

COUNCIL POLICY



Policy name	Councillor Expenses and Facilities
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Abstract
To ensure accountability and transparency in the reasonable and appropriate reimbursement of expenses and provision of facilities to councillors to help them undertake their civic duties.

Dates	Policy or amendment approved 15 Mar 2023 Policy or amendment takes effect 15 Apr 2023 Policy is due for review (up to 4 years) 19 Mar 2025
Endorsed by	Executive Leadership Team
Approved by	Gunnedah Shire Council, at its Ordinary Meeting of Council held 15 Mar 2023 Resolution number: 3.03/23
Policy Custodian	Manager Governance and Legal
Relevant to	Councillors and Mayor, General Manager and Council staff members responsible for the processing of claims for reimbursement or provision of facilities.
Superseded Policies	Policy – Councillor Expenses and Facilities – Resolution 9.08/22 of Ordinary Meeting held on 24 Aug 2022
Related documents	Code of Conduct Procedures for the Administration of the Code of Conduct OLG Guidelines on Payment of Councillors Expenses and Facilities OLG Template Councillor Expenses and Facilities Policy POLICY – Councillor Professional Development POLICY – IT Usage MANAGEMENT DIRECTIVE – Fleet Management and Private Use of Vehicles MANAGEMENT DIRECTIVE – Corporate Credit Cards
Related legislation	Local Government Act 1993 Local Government (General) Regulation 2021

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Policy summary

This Policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to help them undertake their civic duties.

It ensures accountability and transparency, and seeks to align Councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this Policy.

The Policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2021* (the Regulation), complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW and is an adaptation of the Office of Local Government's *Better Practice Template Councillor Expenses and Facilities Policy*.

The Policy sets out the maximum amounts Council will pay for specific expenses and facilities. Expenses not explicitly addressed in this Policy will not be paid or reimbursed.

The main expenses and facilities are summarised in Table 1 below. All monetary amounts are exclusive of GST.

Expense or facility	Maximum amount	Frequency
General travel expenses	\$4,000 total for all Councillors	Per year
Interstate, overseas and long distance intrastate travel expenses	\$20,000 total for all Councillors	Per year
Accommodation and meals	As per the NSW Crown Employees (Public Service Conditions of Employment) revised Award 2009, adjusted annually and up to a maximum of \$14,000 total for all Councillors	Per meal/night
Meals and refreshments in relation to attendance at Ordinary Council Meetings and Workshops/Briefings of Council	\$8,000 total for all Councillors	Per year
Professional development (registration fees only)	\$12,000 per Councillor per term	Per term
Induction Program (In addition to Professional Development)	\$12,000 total for all Councillors in First year of term \$3,000 in addition for the Mayor in the First and Third Year of Term (where there is a change of Mayor mid term)	Per Term
Conferences and seminars (registration fees only)	\$18,000 total for all Councillors	Per year
Mobile phone expenses	\$95 for Deputy Mayor \$65 for Councillors Phone provided to Mayor for Council business use with appropriate data plan	Per month
Corporate Clothing	Up to \$800 per Councillor for provision of Corporate branded jacket, tie or scarf	Per Term
Carer expenses	\$2,000 per Councillor	Per year
Council vehicle and fuel card	Provided to the Mayor	Not relevant
Furnished office	Provided to the Mayor	Not relevant
ICT expenses (Council purchased and	\$60,000 total for all Councillors	Per 4-year term

Expense or facility	Maximum amount	Frequency
maintained)		

Additional costs incurred by a Councillor in excess of these limits are considered a personal expense that is the responsibility of the Councillor.

Councillors must provide claims for reimbursement within three (3) months of an expense being incurred. Claims made after this time cannot be approved unless by approval of the General Manager due to extenuating circumstances.

A detailed report on the provision of expenses and facilities to councillors will published in Council's Annual Report as required by Section 217 of the Local Government (General) Regulation 2021 and the NSW Division of Local Government's Integrated Planning and Reporting Guidelines.

Part A – Introduction

1. Introduction

- 1.1. The provision of expenses and facilities enables Councillors to fulfil their civic duties as the elected representatives of Gunnedah Shire Council.
- 1.2. The community is entitled to know the extent of expenses paid to Councillors, as well as the facilities provided.
- 1.3. The purpose of this Policy is to clearly state the facilities and support that are available to Councillors to assist them in fulfilling their civic duties.
- 1.4. Council staff are empowered to question or refuse a request for payment from a Councillor when it does not accord with this Policy.
- 1.5. Expenses and facilities provided by this Policy are in addition to fees paid to Councillors. The minimum and maximum fees a Council may pay each Councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range.

2. Policy objectives

- 2.1. The objectives of this Policy are to:
 - enable the reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties;
 - enable facilities of a reasonable and appropriate standard to be provided to Councillors to support them in undertaking their civic duties;
 - ensure accountability and transparency in reimbursement of expenses and provision of facilities to Councillors;
 - ensure facilities and expenses provided to Councillors meet community expectations;
 - support a diversity of representation; and
 - fulfil the Council's statutory responsibilities.

3. Principles

- 3.1. Council commits to the following principles:
 - **Proper conduct:** Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions.
 - **Reasonable expenses:** providing for Councillors to be reimbursed for expenses reasonably incurred as part of their role as Councillor.

- **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor.
- **Equity:** there must be equitable access to expenses and facilities for all Councillors.
- **Appropriate use of resources:** providing clear direction on the appropriate use of Council resources in accordance with legal requirements and community expectations.
- **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to Councillors.

4. Private or political benefit

- 4.1. Councillors must not obtain private or political benefit from any expense or facility provided under this Policy.
- 4.2. Private use of Council equipment and facilities by Councillors may occur from time to time. For example, telephoning home to advise that a Council meeting will run later than expected.
- 4.3. Such incidental private use does not require a compensatory payment back to Council.
- 4.4. Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council facilities does occur, Councillors must reimburse the Council.
- 4.5. Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:
 - production of election material;
 - use of Council resources and equipment for campaigning;
 - use of official Council letterhead, publications, websites or services for political benefit; or
 - fundraising activities of political parties or individuals, including political fundraising events.

Part B – Expenses

5. General expenses

- 5.1. All expenses provided under this Policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this Policy.
- 5.2. Expenses not explicitly addressed in this Policy will not be paid or reimbursed.
- 5.3. Where maximum limits are included for a specified period, such as per year or term, the maximum limit will be reduced on a pro rata basis where this Policy is adopted part-way through a specified period.
- 5.4. Total costs for the payment of expenses and the provision of facilities to Councillors are to be within the limits of the provision of Council's annual budget, with expenditure against budget allocation to be reviewed quarterly, in accordance with Council's standard quarterly budget review process.

6. Specific expenses

General travel arrangements and expenses

- 6.1. All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.

- 6.2. Each Councillor may be reimbursed for travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW. This includes reimbursement:
- for public transport fares
 - for the use of a private vehicle or hire car
 - for parking costs for Council and other meetings
 - for tolls
 - by Cabcharge card or equivalent
 - for documented ride-share programs, such as Uber, where tax invoices can be issued.
- 6.3 Where practical and pending availability, Councillors should use a Council vehicle for travel on Council business. Bookings are to be made through the Executive Assistant to the General Manager, Mayor and Elected Members.
- 6.4 Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate set by the Australian Taxation Office for the relevant year.
- 6.5 Councillors seeking to be reimbursed for use of a private vehicle must lodge a prescribed claim form which identifies the date, distance and purpose of travel being claimed. If requested, Councillors must supply evidence of the travel undertaken to the satisfaction of the General Manager.

Interstate, overseas and long distance intrastate travel expenses

- 6.6 In accordance with Section 4, Council will scrutinise the value and need for Councillors to undertake overseas travel. Councils should avoid interstate, overseas and long distance intrastate trips unless direct and tangible benefits can be established for the Council and the local community. This includes travel to sister and friendship cities.
- 6.7 Councillors seeking approval for any interstate and long distance intrastate travel must submit a case to, and obtain the approval of, the General Manager prior to travel.
- 6.8 Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full Council meeting prior to travel.
- 6.9 The case should include:
- objectives to be achieved in travel, including an explanation of how the travel aligns with current Council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the Councillor's civic duties;
 - who is to take part in the travel;
 - duration and itinerary of travel; and
 - a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
- 6.10 For interstate and long distance intrastate journeys by air of less than three (3) hours, the class of air travel is to be economy class.
- 6.11 For interstate journeys by air of more than three (3) hours, the class of air travel may be premium economy.
- 6.12 For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 6.13 Bookings for approved air travel are to be made through the Executive Assistant to the General Manager, Mayor and Elected Members. Councillors may, at their own expense, choose to upgrade their class of travel.
- 6.14 For air travel that is reimbursed as Council business, Councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

- 6.15 After returning from international travel, Councillors (or an accompanying staff member) must provide an information report to a full meeting of the Council on the aspects of the trip relevant to Council business and/or the local community.

Travel expenses not paid by Council

- 6.16 Council will not pay any traffic or parking fines or administrative charges for road toll accounts.
- 6.17 Any non-Council related components of travel shall be paid for by the Councillor. Where any part of the costs is required to be paid by Council in advance, any portion related to non-Council purposes shall be pro-rated and reimbursed to Council by the Councillor prior to undertaking the travel.
- 6.18 Council recognises that in the majority of cases, it is easier to arrange for travel and accommodation for Councillors and any 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 the arrangements.

Accommodation and meals

- 6.19 In circumstances where it would introduce undue risk for a Councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the General Manager. This includes where a meeting finishes later than 9.00pm or starts earlier than 7.00am and the Councillor lives more than 50 kilometres from the meeting location.
- 6.20 Council will reimburse costs for accommodation and meals while Councillors are undertaking prior approved travel or professional development.
- 6.21 Where accommodation is required for a Councillor, Council staff will make the bookings in advance and arrange for payment of accommodation directly with a travel agent or the accommodation provider.
- 6.22 The standard of accommodation booked for Councillors will be at the discretion of the General Manager. Councillors may arrange, at their own expense, upgrades of the standard of accommodation provided.
- 6.23 The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009.
- 6.24 The daily limits for accommodation and meal expenses outside Australia are to be determined in advance by the General Manager, being mindful of Clause 6.23.
- 6.25 The General Manager may approve an increase or variation to limits for accommodation and meal expenses at any time, where he/she is satisfied that it is reasonable and in the interests of the Council.
- 6.26 Councillors will only be reimbursed for reasonable consumption of alcoholic beverages (maximum of two) with meals.
- 6.27 The following expenses will not be reimbursed and are the responsibility of the Councillor:
- alcohol or snacks from mini-bar or not consumed as part of a meal;
 - cigarettes;
 - tips or gratuities; and
 - where meals are included as part of conference registration, no reimbursement will be made to Councillors for additional meals on those days.

Refreshments for Council related meetings

- 6.28 Appropriate refreshments will be available for Council meetings, Council committee meetings, Councillor briefings, approved meetings and engagements, and official Council functions as approved by the General Manager.

- 6.29 As an indicative guide for the standard of refreshments to be provided at Council related meetings, the General Manager must be mindful of Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009.

Professional development

- 6.30 Council will set aside an amount annually in its budget, within the Policy limit for the term of the Council, to facilitate professional development of Councillors through programs, training, education courses and membership of professional bodies.
- 6.31 In the first year of a new Council term, Council will provide a comprehensive induction program for all Councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.
- 6.32 Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the Councillor's civic duties, the Councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.
- 6.33 Approval for professional development activities is subject to a prior written request to the General Manager outlining the:
- details of the proposed professional development
 - relevance to Council priorities and business
 - relevance to the exercise of the Councillor's civic duties.
- 6.34 In assessing a Councillor request for a professional development activity, the General Manager must consider the factors set out in Clause 6.33, as well as the cost of the professional development in relation to the remaining budget.

Conferences and seminars

- 6.35 Council is committed to ensuring its Councillors are up to date with contemporary issues facing Council and the community, and local government in NSW.
- 6.36 Council will set aside a total amount annually in its budget to facilitate Councillor attendance at conferences and seminars. This allocation is for all Councillors. The General Manager will ensure that access to expenses relating to conferences and seminars is distributed equitably.
- 6.37 Approval to attend a conference or seminar is subject to a written request to the General Manager. In assessing a Councillor request, the General Manager must consider factors including the:
- relevance of the topics and presenters to current Council priorities and business and the exercise of the Councillor's civic duties; and
 - cost of the conference or seminar in relation to the total remaining budget.
- 6.38 Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the General Manager. Council will also meet the reasonable cost of meals when they are not included in the conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses 6.20-6.27.
- 6.39 Councillors, after returning from a conference or seminar, are to provide a written report to Council on the aspects of the conference or seminar relevant to council business and/or the local community. No written report is required for the Local Government NSW or National General Assembly of Local Government Annual Conferences.

Community meetings and non-Council functions or events

- 6.40 Where a Councillor has been invited to attend a community meeting or non-Council function/event in their official capacity and the invitation is accepted, Council will cover reasonable out of pocket expenses associated with attendance only when it is relevant to Council's interest. All claims must be supported by appropriate documentary evidence.

- 6.41 Council will not cover or reimburse to a Councillor, any costs associated with attendance at any political fundraising event, for any donation to a political party or candidate's electoral fund, or for some other private benefit.

Accompanying person expenses

- 6.42 There will be limited occasions where Council will meet the costs of attendance for a Councillor's accompanying person. Such occasions include:
- (a) Attendance at official Council functions that are of a formal and ceremonial nature and within the Gunnedah Shire Council LGA where an accompanying person could be reasonably expected to attend, such as Australia Day Award Ceremonies, Citizenship Ceremonies, Civic Receptions and charitable functions for charities formally supported by the Council.
 - (b) Attendance at the Local Government NSW Annual Conference, but limited to registration and official dinner costs. Any additional accommodation or tour costs will be met by the Councillor.
 - (c) When the Mayor is called upon to attend official functions outside of the Gunnedah Shire Council LGA (but within NSW). Such functions may include charitable functions, award ceremonies and other functions to which the Mayor has been invited as a representative of Council. Payment will be confined to the entry fee, meal and other direct costs of attending the function.
 - (d) Where a Councillor has been asked to represent the Mayor (when not available) at official functions outside of the Gunnedah Shire Council LGA (but within NSW). The Councillor's accompanying person will be entitled to the same accompanying persons expenses as in (c) above.
- 6.43 Any costs outside of those identified above will not be met by Council.
- 6.44 Expenses met for a Councillor's accompanying person will be subject to, and taken to form part of the amount up to, any limit set for the relevant category.

Information and communications technology (ICT) expenses

- 6.45 Council will provide all Councillors, on commencement of their term, with suitable ICT devices and services (eg iPad with internet access and licensed software) in order to fulfil their civic office duties.
- 6.46 Training and support will be available to assist Councillors to operate internet and their respective email accounts to facilitate Council related business and to receive and access their Council business papers, all relevant information, documents and appropriate forms in electronic format.
- 6.47 Internet data usage is monitored regularly. If Council has incurred an expense on behalf of a Councillor who has exceeded the ordinary consumption of the internet data usage, the Councillor may be invoiced for the additional expense.
- 6.48 Council will provide the Mayor with a mobile phone for official use, with an appropriate data plan.
- 6.49 Councillors using their own private mobile phone and data access plans for official business purposes will be reimbursed up to the maximum amount as laid out in Table 1 of this Policy with no requirement for reconciliation of call costs. Any amount above the maximum limit will be borne by the Councillor.
- 6.50 Councillors will be responsible for the good care and proper use of equipment provided by the Council and must promptly report any faults, malfunctions or needs for service/repair to the Council.
- 6.51 All servicing and repairs to any privately owned equipment will be the responsibility of the individual Councillor irrespective of whether it is used for Council related business.

Special requirement and carer expenses

- 6.52 Council encourages wide participation and interest in civic office. It will seek to ensure Council premises and associated facilities are accessible, including provision for sight or hearing impaired Councillors and those with other disabilities.
- 6.53 Transportation provisions outlined in this Policy will also assist Councillors who may be unable to drive a vehicle.
- 6.54 In addition to the provisions above, the General Manager may authorise the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability to perform their civic duties.
- 6.55 Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of carer's expenses up to a maximum as detailed in Table 1 of this Policy per annum for attendance at official business, plus reasonable travel from the principal place of residence.
- 6.56 Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 6.57 In the event of caring for an adult person, Councillors will need to provide suitable evidence to the General Manager that reimbursement is applicable. This may take the form of advice from a medical practitioner.

7 Insurances

- 7.1 Councillors will receive the benefit of insurance cover for the following:
- (a) Business Travel and Group Personal Accident Insurance Policy – provides death and weekly benefits and travel cover for Councillors and accompanying persons whilst carrying out/travelling on Council business.
 - (b) Management Liability (Councillors/Directors & Officers Liability) – protects Councillors against the risks and exposures in carrying out their duties as an elected representative in accordance with Council's Code of Conduct. Covers liability for mismanagement, breach of duty, breach of trust, neglect, error, misstatement, misleading statement, omission, breach of Statute). Policy covers amounts Councillors become legally obligated to pay (includes defence costs, awards of damages & judgements) as a result of any alleged wrongful act when **not indemnified** by Council. When a Councillor is indemnified by Council, this insurance reimburses all amounts on behalf of Council.
 - (c) Public Liability – all sums for which Council/Councillor shall become legally liable to pay as compensation (excluding fines and penalties, punitive, exemplary, aggravated and liquidated damages) for personal injury and/or property damage caused by an occurrence in connection with Council's business/activities.
 - (d) Professional Indemnity – covers Council/Councillor in respect of any civil liability) includes claims relating to planning, certification, environmental, governance, legal and any other area that provide advice or administer regulations).
- 7.2 All insurance cover is for matters arising out of Councillors' performance of their civic duties and/or exercise of their Council functions and will be subject to any limitations or conditions set out in this Policy and policies of insurance, which are, at the discretion of Council, taken out.
- 7.3 Councillors using private vehicle for Council business must carry comprehensive vehicle insurance.
- 7.4 Council will reimburse any insurance excess payment subject to an accident to a Councillor's private vehicle whilst carrying out their civic functions/attending official business provided the vehicle is operated lawfully and in compliance with this Policy.
- 7.5 Where a Councillor is without transport during repairs to their private vehicle damaged whilst carrying out their civic functions/attending official business, Council will reimburse costs of a hire

vehicle or a Council vehicle shall be made available during the period the repairs are being made. The Councillor will be responsible for all fuel costs incurred during this time.

8 Legal assistance

- 8.1 Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
- a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act provided that the outcome of the legal proceedings is favourable to the Councillor;
 - a Councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the Councillor;
 - a Councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the Councillor.
- 8.2 In the case of a Code of Conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred by the General Manager to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the Councillor.
- 8.3 Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.
- 8.4 Council will not meet the legal costs:
- of legal proceedings initiated by a Councillor under any circumstances;
 - of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation; or
 - for legal proceedings that do not involve a Councillor performing their role as a Councillor.
- 8.5 Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a Council meeting prior to costs being incurred.

Part C – Facilities

9 General facilities for all Councillors

Facilities

- 9.1 Council will provide the following facilities to Councillors to assist them to effectively discharge their civic duties:
- pigeon holes for mail access
 - access to shared car parking spaces while attending Council offices on official business
 - personal protective equipment for use during site visits
 - a name badge which may be worn at official functions, indicating that the wearer holds the office of a Councillor and/or Mayor or Deputy Mayor.
 - A corporate clothing package per Council Term incorporating a corporate jacket and tie or scarf up to the maximum value as detailed in Table 1 of this Policy.
- 9.2 Councillors may have access to the Council Chambers for official business. Bookings should be made through the Executive Assistant to the General Manager, Mayor and Elected Members.

- 9.3 The provision of facilities will be of a standard deemed by the General Manager as appropriate for the purpose.

Stationery

- 9.4 Council will supply business cards and appropriate stationery to support Councillors in their civic duties and in the representation and promotion of Gunnedah Shire Council and its community.

Administrative support

- 9.5 Council will provide reasonable administrative support to Councillors to assist them with their civic duties only. Administrative support may be provided by the Executive Assistant to the General Manager, Mayor and Elected Members or other members of Council's administrative staff as arranged by the General Manager or their delegate.
- 9.6 As per Section 4, Council staff are expected to assist Councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

10. Additional facilities for the Mayor

- 10.1 Council will provide to the Mayor a maintained vehicle to a similar standard of other Council vehicles, with a fuel card. The vehicle will be supplied for use on business, professional development and attendance at the Mayor's office.
- 10.2 The Mayor must keep a log book setting out the date, distance and purpose of all travel. This must include any travel for private benefit. The log book must be submitted to Council on a monthly basis.
- 10.3 An invoice will be issued for the cost of any private travel (outside of incidental nature) recorded in the log book, calculated on a per kilometre basis by the rate set by the Australian Taxation Office for the relevant year.
- 10.4 Council will provide the Mayor with a furnished office incorporating a computer configured to Council's standard operating environment, telephone, printer and meeting space.
- 10.5 Council will provide the Mayor, through the office of the General Manager, with dedicated support staff, including secretarial services, for Council business purposes.
- 10.6 As per Section 4, staff in the Mayor's office are expected to work on official business only, and not for matters of personal or political interest, including campaigning.
- 10.7 Council will provide the Mayor with Mayoral robes and cover the reasonable costs of their laundering.

Part D – Processes

11. Approval, payment and reimbursement arrangements

- 11.1 Expenses should only be incurred by Councillors in accordance with the provisions of this Policy.
- 11.2 Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 11.3 Up to the maximum limits specified in this Policy, approval for the following may be sought after the expense is incurred:
- local travel relating to the conduct of official business
 - carer costs
 - mobile phone accounts
- 11.4 Final approval for payments made under this Policy will be granted by the General Manager or their delegate.

Direct payment

- 11.5 Council will directly pay expenses where possible. Requests for direct payment, for example, for accommodation or flights for approved travel must be submitted to the Executive Assistant to the General Manager, Mayor and Elected Members, with sufficient information and time to allow for processing.

Reimbursement

- 11.6 All claims for reimbursement of expenses incurred must be made on the prescribed form, supported by appropriate receipts and/or tax invoices and be submitted to the Executive Assistant to the General Manager, Mayor and Elected Members.

Advance payment

- 11.7 Council may pay a cash advance for Councillors attending approved conferences, seminars or professional development.
- 11.8 Requests for advance payment must be submitted to the General Manager for assessment against this Policy using the prescribed form with sufficient information and time to allow for the claim to be assessed and processed.
- 11.9 Councillors must fully reconcile all expenses against the cost of the advance within one (1) month of incurring the cost and/or returning home. This includes providing to Council:
- a full reconciliation of all expenses including appropriate receipts and/or tax invoices; and
 - reimbursement of any amount of the advance payment not spent in attending to official business or professional development.

Notification

- 11.10 If a claim is approved, Council will make payment directly or reimburse the Councillor through accounts payable.
- 11.11 If a claim is refused, Council will inform the Councillor in writing that the claim has been refused and the reason for the refusal.

Reimbursement to Council

- 11.12 If Council has incurred an expense on behalf of a Councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this Policy:
- Council will invoice the Councillor for the expense; and
 - the Councillor will reimburse Council for that expense within thirty (30) days of the invoice date.
- 11.13 If the Councillor cannot reimburse Council within thirty (30) days of the invoice date, they are to submit a written explanation to the General Manager. The General Manager may elect to deduct the amount from the Councillor's allowance.

Timeframe for reimbursement

- 11.14 Unless otherwise specified in this Policy, Councillors must provide all claims for reimbursement within three (3) months of an expense being incurred with the exception of expenses incurred in May and June, which must be submitted no later than 31 July. Claims made after this time cannot be approved unless by approval of the General Manager due to extenuating circumstances.

12 Disputes

- 12.1 If a Councillor disputes a determination under this Policy, the Councillor should discuss the matter with the General Manager.
- 12.2 If the Councillor and the General Manager cannot resolve the dispute, the Councillor may submit a notice of motion to a Council meeting seeking to have the dispute resolved.

13 Return or retention of facilities

- 13.1 All unexpended facilities or equipment supplied under this Policy are to be relinquished immediately upon a Councillor or Mayor ceasing to hold office or at the cessation of their civic duties.

14 Publication

- 14.1 This Policy will be published on Council's website.

15 Reporting

- 15.1 Council will report on the provision of expenses and facilities to Councillors as required in the Act and Regulations.

16 Auditing

- 16.1 The operation of this Policy, including claims made under the Policy, will be included in Council's audit program.

17 Breaches

- 17.1 Suspected breaches of this Policy are to be reported to the General Manager.
- 17.2 Alleged breaches of this Policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

18 Accountability, roles and responsibilities

- 18.1 Policy Custodian – Manager Governance and Legal

- Primary point of contact for advice on this Policy and its implementation;
- Manage the consultation process when Policy is due for review; and
- General oversight of Policy to ensure probity is maintained.

- 18.2 Responsibilities:

- 18.2.1 Elected Members

- To adopt this Policy and adhere to the processes and associated timeframes outlined herein.

- 18.2.2 General Manager

- Overall responsibility for implementation and compliance with this Policy;
- Budget monitoring and reporting;
- Appropriate record keeping;
- Following the appropriate protocol for any suspected breaches of this Policy.

- 18.2.3 Executive Assistant to the General Manager, Mayor and Elected Members

- Primary point of contact for arrangement of all travel and accommodation arrangements.
- To provide Councillors with relevant claim forms and advice on required evidence to support claims.

- 18.2.4 Finance Department

- Responsible for processing claims for reimbursement and/or issuing any invoices for payment, in accordance with the rates and limits outlined in this Policy.

19 Acknowledgements

19.1 The following acknowledgements are made recognising organisations or documents that have provided a basis, instructive comment or templates that have been used to develop this Policy:

- Model Councillor Expenses and Facilities Policy released by the Office of Local Government;
- Hawkesbury City Council – Payment of Expenses and Provision of Facilities to Councillors Policy;
- Wollongong City Council – Councillor Expenses and Facilities Policy;
- Tweed Shire Council – Councillors – Payment of Expenses and Provisions of Facilities for Mayor and Councillors;
- Wingercarribee Shire Council – Expenses and Facilities for the Mayor and Councillors Policy;
- Lake Macquarie City Council – Expenses and Provision of Facilities to Councillors Policy; and
- Cessnock City Council – Councillor Expenses & Facilities Policy.

20 Version control and change history

Date	Version	Approved by & resolution no.	Amendment
5 Apr 1995	1	108	Legislative amendment
17 Jul 1996	2	7.4	Legislative amendment
6 Oct 1999	3	72.1	Legislative amendment
21 June 2000	4	404.3	Legislative amendment
17 Nov 2006	5	106.1	Legislative amendment
18 Jul 2007	6	13.3	Rescinded
17 Dec 2009	7	138.4	Legislative amendment
17 Nov 2010	8	112.4	Legislative amendment
18 July 2012	9	11.10	Revision for travel expenses and approvals
17 Oct 2012	10	86	Exhibited policy adopted
19 Dec 2012	11	231	Full review of policy
18 Dec 2013	12	5.12/13	Legislative amendment
19 Nov 2014	13	11.11/14	Revision of insurance coverage
15 Feb 2017	14	Council Resolution 5.04/17	Review of Policy
May 2022	15	9.08/22	Policy adapted to reflect Template Policy issued by Office of Local Government
15 Mar 2023	16		Policy amended following review of industry expenses, increases in costs and to enable addition of industry standard inclusions

Appendix I: Related legislation, guidance and policies**Relevant legislation and guidance:**

- Local Government Act 1993, Sections 252 and 253
- Local Government (General) Regulation 2005, Clauses 217 and 403
- Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2009
- Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities
- Local Government Circular 05-08 legal assistance for Councillors and Council Employees.

Related Council policies:

- Code of Conduct
- Procedures of the Administration of the Code of Conduct
- POLICY – Councillor Professional Development
- POLICY – Information Technology – Acceptable Usage
- MANAGEMENT DIRECTIVE – Fleet Management and Private Use of Vehicles
- MANAGEMENT DIRECTIVE – Corporate Credit Cards

Appendix II: Definitions

The following definitions apply throughout this Policy:

Term	Definition
accompanying person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a Councillor
appropriate refreshments	Means food and beverages, excluding alcohol, provided by Council to support Councillors undertaking official business
Act	Means the <i>Local Government Act 1993</i> (NSW)
clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this Policy
Code of Conduct	Means the Code of Conduct adopted by Council or the Model Code if none is adopted
Councillor	Means a person elected or appointed to civic office as a member of the governing body of Council who is not suspended, including the Mayor
General Manager	Means the General Manager of Council and includes their delegate or authorised representative
incidental personal use	Means use that is infrequent and brief and use that does not breach this Policy or the Code of Conduct
long distance intrastate travel	Means travel to other parts of NSW of more than three (3) hours duration by private vehicle
maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in Table 1
NSW	New South Wales
official business	Means functions that the Mayor or Councillors are required or invited to attend to fulfil their legislated role and responsibilities for Council or result in a direct benefit for Council and/or for the local government area, and includes: <ul style="list-style-type: none"> • meetings of Council and Committees of the whole • meetings of Committees facilitated by Council • civic receptions hosted or sponsored by Council • meetings, functions, workshops and other events to which attendance by a Councillor has been requested or approved by Council
professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a Councillor or the Mayor
Regulation	Means the <i>Local Government (General) Regulation 2021</i> (NSW)
year	Means the financial year, that is the twelve (12) month period commencing on 1 July each year



PAYMENT OF FEES FOR COUNCILLORS

LAST UPDATED 1 July 2022

DATE _____ ALLOWANCE FOR THE MONTH OF _____

1. MEMBER'S ALLOWANCE UNDER SECTION 248 OF THE LOCAL GOVERNMENT ACT

NAME OF CLAIMANT:

ADDRESS:

CREDITOR NUMBER:

FEES \$ _____ J

2. TRAVELLING EXPENSES – OWN CAR – J

DATE	MEETING ATTENDED	FROM/TO	KMS
	I		

RATE PER BUSINESS KM = \$0.78 per km **

Note – figure is current as at 1 July 2022 per ATO

TOTAL DISTANCE _____

RATE PER km ** _____

VEHICLE MAKE & REGO _____

TOTAL PAYMENT \$ _____

PLEASE TURN OVER FOR GENERAL EXPENSE CLAIMS

3. GENERAL EXPENSES – IE: TAXIS, MEAL REIMBURSEMENTS – VARIOUS WORK ORDERS

Description/Reason	Amount	Work Order
Phone Reimbursement	\$	J
TOTAL PAYMENT	\$	

I hereby certify that: The computations of this account are correct.
The charges are, so far as I am able to ascertain, fair and reasonable.

Signature of Applicant	Signature of Mayor	Signature of General Manager