

## **POLICY STATEMENT**

### **PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS POLICY**

**POLICY ADOPTED:** 21 September 2004

**POLICY REVISION DATE:** 15 May 2018

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#### **Policy Objective**

**1. Purpose of the Policy**

To ensure that there is accountability and transparency in the reimbursement of expenses incurred, or to be incurred by the Mayor and Councillors, and that the facilities provided to assist the Mayor and Councillors to carry out their civic duties are reasonable.

**2. Objectives and Coverage of the Policy**

To provide for the fair and equitable payment and reimbursement of certain expenses not considered to be included in the annual fees payable to Mayor and Councillors, where such expenses are incurred by the Mayor, and Councillors in discharging the functions of civic office. To provide adequate facilities for use by the Mayor and Councillors to enable them to discharge the functions of civic office.

**3. Making and Adoption of the Policy**

This policy is made and adopted in accordance with the requirements of the Local Government Act 1993, Sections 252 – 254A.

**4. Reporting Requirements**

Section 428 of the Local Government Act 1993 and requirements under the Integrated Planning and Reporting guidelines, requires Council to include details of the Mayoral and Councillor fees, expenses and facilities. The public is entitled to inspect the Council's Policy free of charge, and may obtain a copy on payment of copying charges as set within Council's revenue policy.

**5. Legislative Provisions**

This policy is made under Sections 252-254 of the Local Government Act 1993 and Clause 403 of the Local Government General Regulation 2005.

**6. Authorisation Arrangements**

All authorisations under this Policy shall be made by resolutions of the Council or jointly by the Mayor, or Deputy Mayor and the General Manager or as stated in the policy.

## Policy Statement:

### PAYMENT OF FEES AND EXPENSES

#### 1. Allowances and Expenses

No allowances other than those expressly contained in this policy are payable to the Mayor, Deputy Mayor or Councillors.

Expense Type	Recipient	Detail	Authorisation
Fees payable to Councillors	Mayor, Deputy Mayor and Councillors	An annual fee is to be paid monthly in arrears. The fee shall be within the range for the Council determined annually by the Local Government Remuneration Tribunal. Such payment shall be subject to Section 254A of the Local Government (General) Regulations 2005 and any specific resolution of the Council under Section 254A. The fee will be effective from 1 July each year.	Council Resolution
Fees payable to the Mayor	Mayor	An annual fee to be paid to the Mayor monthly in arrears. The fee shall be within the range for the Council determined annually by the Local Government Remuneration Tribunal. The fee will be effective from 1 July each year.	Council Resolution
Fees payable to the Deputy Mayor	Deputy Mayor	The Deputy Mayor shall be paid a daily pro-rata fee equivalent to the daily Mayoral fee adopted by Council resolution for the periods of time when the Mayor advises that he/she is prevented by absence, illness or otherwise from acting in, or when the Mayor requests the Deputy to act in, the office of Mayor. The amount of the fee so paid to the Deputy Mayor shall be deducted from the Mayor's annual fee.	General Manager or the General Managers delegate to authorise the claim for expense
Seminars, Conferences and Training	Mayor, Deputy Mayor and Councillors  Spouse, partner or accompanying person	Council will arrange and pay for all bookings and reservations associated with Councillors' attendance at approved seminars, conferences and training.  If the Mayor or Councillor chooses to take a spouse, partner or accompanying person, any expenses related to the conference or seminar, travel, additional accommodation costs	Council Resolution  Mayor or Deputy Mayor and General Manager jointly where the seminar, conference or training is held for one day or less and does not involve an overnight stay.  General Manager or the General

		and any personal tours shall be the personal responsibility of the individual Mayor, Councillor or accompanying person	Managers delegate to authorise the claim for expense
Committees	Mayor, Deputy Mayor and Councillors  Spouse, partner or accompanying person	Council will arrange and pay for all bookings and reservations associated with Councillors' attendance at a committee meeting they are the delegated representative for.  If the Mayor or Councillor chooses to take a spouse, partner or accompanying person, any expenses related to the attendance of the committee meeting, travel, additional accommodation costs and any personal tours shall be the personal responsibility of the individual Mayor, Councillor or accompanying person	Council resolution to appoint delegates  General Manager or the General Managers delegate to authorise the claim for expense
Travel Expenses	Mayor, Deputy Mayor and Councillors  Spouse, partner or accompanying person	Council will cover reasonable travel expenses to allow the Councillor to attend any Council meeting, Advisory Committee Meeting or a Council workshop (as defined in the Code of Meeting Practice). Detail is provided within the Travel Arrangements table.  If the Mayor or Councillor chooses to take a spouse, partner or accompanying person, any expenses related to their attendance shall be the personal responsibility of the individual Mayor, Councillor or accompanying person	Council resolution to appoint delegates  General Manager or the General Managers delegate to authorise the claim for expense
Care and related Expenses	Mayor, Deputy Mayor and Councillors	Council will reimburse a Councillor's costs to a maximum of \$80 to cover a four hour engagement of a "baby-sitter" or carer where required for other potential dependents including people with disabilities and the elderly to allow the Councillor to attend any Council meeting, Advisory Committee Meeting or a Council workshop (as defined in the Code of Meeting Practice).  The four hour period shall include the period of 30 minutes prior to	Council adoption of this policy  General Manager or the General Managers delegate to authorise the claim for expense

		<p>and after the conclusion of the meeting or workshop.</p> <p>An additional hourly rate of up to \$15 per hour will be paid for meetings and workshops that go beyond the 4 hours engagement period referred to above.</p> <p>Reimbursement claims under this clause must be supported by receipts.</p>	
Insurance Expenses and Obligations	Mayor, Deputy Mayor and Councillors	The Mayor and Councillors will receive the benefit of insurance cover as provided by Council while undertaking civic duties.	<p>Council adoption of this policy</p> <p>General Manager or the General Managers delegate to authorise the claim for expense</p>
Legal Assistance	Mayor, Deputy Mayor and Councillors	<p>Legal assistance will be provided in the event of an enquiry, investigation or hearing, into the conduct of a Councillor provided the subject of the proceedings arises from the performance in good faith of a function under the Act (with the exception of defamation proceedings) and the Court, Tribunal or investigating body makes a finding substantially in favour of the Councillor.</p> <p>Council, by resolution, may reimburse the Mayor and such Councillor, after the conclusion of the enquiry, investigation, hearing or proceeding, for all legal expenses properly and reasonably incurred, given the nature of the enquiry, investigation, hearing or proceeding, on a solicitor/client basis.</p> <p>Legal assistance reimbursement will only be provided upon resolution of the Council</p> <p>Any reimbursement for legal proceedings shall be reduced by the amount of any moneys that may be or are recouped by the Mayor or Councillor on any basis</p> <p>The enquiry, investigation, hearing or proceeding results in a finding in favour of the Mayor or</p>	<p>Council Resolution</p> <p>General Manager or the General Managers delegate to authorise the claim for expense</p>

		<p>Councillor</p> <p>The amount of such reimbursement is limited to the equivalent of the fees being charged by Council's Solicitors.</p> <p>For all limitations on coverage, refer to the Office of Local government <i>Guidelines for the payment of expenses and the provision of facilities for Mayor and Councillors in NSW, issued under 23A of the local Government Act 1993.</i></p>	
Incidental Expenses	Mayor, Deputy Mayor and Councillors	<p>Council will reimburse reasonable incidental expenses associated with attending official Council functions, conferences, seminars or training.</p> <p>These expenses include telephone calls and faxes relating to Council business, reasonable lunches, dinners and other meals incurred while travelling (except for alcohol), parking, taxi fares, motorway or bridge tolls or other incidental expense.</p> <p>Councillors must support the expense claim with details of the event or meeting and the receipt or a tax invoice.</p>	<p>Council adoption of this policy</p> <p>General Manager or the General Managers delegate to authorise the claim for expense</p>

**2. No deduction from Mayoral or Councillor Fees**

The payment or reimbursement of expenses and facilities which may be provided under this Policy, shall be provided without reduction from the annual fees payable to the Mayor and Councillors

**3. Reimbursement of Expenses**

Councillors must submit claims for the reimbursement of expenses within three months of the expense occurring. Councillors must produce appropriate receipts and/or tax invoice for all expenses. A claim form must be completed.

**4. Establishment of Monetary Limits and Standards**

Monetary limits or standards of facilities/services where applicable are specified in this policy.

**5. Substitute Attendee**

By the adoption of this Policy, authority is hereby delegated to the Mayor or Deputy Mayor and General Manager jointly to nominate and authorise a substitute Councillor to attend any conference in lieu of the Mayor or a nominated and authorised Councillor.

## 6. Payment In Advance

Councillors may request payment in advance for expenses he or she expects to incur when attending conferences, meetings, seminars or training away from home. A cash advance or use of a pre paid credit card can be made available, however all expenses must be properly accounted for and reconciled, with receipts within one month after the expense has been incurred.

## PROVISION OF FACILITIES

Councillors should not generally obtain private benefit from the provision of equipment and facilities and payment of expenses. Council acknowledges that incidental use of equipment and facilities may occur from time to time. Such incidental use is not subject to compensatory payment.

Facility	Recipient	Detail	Authorisation
Administrative Support	Mayor, Deputy Mayor and Councillors	Council will provide the Mayor with shared Executive Assistance and administrative support to assist with the provision of civic duties.  Councillors will receive Administration service to facilitate the discharge of civic function.	Council adoption of this policy  General Manager or the General Managers approval
Telephone Expenses	Mayor	Council will provide the Mayor with a mobile phone for use in order to carry out the Councillor's civic functions and responsibilities Council will meet the capital, maintenance, and mobile phone plan charges.	Council adoption of this policy
Computer or electronic device	Mayor, Deputy Mayor and Councillors	If required Council will provide a tablet, laptop or similar to assist with the provision of their civic duty.	Council adoption of this policy
Meals and refreshments	Mayor, Deputy Mayor and Councillors	Reasonable refreshments associated with Council and Council Committee meetings, and meetings of the Mayor or Councillors with Parliamentary representatives, visiting dignitaries and other delegations.	Council adoption of this policy
Councillor Name Badge	Mayor, Deputy Mayor and Councillors	Council will provide a name badge indicating the wearers position.	Council adoption of this policy
Email Address	Mayor, Deputy Mayor and Councillors	If required Council will provide an email address to assist with the provision of civic duty. The address will conform to council's email standards.	Council adoption of this policy

Mayor Office	Mayor	Council will provide a furnished office in the Council Chambers.	Council adoption of this policy
Professional development	Mayor, Deputy Mayor and Councillors	Councillors are encouraged to undertake relevant professional development to build upon existing skills and knowledge that will assist them to carry out their civic duty.  For expenses associated with professional development, refer to payment of Fees and Expenses table and Travel Arrangements table of this policy	Council adoption of this policy  General Manager or the General Managers delegate to authorise the expense

## 7. Acquisition and Return of Equipment and Facilities by Councillors

All equipment provided under this policy shall always remain in the possession of the Mayor, Deputy Mayor or Councillor during his or her term of office, and shall remain the property of the Council and returned to the Council in good operational order and condition upon ceasing to hold the position of Mayor, Deputy Mayor or Councillor.

### TRAVEL ARRANGEMENTS

When travelling to complete civic duties, Council will arrange or reimburse Councillors in the following manner.

Facility	Recipient	Detail	Authorisation
Accommodation	Mayor, Deputy Mayor and Councillors	Council will arrange and pay for accommodation in an appropriate location at an appropriate standard.	Council adoption of this policy  General Manager or the General Managers delegate to authorise the expense
Air Travel	Mayor, Deputy Mayor and Councillors	Council will arrange and pay for economy class airfares.	Council adoption of this policy  General Manager or the General Managers delegate to authorise the expense
Car Hire	Mayor, Deputy Mayor and Councillors	Council will arrange and pay for a mid-size sedan hire car	Council adoption of this policy  General Manager or the General Managers delegate to authorise the expense
Kilometres – use of private Vehicle	Mayor, Deputy Mayor and Councillors	Where a council vehicle is not available and a Councillor utilises his or her own vehicle, the	Council adoption of this policy

		<p>Councillor may claim a kilometre allowance for use of a private vehicle in travelling:</p> <ul style="list-style-type: none"> <li>• To and from the meetings of Council, or the meetings of any Committee of the Council.</li> <li>• Upon inspections, provided such inspections are undertaken in compliance with resolutions of the Council or authorised by the Mayor or General Manager.</li> <li>• To attend conferences, official engagements and functions where the Councillor has been authorised by the Council to do so or is deputising for the Mayor.</li> </ul> <p>Kilometre rates for use of a private vehicle under this Policy will be paid at the rate set by the Local Government (State) Award, as at the date of travel.</p> <p>Payment is subject to a claim on the prescribed claim form being lodged and made no later than three months after the travel occurred. Claims lodged for travel occurring more than three months before the claim is lodged shall not be paid.</p>	<p>General Manager or the General Managers delegate to authorise the expense</p>
Rail travel	Mayor, Deputy Mayor and Councillors	<p>Council will arrange and pay for a first class rail fare (if applicable).</p>	<p>Council adoption of this policy</p> <p>General Manager or the General Managers delegate to authorise the expense</p>
Taxi, Public Transport, Parking and Toll Charges	Mayor, Deputy Mayor and Councillors	<p>Council will reimburse costs of taxis, public transport, parking and tolls when travelling to and from venues for Council business.</p> <p>If available, Council will provide an Opal Card for public transport travel.</p>	<p>Council adoption of this policy</p> <p>General Manager or the General Managers delegate to authorise the expense</p>

## 8. Travel

Where travel is by motor vehicle it is preferable that a Council vehicle be utilised when available. Travel by a private vehicle is subject to prior approval jointly by the Mayor and General Manager.



## Councillor payment of Expenses for a Spouse, Partner or Accompanying Person

Council recognises that in the majority of cases it is easier to arrange for travel and accommodation for Councillors and accompanying persons at the same time. If a councillor chooses to bring someone on Council arranged travel, the Councillor must make the appropriate payments to reimburse the costs upon confirmation of arrangements.

### References:

- Local Government Act 1993
- Local Government General Regulation 2005
- Division of Local Government Guidelines for payment of expenses and provision of facilities
- Model Code of Conduct
- Division of Local Government Circulars to Councils
- ICAC publications

### Appendices:

- a. Claim Form – Expenses for Councillors

### Authorisation:

<b>Status</b>	<b>Committee</b>	N/A	
	<b>Manex</b>	N/A	
<b>Owner</b>	<b>Director Corporate Community &amp; Development Services</b>		
<b>EDRMS Doc. ID</b>	452933		
<b>Superseded Policy</b>	Payment Expenses & Provision of Facilities to Councillors - 2015		
<b>Date of Adoption/ Amendment</b>	<b>Revision Number</b>	<b>Minute Number</b>	<b>Review Date</b>
21 September 2004	0	16/09/04	September annually
November 2005	1	9/12/05	September annually
21 November 2006	2	9/11/06	September annually
20 February 2006	3	6/2/07	September annually
18 September 2007	4	15/9/07	September annually
15 September 2009	5		September annually
17 May 2011	6		September annually
15 November 2011	7		September annually
20 November 2012	8		September annually
27 January 2015	9		September annually
15 September 2015	10		September annually
19 July 2016	11		September annually
27 September 2017	12		September annually
15 May 2018	13	15/05/18	annually

<b>Related Council Policy / Procedure</b>
Claim Form – Expenses for Councillors

**CLAIM FORM - EXPENSES FOR COUNCILLORS**



CLAIMANT DETAILS			
Name:			
Address:			State
			Postcode

The following expenses are claimed in accordance with Council's policy on the *Payment of Expenses and Provision of Facilities to Councillors*.

PARTICULARS	AMOUNT
<b>MONTHLY FEE</b> Councillor <input type="checkbox"/> Mayor <input type="checkbox"/> <i>Councillor - \$964.17</i> <i>Mayor - \$2,104.17</i>	
<b>TRAVELLING</b> <ul style="list-style-type: none"> <li>• Method of Conveyance:      Motor Vehicle</li> <li>• Vehicle Capacity:      under 2.5L <input type="checkbox"/>    or 2.5L + <input type="checkbox"/>  <i>LG State Award – under 2.5litre = 68c/km or 2.5litre &amp; above = 78c/km</i></li> <li>• Ordinary Council Meeting:                             <ul style="list-style-type: none"> <li>▪ Month _____ Distance Travelled _____ km</li> </ul> </li> <li>• Extra Ordinary Council Meeting:                             <ul style="list-style-type: none"> <li>▪ Month _____ Distance Travelled _____ km</li> </ul> </li> <li>• Committee Meeting/s:                             <ul style="list-style-type: none"> <li>▪ Meeting _____ Distance Travelled _____ km</li> <li>▪ Meeting _____ Distance Travelled _____ km</li> <li>▪ Meeting _____ Distance Travelled _____ km</li> </ul> </li> <li>• Other: _____</li> </ul>	
<b>TOTAL</b>	<b>\$</b>

SIGNATURE	
Claimant:	
Date:	

I hereby certify that:

- I. The computation/s of this account are correct.
- II. The charges are, so far as I am able to ascertain fair and reasonable.

\_\_\_\_\_  
General Manager

OFFICE USE ONLY

ALLOCATION:      10-1020-1602-63203

AMOUNT:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Claim form updated 1 July 2018