the notion that they have a ‘mandate’ from the community to pursue a particular course of action or address a specific issue. While Councillors can voice community opinion or concern on certain matters, ultimately they are required to conduct their decision-making function without bias and with an objective mind.

In representing the interests of their community, Elected Members have the opportunity to:

- Make decisions that help shape the local community.
- Influence the long-term vision and direction of the community.
- Learn new skills, such as leadership, public speaking and advocacy.
- Work with diverse and passionate people on a range of issues.
- Balance the needs of the community.
- Show leadership and advocate on behalf of the community.



The Local Government Context

There are 139 local governments in Western Australia, including Christmas Island and Cocos (Keeling) Islands, represented by approximately 1,300 Elected Members. In Western Australia, local governments are established under the *Local Government Act 1995* which sets out the powers and functions of local governments and the role of Council and Elected Members.

The Council is the governing body of a local government. The City of Subiaco Council comprises the Mayor and eight Councillors, including the Deputy Mayor. Two Councillors represent each of the four ward areas, namely the North, East, Central and South wards, with the Mayor elected by the entire district.

Local government is often considered the tier of government that has the closest connection to the local community. The activities and services provided by a local government have a fundamental impact on people's lives and their quality of life.

Some overarching objectives of local government include:

- Enable greater community participation in decision making.
- Oversee allocation of the local government's resources in order to meet the needs of current and future generations.
- Provide services and facilities for people who live, work, and visit the area, striking a balance between social, environmental and economic priorities.



About the City of Subiaco

The City of Subiaco's *Strategic Community Plan* was developed through extensive community consultation and is the City's guiding resource outlining the community's priorities, values and vision for the future of Subiaco.

The community vision:

In 2030 the City of Subiaco is a unique, popular and welcoming place. The City celebrates its rich history, while embracing the diversity and vitality of the present. The parks, public spaces, events and recreational opportunities are easily accessible and promote a healthy and happy lifestyle for all.

There is a diverse range of local businesses and entertainment that contribute to a lively atmosphere.

The City faces the challenges of the future with strong leadership, an innovative approach and an emphasis on community values and voices. Sustainability is at the core of the community and underpins the City's operations.

The City operates community facilities including the Subiaco Library, Subiaco Museum and Lords Recreation Centre, and delivers a wide range of services to the community including:

- Parks and environment
- Sustainability
- Rangers
- Community safety
- Building services
- Environmental health
- Planning services
- Infrastructure services
- Recycling and waste
- Parking services
- Place development
- Cultural programs and events
- Heritage conservation

The City raises funds through rates, fees and charges, as well as income from its property and investment portfolio.

Members of Council provide oversight on how the City allocates its resources and prioritises projects and services.

Active community engagement is a key priority within the City's *Strategic Community Plan*. The City often undertakes public consultation to obtain input from the community to inform the Council's decisions about future projects within the district. Elected Members often receive feedback and opinion from members of the community, and as such, will need to balance individual needs against the needs of the entire Subiaco community.



What is required to become an Elected Member at the City of Subiaco?

A person can nominate to become an Elected Member if they are an elector of the district and are over 18 years of age. It is not a requirement to live in the ward that a person is nominating for. If someone is passionate about their local community and are able to make the requisite time commitment, they are well-placed to become an Elected Member. There are no other special qualifications required other than a desire to serve the community. Training and development opportunities are available through the City once appointed.

The City promotes enhanced access and inclusion for all members of the community in accordance with the *Disability Access and Inclusion Plan*. People with disability are encouraged to nominate to become an Elected Member of the City of Subiaco.

Candidates are required to complete the mandatory local government induction on the Department of Local Government, Sport and Cultural Industries website prior to nominating. The reference number sent on completion of the course must be provided at the time of nomination as evidence of this. The induction can be found [here](#).

There are a number of disqualifications resulting in ineligibility to nominate, including:

- Being a member of State or Federal Parliament.
- Being insolvent under administration.
- Serving a prison sentence for a crime.
- Being convicted of a serious local government offence within the last five years (unless the court has waived the disqualification).
- Being convicted on indictment of an offence for which the penalty was or included imprisonment for life, or imprisonment for more than five years.
- Being a member of another Council.

- Being subject to a court order due to misapplying local government funds or property.
- Are on the electoral roll as the nominee of a body corporate.
- Standing for two positions on Council (unless standing for Mayor as well as Councillor).
- Currently disqualified by the State Administrative Tribunal from holding office as a member of a Council.
- Not completing the mandatory induction prior to nomination on the Department of Local Government Sport and Cultural Industries website.



The following skills or attributes are considered useful to the role of Elected Member:

- Communication skills including listening and interpersonal skills, public speaking, respecting different opinions, negotiation, mediation and conflict resolution skills.
- Problem solving and analytical skills.
- The ability to weigh up competing interests within the community when making decisions.
- Teamwork skills as Elected Members are required to work together for the benefit of the community.
- Organisational skills, including time management and the ability to prioritise.
- Understanding financial and reporting processes including budgets and financial reports.
- Ability to engage with and advocate for the community.
- Ability to understand legislation.
- Leadership qualities including motivation, resilience, confidence, assertiveness, strategic thinking, optimism, advocacy and networking.
- Ethical and accountable behaviour, and a commitment to acting in the best interests of the community as a whole.



The role and responsibilities of an Elected Member

The role of an Elected Member is formally set out in the *Local Government Act 1995* and includes:

- Representing the interests of ratepayers, electors and residents of the district.
- Providing leadership and guidance to the community.
- Facilitating communication between the community and the Council.
- Participating in the local government's decision-making processes at Council and Committee meetings.
- Performing such other functions as are given to a Councillor by the Act or any other written law.

Once elected to Council, Elected Members are required to:

- Prepare for, attend and participate in Council and Committee meetings, and adhere to the meeting rules and processes within the City of Subiaco *Meeting Procedures Local Law*.
- Read and understand reports on a range of subject matters including financial, environmental, social, town planning and development.
- Present cases for and against recommendations and engage in debate in accordance with the Meeting Procedures Local Law.
- Attend various briefing forums and strategic workshops held throughout the year on a range of topics, including governance matters, annual budget and strategic planning.

The Mayor is required to perform all of the above in addition to:

- Presiding at Council meetings.
- Providing leadership and guidance to the community.
- Carrying out civic and ceremonial duties on behalf of the City.
- Speaking on behalf of the City.
- Liaising with the CEO on the City's affairs and the performance of its functions.
- Other functions given to the Mayor by the Act or any other written law.



Obligation of fidelity

Elected Members have an obligation of fidelity to the Council as the governing body. Once elected to Council, Elected Members are required to swear a declaration of office, declaring that they will faithfully, honestly and with integrity, fulfil the duties of the office for the people within the district to the best of their ability. By making this declaration, Elected Members take on an obligation of fidelity to the Council. This entails an obligation of loyalty to the Council's decisions, irrespective of whether the Elected Member votes for or against a decision.

A fidelity obligation has primacy over an Elected Member's personal opinion as to the appropriateness of any decision of the Council (e.g. setting of the annual rates), the determination of policy or setting of the strategic direction of the Local Government. Personal opinions in public life are important, but cannot be brought to bear in such a way as to denigrate the local government's duty to make decisions on behalf of the people of the district, nor can it take precedence over an Elected Member's overriding obligation of fidelity to the local government.

A consequence of the obligation of fidelity is that whenever Elected Members are acting in their capacity as an Elected Member, they are required to adhere to, actively observe and carry out all of the functions, responsibilities and obligations they have as an Elected Member.



Attending meetings and events

One of the major commitments of an Elected Member is the time commitment required to prepare for and attend Council and Committee meetings, forums, workshops and other events. This time dedication may mean having to sacrifice some other personal commitments and responsibilities each month.

At the City of Subiaco, Council Agenda Briefing Forums are generally held on the third Tuesday of each month; Ordinary Council Meetings are generally held on the fourth Tuesday of each month; and committee meetings are held as required. In addition to these meetings, there are on occasion Special Council Meetings. Strategic Workshops are often held on the first and second Tuesday of each month, for the purpose of planning major projects and initiatives or for Elected Member skills training.

There is also opportunity to become a member or a representative of the City on a number of external boards, committees and government bodies. This will increase the time commitment required of an Elected Member.

Throughout the year, the City also conducts various civic ceremonies, events and receptions for community groups, volunteers, visiting guests, and new citizens. Elected Members are often invited to attend these events. This provides a valuable opportunity for Elected Members to engage with members of the community as well as networking with key stakeholders.



Ethical conduct

Elected Members hold public office with a range of powers and functions that they are required to exercise in the interests of the community of the City of Subiaco. Elected Members are required to place the wider public interest over self-interest when participating in decision making and must uphold the principles and laws in place to protect and preserve public confidence and the integrity of local government. Although the City of Subiaco has a ward structure, Elected Members have an obligation to act in the interests of the community as a whole, rather than prioritising the interests of their ward.

The City of Subiaco has a Code of Conduct for Council Members, Committee Members and Candidates which sets out the standards of behaviour expected to be observed by Elected Members, Committee Members and Candidates.

The Code provides the following themes in relation to Elected Member behaviour:

- Personal integrity.
- Relationships with others.
- Accountability.



The Code includes rules of conduct which must be followed by Elected Members, Committee Members and Candidates which covers:

- Misuse of local government resources.
- Securing personal advantage and disadvantaging others.
- Prohibition against involvement in administration.
- Relationship with local government employees.
- Disclosure of information.
- Disclosure of certain interests.
- Compliance with a plan requirement.

Elected Members are required to work cooperatively and respectfully with each other, the CEO and staff. However, Elected Members must be mindful that the *Local Government Act 1995* prohibits Elected Member's involvement in administration. Elected Members have no capacity to direct employees to carry out particular functions.

Candidates should be mindful that some provisions of the Code of Conduct apply to them during the election campaign. Complaints made about a candidate under the Code can be referred to the Council if they are successful in being elected.



What support is provided to Elected Members?

Becoming an Elected Member is an opportunity to develop new skills and undertake professional development. All Elected Members are strongly encouraged to participate in on-going professional development regularly throughout their term.

Newly Elected Members will participate in a comprehensive induction program undertaken by the City and will receive the material necessary to perform their role effectively.

New Elected Members are also required to undertake a course of training within twelve months of being elected. Titled “Council Member Essentials”, this training is provided by North Metropolitan TAFE, South Metropolitan TAFE and WALGA. The training has the following modules:

- Understanding Local Government.
- Serving on Council.
- Meeting Procedures.
- Conflicts of Interest.
- Understanding Financial Reports.

If an Elected Member has undertaken the prescribed training within a five year period immediately before being elected again, they are not required to undertake it again.

The City has a policy to support attendance of Elected Members at conferences, programs and training courses specifically designed for professional development and hosted by reputable industry bodies. The Western Australian Local Government Association (WALGA) has a comprehensive Councillor’s manual available online and offers numerous training and

development courses. The Department of Local Government, Sport and Cultural Industries has produced operational guidelines which are available on their website. Governance and skills training workshops are also regularly conducted by the City.

How to nominate

City of Subiaco elections are run by the Western Australian Electoral Commission. Prior to nomination, prospective candidates are required to complete the Department of Local Government Sport and Cultural Industries induction course for prospective candidates which can be found [here](#). To nominate, a completed nomination form together with the \$100 fee must be submitted to the Returning Officer of the City of Subiaco. Nominations open 51 days before the date of the election, and are open for a period of eight days. When a nomination has been accepted, the Returning Officer will arrange for the nomination details and candidate profile to be displayed on the City's public notice boards and the website.

Post elections

At the conclusion of the count process, the Returning Officer will declare the name of each successful candidate, the votes received by each, and the relevant terms of office. Local public notice will be given of the result. Shortly after the election, successful candidates will receive a letter from the CEO including an induction schedule and a new councillor package containing important documents essential to the role. Newly elected Members must also complete a declaration of office, and will be sworn in at the first Special Council Meeting after the election.

Further information

The City provides information on the election timetable and the nomination process on its elections page on the City's website [here](#). This page also includes a link to the *Local Government Act 1995*.

Important information for candidates is also available on the WA Electoral Commission website [here](#).

The Department of Local Government, Sport and Cultural Industries provides important information [here](#).

To obtain further information, contact the City of Subiaco via email city@subiaco.wa.gov.au or telephone 9237 9222.

Useful Website Links

<https://www.dlgsc.wa.gov.au/local-government/local-governments/council-elections/induction-for-prospective-candidates>

<https://www.subiaco.wa.gov.au/your-council/council-business-en/local-government-elections>

<http://www.elections.wa.gov.au/>

<https://www.dlgsc.wa.gov.au/local-government/local-governments/council-elections>

Information correct as at 2023. This information can be provided in alternative formats on request.