



To the Local Government Minister,

LOCAL GOVERNMENT ACT REVIEW

Following the Ordinary Meeting of Council on 28 February 2018, the Town of Port Hedland supports the following recommendations as amendments to Phase 1 of the Local Government Act review.

1. Relationships between Council and Administration

That Section 5.37(2) be deleted to remove any inference or ambiguity as to the role of Council in the performance of the Chief Executive Officer's function under Section 5.41(g) regarding the appointment of other employees (with consequential amendment to Section 5.41(g) accordingly) (resolution CM201718/148).

2. Training

That Council supports and encourages all Elected Members to carry out the Elected Member Skillset, as a minimum, that comprises;

- i Understanding Local Government;
- ii Serving on Council;
- iii Understanding Financial Reports and Budgets;
- iv Conflicts of Interest; and
- v Meeting Procedures and Debating.

That Council supports Local Governments being required to establish an Elected Member Training Policy to encourage training and include budgetary provision of funding for Elected Members.

That Council supports Local Government election candidates being required to attend a Candidates information session, either in person or on-line, as an eligibility criteria for nomination as an Elected Member (resolution CM201718/149).

3. Behaviour of Elected Members

That Council supports;

- i Official Conduct legislation to govern the behaviour of Elected Members;
- ii An efficient and effective independent Standards Panel process; and
- iii Confidentiality for all parties being a key component of the entire process.

(resolution CM201718/150).

4. Local Government Administration: CEO Recruitment and Selection

That Council approve that the services of the Public Sector Commission be engaged to provide support and guidance to council during the selection of a CEO; and that third-parties are involved in CEO selection (resolution CM201718/153).

5. Annual Review of Certain Employees Performance: Section 5.38

That Section 5.38 either be deleted, or amended so that there is only a specific statutory requirement for Council to conduct the Chief Executive Officer's annual performance review (resolution CM201718/154).

6. Gifts

That the Local Government Act 1995 and Regulations be amended so that;

- i There be one section for declaring gifts. Delete declarations for Travel.
 - ii No requirement to declare gifts received in a genuinely personal capacity, as gifts only to be declared in respect to an Elected Member or CEO carrying out their role.
 - iii Gift provisions only for Elected Members and CEO's.
 - iv Other staff fall under Codes of Conduct from the CEO to the staff.
 - v Gifts only to be declared if above \$500.00.
 - vi There will not be any category of notifiable gifts or prohibited gifts.
 - vii Exemptions for ALGA, WALGA and LG Professionals (already achieved).
 - viii Exemption for electoral gifts received that relate to the State and Commonwealth Electoral Acts, so Elected Members who are standing for State or Federal Parliament will only need to comply with the State or Federal electoral act and not declare it as a Local Government gift.
- (resolution CM201718/155).

7. Transparency

That Sections 1.7 and 1.8 of the Local Government Act be amended to remove the statutory requirements for Statewide and local public notice to be placed in a newspaper circulating Statewide or locally, to be replaced with the requirement for a Local Government to place public notices on their website (resolution CM201718/156).

8. Available Information - Minutes, contents of: Regulation 11

That Regulation 11 be amended to require that information presented in a Council or Committee Agenda also be included in the Minutes to that meeting (resolution CM201718/157).

9. Red Tape - Exemption from AASB 124: Regulation 4

That Regulation 4 of the Local Government (Financial Management) Regulations be amended to provide an exemption from the application of AASB 124 'Related Party Transactions' of the Australian Accounting Standards (AAS) (resolution CM201718/158).

Should you require any further information regarding this matter please contact the Governance Unit




David Pentz
Chief Executive Officer

6 March 2018