

CITY OF WEST TORRENS



Notice of Council Meeting

NOTICE IS HEREBY GIVEN in accordance with Section 81(4)(b) of the Local Government Act 1999, that a meeting of the

Council

of the

CITY OF WEST TORRENS

will be held in the Council Chambers, Civic Centre
165 Sir Donald Bradman Drive, Hilton
on

MONDAY, 26 NOVEMBER 2018

at 7.00pm

**Terry Buss PSM
Chief Executive Officer**

City of West Torrens Disclaimer

Please note that the contents of this Council Agenda has yet to be considered by Council and officer recommendations may be altered or changed by the Council in the process of making the formal Council decision.

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1 MEETING OPENED**1.1 Evacuation Procedures****2 PRESENT****3 APOLOGIES****4 DISCLOSURE STATEMENTS**

Elected Members are required to:

1. Consider Section 73 and 75 of the *Local Government Act 1999* and determine whether they have a conflict of interest in any matter to be considered in this Agenda; and
2. Disclose these interests in accordance with the requirements of Sections 74 and 75A of the *Local Government Act 1999*.

5 CONFIRMATION OF MINUTES**RECOMMENDATION**

That the Minutes of the meeting of the Council held on 6 November 2018 be confirmed as a true and correct record.

6 PETITIONS

Nil

7 DEPUTATIONS

Nil

8 QUESTIONS WITH NOTICE

Nil

9 QUESTIONS WITHOUT NOTICE**10 MOTIONS WITH NOTICE**

Nil

11 MOTIONS WITHOUT NOTICE

12 REPORTS OF THE CHIEF EXECUTIVE OFFICER

12.1 Results of the 2018 City of West Torrens Periodic Elections

Brief

This report presents the outcomes of the City of West Torrens 2018 Periodic Local Government Elections.

RECOMMENDATION

It is recommended to Council that the results of 2018 City of West Torrens Periodic Elections be received.

Introduction

Pursuant to s10 of the *Local Government (Elections) Act 1999* (Act), as the appointed Returning Officer for the City of West Torrens 2018 Periodic Elections (Elections), the Electoral Commissioner of South Australia (Commissioner) managed the Elections. As part of this mandate, the Commissioner appointed both a Deputy and a Local Deputy Returning Officer to oversee and administer the elections on behalf of the City of West Torrens, particularly in relation to the counting and scrutiny of the ballots/votes received (Count).

The Commissioner also appointed Council's General Manager Business and Community Services as the Council Liaison Officer to oversee and administer the City of West Torrens' obligations under the Act and liaise with the Electoral Commission of South Australia, in particular with the Deputy and Local Returning Officers. In addition, the Commissioner appointed several Council staff as Electoral Officers who reported to and assisted the Council Liaison Officer in the Elections.

Section 5 of the Act requires that elections, to determine the membership of Council, must be held every four years with voting closing at 5pm on the last business day before the second Saturday in November, i.e. 9 November 2018. These elections are known as periodic elections (Elections).

Discussion

As part of the Elections, all of Council's fifteen (15) Elected Member positions were declared vacant on 4 September 2018 and nominations for these positions were opened. Thirty three (33) nominations were received for these positions by close of nominations on 18 September 2018. As the number of nominations received exceeded the number of positions vacant, elections were required to be held for the position of Mayor and in all seven (7) wards.

Polling for the Elections closed at 5pm on Friday 9 November 2018. Subsequent to the close of the poll, the Count was undertaken in the George Robertson Room, Civic Centre, 165 Sir Donald Bradman Drive, Hilton SA 5033 on both Saturday 10 November 2018 and Sunday 11 November 2018.

In concluding the Elections, the Commissioner formally declared the following candidates duly elected on Friday 16 November 2018 as detailed below:

Mayor	Michael Coxon
Airport Ward	Brandon Reynolds Jassmine Wood
Hilton Ward	Cindy O'Rielly George Vlahos
Keswick Ward	John Woodward Elisabeth Papanikolaou
Lockleys Ward	Kym McKay Daniel Huggett
Morphett Ward	Anne McKay David Wilton
Plympton Ward	Simon Tsiaparis Surender Pal
Thebarton Ward	Dominic Mugavin Graham Nitschke

ECSA will provide a report on the Elections which will include more comprehensive information than the attached letter confirming the outcomes of the Elections. This will be provided to Members when it is received.

Conclusion

This report presents an overview of the results of the City of West Torrens' 2018 Periodic Local Government Elections.

Attachments

1. West Torrens 2018 Periodic Elections Results

CITY OF WEST TORRENS**Mayoral***6 candidates contesting 1 vacancy*

<i>Ballot Papers</i>			<i>Quota</i>	<i>1st Preference Votes</i>	<i>Elected / Excluded</i>	<i>Votes at</i>		<i>Count</i>
<i>Formal</i>	<i>Informal</i>					<i>Election / Exclusion</i>		
11764	61	0.5%	5883					
RUNDLE, Robert				1734	Excluded	1888		5
COXON, Michael Stuart				2777	Elected 1	4364		15
DEMETRIOU, George				1110	Excluded	1152		3
KARYDIS, Antonia				2661	Excluded	3270		9
MANGOS, Arthur Con				2773	Excluded	4129		15
OWEN, Trevor Neil				709	Excluded	709		2

Provisional Declaration made at 11:45 Sunday 11 November 2018**Keswick Ward***3 candidates contesting 2 vacancies*

<i>Ballot Papers</i>			<i>Quota</i>	<i>1st Preference Votes</i>	<i>Elected / Excluded</i>	<i>Votes at</i>		<i>Count</i>
<i>Formal</i>	<i>Informal</i>					<i>Election / Exclusion</i>		
1623	61	3.6%	542					
WOODWARD, John				662	Elected 1	Quota		1
PAPANIKOLAOU, Elisabeth				525	Elected 2	Quota		2
FARNDEN, Michael				436		512		

Provisional Declaration made at 13:30 Sunday 11 November 2018**Hilton Ward***3 candidates contesting 2 vacancies*

<i>Ballot Papers</i>			<i>Quota</i>	<i>1st Preference Votes</i>	<i>Elected / Excluded</i>	<i>Votes at</i>		<i>Count</i>
<i>Formal</i>	<i>Informal</i>					<i>Election / Exclusion</i>		
1476	82	5.3%	493					
O'RIELLEY, Cindy				515	Elected 2	Quota		1
VLAHOS, George				658	Elected 1	Quota		1
DEED, Samuel				303		303		

Provisional Declaration made at 12:55 Sunday 11 November 2018**Plympton Ward***3 candidates contesting 2 vacancies*

<i>Ballot Papers</i>			<i>Quota</i>	<i>1st Preference Votes</i>	<i>Elected / Excluded</i>	<i>Votes at</i>		<i>Count</i>
<i>Formal</i>	<i>Informal</i>					<i>Election / Exclusion</i>		
1655	89	5.1%	552					
TSIAPARIS, Simon				968	Elected 1	Quota		1
ALI, Abdurhman Haj				252	Excluded	439		2
PAL, Surrender				435	Elected 2	Quota		2

Provisional Declaration made at 13:25 Sunday 11 November 2018**Lockleys Ward***4 candidates contesting 2 vacancies*

<i>Ballot Papers</i>			<i>Quota</i>	<i>1st Preference Votes</i>	<i>Elected / Excluded</i>	<i>Votes at</i>		<i>Count</i>
<i>Formal</i>	<i>Informal</i>					<i>Election / Exclusion</i>		
1525	86	5.3%	509					
McKAY, Kym				790	Elected 1	Quota		1
HUGGETT, Daniel				505	Elected 2	Quota		2
NUSKE, Grant				115		193		
GUPTA, Shital				115		155		

Provisional Declaration made at 14:38 Sunday 11 November 2018

Airport Ward**5 candidates contesting 2 vacancies**

Ballot Papers			Quota	1st Preference Votes	Elected / Excluded	Votes at	
Formal	Informal					Election / Exclusion	Count
1901	89	4.5%	634				
DOTTO, Vania Louise				229	Excluded	161	2
WOOD, Jassmine				450	Elected 2	597	5
PALMER, Garth				507		579	
REYNOLDS, Brandon				554	Elected 1	Quota	3
MOYA, Daniel				161	Excluded	161	2

Provisional Declaration made at 16:35 Sunday 11 November 2018**Morphett Ward****4 candidates contesting 2 vacancies**

Ballot Papers			Quota	1st Preference Votes	Elected / Excluded	Votes at	
Formal	Informal					Election / Exclusion	Count
1484	77	4.9%	495				
WILTON, David				399	Elected 2	Quota	3
COSTANZO, Sonia				320	Excluded	433	3
McKAY, Anne				598	Elected 1	Quota	1
BARTNIK, Robert				167	Excluded	183	3

Provisional Declaration made at 14:50 Sunday 11 November 2018**Thebarton Ward****5 candidates contesting 2 vacancies**

Ballot Papers			Quota	1st Preference Votes	Elected / Excluded	Votes at	
Formal	Informal					Election / Exclusion	Count
1563	98	5.9%	522				
MUGAVIN, Dominic				408	Elected 1	510	4
NITSCHKE, Graham				408	Elected 2	508	4
SARRIS, Spiros				393	Excluded	487	4
CRUZ, Helika				238	Excluded	261	3
McKAY, Matthew				116	Excluded	116	2

Provisional Declaration made at 15:10 Sunday 11 November 2018

12.2 Council Meeting Schedule

Brief

This report proposes the meeting dates, times and place of Council's ordinary meetings for a four year period commencing 1 December 2018 to the conclusion of the term of Council.

RECOMMENDATION

It is recommended to Council that:

1. Its ordinary Council Meetings, for the period 1 December 2018 to the conclusion of the term of Council, be held at 7.00pm on the first and third Tuesday of every month, with the exception of January each year when it will only meet on the third Tuesday of the month and in December of each year when it will only meet on the second Tuesday of the month, in the Council Chamber, Civic Centre, 165 Sir Donald Bradman Drive, Hilton SA 5033.
2. The Chief Executive Officer, in consultation with the Mayor, be delegated the authority to vary the time, date and location of any Ordinary Council meeting to accommodate any conflicting function, event or unforeseen circumstance.

Introduction

Following the November 2018 Local Government elections, Council is required to determine the meeting dates, times and places of its ordinary meetings. Section 81 of the *Local Government Act 1999* (Act) prescribes the requirements for establishing the frequency and timings of ordinary meetings of Council. Ordinary meetings must be held at times and places appointed by resolution of Council and Council must hold at least one ordinary meeting each month.

The purpose of the ordinary meetings of Council is to make decisions on the strategic and policy matters presented to it in relation to its operations. Written reports are provided by the Chief Executive Officer in advance of the meeting, in the form of a Council agenda, for consideration by Members. Each meeting allows for questions to be asked of and answered by the Administration.

Discussion

Council Meeting Frequency

Elected Members are only able to conduct the business of Council and make decisions when they come together as the Elected Body (Council) at a formal meeting of Council. One of the first duties of the Elected Body is to determine, in advance, when, where and how regularly it will hold its ordinary meetings. However, there is no legislative requirement compelling Council to hold more than one Council meeting per month.

In setting its ordinary meeting schedule, Council must have regard to s81 of the Act which provides the following criteria:

- There must be at least one ordinary meeting of Council in each month;
- Ordinary meetings of Council must not be held on Sundays or Public Holidays;
- Ordinary meetings of Council must not be held before 5pm unless Council resolves to do so unanimously by all members of Council.

Previous Councils, over many years, have resolved to meet twice per month at 7pm on the first and third Tuesday of the month, with the exception of December each year when they be held on the second Tuesday of the month and in January when they be held on the third Tuesday of the month, as depicted in calendar form in **Attachment 1**.

From a consistency perspective, along with the community being accustomed to the above meeting schedule, it is recommended that this schedule of meetings be approved by Council.

It is further recommended that the Chief Executive Officer, in consultation with the Mayor, be delegated the authority to vary the time, date and location of any Ordinary Council meeting to accommodate any conflicting function, event or unforeseen circumstance.

Conclusion

This report seeks Council's determination of its Ordinary Meeting schedule for the term of the Council.

Attachments

1. Meeting Schedule - 2 per month

Council Meetings Schedule - First and Third Tuesday

2018

December						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

2019

January						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

February						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

2020

January						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

February						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

March						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

March						
Su	Mo	Tu	We	Th	Fr	Sa
						1
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April						
Su	Mo	Tu	We	Th	Fr	Sa
						1
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

May						
Su	Mo	Tu	We	Th	Fr	Sa
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23	24	25	26	27	28	29
30	31					

June						
Su	Mo	Tu	We	Th	Fr	Sa
						1
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

May						
Su	Mo	Tu	We	Th	Fr	Sa
						1
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23	24	25	26	27	28	29
30	31					

June						
Su	Mo	Tu	We	Th	Fr	Sa
						1
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23	24	25	26	27	28	29
30	31					

July						
Su	Mo	Tu	We	Th	Fr	Sa
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30	31					

August						
Su	Mo	Tu	We	Th	Fr	Sa
						1
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30	31					

July						
Su	Mo	Tu	We	Th	Fr	Sa
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30	31					

August						
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30	31					

September						
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30	31					

October						
Su	Mo	Tu	We	Th	Fr	Sa
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September						
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30	31					

October						
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30	31					

November						
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30	31					

December						
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30	31					

November						
Su	Mo	Tu	We	Th	Fr	Sa
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30	31					

December						
Su	Mo	Tu	We	Th	Fr	Sa
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30	31					

2021

January						
Su	Mo	Tu	We	Th	Fr	Sa
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30	31					

February						
Su	Mo	Tu	We	Th	Fr	Sa
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

2022

January						
Su	Mo	Tu	We	Th	Fr	Sa

12.3 Summary of Lapsed Motions 2014-2018

Brief

This report presents those motions which lapsed at the conclusion of the 2018 City of West Torrens periodic elections.

RECOMMENDATION

It is recommended to Council that this report be received.

Introduction

Section 12(19) of the *Local Government (Procedures at Meetings) Regulations 2013* (Regulations), states that any motion, identified as questions in the Regulations, that the former Council resolved to 'lie on the table' lapses at the conclusion of a periodic/general election. In addition, s12(20) requires the Chief Executive Officer (CEO) to report, at the first ordinary meeting of a Council following each periodic election, on each such motion that lapsed.

Discussion

During the 2014-2018 term of Council, there was a total of two (2) motions that Council resolved to 'lie on the table' at a full Council meeting which were not retrieved by the conclusion of the Local Government Elections 2018 as follows:

Year	Council	Committees
2014/2015	0	0
2015/2016	0	0
2016/2017	0	0
2017/2018	2	0
Total	2	0

Note: The above statistics include Council, Standing and General Committee meetings for the period 2014-2018.

Consequently, these two motions have lapsed. Specific information in relation to these two (2) motions is attached (**Attachment 1**).

Conclusion

As required by s12(20) of the *Local Government (Procedures at Meetings) Regulations 2013*, this report presents those motions which Council resolved to 'lie on the table' during the term of the previous Council and which lapsed at the conclusion of the 2018 Local Government Elections 2018.

Attachments

1. Summary of motions that lie on the table

Summary of motions that lie on the table as at 9 November 2018

Meeting Date	Type of Meeting	Type of Motion	Moved by	Motion Title	Motion Details	Resolution
18/09/2018	Council	Without Notice	Mayor John Trainer	Negotiations with the West Adelaide Football Club regarding leasing of the Council Room at Richmond Oval	That the Administration enter into negotiations with the West Adelaide Football Club to discuss the possibility of the Club leasing the Council Room at Richmond Oval as a venue for Club guests on match days and for other purposes at other times, with some provision being made for a limited amount of access by Councillors and their guests on match days.	That the question (motion) lie on the table.
18/09/2018	Council	Without Notice	Mayor John Trainer	Terminating alcoholic beverages served prior to and after Council meetings	That alcoholic beverages no longer be available with meals served immediately prior to Council meetings, and that spirits and sparkling wines no longer be served after Council meetings. Furthermore, that all wine purchases be at a moderate pricing level unless for particularly significant community events.	That the question (motion) lie on the table.

12.4 Council Policy - Elected Members Allowances, Facilities, Support and Benefits

Brief

This report presents the draft *Council Policy - Elected Members Allowances, Facilities, Support and Benefits* to Council for its consideration and approval.

RECOMMENDATION

It is recommended to Council that:

1. The current *Council Policy - Elected Members Allowances, Facilities, Support and Benefits* be revoked.
2. The draft *Council Policy - Elected Members Allowances, Facilities, Support and Benefits* be approved.
3. Pursuant to section 78(2)(a) of the *Local Government Act 1999*, Council resolves that the provision of facilities, support and benefits contained in its *Council Policy - Elected Members Allowances, Facilities, Support and Benefits* are necessary and/or expedient to the performance or discharge of official functions or duties by Elected Members.
4. The Chief Executive Officer be delegated authority to make amendments of a formatting and/or minor technical nature to the *Council Policy - Elected Members Allowances, Facilities, Support and Benefits*.

Introduction

The *Local Government Act 1999* (Act) and the *Local Government (Members Allowances and Benefits) Regulations 2010* (the Regulations) provide for the:

- payment of allowances to Elected Members
- reimbursement of expenses expended by Elected Members in the performance and discharge of their functions and duties
- provision of other facilities and support as resolved by Council where those benefits assist elected members in the performance or discharge of their official functions and duties.

Section 77(1)(b) of the Act states that Council is able to make available to Members (Members), on a uniform basis, those facilities, benefits and support which it determines are necessary and/or expedient to the performance and discharge of its Members official duties and functions via the approval of a policy which details the allowances, facilities, support and benefits provided.

Members are not required to accept all, or part thereof, of the facilities, benefits and support offered.

As required by the Act, *Council Policy - Elected Members Allowances, Facilities, Support and Benefits* (Policy) has been subjected to a scheduled review. The results of this extensive review, by the Administration, are presented for consideration and approval by Council (**Attachment 1**).

Discussion

The draft Policy proposes those facilities, benefit and support to be made available to Members, on a uniform basis, that are considered necessary for the effective and expedient discharge and functions of Member's official duties as well as detailing the process for reimbursement of expenses.

While Council does not set Members allowances, which are set by the Remuneration Tribunal of South Australia (Remuneration Tribunal), the draft Policy also details information about these.

Allowances

A Member is entitled to an annual allowance which is determined every four years by the Remuneration Tribunal for each group of councils in accordance with s76(2) of the Act. This allowance must be indexed on the first, second and third anniversary of the 2018 local government elections. The City of West Torrens is defined as a Group 1B council as are the cities of Holdfast Bay, Marion, Mitcham, Playford and Tea Tree Gully.

In August 2018, the Remuneration Tribunal determined that Members of Group 1B councils will receive an annual allowance of \$20,630 per annum. They also set the allowance for the Principal Member, being four times the Members' allowance i.e. \$82,520.

Allowances are considered assessable income for taxation purposes and accordingly are required to be declared on Members' income tax returns. The Allowance may also impact other benefits (e.g. Centrelink). Therefore, Members who are in receipt of other benefits are advised to contact the relevant authority for further information.

Reimbursement of Expenses

In addition to Members' allowances, s77 of the Act provides for the reimbursement of other expenses either by a specific resolution of Council or as contained in a Council policy.

Regulation 6 of the Regulations states that reimbursement of the following types of expenses require Council's approval:

- Expenses incurred in the use of a telephone or other telecommunications device or in the use of a form of electronic communication, on the business of the Council.
- Travelling expenses incurred by a Member as a consequence of a Member's attendance at a function or activity on the business of the Council.
- Travelling expenses incurred by a Member in undertaking an 'eligible journey' to the extent that those expenses are attributable to travel outside the Council.
- Expenses for the care of a child of a Member or a dependant of a Member requiring full-time care incurred by the Member as a consequence of their attendance at a function or activity on the business of the Council.
- Expenses incurred by a Member as a consequence of their attendance at a conference, seminar, training course or other similar activity which is directly or closely related to the performance or discharge of their roles or duties.

Facilities, Support and Benefits

Section 78 of the Act enables Council to specifically resolve to provide facilities and other forms of support to assist its Members in the performance and discharge of their official functions and duties.

The legislation also stipulates that all facilities and other support must be made equally available to all Members, with the exception of the Principal Member who may be provided with additional resources. This does not mean that Members are obliged to accept facilities, support and benefit, rather, they need to be offered equally. Proposed facilities, support and benefits are presented in the draft Policy.

Members will be asked to sign the 'Personal use of Facilities and Benefits' declaration to acknowledge their obligations to reimburse Council for personal use of facilities.

Register of Allowances and Benefits

In accordance with s79 of the Act, and to promote openness and transparency, the Chief Executive Officer is required to maintain a register which details all allowances, reimbursements, support and benefits provided to Members which is presented to Council on a quarterly basis and is available for public inspection.

To facilitate this requirement, the amounts claimed and reimbursed will be recorded by the way of the completion and submission of the appropriate forms by Members.

Conclusion

As a result of a scheduled policy review, this report presents the draft *Council Policy - Elected Members Allowances, Facilities, Support and Benefits* to Council for its consideration and subsequent approval.

Attachments

1. **Draft Elected Members Allowances, Facilities, Support and Benefits Policy**

CITY OF WEST TORRENS



Council Policy: Elected Members Allowances, Facilities, Support and Benefits

Classification:	Council Policy
First Issued:	21 November 2006
Dates of Review:	2007, 2009, 2010, 2014, 2015, 2015, 2016, 2018
Version Number:	9
Next Review Due:	2023
Objective ID:	A5663
Applicable Legislation:	<ul style="list-style-type: none"> • Local Government Act 1999 (SA) • Local Government (Members Allowances and Benefits) Regulations 2010 (SA) • Income Tax Assessment Act 1997 (Cth) • Code of Conduct for Council Members
Related Policies or Corporate Documents:	<ul style="list-style-type: none"> • Elected Members Training and Development Policy • Elected Member Electronic Communications Facilities Policy • Council Reception Room - Richmond Oval Policy • Elected Members Attendance at Conferences Policy • Elections Period Caretaker Policy • Register of Allowances and Benefits
Associated Forms:	<ul style="list-style-type: none"> • Travel Expenditure Claims Form • Expenditure Authorisation Form • Travel Authority • Annual Allowance for Elected Members
Note:	A person is entitled to inspect this policy (without charge) at the principal office of council during normal office hours. The policy is also available on Council's website. A person is entitled to a copy of the policy at the fee as set by Council in its Fees and Charges Schedule.
Responsible Manager:	General Manager Business and Community Services
Confirmed by General Manager:	General Manager Date: 20 November 2018 Business and Community Services
Approved by Council:	Date:

City of West Torrens Council Policy – Elected Members Allowances, Facilities, Support and Benefits - November 2018

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Council Policy - Elected Members Allowances, Facilities, Support and Benefits

1 Preamble

- 1.1 Council recognises that in order for Elected Members to undertake their official duties and functions effectively and expediently, they require access to necessary facilities, support and benefits.
- 1.2 Council supports the principle that Elected Members should not be out-of-pocket as a result of undertaking their official duties and functions. Consequently, Council will ensure that reasonable reimbursement is made for costs that are actually and necessarily incurred in the performance and discharge of their roles.
- 1.3 Council will ensure that payment of Elected Member allowances and the reimbursement of expenses is accountable and transparent and in accordance with s76 of the [Local Government Act 1999](#) (Act) and the [Local Government \(Members Allowances and Benefits\) Regulations 2010](#) (Regulations).
- 1.4 Electronic communication facilities, such as telephones, Internet and E-mail, are Council resources provided for the purpose of assisting Elected Members in the proper discharge and performance of legislative functions and duties. All Elected Members have a responsibility to ensure their proper use.

2. Purpose

- 2.1 The purpose of this Policy is to formalise and document Council's agreed position in relation to the allowances, benefits, facilities, support and reimbursements of expenses it will make available to its Elected Members to assist them in the performance and discharge of their roles in accordance with sections 76, 77 and 78 of the Act.

3. Scope

- 3.1 This policy applies to all Elected Members.

4. Definitions

- 4.1 **Conclusion of the Election** is as defined in s4(2) of the [Act](#).
- 4.2 **Consumer Price Index** is defined by s76(15) of the [Act](#) as the Consumer Price Index, 'All groups index for Adelaide,' published by the Australian Bureau of Statistics.
- 4.3 **Eligible Journey** means a journey, in either direction, between the principal place of residence, or a place of work, of an Elected Member and the place of a prescribed meeting.
- 4.4 **Facilities** means any property or asset owned by the Council and includes (but is not limited to) reserves, buildings, meeting rooms, mobile phones, laptops, tablet computers, email facilities, scanners, printers etc.
- 4.5 **Prescribed Meeting** means a meeting of the Council or Council Committee or an informal gathering, discussion, workshop, briefing, training course or similar activity which is directly or closely related to the performance or discharge of the roles or duties of an Elected Member.

4.6 **Prescribed and Non Prescribed Committees** are the classifications applied by the Remuneration Tribunal for the purpose of determining the allowance to be paid to the Presiding Member of a Council Committee.

4.7 **Relative** is defined in s4 of the [Act](#) as a:

- spouse or domestic partner;
- parent or remoter lineal ancestor; or
- son, daughter or remoter descendant; or
- brother or sister; or
- a stepfather, stepmother, stepson or stepdaughter; or
- any member of the person's family who resides in the member's household.

4.8 **Remuneration Tribunal** means the Remuneration Tribunal of South Australia.

4.9 **Services** mean benefits and support provided to Elected Members during their term of office.

5 Policy Statement

5.1 Allowances

5.1.1 Section 76 of the [Act](#) provides that all Elected Members are entitled to receive an annual allowance, determined by the Remuneration Tribunal, for performing and discharging their official functions and duties commencing on the conclusion of the relevant periodic election and concluding at the time at which the last result of the next periodic election is certified by the returning officer under the [Local Government \(Elections\) Act 1999](#).

5.1.2 This determination applies to all Elected Members of a council in South Australia and is based on six council groupings. The Remuneration Tribunal has classified the City of West Torrens as a **Group 1B** Council.

5.1.3 In addition to their Elected Member Allowance, an Elected Member who is appointed as a Presiding Member of a Council Committee, constituted in accordance with s41 of the [Act](#), is entitled to an additional allowance determined by the Remuneration Tribunal. The amount of this allowance is dependent on the classification of the council and whether the Committee is classified as a prescribed or non-prescribed Committee.

5.1.4 The Remuneration Tribunal will make Elected Member allowance determinations on a four yearly basis at least 14 days before the close of nominations in a general election. Allowances will be adjusted on the first, second and third anniversary of the relevant general election to reflect changes in the Consumer Price Index as described in the [Regulations](#).

5.1.5 The City of West Torrens will ensure the allowance, determined by the Remuneration Tribunal, will be paid monthly in arrears for the Mayor and quarterly in arrears for Councillors.

5.1.6 In accordance with the determination by the Remuneration Tribunal, allowances paid to Members will be adjusted annually by the Consumer Price Index on the first, second and third anniversary of the 2018 Local Government Periodic Elections.

- 5.1.7 Any Elected Member may decline to receive their allowance or the use of any Council provided facility, benefit or support or part thereof.

5.2 Reimbursement of Expenses

- 5.2.1 Section 77(1)(a) of the Act provides that all Elected Members are entitled to receive reimbursement for expenses, actually and necessarily incurred, of the kind prescribed in performing or discharging official functions and duties.
- 5.2.2 The City of West Torrens will ensure that the reimbursement of expenses is accountable, transparent and in accordance with the provisions in the [Act](#) and the [Regulations](#).

5.2.3 Eligible Journey Expenses for Attendance at Prescribed Meetings

5.2.3.1 In accordance with s5(1)(a) and s5(2)(a) of the [Regulations](#), travel expenses incurred will be reimbursed without the need for prior approval by Council for an eligible journey, within the Council area, when travelling to or from a prescribed meeting of the Council or Committee of the Council. However, the [Regulations](#) provide that:

- a. Travel must be by the shortest or most practical route.
- b. If an eligible journey relates to travel between a place within the Council area and a place outside the Council area, in either direction, the Elected Member will only be reimbursed in respect of travel within the Council area.
- c. If an Elected Member makes an eligible journey by private motor vehicle, the rate to be reimbursed will be equal to the appropriate rate per kilometre, determined according to engine capacity, prescribed for the purposes of calculating deductions for car expenses under s28-25 of the [Income Tax Assessment Act 1997](#) available at the Australian Taxation Office website, www.ato.gov.au.
- d. Appropriate travel logs must be maintained by the Elected Member to ensure they are accurately reimbursed.

5.2.4 Travel Expenses for Journeys other than Eligible Journeys

- 5.2.4.1 Travel, other than to a prescribed meeting outside of the Council area will be reimbursed with prior Council approval.
- 5.2.4.2 Air travel within Australia will be reimbursed or paid for at economy class rates for all Elected Members. Should international travel be required, Council may determine that another class of travel is considered more appropriate and will be reimbursed or paid accordingly.

5.2.5 Dependant Care When Attending a Prescribed Meeting or Function

- 5.2.5.1 Expenses incurred for the care of an Elected Member's child(ren), or a dependant living with the Elected Member who requires full time care, as a consequence of an Elected Member's attendance at a prescribed meeting, function or other Council related activity will be reimbursed to a maximum of 8 hours per occasion of care.

- a. Reimbursement for child care expenses will be paid at the rate of \$25.00 per hour for 3 (three) hours, then \$30.00 for each hour thereafter.

5.2.5.2 An Elected Member will not be reimbursed if the care is provided by a relative of the Elected Member who ordinarily resides with the Elected Member.

5.2.6 General Requirements for Reimbursement Claims

5.2.6.1 Claims for reimbursements, other than vehicle expenses, can only be made with the submission of a tax invoice/ tax receipt. An ABN number must be displayed on the tax invoice receipt to comply with Goods and Services Tax (GST) requirements and submitted on the relevant form.

5.2.6.2 Elected Members may be entitled to reimbursement for expenses when travelling on approved Council business outside the Council area.

- a. If this travel relates to conferences, refer to the [Council Policy - Elected Members Attendance at Conferences](#) and the [Council Policy - Elected Members Training and Development](#).

5.2.6.3 If it is anticipated that a hire car will be required at the location to which an Elected Member is travelling, prior approval by Council, including the type or make of car and its range of use, is required.

5.3 Facilities and Services

5.3.1 General Principles

5.3.1.1 The facilities and services made available to Elected Members have been identified as necessary and/or expedient to the performance or discharge of their official functions or duties.

5.3.1.2 The provision of facilities and services will be available to all Elected Members on a uniform basis (other than those additional facilities, support and services will be made available for the benefit of the Mayor in accordance with [clause 5.3.3](#) of this policy).

5.3.1.3 In accordance with the provisions of the Code of Conduct for Council Members, an Elected Member must not use any facilities and services for a purpose unrelated to the performance or discharge of official functions or duties unless they have obtained the prior approval of the Council.

- a. If Council approves the private use of its facilities and services, the Elected Member will reimburse the Council for the costs or expenses that relate to that private use.

5.3.1.4 Any facility provided to an Elected Member remains the property of Council at all times and is insured via Council's insurers.

5.3.1.5 Elected Members who retire or are not re-elected will be offered the opportunity to purchase, at market rate, any equipment provided to them i.e. mobile phones, tablets, laptops, printers, modems and routers etc. prior to disposal of the equipment via other avenues.

- a. Equipment supplied by the Council that is not required by an Elected Member is to be returned and telephone services cancelled, at the Council's cost, within five working days of the end of the Elected Member's term of office - or at any other time as determined by the Council.
- b. Should the Mayor be provided with a motor vehicle, the vehicle must be returned to the City of West Torrens at the conclusion of the Principal Member's term of office.

5.3.1.6 Council reserves the right to review and, if appropriate, withdraw an Elected Member's facilities if they are not achieving the intended purpose or are being used inappropriately.

5.3.1.7 *All servicing and maintenance of facilities must be arranged by the Administration.*

5.3.1.8 Servicing and maintenance of equipment must only be arranged by the Administration.

5.3.2 Facilities and Services - Elected Members

5.3.2.1 The Council will make the following facilities and services available to all Elected Members:

a. Administration or Office Facilities

- a name badge.
- a box of 250 business cards will be made available to Elected Members on request twice per financial year after which additional cards will be supplied at the requesting Elected Member's own cost.
- access to the Elected Members Lounge which will have available a computer and printer for use by Elected Members.
- fridge stocked with soft drinks and water.

b. Information technology equipment and out of hours IT support:

- an Apple iPhone XR 6.1" with accompanying data plan.
- an Apple iPad Pro 10.5" or an Apple iPad Pro 12.9" or a HP EliteBook 850-G5 14" with accompanying data plan. The selected device will be provided with an accompanying data plan.
- A Hewlett-Packard multifunction printer - model HO M181FW.

c. If an Elected Member elects to use their own information technology devices they will be reimbursed at the following rates:

- a monthly internet allowance of up to \$60 per month.
- a monthly reimbursement of \$60, for use of their own mobile phone for Council business.
- consumables associated with the use of information technology equipment i.e. paper, toner etc.

- d. If Council owned and provided devices suffer accidental damage, they will be replaced or repaired once during the term of Council. Subsequently, Elected Members will be responsible for funding the cost of repair of the device.
- e. The Administration will provide access to Council and Committee agendas via a tablet (iPad or other similar device), whether Council provided or BYOD. No paper agendas will be made available to Elected Members.
- f. Other Facilities and Services
- access to the Council Reception Room at Richmond Oval on match days in accordance with the *Council Policy - Council Reception Room and Richmond Oval*.
 - ongoing support and training including attendance at conferences approved on a case by case by Council.
 - Elected Members will be provided with insurance that comprises:
 - benefits if bodily injury is sustained while engaged in any activity directly or indirectly connected with or on behalf of Council.
 - professional/public indemnity insurance that indemnifies Elected Members while undertaking their official duties. cover for damage to property and personal effects that occurs while Elected Members are engaged in Council business.
 - corporate travel cover for Elected Members and their partners/spouses while engaged in any activity directly or indirectly connected with or on behalf of Council, including while travelling to and/or from such activity.

5.3.3 Additional Resources for the Mayor

5.3.3.1 In addition to the facilities and services made available to Elected Members, the following facilities and services are made available to the Mayor:

- a. An office space and associated provisions including stationery, postage, and general expenses of the Mayor's office.
 - b. Administrative support in accordance with Council's budget.
 - c. A Cabcharge card
 - d. A motor vehicle for which the Mayor will reimburse Council for private use on an annual basis.
- (da) The following conditions will apply to the Mayor's vehicle as part of the Council vehicle fleet:
- The vehicle will be of an appropriate standard recognising the responsibilities and status of the Office of the Mayor.
 - Servicing of the vehicle will be in accordance with purchase or lease arrangements and arranged through the Administration.

- A fuel card will be provided.
- All mechanical problems must be reported to the Administration immediately.
- The vehicle is to be maintained and kept in a clean and tidy condition at all times.
- If possible the vehicle is to be parked off-street overnight.
- The towing of any boat trailers or any trailer/caravan in excess of the vehicle makers stated weight is not allowed.
- Any fines for offences under the [Road Traffic Act 1961](#) and [Road Traffic \(Road Rules – Ancillary and Miscellaneous Provisions\) Regulations 2014](#) are the responsibility of the driver of the vehicle and will not be met by Council.
- The procedure to follow if the vehicle is involved in an accident must be stored in the glove box of the vehicle and followed in the event of an accident.
- No smoking is allowed in the vehicle.

5.3.3.2 Telephone lines in the homes of Elected Members are not a Council responsibility and will not be paid by Council.

5.4 Telephone Accounts

- 5.4.1 Monthly charges for Council-owned mobile telephones will be paid by Council.
- 5.4.2 Elected Members are required to reimburse Council for any private use of a Council owned telephone.
- 5.4.3 Costs incurred that are associated with the use of a Council provided phone or tablet while overseas will be invoiced to the Elected Member unless the travel has been approved by Council.
- 5.4.4 Photocopies of telephone accounts will be provided to Elected Members monthly for their review and reimbursement of any personal charges or usage.

A report on telephone usage will be reported quarterly to Council.

5.5 Security and Confidentiality

- 5.5.1 Information regarding access to CWT's computer and communication systems should be considered as confidential information and not be divulged without authorisation.
- 5.5.2 Elected Members are expected to treat electronic information with the same care as they would confidential paper-based information.
- 5.5.3 Information should not be disclosed to any unauthorised third party. It is the responsibility of the Elected Member to report any suspected security issues to the CEO.
- 5.5.4 Elected Members should be aware that communications via Internet and e-mail, even if expressed to be confidential, may have to be disclosed in court

proceedings, investigations by competition authorities and regulatory bodies or in response to Freedom of Information applications.

- 5.5.5 Electronic communications sent and received in the conduct of CWT business are official records of the CWT and are required to be maintained in good order and condition under the [State Records Act 1997](#). Reference should be made to the [Council Policy - Elected Member Records Management](#) for the record keeping procedures to be used to record electronic communications properly.
- 5.5.6 The security of the Council's data and information, communication and technology (ICT) infrastructure is paramount. Where necessary, Council's Information Services staff may take action, including interrupting services and/or devices to protect Council data and ICT infrastructure.
- 5.5.7 Prior to providing access via a personal device, a *Bring Your Own Device (BYOD) Access Agreement* must be completed.

5.6 Register of Allowances and Benefits

- 5.6.1 A register of Allowances and Benefits (Register) will be kept in accordance with s79 of the Act.
- 5.6.2 The Register will include all expenditure associated with allowances, mobile telephone/internet expenses, reimbursements, conference and seminar costs, training, the provision of equipment, insurance and consumables etc.
- 5.6.3 A person is entitled to inspect the Register without charge at the principal office of Council during normal office hours.
- 5.6.4 A person is entitled to an extract from the Register for a fee set by Council and included in its Schedule of Fees and Charges.
- 5.6.5 Details recorded in the Register will be reported to the Council on a quarterly basis.

12.5 LGA Leadership Programs for Mayors/Chairpersons and Councillors

Brief

The LGA has advised that it will be conducting a Leadership Development Programs for Mayors/Chairpersons and Elected Members (Councillors) at Local Government House.

RECOMMENDATION

It is recommended to Council that:

1. Subject to confirmation, Council approves the attendance of Mayor Michael Coxon at the Local Government Association 'Mayors' and Chairpersons' Leadership Program - Introduction' on Friday 30 November 2018.
2. Subject to confirmation, Council approves the attendance of Cr/sat the Local Government Association Elected Members (Councillors) Leadership Program - Introduction on Wednesday 5 December 2018.
3. Expenses be reimbursed in accordance with Council policy.

Introduction

The Local Government Association (LGA) Education and Training Service has developed an Elected Members Leadership Development Program which commences at the end of November. The first part of that training is the Mayor's and Chairperson's Leadership Program - Introduction on 30 November 2018 which will be followed on 5 December 2018 by an Elected Members (Councillors) Leadership Program - Introduction. Both sessions will be held between 9.30am and 4.30pm at LGA House, 148 Frome Street, Adelaide.

Discussion

Mayor's and Chairperson Leadership Program - Introduction

The Mayor's and Chairperson's one-day professional and personal leadership program has been designed to assist Mayors (and Chairpersons) lead an effective council. The program will be facilitated by Peter Follett from Human Capital International and Rowena McLean, LGA Sector Development Director. Peter is passionate about leadership, culture and strategy. He works to assist leaders to gain valuable insights about how they can leverage their strengths to assure long term success. Rowena will bring her good governance and leadership development expertise from her practical experience in the local government sector.

The program will conclude with a networking dinner at a restaurant in the Adelaide CBD.

Elected Members Leadership Program - Introduction

The Elected Members (Councillors) Leadership Program - Introduction is a one-day professional and personal leadership program for both continuing and newly elected councillors. This program is the first in a series of programs designed to set councillors up for success by assisting them grow skills in building professional working relationships, understanding team dynamics and working with their communities to make a positive difference.

The program will conclude with a free 'Meet and Greet' session which will offer the opportunity for those councillors who attended the Leadership Program - Introduction to meet with fellow councillors and those councillors who may have been unable to attend the session, to learn more about the local government sector and get to know their peers from across South Australia.

The cost of the Mayors'/Chairpersons' program is \$550 + GST per participant.

Mayor Michael Coxon has indicated his desire to attend.

The cost of the Elected Members' (Councillors') Program is:

\$550 + GST	per participant
\$495 + GST	2-5 participants per Council
\$465 + GST	6-10 participants per Council

A further reduced rate can be negotiated with the LGA for more than 11 participants.

Attendance at these sessions will be registered on Council's training register, which the Chief Executive Officer is required to maintain pursuant to the *Local Government (General Regulations) 1999*, for inclusion in Council's 2018/19 Annual Report.

Conclusion

The Local Government Association of SA's Education and Training Service is conducting Leadership Development Programs for Mayors/Chairpersons and Elected Members (Councillors) on 30 November 2018 and 5 December 2018 respectively at Local Government House.

Attachments

- 1. Mayors' and Chairpersons' Leadership Program**
- 2. Elected Membership Leadership Program**



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of South Australia



Mayors' and Chairpersons' Leadership Program

As part of the 'Elected Member Leadership Development Program' the LGA's Education and Training Service has scheduled a Mayors' and Chairpersons' Leadership Program on Friday, 30th November 2018 at Local Government House, Adelaide.

This one-day professional and personal leadership program has been designed to assist Mayors' and Chairpersons' lead an effective council. This program will be facilitated by Peter Follett from Human Capital International and Rowena McLean, LGA Sector Development Director. Peter is passionate about leadership, culture and strategy. He works to assist leaders to gain valuable insights about how they can leverage their strengths to assure long term success. Rowena will bring her good governance and leadership development expertise from her practical experience in the local government sector.

The program will conclude with a networking dinner at a restaurant in the Adelaide CBD.

*For further information
and to enrol for the
session click on the circle*





**For further information
about the LGA's Training
Standards for Council
Members please click here**

To view and/or enrol in sessions from the 'Elected Member Leadership Development Program' (which includes the four modules that constitute South Australia's council member mandatory training requirements) please [click here](#).

For bookings please contact Emma Urvan at emma.urvan@lga.sa.gov.au or on 08 8224 2035.




Education & Training
Local Government Association
 of South Australia



Elected Member Leadership Program

As part of the 'Elected Member Leadership Development Program' the LGA's Education and Training Service has scheduled an 'Elected Member Leadership Program' on Wednesday, 5th December 2018 at Local Government House, Adelaide.

This one-day professional and personal leadership program has been designed to set elected members (both new and continuing) up for success in their roles. The program will be facilitated by James Koch from Human Capital International and Rowena McLean, LGA Sector Development Director. James has a successful track record in leadership and management roles, and delivers results by increasing leadership consciousness and building practical leadership competencies. Rowena will bring her good governance and leadership development expertise from her practical experience in the local government sector. As co-facilitators James and Rowena look forward to enabling participants to discover their strengths and inspire leadership. This program will conclude with a 'Meet and Greet' session that offers elected members the opportunity to learn more about the local government sector and get to know their South Australian peers.

For further information and to enrol for the session click on the circles

Elected Member Leadership Program

Elected Member Meet & Greet

To view and/or enrol in sessions from the 'Elected Member Leadership Development Program' (which includes the four modules that constitute South Australia's council member mandatory training requirements) please [click here](#).

For bookings please contact Emma Urvan at emma.urvan@lga.sa.gov.au or on 08 8224 2035.



For further information about the LGA's Training Standards for Council Members please [click here](#)



13 LOCAL GOVERNMENT BUSINESS

Nil

14 MEMBER'S BOOKSHELF

Nil

15 CORRESPONDENCE

Nil

16 CONFIDENTIAL

Nil

17 MEETING CLOSE