



How your City works for you



Creating great places

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Government in Australia

The government system in Australia is made up of three tiers – Federal, State and local government.

Federal – decides on matters which affect the nation as a whole such as customs, postal services and defence.

State – is responsible for such things as internal law and order, education, railways, main roads, public housing and many social services.

Local – is responsible for smaller geographical areas and looks after matters affecting local communities such as the construction and maintenance of local roads and bridges, libraries, waste management and recycling and the administration of local regulations on such things as building and community services.

Local government is the grass roots level of government in Australia.

Local government's main strength is its closeness to the community and its ability to take account of, and respond to, local views and ideas.

Federal and State governments are empowered to act under the Australian Constitution. Local governments have been created by State Government decree and are dependent upon State legislation for their powers.

Local government

Our State is divided into districts, each with their own local government. Currently there are 137 local governments in Western Australia, including two Indian Ocean local governments, being the Christmas and Cocos (Keeling) Islands.

Local governments are grouped into three categories – shire, town or city.

The Governor, on the recommendation of the Minister, makes the order declaring which category a local government district is and each category is defined by the Local Government Act 1995:

Shires – generally local governments with mainly rural populations. Districts that are not designated cities or towns are shires.

Towns – generally cover small, mainly urban, population centres. A district can only be designated a town if more than half of its inhabitants live in an urban area.

Cities – cover larger urban population centres. A city is a metropolitan area of more than 30,000 people with more than half living in an urban area or a rural district of more than 20,000 with more than half living in an urban area.

Each local government area is governed by its local council.





Structure of local government

A local government is made up of several components.

Corporate body

The Local Government Act 1995 establishes each local government as a corporate body which means that it is legally entitled to do all things that it is required to on behalf of the community.

Being a corporate body, local government has the same legal responsibilities as an individual, which means that it can enter into contracts, agreements, purchase machinery, create buildings and reserves, can sue or be sued and do numerous other things that legislation allows.

Council

Each local government has an elected governing body known as the council.

The council is made up of councillors and a mayor or president. Towns and cities have a mayor and shires have a president. There are two methods by which a mayor or president can be elected. They are:

- 1 Election by electors of the district
- 2 Election by councillors (method used by the City of Gosnells)

The Local Government Act determines how the council is elected. Generally, the people who live in or own property in the local government area can choose who they want to have on the council by voting in council elections. People with a right to vote at a local government election are known as electors.

In Western Australia, elections are held on the third Saturday in October every two years. There are four main stages of electing a new council:

- 1 Nominations from people wanting to become councillors (candidates)
- 2 Campaigning by the candidates
- 3 Voting by electors (local community members)
- 4 Vote counting to determine which candidates will become councillors (elected members)

The City of Gosnells has 12 councillors who each serve four-year terms. Every two years, the term of six councillors expires and an election is held so that a new council can be formed.

When the new council has been elected, the councillors then vote to decide who will be mayor and deputy mayor.

Role of council

- Govern the local government's affairs
- Be responsible for the performance of the local government's functions
- Oversee the allocation of the local government's finances and resources
- Determine the local government's policies

Role of councillors

Councillors fulfil the following important roles:

- Link between the community and council
- Link between local government and the State Government by representing their council at State and local meetings and on joint committees and boards. They also take part in the formulation of broad local government policies through the WA Local Government Association

Decision making

A councillor can use two approaches in making decisions on an issue. The member can consider an election victory as a mandate to exercise discretion on each issue (as a representative) or can ascertain public opinion on each issue and act accordingly (as a delegate).

Most councillors will use a combination of representative and delegate approaches, adapting to the circumstances of each particular issue.

Administration

In the administration of a local government, councillors should be responsible for:

- Representing the interests of electors, ratepayers 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 other functions as given to a councillor by the Act or any other written law

Role of Mayor

The legislative role of the Mayor is to:

- Preside at council meetings
- Provide leadership and guidance to the community
- Represent the council on formal occasions (civic and ceremonial duties)
- Speak on behalf of the local government
- Perform other functions as given to the mayor by the Act or any other written law
- Liaise with the Chief Executive Officer on the affairs, performance and functions of the local government





City of Gosnells staff and their role

Local governments employ staff to administer the local government. The Chief Executive Officer heads the administration, manages the day-to-day operations of the local government and implements council policies and decisions.

The officers of the local government are responsible for:

- Providing advice so that councillors may set objectives and make decisions to achieve these objectives
- The day-to-day administration of services and the necessary decision making to ensure those services operate effectively
- The identification of opportunities or issues that councillors must consider and decide upon, which in their view and from their understanding of the views of councillors, have such implications that councillors must consider and decide upon

The administrative structure of the City of Gosnells is headed by the Chief Executive Officer and four Directors.

Chief Executive Officer

The role of the Chief Executive Officer is to manage, direct, control and oversee the day-to-day operation of the local government, advise council of its functions under the Local Government Act, ensure that advice and information is available to council, cause council decisions to be implemented and liaise with the Mayor on the council's functions and affairs.

The Chief Executive Officer is responsible to the Mayor and councillors.

In accordance with Section 5.41 of the Local Government Act 1995, the functions of the Chief Executive Officer are to:

- Advise the council in relation to the functions of a local government under the Act and other written laws
- Ensure that advice and information is available to the council so that informed decisions can be made
- Cause council decisions to be implemented
- Manage the day-to-day operations of the local government
- Liaise with the mayor on the local government's affairs and performance of the local government's functions
- Speak on behalf of the local government, if the Mayor agrees
- Be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37 (2) of the Act in relation to senior employees)
- Ensure that records and documents of the local government are properly kept for the purposes of the Act and any other written law
- Perform any other function specified or delegated by the local government or imposed under the Act or any other written law as a function to be performed by the Chief Executive Officer

Directorates

The City of Gosnells has four directorates:

- Business Services
- Community Engagement
- Infrastructure
- Planning and Development

The City's four Directors and their respective staff are responsible to the Chief Executive Officer.





The following four Directors and their respective staff are responsible to the Chief Executive Officer.

Business Services

The Business Services directorate is responsible for managing the City's financial resources, providing efficient and effective corporate governance and statutory compliance, and supplying information technology services and support.

The range of services provided by this directorate includes:

- Information management
- Geographical Information Systems (GIS)
- Computer services
- Accounting services
- Budget preparation
- Rates management
- Procurement services
- Coordination of Freedom of Information responsibilities
- Statutory Health Control (food premises, noise, public buildings)
- Rangers (parking, animals, local law enforcement)
- Compliance (planning and building compliances)
- Bush fire and emergency services
- Corporate governance
- Council support
- Elections

Community Engagement

The Community Engagement directorate provides a wide range of assistance and programs. Service development and delivery is designed to provide a mix of services and programs for all members within the community.

Key responsibilities of the directorate include:

- Community arts
- Community development
- Community funding and sponsorship
- Heritage services
- Community programs and events
- Community safety information and strategies
- Cultural development
- Disability services
- Library services
- Seniors services
- Youth services
- Marketing and communications
- Community events
- Media liaison

Infrastructure

The Infrastructure directorate is responsible for the City's infrastructure, valued at around \$1.583 billion on a replacement basis.

The directorate is diverse, with a number of business units accountable for the delivery of best practice design, construction and maintenance of infrastructure assets.

Key responsibilities of the directorate are:

- Road, footpath and drainage design, construction and maintenance
- Design, construction and maintenance of City buildings
- Leasing and hiring of City buildings and reserves
- Waste collection services
- Leisure World
- Don Russell Performing Arts Centre
- Parks design, development and maintenance
- Acquisition and maintenance of City fleet
- Subdivision clearances
- Street signage
- Bus shelters

Planning and Development

The Planning and Development directorate comprises the main business areas of Development Services, Building Services and Future Planning.

The range of services provided by this directorate includes:

- Planning
- Urban regeneration
- Urban design
- Economic development, including tourism and regional redevelopment
- Drafting and implementation of Town Planning Schemes
- Subdivision approvals
- Development applications
- Home occupation permits
- Land acquisition and disposal for roads, reserves and pedestrian access ways
- Statutory building control
- Building approvals



City of Gosnells committees and meetings

Many local governments appoint committees to share the decision-making workload, as well as to use expertise effectively. These committees can include council members, staff from the local government and members of the public.

Councillors have regular meetings to make decisions about how to spend funds, what the local government will do and how. At council meetings, issues of public importance or concern are debated and decisions made. There are detailed rules about how these meetings should be run and how their records must be kept. Members of the public and media can attend the meetings.

The Mayor is the presiding member at council meetings. The Chief Executive Officer is also present, along with the Directors, to provide information, answer questions or explain reports.

Ordinary Council Meetings

The City of Gosnells conducts Ordinary Council Meetings on the second and fourth Tuesdays of every month with the exception of January, which is set aside for councillors' annual leave, or where meeting dates are adjusted to accommodate public holidays. Meetings start at 7.30pm and are held in the Council Chambers.

Special Council Meetings

- **New Council** – for the purpose of swearing in newly elected councillors and the election of Mayor and Deputy Mayor, a special council meeting is held on the Monday immediately after the biennial local government elections in October. The meeting starts at 6pm in the Council Chambers.
- **Budget Meeting** – for the purpose of adopting the Municipal Budget, a special council meeting is held each July. The meeting starts at 7.30pm in the Council Chambers.
- **Others** – occasionally, a special council meeting may be convened by the Mayor or one-third of the councillors to address a specific issue.

All council meetings, with the exception of those dealing with matters deemed by the Chief Executive Officer to be of a confidential nature, are open to members of the public.

Standing Committee Meetings

Currently, the City of Gosnells has only one Standing Committee, titled the Audit Committee, which meets on a regular basis. Meetings are held quarterly on the first Tuesday of February, May, August and November, starting at 6pm in the Council Chambers.

A further committee, the Public Art Committee is convened on an as-required basis.

Management and advisory committees

Councillors are appointed to management and advisory committees at a special council meeting on the Monday immediately after the biennial local government elections in October.

Management and advisory committee meetings are usually held at various venues around the City, such as sporting clubs and community centres.

Electors' Meeting

Under the Local Government Act, council is required to hold a general meeting of electors of the district each financial year. This is to enable the council to report on its position to its ratepayers. The council's Annual Electors' Meeting is generally held on the second Monday in December each year, starting at 6pm in the Function Room.

A special meeting of electors to discuss specific issues can be held on the request of not less than 100 electors or 5% of the number of electors (whichever is the lesser number) or $\frac{1}{3}$ of the number of council members.

Citizenship ceremonies

The purpose of citizenship ceremonies is for people to become Australian citizens and swear allegiance to Australia. Council conducts public citizenship ceremonies each month for up to 70 people.

Ceremonies are generally held in the City's Function Room.

Councillors, local Members of Parliament and representatives from the Department of Home Affairs and the Australian Electoral Commission are invited to attend.

Finance for councils

There are five main ways a local government funds its operations:

Rates

The majority of funds come from taxes on land, called rates. Each year, the owners of houses or other property must pay rates to the local government according to the value of their land.

Charges

Local governments may charge a fee for any goods or services they provide. These may include use of or admission to a facility, rubbish collection, provision of information, supply of goods or receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate.

Grants

Local governments also get money in the form of grants from the State and Federal Governments. These can be tied (granted for specific purposes) or untied. Every local government receives a general purpose or financial assistance grant which is untied, meaning the local government can decide how to spend it.

Loans

Local governments can borrow money for major projects if they cannot afford to pay for them all at once.

Sale of Assets

Local governments can sell land or other assets they own.



Local Government Act

The powers of local governments to provide services and facilities and make local laws are derived from legislation passed in the State Parliament (State Government).

The main Act from which local government gains power is the Local Government Act 1995. This Act together with a range of other legislative provisions, clearly defines the powers and responsibilities which have been handed over to local government which include such things as building control, rubbish collection, libraries, recreation, community services and the provision of roads and footpaths.

The Local Government Act 1995 came into operation on 1 July 1996 and replaced the Local Government Act 1960, however some parts of that legislation remain in operation and are known as the Local Government (Miscellaneous Provisions) Act 1960.

The Local Government Act provides for a system of local government by:

- Providing for the constitution of elected local governments in the State
- Describing the functions of local governments
- Providing for the conduct of elections and other polls
- Providing a framework for the administration and financial management of local governments and for the scrutiny of their affairs

The Act is intended to result in:

- Better decision-making by local governments
- Greater community participation in the decisions and affairs of local governments
- Greater accountability of local governments to their communities
- More efficient and effective local government



Local laws

Local governments are able to make local laws as they consider necessary to perform any of their functions under the Local Government Act.

A local law does not apply outside the local government's district.

Why have local laws?

From time to time, a situation may arise in a local government area that may be causing a nuisance or problem that cannot be controlled under the Local Government Act or State or Federal legislation.

A local government may find that its attempts to overcome the nuisance or problem by education or guidance within the community fail and if the local government considers it necessary, it may make a local law to control it.

Before a local government can make a local law there must be a clearly established need for the local law. The main aim of local laws is to ensure the comfort, convenience, amenity and welfare of the community, and they are made to discourage people from doing the wrong thing in the community. The following are examples of a few local laws that have been made.

Parking Local Law

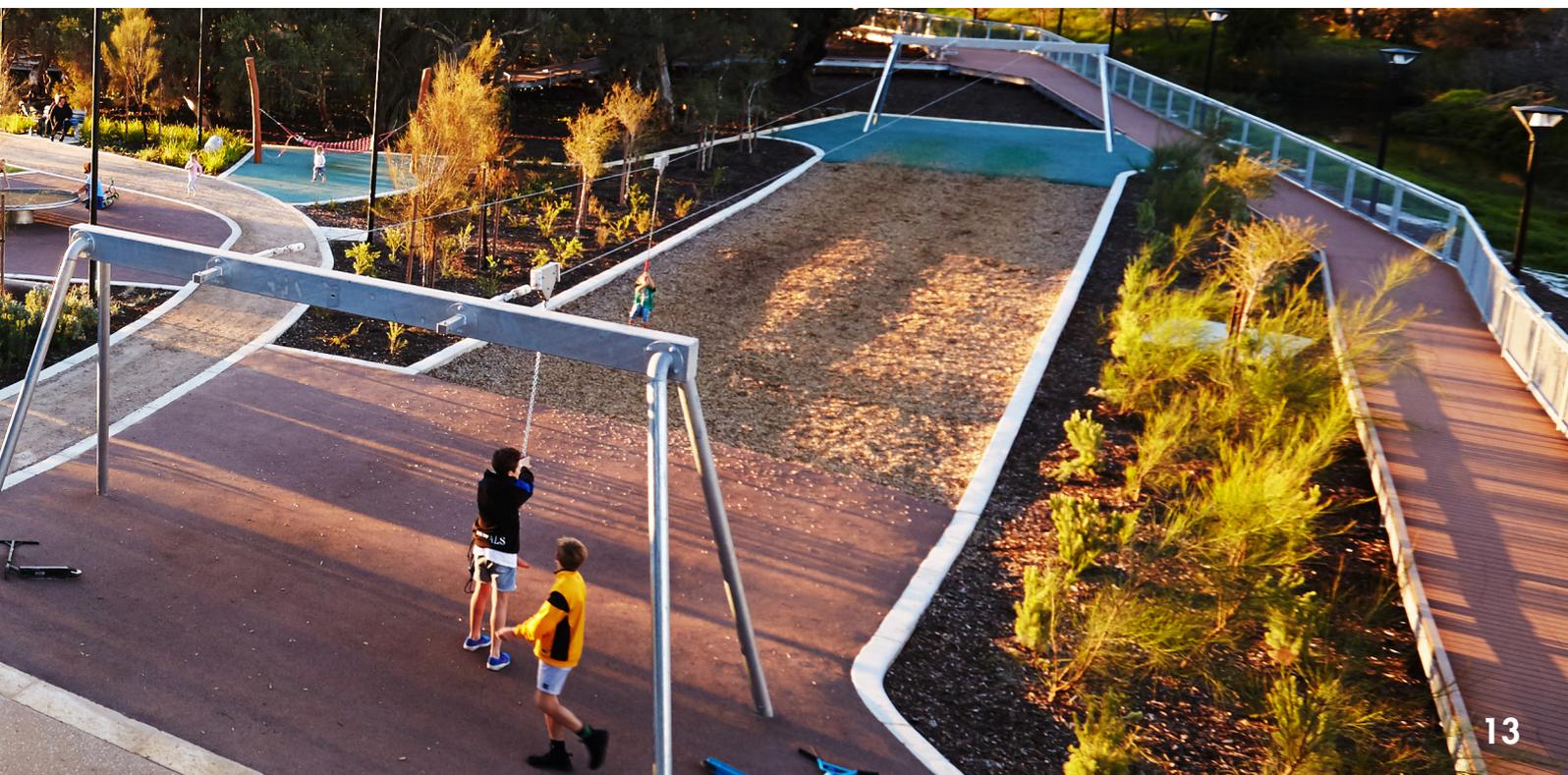
Created to prevent people from parking illegally, such as where they obstruct a driveway, road or footpath.

Dogs Local Law

Made to assist in controlling wandering or stray dogs, dogs not on leashes in public places and dog attacks.

Thoroughfares and Public Places Local Law

Provides for the regulation of activities on thoroughfares and in public places.



City of Gosnells history

Development of the Gosnells district dates back to 1829 when the rich soils and abundant waters of the Canning River attracted early settlers.

Two of this district's pioneers, John Okey Davis and his wife Frances, settled in the area on land which was purchased in 1862 by Charles Gosnell, a director of the London firm John Gosnell and Co, perfumery manufacturers. It was from this association that the name of the City originated.

The very first Elective Town Trust was set up in 1841. The Trust did not prove satisfactory and a Central Board of Works was eventually set up in its place. This also proved unsatisfactory and the government sought to change the system. A public meeting was held and the Canning Road District was formed. The original Canning Road District extended from York District in the north to Kelmscott in the south, with the Swan and Canning Rivers as its western boundary.

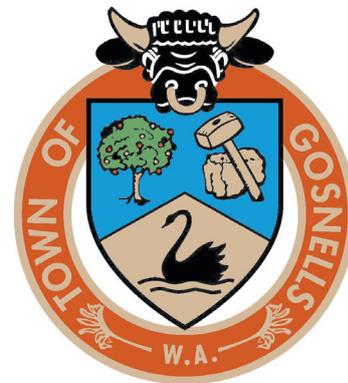
Gosnells Road Board – 1907

In 1907, the original Canning Road District was abolished and large sections of the district were transferred to create smaller municipalities. This brought about the establishment of the Gosnells Road Board. The first election of members to the board was on 1 June 1907 and the seven seats were filled by Messrs WW Alcock (first Chairman), Arthur Austin, Stephen Gibbs, JM Lissiman, GW Stead, T Williams and T Wade.

Subsequently the status of local government in the area has changed three times, from:



Shire of Gosnells – 1961



Town of Gosnells – 1973



City of Gosnells – 1977

Coat of Arms



Bull's Head

At the top of the crest comes from the crest of the original Gosnell family.
The knight's helmet symbolises 'gentleman'.

Supporters

Sea Lion and Sea Unicorn represent the flow of migrants from overseas to Australia.
Each supporter has a mural crown, indicating that Gosnells is an old established corporation.

Fruit Trees (Orange Tree)

Symbolises the local fruit growing industries, while the rose branch held by the sea lion refers to Great Britain as the homeland of the forbearers of many inhabitants of Gosnells.

Hammer and Rock

Represents the quarry industry.

Black Swan

Representing the Western Australian emblem.

Two Rivers

Representing the Canning and Southern Rivers which flow through the City.

Motto

Servire meaning 'we serve'.



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