



## **AGENDA**

### **FOR RESOURCES AND GOVERNANCE COMMITTEE MEETING TO BE HELD ON**

**20 AUGUST 2018 AT THE CONCLUSION OF THE BUDGET AND FINANCE  
COMMITTEE**

**IN COMMITTEE ROOM 1, 12 JAMES STREET, SALISBURY**

#### **MEMBERS**

Cr S Bedford (Chairman)  
Mayor G Aldridge (ex officio)  
Cr D Balaza  
Cr B Brug  
Cr D Bryant  
Cr L Caruso  
Cr R Cook (Deputy Chairman)  
Cr D Pilkington  
Cr D Proleta

#### **REQUIRED STAFF**

General Manager Business Excellence, Mr C Mansueto  
General Manager City Development, Mr T Sutcliffe  
Manager Governance, Mr M Petrovski  
Manager Communications and Customer Relations, Mr M Bennington

#### **APOLOGIES**

#### **LEAVE OF ABSENCE**

#### **PRESENTATION OF MINUTES**

Presentation of the Minutes of the Resources and Governance Committee Meeting held on 16 July 2018.

## REPORTS

### *Administration*

- 3.0.1 Future Reports for the Resources and Governance Committee ..... 7
- 3.0.2 Review of Provision of Elected Member IT Equipment ..... 9

### *Corporate Governance*

- 3.6.1 Local Government Association Annual General Meeting: 26/10/2018 -  
Notices of Motion and Council Representatives ..... 19
- 3.6.2 Nominations Sought for the Greater Adelaide Regional Organisation of  
Councils (GAROC) ..... 21
- 3.6.3 Local Government Finance Authority Annual General Meeting:  
26 October 2018 - Council Representatives, Board Nominations and Notices  
of Motion ..... 37
- 3.6.4 Nominations Sought for LGA President ..... 41

## OTHER BUSINESS

## CLOSE



## **MINUTES OF RESOURCES AND GOVERNANCE COMMITTEE MEETING HELD IN COMMITTEE ROOM 1, 12 JAMES STREET, SALISBURY ON**

**16 JULY 2018**

### **MEMBERS PRESENT**

Cr S Bedford (Chairman)  
Mayor G Aldridge (ex officio)  
Cr D Balaza  
Cr B Brug  
Cr D Bryant  
Cr L Caruso  
Cr D Pilkington

### **STAFF**

General Manager Business Excellence, Mr C Mansueto  
General Manager City Infrastructure, Mr M van der Pennen  
Manager Governance, Mr M Petrovski  
Manager Communications and Customer Relations, Mr M Bennington

The meeting commenced at 8.25 pm.

The Chairman welcomed the members, staff and the gallery to the meeting.

### **APOLOGIES**

Apologies were received from Cr R Cook and Cr D Proleta.

### **LEAVE OF ABSENCE**

Nil

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## PRESENTATION OF MINUTES

Moved Cr D Pilkington  
Seconded Cr D Balaza

The Minutes of the Resources and Governance Committee Meeting held on 18 June 2018, be taken and read as confirmed.

**CARRIED**

## REPORTS

### *Administration*

#### **3.0.1 Future Reports for the Resources and Governance Committee**

Moved Cr D Balaza  
Seconded Cr L Caruso

1. The information be received.

**CARRIED**

### *Corporate Management*

#### **3.5.1 Charges for use of Council Owned Land for Business Purposes**

Moved Mayor G Aldridge  
Seconded Cr L Caruso

1. The information be received and noted.
2. The 'Charges for use of Council Land for Business Purposes' Policy included as Attachment 1 to this report (Works & Services Committee, 16/07/2018, Item 3.5.1) be endorsed.

**CARRIED**

### *Corporate Governance*

#### **3.6.1 Land Disposal Policy Section 49 Local Government Act**

Moved Cr L Caruso  
Seconded Mayor G Aldridge

1. The information be received
2. The Disposal of Land Policy as set out in Attachment 1 to this report (Resources and Governance Committee, 16/07/2018, Item 3.6.1) be endorsed.
3. The Surplus Community Land Policy is discontinued.

**CARRIED**

### 3.6.2 Review of the Respecting Community Diversity - Access and Equity Policy

Moved Mayor G Aldridge  
Seconded Cr B Brug

1. The Community Diversity – Access and Inclusion Policy as set out in Attachment 1 to this report (Resources and Governance Committee, 16/07/2018, Item 3.6.2) be endorsed.

**CARRIED**

### 3.6.3 Media Policy Review

Moved Cr B Brug  
Seconded Mayor G Aldridge

1. The Media Policy, as set out at Attachment 1 to this report (Resources and Governance Committee, 16/07/2018, Item 3.6.3), subject to the changes proposed by Committee members, be amended and submitted to Council in full for adoption.

**CARRIED**

### 3.6.4 Annual Report on Internal Reviews of Council decisions in the year ending 30 June 2018 under Section 270 of the Local Government Act 1999

Moved Cr L Caruso  
Seconded Mayor G Aldridge

1. The information be received.

**CARRIED**

### 3.6.5 Summary of Elected Member Training and Development Expenditure and Outstanding Summary Reports

Moved Mayor G Aldridge  
Seconded Cr L Caruso

1. The information be received.

**CARRIED**

### OTHER BUSINESS

Nil

The meeting closed at 9.08 pm.

CHAIRMAN.....

DATE.....



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<b>ITEM</b>	3.0.1
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	20 August 2018
<b>HEADING</b>	Future Reports for the Resources and Governance Committee
<b>AUTHOR</b>	Michelle Woods, Projects Officer Governance, CEO and Governance
<b>CITY PLAN LINKS</b>	4.3 Have robust processes that support consistent service delivery and informed decision making.
<b>SUMMARY</b>	This item details reports to be presented to the Resources and Governance Committee as a result of a previous Council resolution. If reports have been deferred to a subsequent month, this will be indicated, along with a reason for the deferral.

#### **RECOMMENDATION**

1. The information be received.

#### **ATTACHMENTS**

There are no attachments to this report.

#### **1. BACKGROUND**

- 1.1 Historically, a list of resolutions requiring a future report to Council has been presented to each committee for noting.

#### **2. CONSULTATION / COMMUNICATION**

- 2.1 Internal
  - 2.1.1 Report authors and General Managers.
- 2.2 External
  - 2.2.1 Nil.

### 3. REPORT

3.1 The following table outlines the reports to be presented to the Resources and Governance Committee as a result of a Council resolution:

Meeting Item	Heading and Resolution	Officer
22/06/2015 3.3.2 <b>Due:</b>	<b>Amendments to the Dog and Cat Management Act</b> 3. Council note that staff will review the need for a cat by-law 12 months after the implementation of the proposed Bill and provide a further report to Council. July 2019	John Darzanos
23/04/2018 3.3.1 <b>Due:</b>	<b>Parking Technology Trials</b> 5. A further report presenting the outcomes of the trials be presented to Council at the conclusion of the trials. August 2019	John Darzanos
25/06/2018 3.3.2 <b>Due:</b> <b>Deferred to:</b> <b>Reason:</b>	<b>Footpath Trading Policy Review</b> 6. A further report be presented to Council following public consultation outlining any feedback and presenting the final Draft Footpath Trading Policy for endorsement. August 2018 September 2018 Ongoing consultation on draft policy.	John Darzanos
23/07/2018 MON2 <b>Due:</b>	<b>Parking in the Salisbury City Centre</b> 2. At the conclusion of the licence plate recognition trial, the report that will be provided to Council on the outcomes of the trial also incorporate advice on the implications of the provision of four (4) and or five (5) hour parking areas in the city centre. August 2019	John Darzanos
23/07/2018  3.6.3 <b>Due:</b>	<b>Media Policy Review</b>  That consideration of the Media Policy be deferred to the next Council following the local government elections. April 2019	Michael Bennington

### 4. CONCLUSION / PROPOSAL

4.1 Future reports for the Resources and Governance Committee have been reviewed and are presented to Council for noting.

### CO-ORDINATION

Officer:	EXEC GROUP	GMCID	GMBE
Date:	13/08/2018	08/08/2018	13/08/2018



<b>ITEM</b>	3.0.2
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	20 August 2018
<b>HEADING</b>	Review of Provision of Elected Member IT Equipment
<b>AUTHOR</b>	Mick Petrovski, Manager Governance - CEO/Governance, CEO and Governance
<b>CITY PLAN LINKS</b>	4.2 Develop strong capability and commitment to continually improve Council's performance. 4.3 Have robust processes that support consistent service delivery and informed decision making.
<b>SUMMARY</b>	To propose amendments to the Elected Members Allowance, Facilities and Support Policy, specifically in relation to the provision of Elected Member IT equipment for the newly elected Council in November 2018. The report also proposes that the Council transition to full electronic provision of Council and meeting papers, to realise long term budget savings by eliminating costs associated with printing and the need for courier delivery of hard copies of papers.

## RECOMMENDATION

1. The revised *Elected Members Allowance, Facilities and Support Policy*, shown in attachment 1 of the report to item 3.0.2 on the agenda of the Resource and Governance Committee meeting on 20 August 2018 be adopted.
2. The proposal to deliver all agendas and minutes for Council and Committee meetings digitally, from the commencement of the new Council term of office, be endorsed.

## ATTACHMENTS

This document should be read in conjunction with the following attachments:

1. Elected Members Allowance, Facilities and Support Policy - Draft

## 1. BACKGROUND

- 1.1 The Council in 2015, when considering a report reviewing the *Elected Members Allowance, Facilities and Support Policy* (the policy), resolved that a revised policy be brought back to Council in July 2018 with a view to giving direction prior to the 2018 Council elections about IT equipment to be provided to Elected Members (EMs), including any required amendments to the policy to facilitate this, with a view to reducing costs associated with Elected Member IT equipment and maintaining currency of technology provided.

## 2. REPORT

### 2.1 Operating Devices

- 2.1.1 Schedule 3 to the policy provides the guidelines on the IT equipment made available to EMs. The relevant part of the Policy endorsed by Council on the 28 September 2015 reads as follows:

*“To facilitate the performance and discharge of official functions and duties Council has resolved to make available to Elected Members the following facilities and support:*

- *A suitable laptop or desktop computer*
- *Tablet (eg Apple iPad)*
- *A suitable multifunction device (printer, scanner and fax) with up to 16 sets of printer cartridges per Council term.*
- *Either a broadband internet connection or reimbursement to the value of Council provided broadband internet connection (capped at \$60 per month)*
- *Up to four (4) reams of paper per annum.*
- *Envelopes – up to 1500 per Elected Member per annum*
- *Business cards – up to 500 per Elected Member per annum*
- *With Compliments Slips - up to 500 per Elected Member per annum.”*

- 2.1.2 The existing facilities and support are provided to assist EMs with the execution of their duties, including, but not limited to, access to their council e-mail account, the EM portal and the Microsoft Office software. A printer and internet access is also provided to assist with the above.

- 2.1.3 For the purposes of the September 2015 report, assumptions were made based on trends and announcements from technology vendors at the time.

- 2.1.4 The report indicated the likelihood that the policy allowing for both a Personal Computer and Tablet would in all likelihood need to be amended to reflect a single device which will be portable and wireless, noting that a multifunction device that can both capture printed information and print would still be required.

- 2.1.5 In addition, the expected increased use of the internet by the portable device would require the current Policy to be reviewed to ensure access is in line with expectations of the new elected body.

- 2.1.6 As already stated EMs are issued two devices, so there is an opportunity to rationalize.

- 2.1.7 In our organizational preparation for transitioning into the Salisbury Community Hub we have selected three Windows 10-based devices (laptop/tablet form) that staff can choose from.

- 2.1.8 These devices combine aspects of a tablet and notebook incorporated into them, and it is proposed that EMs choose their device from the shortlist because there would be consistency across the whole of the organisation.

- 2.1.9 It should be noted therefore, that as a result of this proposal, the large iPad, which has previously been available as an effective device for users who are broadly content consumers but not content creators, will not be made available for EMs in the new term of Council.
- 2.1.10 The Apple “app ecosystem” is far more comprehensive than Microsoft’s equivalent. The implications of this are that some applications, that current EMs who have iPads have downloaded, will not be available on a Windows-based device.
- 2.1.11 The devices currently available to EMs are leased to coincide with the term of a councilor so that the new council can receive new equipment for their term. The ability to print and capture information will still be required so a multifunction device will still need to be provided.
- 2.1.12 The proposed devices will be portable and through internet access will be able to access information from either within our network or outside via a wireless connection (SIM card enabled).
- 2.1.13 An additional aspect of the provision of electronic devices to support EMs is access to the internet. The current policy allows for a choice of the provision broadband internet connection or reimbursement for the broadband internet connection to the value of \$60 per month.
- 2.1.14 The concept of the City of Salisbury providing broadband internet connection for EMs entails the administration arranging for the broadband internet connection on behalf of an EM. This practice reflects an earlier period when broadband connection was not as common as it is today, where some EMs may not have had connection.
- 2.1.15 Broadband connection is now widespread throughout the community, therefore this provision in the policy is considered unnecessary.
- 2.1.16 It is therefore proposed to amend the policy to delete “broadband internet connection”, so that it is only the reimbursement to the value of \$60 per month that is provided.
- 2.1.17 Accordingly, the relevant section of Schedule 3 of the policy has been amended to read as follows:

*“To facilitate the performance and discharge of official functions and duties Council has resolved to make available to Elected Members the following facilities and support:*

- *A Microsoft Windows 10-based laptop or tablet device.*
- *A suitable multifunction device (printer, scanner and fax) with up to 16 sets of printer cartridges per Council term.*
- *Reimbursement to the value of \$60 per month for broadband internet connection that is privately provided by the Elected Member.*
- *Up to four (4) reams of paper per annum.*
- *Envelopes – up to 1500 per Elected Member per annum*
- *Business cards – up to 500 per Elected Member per annum*
- *With Compliments Slips - up to 500 per Elected Member per annum.”*

## 2.2 Council/Committee Papers

- 2.2.1 The CEO and Governance Program Review report, among other things contemplated that we implement the delivery of digital agendas and minutes for Council and Committees.
- 2.2.2 Currently, we have a mix how EMs prefer to receive and access their formal Committee and Council papers. Some EMs prefer/rely solely on printed hard copies of all papers for committees and council which are delivered to their home by courier every Thursday and some prefer/rely solely on digital/electronic means of accessing agendas and minutes.
- 2.2.3 The cost for the provision of printed hard copies of all papers for Committees and Council during the 2017/18 financial year was \$75,000. This sum included printing costs, staff time and courier delivery.
- 2.2.4 While we aim to commence the new Council term delivering agendas and minutes by digital/electronic means, support and training will be available to assist elected members to be able to take advantage of the technology so that they are fully conversant with using the new devices.
- 2.2.5 This process will also require that an appropriate PDF reader is identified for easier use of the technology.
- 2.2.6 The process may also necessitate some printing requirements for the early period of the new term, but we will monitor the need as the term progresses with a view to eliminating the practice totally.

## 3. CONCLUSION / PROPOSAL

- 3.1 Council resolved in 28 September 2015 for a revised *Elected Members Allowance, Facilities and Support Policy* to be provided in July 2018 dealing with the provision of IT equipment to Elected Members, in the lead up to the new term of Council.
- 3.2 The revised policy is attached to this report for approval. It proposes that EMs of the newly elected Council be provided with a Microsoft Windows 10-based laptop or tablet device (iPad devices no longer being made available), and that reimbursement to the value of \$60 per month for broadband internet connection that is privately provided by the Elected Member.
- 3.3 The proposed changes to the policy are restricted to the provision of IT support and equipment.
- 3.4 It is proposed that all agendas and minutes for Council and Committee meetings will be delivered digitally, from the commencement of the new Council term of office, recognizing the need for a period of transition.

## CO-ORDINATION

Officer: GMBE  
Date: 16/08/2018



## Elected Member Allowances, Facilities and Support Policy

<b>Policy Type:</b>	Policy	<b>Decision No:</b>	
<b>Approved By:</b>	Council		0753/2015, 1516/2016, 2167/2017
<b>Approval Date:</b>	24 November 2014	<b>Last Reapproval Date:</b>	27 November 2017
<b>Review Date:</b>	November 2018	<b>Internal Reference No.:</b>	
<b>Department:</b>	CEO and Governance	<b>Division:</b>	Governance
<b>Function:</b>	9 - Governance	<b>Responsible Officer:</b>	Manager, Governance

### A - PREAMBLE

1. The City of Salisbury seeks to ensure that the payment of Elected Member allowances and the reimbursement of expenses is accountable, transparent and in accordance with the *Local Government Act 1999*, Remuneration Tribunal Determination No. 7 of 2014: Members of Local Government Councils and the *Local Government (Members Allowances and Benefits) Regulations 2010*.
2. Allowances, reimbursements, facilities and support are provided to Elected Members to enable them to effectively perform or discharge official functions and duties.

### B - SCOPE

1. This policy applies to all Elected Members.

### C - POLICY PURPOSE/OBJECTIVES

1. This policy sets out:
  - Elected Member allowances as determined by the Remuneration Tribunal in Determination No. 7 of 2014: Members of Local Government Councils;
  - the expenses that may be reimbursed to Elected Members, as provided for within the *Local Government (Members Allowances and Benefits) Regulations 2010*; and
  - facilities and other support available to all Elected Members as determined by Council.

### D - DEFINITIONS

1. **Eligible journey** – means a journey (in either direction) between the principal place of residence, or a place of work, of a member of the council, and the place of a prescribed meeting.
2. **Prescribed meeting** – in relation to a member of a council, 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 the member.
3. **Prescribed reimbursements** – are those reimbursements provided for within Section 77 of the *Local Government Act 1999* (and supporting Regulations).
4. **Facilities and support** – facilities and other forms of support made available to Elected Members in accordance with Section 78 of the *Local Government Act 1999*.

**E - POLICY STATEMENT**

1. Elected Members shall be provided with reimbursements, facilities or support that are necessary or expedient to the performance or discharge of official functions or duties.
2. In support of this philosophy Elected Members are provided with a range of reimbursements, facilities and support on the following basis:
  - All facilities and support are made available to Elected Members on a uniform basis (other than facilities or services specifically provided for the benefit of the (Mayor).
  - Any property provided to an Elected Member in accordance with this policy remains the property of Council.
  - Reimbursements will be restricted to *prescribed reimbursements* (travel and child care related) unless otherwise approved within this Policy or specifically approved by way of Council resolution.
  - All reimbursements claimed by Elected Members must be for expenses actually and necessarily incurred. Requests for reimbursement must be received within the financial year relevant to the expense incurred and must include full details of the nature of the expense, be supported by evidence of the expense and accompanied by the relevant request for reimbursement form.
3. Section 77(1)(b) of the *Local Government Act* allows for the provision of further reimbursement of expenses, subject to the approval of council. Schedule 2 of this Policy provides full details relating to reimbursements that may be made to Elected Members.
4. As required by section 79 of the *Local Government Act 1999*, the Chief Executive Officer will ensure a record of the allowances paid, expenses reimbursed or any other benefits paid or provided to a member is maintained (Register of Allowances and Benefits).
5. Elected Member Allowances are prescribed by Remuneration Tribunal Determination No. 7 of 2014: Members of Local Government Councils and will be adjusted in accordance with that Determination on an annual basis.
6. Elected Member reimbursements, facilities and support, as detailed in Schedule 2 and 3 attached to this Policy, will be reviewed annually.

**F - LEGISLATION**

1. *Local Government Act 1999*, sections 76, 77 and 78
2. *Local Government (Members Allowances and Benefits) Regulations 2010*
3. Remuneration Tribunal Determination No. 7 of 2014: Members of Local Government Councils

**G - REFERENCES**

1. Schedule 1 – Elected Member Allowances
2. Schedule 2 – Approved Reimbursements
3. Schedule 3 – Additional Facilities and Support

**H - ASSOCIATED PROCEDURES**

1. Register of Elected Members Allowances and Benefits - *City of Salisbury*
2. Reimbursement Form - *City of Salisbury*

**Document Control**

<b>Document ID</b>	Elected Member Allowances, Facilities and Support Policy
<b>Prepared by</b>	Michelle Woods
<b>Release</b>	<b>2.00</b>
<b>Document Status</b>	Final
<b>Date Printed</b>	<b>16/08/2018</b>



### Schedule 1 – Elected Member Allowances

1. Elected Member Allowances are determined by the Remuneration Tribunal and set out in Determination No. 7 of 2014: Members of Local Government Councils. In summary, this Determination provides the following allowances for City of Salisbury Elected Members:

Councillor:	\$22,414 per annum (effective 7/11/2017)
Mayor:	\$89,656 per annum (effective 7/11/2017)
Deputy Mayor:	\$28,018 per annum (effective 7/11/2017)
Chairman of Standing Committees	\$28,018 per annum (effective 7/11/2017)
Sitting fee payable to a Councillor (other than the principal member or deputy principle member, chairperson or deputy chairperson or a presiding member of a prescribed committee) who is the presiding member of a committee, that is not a prescribed committee, such as a sub-committee.	\$209 per meeting limited to an aggregate amount of \$1,251 per annum (effective 7/11/2017)

2. The allowances prescribed in Determination No. 7 of 2014 are operative for all council members from the first ordinary meeting of the Council held after the conclusion of the 2014 Local Government elections.
3. In accordance with section 76(9) and 76(15) of the *Local Government Act*, allowances set out in Determination No. 7 of 2014: Allowances for Members of Local Government Councils will be adjusted annually on the first, second and third anniversary of the 2014 local government election to reflect changes in the Consumer Price Index, where the Consumer Price Index is defined as the “Consumer Price Index (All groups index for Adelaide)” published by the Australian Bureau of Statistics” (section 76(15) Local Government Act 1999).

## Schedule 2 - Reimbursement of Expenses

1. In accordance with the requirements of section 77 of the *Local Government Act 1999* and the *Local Government (Members Allowances and Benefits) Regulations 2010* the kinds of expenses for which an Elected Members will be reimbursed are as follows:
  - a) Travelling expenses actually and necessarily incurred by the member in travelling to or from a prescribed meeting if –
    - (i) The journey is an eligible journey; and
    - (ii) The journey is by the shortest or most practicable route;
  - b) Expenses for the care of –
    - (i) A child of the member; or
    - (ii) A dependant of the member requiring full time care

actually and necessarily incurred by the member as a consequence of the member's attendance at a prescribed meeting.
2. In relation to reimbursement of travelling expenses:
  - a) If an eligible journey relates to travel between a place within the area of the council and a place outside the area of the council (in either direction) the member is only entitled to be reimbursed in respect of expenses that can be attributed to travel within the area of the council (unless the travel relates to an activity specified in clause 4 below).
  - b) The rate of reimbursement for motor vehicle costs will be at a rate equal to the appropriate rate per kilometre prescribed for the purposes of calculated deductions for car expenses as detailed on the Australian Taxation Office website.
  - c) Travel by taxi, bus or other means of public transport is reimbursed on the basis of expenses "actually and necessarily incurred", but is limited to 'eligible journeys' as defined in this Policy.
3. In relation to reimbursement of care expenses:
  - a) A member of council is not entitled to be reimbursed if the care is provided by a person who ordinarily resides with the member.
4. Council has also determined that reimbursement will be available for travel to and from the following meetings (both within and outside the Council area) and care costs associated with attendance at the following meetings (subject to the limitations set out in clause 2 above):
  - Sub Committee meetings
  - Informal Strategy
  - Working Groups supported by Council
  - Regional Subsidiary meetings when a member is appointed by Council
  - Annual Christmas Dinner
  - Civic receptions
  - External Committees where an Elected Member is appointed by Council
  - Activities where an Elected Member is representing the Mayor on behalf of Council
  - Conferences and Training
5. As provided under section 77(1)(b) of the *Local Government Act 1999*, reimbursement of travel expenses associated with attendance at meetings that are not included in the above list may be approved by Council on a case by case basis.



### Schedule 3 – Additional Facilities and Support

1. To facilitate the performance and discharge of official functions and duties Council has resolved to make available to Elected Members the following facilities and support:
  - A Microsoft Windows 10-based laptop or tablet device.
  - ~~A suitable laptop or desktop computer~~
  - ~~Tablet (eg Apple iPad)~~
  - A suitable multifunction device (printer, scanner and fax) with up to 16 sets of printer cartridges per Council term.
  - Reimbursement to the value of \$60 per month for broadband internet connection that is privately provided by the Elected Member.
  - ~~Either a broadband internet connection or reimbursement to the value of Council provided broadband internet connection (capped at \$60 per month)~~
  - Up to four (4) reams of paper per annum.
  - Envelopes – up to 1500 per Elected Member per annum
  - Business cards – up to 500 per Elected Member per annum
  - With Compliments Slips - up to 500 per Elected Member per annum.
2. Where quantities of items are provided on a “per annum” basis these amounts apply for a financial year period (that is, from 1 July until 30 June). During an election year, a pro-rata quantity is determined following the conclusion of the election.
3. In addition to the additional facilities and support provided to Elected Members, Council has resolved to make available to the Mayor the following facilities and support to assist in the performance of the Mayor’s official functions and duties:
  - Fully maintained motor vehicle
  - A mobile phone and hands free car kit
  - Office space
  - Access to a Personal Assistant



<b>ITEM</b>	3.6.1
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	20 August 2018
<b>HEADING</b>	Local Government Association Annual General Meeting: 26/10/2018 - Notices of Motion and Council Representatives
<b>AUTHOR</b>	Michelle Woods, Projects Officer Governance, CEO and Governance
<b>CITY PLAN LINKS</b>	4.3 Have robust processes that support consistent service delivery and informed decision making.
<b>SUMMARY</b>	This report presents information with respect to the Annual General Meeting (AGM) of the Local Government Association (LGA) to be held on Friday 26 October 2018 and seeks information concerning any Notices of Motion that Council wishes to submit, in addition to confirming voting delegates for the meeting.
<b>RECOMMENDATION</b>	1. The information be received.
<b>ATTACHMENTS</b>	There are no attachments to this report.
<b>1. BACKGROUND</b>	1.1 The LGA Annual General Meeting will be held on Friday 26 October 2018 at the Adelaide Entertainment Centre. A draft program for this event will be available shortly, which all Elected Members will have an opportunity to review to determine if they wish to attend.
<b>2. CONSULTATION / COMMUNICATION</b>	2.1 Internal 2.1.1 Chief Executive Officer and General Managers. 2.2 External 2.2.1 Nil.
<b>3. REPORT</b>	<b>Notices of Motion</b> 3.1 The 2018 LGA AGM will be held on the morning of Friday 26 October 2018. Pursuant to Clause 25 of the LGA Constitution, all Council Notices of Motion for the AGM must be received by the LGA no later than 42 days prior to the meeting, ie <b>by COB on Friday 14 September 2018.</b>

- 3.2 At the time of writing this report the Chief Executive Officer was not aware of any issues that warrant a Notice of Motion being submitted by the City of Salisbury.
- 3.3 Should Council determine a Notice of Motion is to be submitted to the 2018 LGA AGM, a recommendation to that effect will need to be added.

#### **Voting Delegates**

- 3.4 In February 2015, Council resolved Mayor Aldridge be appointed as Voting Delegate to the LGA for the remainder of this term of Council. At the same time, the Deputy Mayor (currently Cr Linda Caruso) was appointed as Proxy Voting Delegate for the remainder of this term of Council.
- 3.5 Council also resolved that it direct the City of Salisbury's voting delegate in relation to voting on Local Government Association (LGA) General Meeting (including Annual General Meeting) recommendations. To give effect to this resolution a report will be prepared prior to each LGA Annual and Ordinary General Meeting that provides a summary of the matters being considered and puts forward a recommended position for each matter, based on advice from the Chief Executive Officer.
- 3.6 In October 2016, Council further resolved:
- "Council has a special meeting to give advice to the Council voting delegate for the Local Government Association General Meeting when there is not enough time to provide guidance at an ordinary Council meeting based on release of the general meeting agenda."*
- 3.7 Under the LGA Constitution the AGM Agenda is due to be distributed 30 days before the meeting (ie 26/09/2018 at the latest).
- 3.8 Even if the Agenda is distributed by the LGA on the last possible day (26/09/2018), a report will be presented to the Resources and Governance Committee, which will include advice from the Chief Executive Officer in relation to each proposed motion, allowing members to provide direction to the voting delegate.

#### **4. CONCLUSION / PROPOSAL**

- 4.1 Council is asked to determine if there are any issues which warrant submission of a Notice of Motion to the LGA Annual General Meeting being held 26 October 2018.
- 4.2 A further report providing the Notices of Motion to be considered at the October Annual General Meeting will be presented to allow Council to provide direction to the voting delegate.

#### **CO-ORDINATION**

Officer:	Exec Group	MG
Date:	13/08/2018	01/08/2018

<b>ITEM</b>	3.6.2
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	20 August 2018
<b>HEADING</b>	Nominations Sought for the Greater Adelaide Regional Organisation of Councils (GAROC)
<b>AUTHOR</b>	Joy Rowett, Governance Coordinator, CEO and Governance
<b>CITY PLAN LINKS</b>	4.3 Have robust processes that support consistent service delivery and informed decision making.

**SUMMARY** The Local Government Association has called for nominations to fill the eight (8) positions on the Greater Adelaide Regional Organisation of Councils (GAROC) to commence office from the conclusion of the 2018 LGA Annual General Meeting and to remain in office until the conclusion of the 2020 Annual General Meeting.

## **RECOMMENDATION**

1. \_\_\_\_\_ be nominated for the Greater Adelaide Regional Organisation of Councils (GAROC).

## **ATTACHMENTS**

This document should be read in conjunction with the following attachments:

1. GAROC Terms of Reference

## **1. BACKGROUND**

- 1.1 On 26 July 2018, the Chief Executive Officer of the LGA, Matt Pinnegar, wrote to the Chief Executive Officer inviting nominations to fill the eight (8) positions on the Greater Adelaide Regional Organisation of Councils (GAROC) to commence office from the conclusion of the 2018 LGA Annual General Meeting and to remain in office until the conclusion of the 2020 Annual General Meeting.
- 1.2 An LGA Circular has also been distributed to Councils with respect to this matter, nominations for the LGA President, which this year is to be a country appointment and nominations for the South Australian Region Organisation of Councils.

## **2. CONSULTATION / COMMUNICATION**

- 2.1 Internal
  - 2.1.1 LGA Circular 31.8 dated 2 August 2018 was circulated to Elected Members, Executive Group, and Governance Officers on 2 August 2018.

## 2.2 External

## 2.2.1 Nil

**3. REPORT**

- 3.1 The LGA membership adopted a new Constitution at the 2018 Ordinary General Meeting (OGM) which, amongst other items, provided for the LGA Board to adopt a Terms of Reference (TOR) for GAROC. The GAROC TOR outlines how members can be elected to GAROC, the function of GAROC and how GAROC will operate.
- 3.2 The new GAROC TOR (attached) includes provisions for the calling of nominations for eight (8) members of GAROC from the Greater Adelaide region by no later than 3 months prior to the AGM before the officers are due to retire. In addition, ballot papers are required to be distributed at least 6 weeks prior to the AGM.
- 3.3 Pursuant to clause 4.2.1 of the GAROC TOR the number of positions available are up to 8 GAROC members to represent the Greater Adelaide region. If the number of nominations exceeds the number of vacancies, the representatives will be elected from those persons who are nominated by ballot.
- 3.4 A nomination as a Member GAROC representing the Greater Adelaide Metropolitan area must be a member of one of the following councils:
- Adelaide Hills Council
  - City of Burnside
  - Campbelltown City Council
  - City of Charles Sturt
  - Town of Gawler
  - City of Holdfast Bay
  - City of Marion
  - City of Mitcham
  - City of Norwood, Payneham and St Peters
  - City of Onkaparinga
  - City of Playford
  - City of Port Adelaide Enfield
  - City of Prospect
  - City of Salisbury
  - City of Tea Tree Gully
  - City of Unley
  - Town of Walkerville; and
  - City of West Torrens.
- 3.5 If a ballot is required, the distribution of ballot papers to councils will include any information provided by the candidates to the Returning Officer in accordance with the requirements specified in clause 4.4.5 of the GAROC TOR.
- 3.6 Key (indicative) timings and GAROC Terms of Reference provisions are outlined in the following table:

<b>Indicative Timing</b>	<b>Headline</b>	<b>SAROC TOR Provision</b>	<b>Item 3.6.2</b>
n/a	Returning Officer	Returning Officer for all LGA electoral matters is the Chief Executive Officer (SAROC/GAROC Clause 4.4.1)	
23 July 2018	Nominations Called	CEO to write to members of GAROC calling for nomination for position of members of GAROC (Clause 4.3.2), at least 3 months before AGM (last date 26 July)	
24 August 2018	Nominations Close	Nominations must be received by the CEO no later than 5pm on the day specified for the close of nomination (GAROC Clause 4.3.4). Council's will have 5 weeks to lodge their nominations	
n/a	Nominations equal to vacancies	If the number of nominations received equals the number of vacant positions each candidate is elected and takes office at the conclusion of the AGM (SAROC/GAROC Clause 4.4.3)	
3 September 2018	Ballot papers prepared and posted	CEO shall deliver ballot papers to each member at least 6 weeks before AGM GAROC Clause 4.4.5(a)) (last date 14 Sept)	
18 October 2018	Voting closes	The new constitution does not specify when voting closes; thus it is up to the CEO as returning officer to determine this with reference to Clauses 29.5.6 (President) & (Clause 4.4.5(f) (SAROC/GAROC) for counting of votes. Council's will have 7 weeks to lodge their votes.	
19 October 2018	Counting of votes	The CEO shall nominate the date, time and place for the counting of votes (President Clause 29.5.6) (SAROC/GAROC Clause 4.4.5(f))	
26 October 2018	Final declaration of result	CEO shall declare the candidate with the most votes elected at the AGM (SAROC/GAROC Clause 4.4.5(h))	
26 October 2018	Takes office	SAROC/GAROC members take office at the conclusion of the AGM (SAROC/GAROC Clause 4.5)	
26 October 2018	Voting for Board Members	SAROC/GAROC will elect 3 of its members (plus its Chair) to the Board of Directors (Clause 6.4.1) who's term of office commences after the AGM. The SAROC/GAROC TOR is silent on how and when this should occur. However, it is believed that each should meet at the conclusion of the AGM for the purpose of electing a chair and members onto the Board of Directors.	

- 3.7 Under the New LGA Constitution and the GAROC TOR, once members are elected to GAROC, these members will then elect a Chair and three GAROC members to represent the Greater Adelaide Region on the LGA Board. These GAROC LGA Board Directors will be accompanied by their equivalent from SAROC as well as the President and Immediate Past President, to form the ten (10) member LGA Board of Directors.

#### **Timing of the LGA Elections**

- 3.8 Recent changes to the LGA Constitution provided for the election of President, SAROC and GAROC members, and to the LGA Board to take effect from the LGA's AGM, every other year. This was part of the modernization of the LGA Constitution to reflect more contemporary corporate governance practices where, like most companies and organisations, the President and Board take office from the AGM. This enables the outgoing President to deliver their annual report, the LGA's annual report and finance statements for the preceding year, before handing over to the incoming President.
- 3.9 It is acknowledged that because of the timing of the AGM, the election of LGA Board and President, and the local government general election; that there is the potential for the President and/or a Board member(s) to not be elected in their respective council and thus causing a casual vacancy. It is also noted that this situation could also occur if the election of LGA office holders was held, say three to six months after of the Local Government Elections to coincide with the LGA's OGM. In fact the old Constitution foreshadowed this occurrence and outlined how a replacement President would be elected. Under the new Constitution, the casual vacancy provisions would apply.
- 3.10 The general view is that it is preferable for a new Board and President to take office at the AGM and as soon as possible around a general council election to ensure the Board and President can maximise the use of a two year term, rather than be put in a holding pattern until a new Board is elected following council elections.

#### **4. CONCLUSION / PROPOSAL**

- 4.1 Council is asked to determine if a nomination is to be made for the Greater Adelaide Regional Organisation of Councils (GAROC).
- 4.2 It should be noted that Council is not obliged to submit a nomination

#### **CO-ORDINATION**

Officer: Executive MG  
Group

Date:





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**GAROC Terms of Reference**

**13 April 2018**

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Item 3.6.2 - Attachment 1 - GAROC Terms of Reference

## **1. Establishment**

In accordance with clause 19 of the Local Government Association of South Australia Constitution and Rules (adopted April 13, 2018) (**Constitution**) there are 2 regional organisations of Members: the South Australian Region Organisation of Councils (**SAROC**) and the Greater Adelaide Region Organisation of Councils (**GAROC**).

## **2. Terms of Reference**

- 2.1. These Terms of Reference set out the functions to be discharged by GAROC.
- 2.2. The operation of the Terms of Reference may be altered by the Board of Directors either generally or in respect of specific circumstances by resolution with the exception of Clauses 4.2, 4.3 and 4.4. A resolution for the purposes of this clause 2.2 will be reported to the chairperson of GAROC within 24 hours of the meeting of the Board of Directors at which the resolution was passed.
- 2.3. These Terms of Reference will be presented to the Members at a General Meeting for ratification annually (or more frequently as determined by the Board).
- 2.4. Clauses 4.2, 4.3 or 4.4 of this Terms of Reference may be altered only:
  - 2.4.1. By resolution passed at a General Meeting of which at least 30 days' notice has been given to Members; and
  - 2.4.2. With approval of the Minister.
- 2.5. A capitalised term not defined in this document has the meaning provided for the term in the Constitution.

## **3. Status**

GAROC is a committee of the LGA and is responsible to the Board of Directors for the discharge of its functions.

## **4. GAROC**

### **4.1. Role**

The role of GAROC is regional advocacy, policy initiation and review, leadership, engagement and capacity building in the region(s).

### **4.2. Membership**

- 4.2.1. The GAROC Regional Grouping of Members listed in the schedule to these Terms of Reference will elect in accordance with clause 4.3 and 4.4 from the Members of the GAROC Regional Grouping eight (8) Council Members of Members in the GAROC Regional Grouping to GAROC provided that each person elected is from a different Member.



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- 4.2.2. In addition to the members of GAROC elected in accordance with clause 4.2.1, the Lord Mayor of the City of Adelaide or his or her nominee (also being a Council Member of the City of Adelaide) will be a standing member of GAROC.

#### **4.3. Nominations for election to GAROC**

- 4.3.1. The members of GAROC will be elected biennially.
- 4.3.2. In the year in which GAROC members will be elected, and at least 3 months before the Annual General Meeting, the Chief Executive shall write to all Members of GAROC as listed in the schedule calling for nominations for the membership of GAROC.
- 4.3.3. A nomination of a person as a member of GAROC must be by resolution of the Member received by the Chief Executive not later than 5 pm on the day specified for the closure of nominations (**Close of Nominations**). A nomination must be signed by the candidate indicating his or her willingness to stand for election and be in the form determined by the Chief Executive.

#### **4.4. Election to GAROC**

- 4.4.1. The Chief Executive shall be the returning officer for any election of members to GAROC.
- 4.4.2. After the Close of Nominations, the Chief Executive will notify Members of the GAROC Regional Grouping of the candidates for membership of GAROC nominated in the Regional Grouping of Members.
- 4.4.3. If the only nominations received from a Regional Grouping of Members by the Close of Nominations match the membership positions described in clause 4.2.1 then the Chief Executive will declare those persons duly elected to those membership positions.
- 4.4.4. If the number of persons nominated by the Close of Nominations by the Regional Grouping of Members exceeds the number of membership positions described 4.2.1 then an election for the purpose of clause 4.2.1 must be held in accordance with this clause.
- 4.4.5. In the event of an election being required, the Chief Executive shall conduct the election as follows:
- (a) at least six weeks before the Annual General Meeting, the Chief Executive shall deliver ballot papers to each Member of the Regional Grouping of Members;
  - (b) the ballot papers shall:
    - (i) list the candidate or candidates for election;
    - (ii) specify the day of closure of the election; and
    - (iii) be accompanied by an envelope marked "Ballot Paper" and a second envelope marked "Returning Officer";

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- (c) each Member shall determine by resolution the candidate or candidates (as relevant) it wishes to elect;
  - (d) the chair of the meeting for that Member shall mark the ballot paper with an "X" next to the candidate or candidates (as relevant) that the Member wishes elected and seal the ballot paper in the envelope marked "Ballot Paper" inside the envelope marked "Returning Officer". Before sealing the second envelope the chair must indicate the Member's name on the inside flap of the envelope. The envelope may then be sealed and delivered to the Returning Officer;
  - (e) on receipt of the envelopes the Chief Executive must:
    - (i) open the outer envelope addressed to the "Returning Officer" and record the name of the Member which appears on the inside flap of the envelope on the roll of Member's eligible to vote; and
    - (ii) place the envelope marked "Ballot Paper" unopened into the ballot box;
  - (f) the Chief Executive shall nominate the date, time and place for the counting of votes and shall invite each candidate and a person nominated as the candidate's scrutineer to be present;
  - (g) at the counting of the votes the Chief Executive shall produce unopened envelopes marked "Ballot Paper" and if satisfied that all votes are valid, count the number of votes received by each candidate;
  - (h) in respect of an election for the purposes of clause 4.2.1, the 8 candidates with the most votes shall be deemed elected and the Chief Executive shall declare the candidates elected at the Annual General Meeting.
  - (i) in the case of candidates for membership positions described in clause 4.2.1 receiving the same number of votes, the Chief Executive shall draw lots at the counting of the votes to determine which candidate is elected.
- 4.4.6. The Chief Executive may, in his or her discretion, appoint a deputy returning officer and delegate any of his or her powers, functions or duties to that person who shall act accordingly.

#### 4.5. Term of office

The term of office for members of GAROC shall commence after the Annual General Meeting of the year in which the member is elected. Each member of GAROC will serve for a period of 2 years or until a circumstance causing a casual vacancy as described in clause 4.8.1 occurs.

#### 4.6. Duties

- 4.6.1. Each member of GAROC must:



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- (a) undertake his or her role as a GAROC member honestly and act with reasonable care and diligence in the performance and discharge of functions and duties;
- (b) not make improper use of information acquired by virtue of his or her position as a GAROC member to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the LGA;
- (c) not make improper use of his or her position as a GAROC member to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the LGA; and
- (d) not act in any matter where the GAROC member has a conflict of interest (provided that an interest shared in common with all or a substantial proportion of the members of GAROC will not be an interest giving rise to a conflict of interest).

#### **4.7. Absences and casual vacancies**

- 4.7.1. A leave of absence may be granted to a member of GAROC by resolution of GAROC. A replacement member of GAROC will be appointed for the period of the leave of absence by resolution of the majority of Members comprising the GAROC Regional Grouping relevant to the person the subject of the leave of absence.
- 4.7.2. A casual vacancy will occur in the office of a member of GAROC if the member of GAROC:
  - (a) dies;
  - (b) resigns from GAROC;
  - (c) is dismissed by resolution of the Board of Directors from GAROC for Misconduct; or
  - (d) ceases to be a Council Member,
 or an administrator is appointed to administer the affairs of the Member for which the member of GAROC is a Council Member.
- 4.7.3. If there is a casual vacancy in the membership of GAROC then the GAROC Regional Grouping relevant to the GAROC member the subject of the casual vacancy will appoint by resolution of the majority of Members comprising the GAROC Regional Grouping another Council Member to serve as a member of GAROC for the balance of the membership term.

### **5. Responsibilities**

#### **5.1. Board of Directors**

- 5.1.1. The role of the Board of Directors is to oversee corporate governance of the LGA and provide strategic direction and leadership.
- 5.1.2. The duties of the Board of Directors are to ensure that:
  - (a) the LGA acts in accordance with applicable laws and this Constitution;



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- (b) the LGA acts ethically and with integrity, respecting diversity and striving for gender balance participation in all activities;
- (c) the activities of the LGA are conducted efficiently and effectively and that the assets of the LGA are properly managed and maintained;
- (d) subject to any overriding fiduciary or other duty to maintain confidentiality, the affairs of the LGA are undertaken in an open and transparent manner; and
- (e) the LGA performs to its business plan and achieves or better the financial outcomes projected in its budget.

5.1.3. The Board of Directors may from time to time refer matters to GAROC for consideration.

5.1.4. The Board of Directors will receive, consider and respond to any report and recommendations provided to the Board of Directors by GAROC.

5.1.5. The Board of Directors will periodically review the performance of GAROC.

## **5.2. GAROC**

5.2.1. GAROC will fulfil its functions under these Terms of Reference in a timely, objective and professional manner consistent with the 'LGA Strategic Management Framework'.

5.2.2. GAROC may, through the Chief Executive and at the LGA's expenses, seek external legal, financial or other advice on matters within its functions or concerning these Terms of Reference.

## **5.3. Chief Executive**

5.3.1. The Chief Executive will make available to GAROC information of the LGA which is relevant to the functions of GAROC.

5.3.2. The Chief Executive will ensure that administrative support and other resources are made available to GAROC as included in the GAROC approved annual business plan and budget to enable GAROC to discharge its obligations under these Terms of Reference.

5.3.3. Resources made available to GAROC will include resourcing by the LGA Office or external resources considered appropriate by the Chief Executive acting in consultation with GAROC.

## **6. Functions of GAROC**

### **6.1. LGA Object**

6.1.1. The object of the LGA is to achieve public value through the promotion and advancement of the interests of local government by:

- (a) advocating to achieve greater influence for local government in matters affecting councils and communities;
- (b) assisting member councils to build capacity and increase sustainability through integrated and coordinated local government; and





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- (c) advancing local government through best practice and continuous improvement.

6.1.2. GAROC will assist in the achievement of the LGA's object by:

- (a) supporting the activities of the LGA at a regional level;
- (b) promoting communication between Members and between Members and the LGA;
- (c) advocating in respect of matters which affect the GAROC Regional Group;
- (d) encouraging engagement of Members within the GAROC Regional Group with GAROC and the LGA; and
- (e) participating in policy development and implementation.

**6.2. Consideration and referral of Member items of business**

- 6.2.1. Any Member of the GAROC Regional Grouping may raise an item of business for the consideration of the Board of Directors or a General Meeting with GAROC. The item of business must be clearly described in writing, including an indication as to whether the impact of the item is confined to the Member or has broader implications for the local government sector.
- 6.2.2. GAROC will consider each item of business raised with GAROC by a Member.
- 6.2.3. A Member may be invited by GAROC to address a meeting of GAROC in respect of the proposed item of business.
- 6.2.4. Where considered appropriate by GAROC on the basis of the nature, scope and impact or potential impact of the item on the local government sector, GAROC will refer the item to either the Board of Directors or a General Meeting.
- 6.2.5. GAROC will inform the Member which has raised the item of business as to whether or not the item will be referred to the Board of Directors or a General Meeting.
- 6.2.6. Where an item of business is not referred to the Board of Directors or a General Meeting, GAROC may provide assistance or guidance to the Member in respect of progressing the matter.

**6.3. Proposals for policy development**

- 6.3.1. GAROC may develop proposals for policy positions for consideration at a General Meeting either in response to an issue raised by a Member within the GAROC Regional Grouping or independently.
- 6.3.2. A policy position developed by GAROC will be referred to the Board of Directors for consideration and determination as to whether or not the position should be put for consideration and adoption to a General Meeting.

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**6.4. Election to Board of Directors**

- 6.4.1. GAROC will elect 3 members of GAROC (each of which must be a Council Member with relevant business and governance experience) to the Board of Directors.
- 6.4.2. In addition to Directors elected under clause 6.4.1, the chairperson of GAROC will be a Director.
- 6.4.3. The term of office as a Director of the 3 persons elected to the Board of Directors by GAROC and the chairperson of GAROC will commence after the Annual General Meeting of the year in which the person is elected and shall be for 2 years or until a casual vacancy in that office occurs.
- 6.4.4. Persons elected under clause 6.4.1 are eligible for re-election for subsequent terms.

**6.5. Strategic and annual business planning**

- 6.5.1. GAROC will develop, in consultation with the members within the GAROC Regional Group, a 4 year strategic plan for regional advocacy, policy initiation and review, leadership, engagement and capacity building in the GAROC region. The strategic plan will be reviewed and updated annually by GAROC by June each year.
- 6.5.2. GAROC will develop, in consultation with the members within the GAROC Regional Group, an annual business plan for the next financial year by June each year.
- 6.5.3. The strategic plan and annual business plan for the next financial year will be presented to the Board of Directors for approval by June each year.

**6.6. Other functions**

GAROC will undertake any other functions:

- 6.6.1. of GAROC set out in the Constitution; or
- 6.6.2. delegated by the Board of Directors to GAROC.

**7. Budget**

- 7.1.1. GAROC will by June each year develop and adopt a budget to cover anticipated expenses of activities under the strategic plan and annual business plan during the next financial year. After adoption by GAROC, the budget will be provided to the Board of Directors for consideration and approval.
- 7.1.2. GAROC will provide a financial report to the Board of Directors no later than September providing a true and correct record of the expenditure of GAROC against the annual budget.
- 7.1.3. The chairperson of GAROC will meet with the Audit Committee of the LGA or the LGA's external auditor on request to discuss the GAROC financial report.



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## **8. Committees**

GAROC may establish committees consisting of any person with relevant experience, skill or expertise for any purpose and determine the terms of reference for such committees.

## **9. Meetings of GAROC**

### **9.1. Resolution of the Board of Directors**

Requirements under this clause 9 may be altered, supplemented or replaced by resolution of the Board of Directors.

### **9.2. Frequency of meetings and venue**

- 9.2.1. GAROC will meet at least once in each 2 month period at such times and places as shall be determined by the Chief Executive.
- 9.2.2. Any member of GAROC or the Board of Directors may convene additional meetings of GAROC.
- 9.2.3. Notice of a meeting of GAROC will be provided in writing to members of GAROC by the Chief Executive no less than 7 days prior to the meeting providing the date, time and place of the meeting and the proposed business to be conducted at the meeting.

### **9.3. Chairperson**

- 9.3.1. The chairperson of GAROC will be a Council Member appointed by GAROC.
- 9.3.2. The chairperson will be the official spokesperson for GAROC.
- 9.3.3. If the chairperson of GAROC is absent from a meeting of GAROC then the members attending the GAROC meeting will appoint a chairperson for the purposes of that meeting.

### **9.4. Decision making**

- 9.4.1. All questions arising at a meeting of GAROC shall be decided by a simple majority vote of the members of GAROC present and voting on each question.
- 9.4.2. The Chair of the meeting has a deliberative vote and, if there are equal numbers of votes on any question, a casting vote.

### **9.5. Meeting procedure**

The meeting procedures determined by the Board of Directors from time to time will apply to meetings of GAROC.

### **9.6. Attendance**

- 9.6.1. Meetings of GAROC will be closed to the public.
- 9.6.2. GAROC may invite any person to attend its meetings.



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**9.7. Minutes**

- 9.7.1. Minutes will be kept of all GAROC meetings including a record of the actions of GAROC.
- 9.7.2. Within 48 hours of a GAROC meeting, the chairperson will review and confirm the draft minutes. The draft minutes will then be circulated to GAROC members for comment and if necessary amendment before being certified as correct by the chairperson.

**9.8. Quorum**

The quorum for a meeting of GAROC is one half of the members of GAROC, plus 1 member of GAROC (provided that at least 1 member elected by each GAROC Regional Grouping must be present except for a GAROC Regional Grouping with no representation on GAROC).

**9.9. Performance assessment**

GAROC will assess its performance against:

- 9.9.1. the strategic plan and annual business plan each quarter; and
- 9.9.2. these Terms of Reference annually.

**9.10. Reporting**

- 9.10.1. A Director elected by GAROC will provide a verbal report to the Board of Directors on key matters being considered by GAROC at each Board of Director's meeting at which the minutes of GAROC are to be considered by the Board of Directors.
- 9.10.2. Any matter relevant to regional advocacy, policy initiation and review, leadership, engagement and capacity building in the region(s) considered to be of significance to the corporate governance, strategic direction and leadership of the LGA will be reported by GAROC to the Board as soon as practicable after GAROC has considered the matter.
- 9.10.3. GAROC will provide an annual report to the Board of Directors by September each year summarising:
  - (a) the discharge of GAROC's responsibilities and functions under these Terms of Reference and against the strategic plan and annual business plan;
  - (b) the activities of GAROC during the financial year;
  - (c) items of business referred to the Board of Directors or a General Meeting during the financial year; and
  - (d) items being considered by GAROC which have not been reported to the Board of Directors and the intended actions in respect of those matters.



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**10. Access to information**

- 10.1.1. GAROC is entitled, acting through the Chief Executive, to access any information or discuss matters with staff of the LGA Office.
- 10.1.2. A copy of the agenda for a GAROC meeting, reports to be considered by GAROC and minutes of GAROC meetings certified under clause 9.7.2 will be available to all Directors.
- 10.1.3. Subject to confidentiality requirements as determined by the Board of Directors or GAROC, a copy of the GAROC agenda, reports and minutes certified under clause 9.7.2 will be published on the LGA website for review by Members.

**11. Administration**

- 11.1. Subject to clause 11.2, an administrator appointed to administer the affairs of the Member may exercise the rights and satisfy the obligations of the administered Member under these Terms of Reference.
- 11.2. An administrator is ineligible to be a member of GAROC.

**Schedule: List of Regional Groupings of Members**

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GAROC Regional Grouping	Members
Metropolitan Region	Adelaide Adelaide Hills Burnside Campbelltown Charles Sturt Gawler Holdfast Bay Marion Mitcham Norwood/Payneham & St Peters Onkaparinga Playford Port Adelaide Enfield Prospect Salisbury Tea Tree Gully Unley Walkerville West Torrens



<b>ITEM</b>	3.6.3
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	20 August 2018
<b>HEADING</b>	Local Government Finance Authority Annual General Meeting: 26 October 2018 - Council Representatives, Board Nominations and Notices of Motion
<b>AUTHOR</b>	Michelle Woods, Projects Officer Governance, CEO and Governance
<b>CITY PLAN LINKS</b>	4.3 Have robust processes that support consistent service delivery and informed decision making.
<b>SUMMARY</b>	This report presents information received in relation to the date and location of the 2018 Annual General Meeting (AGM) of the Local Government Finance Authority (LGFA) of South Australia and seeks to appoint Council representatives, nominate candidates for the LGFA Board of Trustees and submit any Notices of Motion for that meeting.

## RECOMMENDATION

1. The information be received.
2. \_\_\_\_\_ be appointed as Council Representative (Voting Delegate) to the  
Local Government Finance Authority Annual General Meetings, with  
\_\_\_\_\_ as their deputy.  
\_\_\_\_\_ be nominated as a member of the Local Government Finance  
Authority Board of Trustees.
3. No Notice of Motion be submitted to the Local Government Finance Authority Annual  
General Meeting being held on 26 October 2018.

## ATTACHMENTS

There are no attachments to this report.

## 1. BACKGROUND

- 1.1 Correspondence has been received from the Local Government Finance Authority (LGFA) advising their Annual General Meeting (AGM) will be held on Friday 26 October 2018 at the Adelaide Entertainment Centre. This meeting will again coincide with the Annual General Meeting of the Local Government Association of SA, with the commencement time being 10.40am.
- 1.2 The LGFA are seeking advice on a Council appointed representative (voting delegate), nominations to the LGFA Board of Trustees and submission of any notices of motion.

## 2. CONSULTATION / COMMUNICATION

### 2.1 Internal

#### 2.1.1 Nil.

### 2.2 External

#### 2.2.1 Nil.

## 3. REPORT

### 3.1 Council Appointed Representative (Voting Delegate)

3.1.1 Section 15(1) of the *Local Government Finance Authority of South Australia Act 1983* provides that 'Every Council is entitled to appoint a person to represent it at a general meeting of the Authority'.

3.1.2 In August last year Council resolved:

- Cr Linda Caruso be appointed as Council Representative (Voting Delegate) to the 16 November 2017 Local Government Finance Authority Annual General Meeting, with Cr Sean Bedford as their deputy.

3.1.3 As the AGM of the Local Government Association (LGA) will be held on the same day, it is suggested the same person be appointed to represent Council at both the LGA and LGFA meetings. The Mayor and Deputy Mayor are current representatives to the LGA.

3.1.4 The deadline in which to advise the LGFA of Salisbury's appointed representative is Friday 17 August 2018. Staff have communicated with the LGFA and they are able to accept our advice after the August Council meeting.

### 3.2. Nominations for Members of the Board

3.2.1 The Local Government Finance Authority (LGFA) of South Australia is a body corporate, established in January 1984 under the *Local Government Finance Authority Act, 1983* and is administered by a Board of Trustees.

3.2.2 Pursuant to the Act, the Board is constituted of seven (7) members of whom:

- 2 are persons elected in accordance with the rules of the Authority;
- 2 are persons appointed by an AGM of the Authority upon nomination of the LGA;
- 1 is a person appointed by the Minister;
- 1 is a person appointed by the Treasurer;
- 1 is the person for the time being holding or acting in the office of Secretary of the LGA (ie the LGA CEO).

3.2.3 Current appointments expire on 31 December 2018.

3.2.4 Correspondence has been received from the LGFA calling for nominations to fill the two Board Member positions elected in accordance with the rules of the Authority.

- 3.2.5 These are currently held by Ms Annette Martin (City of Charles Sturt) and Cr John W Frogley (Councillor, City of Norwood, Payneham and St Peters).
- 3.2.6 Remuneration is \$7,000 per annum. Meetings are held at the LGFA in Pirie Street every 2 months from 9am – 2pm.
- 3.2.7 Should a nomination be made, the process will be:
- a nomination form is required to be completed and signed by the CEO and the candidate being nominated;
  - there is an option to provide a brief resume of the candidate;
  - if more than two persons are nominated an election will be held by postal ballot and a report will be presented to Council for a resolution;
  - the successful candidate will be declared elected at the AGM on 26 October 2018.
- 3.2.8 Due to the deadline in which to advise the LGFA of any nominations (Friday 17 August 2018), the recommendation of the Resources and Governance Committee will be the one actioned by staff. Staff have communicated with the LGFA and they are willing to accept a nomination no later than Tuesday 21 August 2018.
- 3.2.9 Council should note it is not obligated to make a nomination.

### 3.3 Notice of Motion

- 3.3.1 Council has the opportunity to submit a notice of motion to the LGFA AGM, stating the motion, the reason for the motion and any suggested action.
- 3.3.2 The General Manager Business Excellence is not aware of any issue that warrants a notice being submitted.
- 3.3.3 Should the Resources and Governance Committee determine that a Notice of Motion be submitted, due to the deadline, staff will need to action the committee's recommendation.

## 4. CONCLUSION

- 4.1 Council is asked to:
- appoint a Voting Delegate to the LGFA AGM;
  - consider candidates for nomination to the LGFA Board;
  - consider whether any Notice of Motion should be submitted to the LGFA AGM.

## CO-ORDINATION

Officer:	EXEC GROUP	MG
Date:	13/08/2018	09/08/2018





<b>ITEM</b>	3.6.4
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	20 August 2018
<b>HEADING</b>	Nominations Sought for LGA President
<b>AUTHOR</b>	Joy Rowett, Governance Coordinator, CEO and Governance
<b>CITY PLAN LINKS</b>	4.3 Have robust processes that support consistent service delivery and informed decision making.
<b>SUMMARY</b>	The Local Government Association has called for nominations for the position of LGA President to commence from the conclusion of the 2018 LGA Annual General Meeting and to remain in office until the conclusion of the 2020 Annual General Meeting.
<b>RECOMMENDATION</b>	<p>1. _____ from (<i>Name of Council</i>) be nominated for the position of LGA President.</p>
<b>ATTACHMENTS</b>	There are no attachments to this report.
<b>1. BACKGROUND</b>	<p>1.1 The Local Government Association has called for nominations for the position of LGA President to commence from the conclusion of the 2018 LGA Annual General Meeting and to remain in office until the conclusion of the 2020 Annual General Meeting.</p> <p>1.2 For this election nominations are sought from a ‘country’ council.</p> <p>1.3 Nominations must be received by no later than 24<sup>th</sup> August 2018, however Council staff are awaiting advice from the LGA that a nomination from Salisbury sent following its Council meeting on 27 August 2018 would be accepted.</p>
<b>2. CONSULTATION / COMMUNICATION</b>	<p>2.1 Internal</p> <p>2.1.1 LGA Circular 31.8 dated 2 August 2018 was circulated to the Executive Group, Elected Members and Governance Officers.</p> <p>2.2 External</p> <p>2.2.1 Nil</p>

### 3. REPORT

- 3.1 The LGA membership adopted a new constitution at the 2018 Ordinary General Meeting (OGM). While the new Constitution does not take effect until after the 2018 AGM, the transitional provisions adopted at the OGM stipulated that the 2018 LGA elections will be run in accordance with the provisions of the new LGA Constitution.
- 3.2 The Constitution stipulates that the office of President must be occupied on a rotational basis between members of a ‘country’ council and members of a metropolitan council. For this election nominations are sought from a ‘country’ council.
- 3.3 Under the new Constitution, the President only needs to be nominated by a member council, and not necessarily the council which they are a member of. This differs from the old Constitution which required the candidate to be nominated by their own council.
- 3.4 In addition, for this election only, under the transitional provisions as we move to the new Constitution, those considering standing for President are not required to have served on the LGA Board (or SAROC) for at least the last 12 months.
- 3.5 The new Constitution includes provision for the calling of nominations for the Office of President by no later than 3 months prior to the AGM before the officers are due to retire. In addition, ballot papers are required to be distributed at least 6 weeks prior to the AGM.
- 3.6 Key (indicative) timings and LGA Constitutional provisions are outlined in the following table:

<b>Indicative Timing</b>	<b>Headline</b>	<b>LGA Constitution Provision</b>
n/a	Office of President	Position of President – rotated between metropolitan and regional (Clause 28.6) Current President is metropolitan
n/a	Returning Officer	Returning Officer for all LGA electoral matters is the Chief Executive Officer (Clause 29.1)
23 July 2018	Nominations Called	CEO to write to members calling for nomination for position of President (Clause 28.2) at least 3 months before AGM. (last date 26 July)
24 August 2018	Nominations Close	Nominations must be received by the CEO no later than 5pm on the day specified for the close of nomination (President Clause 28.7). 24th August has been the date nominated
n/a	Nominations equal to vacancies	If the number of nominations received equals the number of vacant positions each candidate is elected and takes office at the conclusion of the AGM (Clause 29.3)
3 September 2018	Ballot papers prepared and posted	CEO shall deliver ballot papers to each member at least 6 weeks before AGM

		(Clause 29.5.1) (last date 14 Sept)
18 October 2018	voting closes	The new Constitution does not specify when voting closes; thus it is up to the CEO as returning officer to determine this with reference to Clauses 29.5.6 for counting of votes. Council's will have 7 weeks to lodge their votes.
19 October 2018	Counting of votes	The CEO shall nominate the date, time and place for the counting of votes (Clause 29.5.6)
26 October 2018	Final declaration of result	CEO shall declare the candidate with the most votes elected at the AGM (Clause 29.5.8)
26 October 2018	President takes office	President takes office at the conclusion of the AGM (Clause

- 3.7 The following is a list of eligible councils from which a President can be elected from:

<b>SAROC Regional Grouping</b>	<b>Members</b>
Southern & Hills Councils	Alexandrina Mount Barker Victor Harbor Yankalilla Kangaroo Island
Legatus Councils	Adelaide Plains Barossa Barunga West Clare & Gilbert Valleys Copper Coast Goyder Light Mount Remarkable Northern Areas Orroroo/ Carrieton Peterborough Wakefield Yorke Peninsula Flinders Ranges
Eyre Peninsula	Ceduna Cleve Elliston Franklin Harbor Kimba Streaky Bay Tumby Bay Wudinna Lower Eyre Peninsula Port Lincoln

Limestone Coast	Grant Kingston Mount Gambier Naracoorte & Lucindale Robe Tatiara Wattle Range
Murraylands & Riverland	Loxton/ Waikerie Mid Murray Karoonda/ East Murray Coorong District Southern Mallee Berri/Barmora Renmark/Paringa Murray Bridge
Spencer Gulf Cities	Port Augusta Port Pirie Whyalla
Other	Roxby Downs Coober Pedy

### Timing of the LGA Election

- 3.8 The issue in relation to the timing of the LGA Elections and the timing of the Local Government general elections has been raised by a number of member Councils.
- 3.9 Recent changes to the LGA Constitution provided for the election of President, SAROC and GAROC members, and to the LGA Board to take effect at the conclusion of the LGA's AGM, every other year. This was part of the modernization of the LGA Constitution to reflect more contemporary corporate governance practices where, like most companies and organisations, the President and Board take office from the AGM. This enables the outgoing President to deliver their annual report, the LGA's annual report and finance statements for the preceding year, before handing over to the incoming President.
- 3.10 It is acknowledged that because of the timing of the AGM, the election of the LGA Board and President, and the local government general election, that there is the potential for the President and/or a Board member(s) to not be elected in their respective council and thus causing a casual vacancy. It is also noted that this situation could also occur if the election of LGA office holders was held, say three to six months after of the Local Government Elections to coincide with the LGA's OGM. In fact the old Constitution foreshadowed this occurrence and outlined how a replacement President would be elected. Under the new Constitution, the casual vacancy provisions would apply.
- 3.11 Therefore there is no ideal time to hold elections for office bearers for the LGA when the end of term coincides with the general council elections. However, the general view is, that it is preferable for a new Board and President to take office at the AGM and as soon as possible around a general council election to ensure the Board and President can maximise the use of a two year term, rather than be put in a holding pattern until a new Board is elected following council elections.

**4. CONCLUSION / PROPOSAL**

- 4.1 Council is asked to determine if a nomination is to be made for LGA President.
- 4.2 It should be noted that Council is not obliged to submit a nomination

**CO-ORDINATION**

Officer: Executive MG  
Group  
Date: