

CSF040: COUNCIL POLICY – MAYORAL VEHICLE

Proponent	: City of Albany
Attachments	: <ul style="list-style-type: none">• DLG Circular 09-2011• Amended Council Policy – Mayoral Vehicle
Responsible Officer(s)	: Executive Director Corporate Services (G Adams) Manager Governance & Risk Management (S Jamieson)

**Responsible Officers
Signature:**



STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the [City of Albany Strategic Community Plan 2023](#) and [Corporate Business Plan 2013-2017](#):
 - a. **Key Theme:** 5. Civic Leadership
 - b. **Strategic Objective:** 5.2 To provide strong accountable leadership supported by a skilled and professional workforce.
 - c. **Strategic Initiative:** Nil.

In Brief:

- Review and adopt revised Mayoral Vehicle Policy.

RECOMMENDATION

CSF040: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT Council RESCIND the current policy and ADOPT the revised Mayoral Vehicle Policy.

CSF040: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR GREGSON
SECONDED: COUNCILLOR BOWLES

THAT Council RESCIND the current policy and ADOPT the revised Mayoral Vehicle Policy.
CARRIED:10-0

CSF040: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council RESCIND the current policy and ADOPT the revised Mayoral Vehicle Policy.

BACKGROUND

2. The City of Albany provides the position of Mayor for the purpose of carrying out his/her official functions and duties, to the equivalent standard of that provided to the Chief Executive Officer.
3. In 2011, even though the Local Government Act (the Act) is silent in relation to the Mayoral vehicle being used for private use, the Department of Local Government (DLG) recommended that a procedure be put in place to enable the cost of the private use to be reimbursed.
4. In response, Council adopted a policy position in October 2011 after a series of workshops led by the Chief Executive Officer.

DISCUSSION

5. On review of the current policy it was identified that the policy position impinged upon the fees and allowances payable to the Mayor in accordance with the *Local Government Act 1995*.
6. The identified problematic clause, being clause 4(c):
Provision of a Mayoral...vehicle will form part of the fees, allowances and other reimbursement ordinarily payable to the Mayor.
7. It is recommended this clause is replaced, in line with advice communicated in the DLG Circular:
Provision of a Mayoral vehicle... will not occur at the reduction of the fees, allowances and reimbursements (other than the travel/mileage claims) otherwise ordinarily payable to the Mayor as approved by Council in accordance with the relevant provisions of the Act.
8. The amended policy position is based on comparable policies from across the local government sector and guidance communicated from the DLG Circular No 9-2011 (attached).

GOVERNMENT & PUBLIC CONSULTATION

9. Department of Local Government, Circular No. 9-2011 and other local government policies reviewed from across the sector.

STATUTORY IMPLICATIONS

10. In accordance with section 2.7 of the *Local Government Act 1995*, Council is responsible for determining local government policies.

POLICY IMPLICATIONS

11. Adoption of this policy will replace the current policy adopted on 11/10/2011.

RISK IDENTIFICATION & MITIGATION

12. The risk identification and categorisation relies on the City's [Enterprise Risk Management Framework](#).

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Statutory Non Compliance</i>	<i>Unlikely</i>	<i>Medium</i>	<i>Medium</i>	<i>Adoption of revised and amended policy position, which removes the problematic clause.</i>

FINANCIAL IMPLICATIONS

13. The cost of operating the Mayoral vehicle will no longer be subsidised from the Mayoral Allowance.
14. Fuelling, maintenance, licensing and insurance costs are to be met and undertaken by the City.
15. Reimbursement will be based on actual not forecast private usage.

LEGAL IMPLICATIONS

16. The amended policy is required to ensure legislative compliance.

ALTERNATE OPTIONS

17. Council may chose to review its policy position on the provision of a vehicle; however in the interim it is recommended that the policy is amended to remove the problematic clause.

SUMMARY CONCLUSION

18. Recommend that the amended policy is adopted to ensure compliance with the Department of Local Government Circular No. 9-2011 and the Local Government Act 1995.

Consulted References	:	DLG Circular No 9-2011 .
File Number (Name of Ward)	:	CM.STD.7 (All Wards)
Previous Reference	:	OCM 11/10/2011 Item 1.6