

Council Member Allowance and Benefits Policy - Specific to the Lord Mayor

Tuesday, 19 September 2023
City Finance and Governance Committee

Strategic Alignment - Enabling Priorities

Program Contact:
Alana Martin, Manager
Governance

Public

Approving Officer:
Michael Sedgman - Chief
Operating Officer

EXECUTIVE SUMMARY

The purpose of this report is to present, the Council Members Allowances and Benefits Policy that specifically relates to the facilities and support to the office of the Lord Mayor.

This brings rise to a conflict of interest for the individual in the office of the Lord Mayor. As a consequence, Schedule 3: Facilities and Support specific to the Lord Mayor has been separated from the Policy and is now presented for the consideration of Council.

RECOMMENDATION

The following recommendation will be presented to Council on 26 September 2023 for consideration

THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL
THAT COUNCIL

1. Endorses that in accordance with section 26 of the *City of Adelaide Act 1998*, that the provision of facilities and support specific to the Lord Mayor as set out in Schedule 3 to the Council Member Allowances and Benefits Policy as set out in Attachment A to Item 4.10 on the Agenda for the meeting of the City Finance and Governance Committee meeting held on 19 September 2023, are necessary or expedient to the performance or discharge of official functions and duties by the Lord Mayor.
 2. Adopts Schedule 3 to the Council Member Allowances and Benefits Policy as set out in Attachment A to Item 4.10 on the Agenda for the meeting of the City Finance and Governance Committee held on 19 September 2023.
 3. Authorises the Chief Executive Officer to make any necessary typographical or syntactical revisions to Schedule 3 of the Council Member Allowances and Benefits Policy.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities
Policy	This Policy replaces sections of existing City of Adelaide Standing Orders, 2019
Consultation	A workshop was held with Council Members on 24 January, 21 March and 20 June 2023 to seek their views on the direction of the Standing Orders
Resource	Not as a result of this Policy
Risk / Legal / Legislative	The CoA Act, the <i>Local Government Act 1999</i> together with the <i>City of Adelaide (Member Allowances and Benefits) Regulations 2010</i> make provisions for Council Members to receive allowances and benefits.
Opportunities	The Policy will be in a format that is accessible to Council Members as well as members of the public.
23/24 Budget Allocation	The 2023/24 Council budget includes the cost to cover the allowances and benefits to the same level as the previous Policy. Should Council determine to change or add to their benefits, then a quarterly budget adjustment may be required.
Proposed 24/25 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
23/24 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. The Council Member Allowances and Benefits Policy has been developed in accordance with the requirements of section 78 of the *Local Government Act 1999* (the Act), which allows for the provision of facilities and support to members on a uniform basis, other than facilities or services specifically provided for the benefit of the Lord Mayor.
2. The *Local Government (General) Regulations 2013* define the preparation, discussion and adoption or revision of a policy relating to allowance and benefits as 'ordinary business', so long as the allowances and benefits apply equally to each member.
3. This definition means that all members can consider and determine the Allowances and Benefits Policy, however, when it comes to the facilities and support specific to the Lord Mayor, this brings rise to a conflict of interest for the individual in the office of the Lord Mayor.
4. As a consequence, Schedule 3: Facilities and Support specific to the Lord Mayor has been separated from the Policy and is now presented for the consideration of Council.
5. Further to the consideration of Item 4.9 - Council Member Allowances and Benefits Policy, it is open to Council to determine facilities and support specifically provided for the Principal Member section 26, the CoA Act).
6. Similar to the requirements for the making of the Council Members Allowances and Benefits Policy, the provision of facilities and other forms of support specific to the Lord Mayor can be provided subject to:
 - a) council specifically resolving that the provision of the facilities or services is necessary or expedient to the performance or discharge of official functions or duties;
 - b) any property provided to a member remains the councils.
7. The provision of facilities and support specific to the Lord Mayor is in addition to the facilities and support provided to all members on a uniform basis set out in the Council Member Allowances and Benefits Policy.
8. Should the Council determine to apply facilities and support specific to the Lord Mayor, the information will be incorporated as Schedule 3 to the Council Member Allowances and Benefits Policy.
9. Schedule 3 to the Council Member Allowances and Benefits Policy (**Attachment A**) has been developed to identify facilities and support to be provided specifically to the office of Lord Mayor.
10. The Schedule lists items that may be made available to the Lord Mayor, in addition to facilities and support provided to other council members.
11. The additional facilities and support are provided in recognition of the broader role and responsibilities associated with the position of Lord Mayor.
12. Any facilities/support accessed under the Council Members Allowances and Benefits Policy will be recorded in the Allowances and Benefits Register, in accordance with the requirements of section 79 of the Act.

ATTACHMENTS

Attachment A – Schedule 3: Facilities and Support specific to the Lord Mayor

- END OF REPORT -

Schedule 3 - Facilities and Support specific to the Lord Mayor

Council has resolved, in accordance with section 26 of the *City of Adelaide Act 1998*, that the provision of the facilities and support set out in this Schedule are necessary or expedient to the performance or discharge of official functions or duties by the Lord Mayor.

The facilities and support set out in this Schedule are made available to the Lord Mayor in addition to the facilities and support provided to all Council Members and set out in Schedule 2.

The Lord Mayor must not use a facility or service provided by Council within this Schedule for a purpose unrelated to the performance or discharge of official functions or duties (unless the use has been approved by the council and the Lord Mayor has agreed to reimburse the council for any additional costs or expenses associated with this use)

The Lord Mayor is not obligated to receive or use any of the facilities and support set out in this Schedule.

Lord Mayor

The Office of the Chief Executive Officer is allocated an annual budget by Council to deliver executive support to the Lord Mayor, Deputy Lord Mayor and Council Members.

Staff of the Office of the Lord Mayor are engaged, allocated and managed by the Chief Executive Officer in consultation with the Lord Mayor.

The Lord Mayor shall be provided with all other assistance which is reasonably necessary to enable the Lord Mayor to carry out the role of the Lord Mayor, including:

- Access to a dedicated office/meeting space
- Access to administrative support to assist with coordination and management of council related activities and responding to correspondence
- Personal usage of a Council provided vehicle without charge;
- A fully maintained Council vehicle and driver for local and intrastate journeys associated with the official business of Council. The vehicle must be available for other duties when not utilised by the Lord Mayor; and
- Any other support required by the Lord Mayor which is not covered in in this document may be approved under delegated authority within the approved budget of the Corporation of the City of Adelaide by the Chief Executive Officer.

Deputy Lord Mayor

The Deputy Lord Mayor shall be provided with the assistance which is reasonably necessary to enable the Deputy Lord Mayor to carry out the role of Deputy Lord Mayor, which is in support of the Lord Mayors' duties.

Official Partner of the Lord Mayor

Any person appointed by the Lord Mayor as Official Partner of the Lord Mayor shall be entitled to the use of a dedicated room and, through the Office of the Lord Mayor, to such administrative support as shall be reasonably required to fulfil the role in the manner intended by the Lord Mayor, as to be approved by the Chief Executive Officer, within the approved budget of the Corporation of the City of Adelaide.