



Ku-ring-gai Council

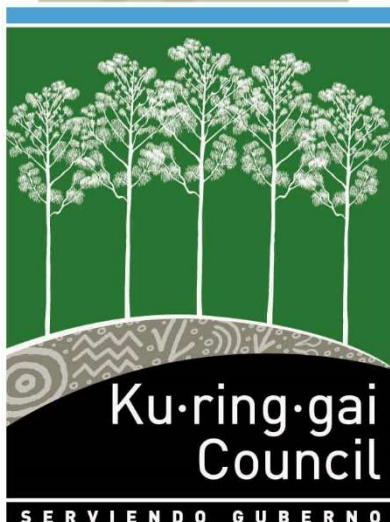
# Policy

## Councillor Expenses and Facilities

Version Number 17

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# Councillor Expenses and Facilities

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## Controlled Document Information

### Authorisation Details

This is a Controlled Document. Before using this document check it is the latest version by referring to Council's Controlled Document Register. Unless otherwise indicated, printed or downloaded versions of this document are uncontrolled.			
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### Related Document Information, Standards & References

<b>Related Legislation:</b>	Local Government Act 1993 Local Government (General) Regulation 2005	Sections 252 – 254 Sections 217 and 403
<b>Related Policies (Council &amp; Internal)</b>	Ku-ring-gai Council Code of Conduct.	
<b>Related Documents</b>	Reimbursement Form Councillor Equipment Requisition Form for Elections	<a href="#">[2017/259773] (word template)</a> <a href="#">[2017/263007] (PDF template)</a> <a href="#">2017/237289</a>
<b>Other References</b>	Office of Local Government Circular No. 17-17, 27 June 2017, Councillor Expenses and Facilities Policy Template  Department of Local Government Circular No. 11-27, 21 September 2011, Findings from review of Councillor Expenses and Facilities Policies  Department of Premier and Cabinet, Division of Local Government Circular No. 09-36, 7 October 2009, Release of Revised Councillor Expenses and Facilities Guidelines  Department of Local Government Circular No. 05/08, 9 March 2005 Legal Assistance for Councillors and Council Employees	

**Version History**

Version Number	Version Start Date	Version End Date	Author	Details and Comments
1	08/03/2005	27/02/2007	Director Corporate	Original
2	27/02/2007	30/07/2008	Director Corporate	Major revision following DLG Circular 06-57
3	30/07/2008	13/10/2009	Director Corporate	Annual revision following DLG Circulars 07-22 and 08-03
4	13/10/2009	13/02/2010	Director Corporate	Annual Revision
5	13/02/2010	12/10/2010	Director Corporate	Revision following DLG Circular 09-36
6	12/10/2010	19/10/2011	Director Corporate	Annual review (CPI only)
7	19/10/2011	20/11/2012	Director Corporate	Annual review (CPI only)
8	20/11/2012	26/11/2013	Director Corporate	Annual review and minor revisions
9	27/11/2013	24/11/2014	Director Corporate	Annual review and minor revisions
10	25/11/2014	06/10/2015	Director Corporate	Annual review (CPI only) and reformatting into the new policy template
11	07/10/2015	11/10/2016	Director Corporate	Annual review (CPI only) and clarification of Councillor attendance at functions and events.
12	12/10/2016	28/08/2018	Director Corporate	Annual review (CPI only)
13	12/10/2016	28/08/2018	Director Corporate	Update formatting only (Team Leader Governance)
14	29/08/2018	04/09/2019	Director Corporate	Term review (CPI only)
15	04/09/2019	4/09/2021	Manager Governance & Corporate Strategy	Annual review (CPI only)
16	04/09/2021	20/12/2022	Manager Governance & Corporate Strategy & Director Corporate	Major review and reformatting into the OLG template. Presented to Council 15.11.2022 where counselling and support services were included and the document was placed on public exhibition for 28 days. Council resolution # 248.
17	21/12/2022		Manager Governance & Corporate Strategy	Annual review (review of limits and CPI adjustments (7.6%). No submissions received from public exhibition, policy effective 21 December 2023.
	21.03.2023			Council received and noted final version of Policy prior to publication, Council resolution# 31.

## Policy

### 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 2005 (the Regulation) and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW. A Council must adopt a Councillor Expenses and Facility policy within the first 12 months of each term of Council and may update it as required.

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

The expenses and facilities are summarised in the table below.

Expense or facility	Maximum Limit for each Councillor
Travel expenses (excluding travel for professional development covered separately) (Clause 6.2)	\$1,075 per year of term
Professional development (including training and education, conferences and seminars) (Clause 7.2)	\$11,500 in the first year of term and \$9,500 per year of term thereafter. Includes registration fees, travel, accommodation, meals, refreshments and incidental expenses. Induction and internally arranged training and workshops for all Councillors are additional and subject to budget.
Functions and events (Clause 9.2)	\$1,290 per year of term (\$2,580 for the Mayor). Complimentary tickets to all Council functions and events for each Councillor and an accompanying person.
Accompanying person expenses (Clause 10.2)	\$755 per year of term (\$1,510 for the Mayor)
Home telephone and internet (Clause 11.1)	\$215 per month reimbursement
Mobile phone (Clause 11.2)	Council provided mobile phone: \$2,800 per Council term for cost of device, accessories and apps, connected to corporate mobile plan for calls, texts and data or reimbursement for use of a Councillor's private mobile phone for Council business use: \$215 per month reimbursement.
Laptop or tablet (Clause 11.3)	\$3,200 per Council term for cost of device, accessories and software, connected to corporate data plan.
Multi-function device (Clause 11.4)	\$805 per Council term for cost of device.
Home office expenses (Clause 12 [12.1 to 12.4])	Furniture and equipment: \$1,505 per Council term. Consumables and incidentals: \$900 per year of term. Postage: \$540 per year of term Business cards: 500 per year of term (750 for the Mayor).
Carer expenses (Clause 13.4)	\$3,230 per year of term.
Insurance cover (Clause 14)	Public liability and professional indemnity, Personal accident, Travel, Councillors and Officers Insurance.
Legal assistance (Clause 15)	Various provisions for Councillors defending action taken against them.
Access to facilities in a Councillor common room (Clause 16.1)	Furnished to include telephone, photocopier, printer, desks, computers and refreshments.
Access to rooms for meetings (Clause 16.1)	Councillors may use Council meeting rooms for official business at no charge.
Meals and refreshments (Clause 16.1)	Meals and refreshments for Council and Committee meetings, Public Forums, briefings, workshops and official functions.
Name badge (Clause 16.1)	Not applicable.
Security card for entry to Council's administration building (Clause 16.1)	Not applicable.
Personal protective equipment for site inspections (Clause 16.1)	A raincoat and a pair of protective footwear for site inspections during inclement weather.
Christmas or festive cards (Clause 16.1 & 17.1)	100 per year of term (200 for the Mayor).
Reserved parking space at Council offices (Clauses 16.1 & 17.1)	One space provided for the Mayor and three spaces for Councillors.
Car parking permit (Clause 16.1)	Car parking sticker to enable a Councillor to park in any Council car park at any time for an unlimited period when discharging the functions of civic office.
Executive Assistant (Clause 16.1 & 17.1)	One staff member provided to support Councillors and one staff member provided to support the Mayor.
Mayoral Office (Clause 17.1)	Furnished office, including office equipment, consumables, Mayoral letterhead, postage, light meals and refreshments, Mayoral robes and chain.
Council vehicle and fuel card (Clause 17.1)	A similar standard vehicle to that available for the General Manager, for use on official business and incidental private use. Other private use (more than incidental) to be reimbursed to Council at the rate contained in the Local Government (State) Award.

## Responsibilities

Councillors are responsible for complying with the provisions and spirit of this policy,

The General Manager is responsible for approving claims made under this policy.

The Manager Governance and Corporate Strategy is responsible for providing advice to the General Manager and to Councillors regarding this policy.

## 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 Ku-ring-gai 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 expenses and facilities that are available to Councillors to assist them in fulfilling their civic duties.
- 1.4. 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 payment and 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 expenses and facilities provided to Councillors meet community expectations
  - support a diversity of representation
  - 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, under-represented 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. Incidental private use of Council equipment and facilities by Councillors may occur from time to time.
- 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 a political benefit. The following are examples of what is considered 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
  - fundraising activities of political parties or individuals, including political fundraising events.

## **Part B — Expenses and Facilities**

### **5. General Requirements**

- 5.1. All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. A general expense allowance is not permitted under this policy.
- 5.2. Expenses not explicitly addressed in this policy will not be paid or reimbursed.
- 5.3. All monetary amounts are exclusive of GST and will be automatically increased annually on the anniversary of election to office in accordance with CPI (Sydney, all groups).

### **6. Travel Expenses**

- 6.1. The Mayor and each Councillor may be compensated for travel expenses incurred while undertaking official Council business and for professional development in respect to their role as an elected member. This includes direct payment or reimbursement for public transport fares, use of a private vehicle, taxi fares, airfares, ride-share programs, parking costs and tolls. From time to time the General Manager may authorise the use of a Council vehicle by a Councillor for official business if other options are not available or impractical.
- 6.2. The maximum limit for general travel expenses is \$1,075 for each Councillor per year of term. Travel expenses incurred for professional development are additional and included within the separate maximum limit set out in Clause 7.2. Travel expenses to locations outside the Greater Sydney and surrounding regions may only be authorised by resolution of Council, unless for professional development.
- 6.3. Councillors seeking to be reimbursed for travel expenses must submit a claim that includes as a minimum the date, place of departure and arrival, distance (for private vehicle claims) and the purpose of travel being claimed. The use of a private vehicle will be reimbursed by kilometre at the rate contained in the Local Government (State) Award.
- 6.4. Air travel is economy class and bookings for air travel are to be made by the General Manager's office on behalf of the Councillor.
- 6.5. All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport subject to any personal medical considerations.
- 6.6. Council will not pay any traffic or parking fines or administrative charges for road toll accounts.

## **7. Professional Development**

- 7.1 Professional development includes training and education, conferences, seminars or other development opportunities relevant to the role of a Councillor or the Mayor.
- 7.2 Councillors may attend professional development within the maximum limit of \$11,500 per Councillor in the first year of term and \$9,500 per year of term thereafter.
- 7.3 Council will meet the reasonable cost of registration fees, travel, accommodation, meals, refreshments and incidental expenses, which will all be included within the maximum limit.
- 7.4 In the first year of a new Council term, Council will provide a comprehensive induction program for all Councillors. The cost of the induction program will be in addition to the individual professional development maximum limit for Councillors.
- 7.5 From time to time all Councillors will be provided with internally organised training and offsite workshops, such as for the Code of Conduct and strategic planning workshops. These costs will be in addition to the individual professional development maximum limit for Councillors and subject to budget allocations.
- 7.6 Councillors are best placed to determine their own their requirements for professional development. This will be a key consideration for the General Manager when assessing an application for professional development, which must be made in advance by written request.

## **8. Accommodation, meals and incidental travel expenses**

- 8.1 Council will provide for accommodation, meals and incidental travel expenses while Councillors are undertaking professional development and other official business, within the maximum limits set out in the relevant clauses.
- 8.2 In circumstances where Councillors are travelling long distances, it may be appropriate to claim accommodation and meals the night before and/or the night after the event. It is a matter for each Councillor, on balance, to decide whether to claim accommodation in these circumstances.
- 8.3 Generally, it is not expected that Councillors would claim for accommodation in locations within metropolitan Sydney. However, there may be occasions where events within metropolitan Sydney run into the evening and staying overnight is appropriate, or when travel time and costs would outweigh the cost of accommodation. It is a matter for each Councillor, on balance, to decide whether to claim accommodation in these circumstances.

- 8.4 When practical and available, accommodation will be arranged at the location of events, or as near as possible. The accommodation will be equivalent to a double room and generally of a standard similar to accommodation at the event venue. Accommodation arrangements will balance cost, location, comfort, convenience and safety.
- 8.5 Council will meet the reasonable cost of meals and refreshments associated with travel when not provided as part of the event. Incidental costs may also be reimbursed such as internet charges, newspapers, laundry, snacks and drinks. As a guide, it is expected that the total amount claimed under this clause would generally be less than \$160 per day, reducing for part days. These costs are included within the maximum limit for professional development.

## **9. Functions and Events**

- 9.1 Council will meet the cost of attendance at functions and events that would reasonably be considered relevant to the role of Councillor or Mayor. This includes functions and events held by charities, community organisations, sporting groups, members of parliament and business groups. The function or event must be within Greater Sydney or surrounding regions and relevant to the local government area or Council's wider interest.
- 9.2 Councillors may attend functions and events within the maximum limit of \$1,290 for each Councillor per year of term. An additional \$1,290 is allocated to the Mayor per year of term (total \$2,580).
- 9.3 Expenses may not be claimed for functions and events associated with fundraising for a political party, an election candidate's campaign or for a private benefit.
- 9.4 Councillors are entitled to complimentary tickets to all Council functions and events as well as for an accompanying person. Depending on the nature of the event, the General Manager may approve complimentary tickets for more than one person to accompany the Councillor. Complimentary tickets will not be included in the maximum limits for accompanying persons set out in Clause 10.2.

## **10. Accompanying Person Expenses**

- 10.1 Council will meet limited costs for a person accompanying a Councillor on official business or professional development, such as to functions, events, official dinners and for registration costs such as for conference accompanying person activities.

- 10.2 The maximum limit for accompanying persons expenses is \$755 for each Councillor per year of term. An additional \$755 is allocated to the Mayor per year of term (total \$1,510).
- 10.3 Accompanying person expenses are limited to the direct cost of the function, event, dinner or registration. Council will not meet expenses such as for travel, additional accommodation or general meal costs, clothing or grooming.

## **11. Information and Communications Technology**

- 11.1 Council will meet the costs associated with a home telephone (landline) and home internet service. For practical reasons the connections and services are to be arranged and paid for directly by Councillors and reimbursed by Council. The maximum limit for reimbursement of home telephone costs (including calls and other charges) and internet costs is a combined total of \$215 for each Councillor per month.
- 11.2 Council will meet the costs associated with a mobile phone used for Council business. A Councillor may elect to use a Council provided mobile phone or use their own and Council will reimburse the costs.

**Council provided mobile phone<sup>1</sup>:** The maximum limit for the cost of the device, accessories and apps is \$2,800 per Council term.

**Reimbursement for use of a Councillor's personal mobile phone for Council business<sup>2</sup>:** the maximum limit for reimbursement is \$215 per month (covering all plan costs such as rental/repayment, call, text message and data costs)

- 11.3 Councillors may be provided with a laptop or a tablet<sup>3</sup>. The maximum limit for the cost of the device, accessories and software is \$3,200 per Council term for each Councillor.

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<sup>1</sup> During the Council term the phone will be repaired or replaced as required due to damage or other malfunction. Councillors may choose their preferred mobile phone within the cost limit. While the conditions of the corporate plan may change from time to time, it currently provides for unlimited standard fixed and mobile calls and text messages within Australia and a shared data allowance. As the calls and text messages are uncapped, private use by Councillors is allowed. Use of data should be limited to Council business use and incidental private use.

<sup>2</sup> Council will not reimburse Councillors for lost or damaged personal phones.

<sup>3</sup> During the Council term the device will be repaired or replaced as required due to damage or other malfunction. Laptops will be provided in accordance with the Council corporate standard (ie brand/model). Councillors may choose their preferred tablet device, subject to maximum limits. The device will be connected to the Council corporate data plan, the conditions of which may change from time to time. Currently the corporate plan provides a shared data allowance which should be limited to Council business use and incidental private use. Laptops will be provided with Council's standard corporate software at no additional cost to Councillors.

11.4 Councillors may be provided with a multi-function device<sup>4</sup>. The maximum limit for the cost of the device is \$805 per Council term for each Councillor.

11.5 Councillors will be provided with support for use of technology by Council staff.

## **12. Home Office Expenses**

12.1 Each Councillor may be provided with or reimbursed for general home office furniture and equipment (e.g. desk, filing cabinet, bookshelf) within the maximum value of \$1,505 per Council term.

12.2 Each Councillor may be supplied with or reimbursed for consumables and other incidentals associated with a home office such as minor items of stationery, paper and printer ink cartridges, within the maximum limit of \$900 per year of term. Utility costs (electricity, gas) will not be reimbursed.

12.3 Each Councillor may incur postage costs (via Council) or be reimbursed for postage costs within the maximum limit of \$540 per year of term.

12.4 Councillors are entitled to 500 business cards each year of term and 750 for the Mayor.

## **13. Special Requirement and Carer Expenses**

13.1 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.

13.2 Transportation provisions outlined in this policy will also assist Councillors who may be unable to drive a vehicle.

13.3 In addition to the provisions above, the Council may by resolution authorise the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability to perform their civic duties.

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<sup>4</sup> During the Council term the device will be repaired or replaced as required due to damage or other malfunction. Multi-function devices will be provided in accordance with the Council corporate standard (ie brand/model). Councillors may be provided or reimbursed for consumables such as printer cartridges and paper under Clause 12.2 for home office expenses.

- 13.4 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 limit of \$3,230 for each Councillor per year of term to enable attendance at official business.
- 13.5 Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not an immediate family member or relative.
- 13.6 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.

## **14. Insurances**

14.1 Councillors are covered by the following insurance policies:

- Public liability and professional indemnity
- Personal accident
- Travel
- Councillors and Officers Insurance

14.2 Insurance protection is only provided if a claim arises out of or in connection with the Councillor's performance of his or her civic duties, or exercise of his or her functions as a Councillor.

14.3 All insurances are subject to any limitations or conditions set out in the policies of insurance.

14.4 Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.

## **15. Legal Assistance**

15.1 Council shall, if requested, indemnify or reimburse the reasonable legal expenses properly incurred of:

- a Councillor defending an action arising from the performance in good faith of a function under the Act, or
- 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 provided that the outcome of the legal proceedings is favourable to the Councillor.

15.2 Council shall, if requested, indemnify or reimburse the reasonable legal expenses properly incurred in respect of any inquiry, investigation or hearing into a Councillor's conduct by an appropriate investigative review body including:

- Local Government Pecuniary Interest and Disciplinary Tribunal
- Independent Commission Against Corruption
- Office of the Ombudsman
- Office of Local Government
- NSW Police Force
- Director of Public Prosecutions
- Council's Conduct Review Committee/Reviewer

15.3 This is provided that the subject of the inquiry, investigation or hearing arises from the performance in good faith of a councillor's functions under the Act and the matter before the investigative or review body has proceeded past any initial assessment phase to a formal investigation or review. In the case of a conduct complaint made against a Councillor, legal costs shall only be made available where a matter has been referred by the General Manager to a conduct reviewer/conduct review committee to make formal enquiries into that matter in accordance with the procedures in the Code of Conduct. In the case of a pecuniary interest or misbehaviour matter legal costs shall only be made available where a formal investigation has been commenced by the Office of Local Government.

15.4 In addition, legal costs shall only be provided where the investigative or review body makes a finding that is not substantially unfavourable to the Councillor. This may include circumstances in which a matter does not proceed to a finding. In relation to a Councillor's conduct, a finding by an investigative or review body that an inadvertent minor technical breach had occurred may not necessarily be considered a substantially unfavourable outcome.

15.5 Council shall not meet the legal costs of legal proceedings initiated by a Councillor in any circumstance.

- 15.6 Council shall not meet the legal costs of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.
- 15.7 Council shall not meet any legal costs for legal proceedings that do not involve a Councillor performing their role as a Councillor.
- 15.8 The maximum amount payable by Council under this clause in respect of any one action is \$285,000. Council may obtain insurance cover against the risk of having to meet the reasonable legal costs of a Councillor, or to reimburse those costs, provided that the costs or reimbursements are ones that the Council is authorised to meet.
- 15.9 Any Councillor seeking to obtain any entitlement under this clause shall make written application to the General Manager and make this application prior to the legal expenses being incurred where possible. The General Manager shall refer the application to a Council Meeting with any advice and recommendations for determination by Council.

## **16. Other Provisions**

- 16.1 Councillors may be provided with the following miscellaneous expenses and facilities:
- Access to a Councillor common room appropriately furnished to include telephone, photocopier, printer, desks, computers and refreshments.
  - Use of meeting rooms for official business in Council buildings at no cost.
  - Appropriate meals and refreshments for Council and Committee meetings, Public Forums, briefings, workshops, official functions and other meetings and events as approved by the General Manager. This clause also applies for Councillors attending by audio visual link.
  - 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.
  - Security access cards, which provide access to the Administration Building, allowing appropriate access as determined by the General Manager.
  - Personal protective equipment as required for site inspections. This will include a raincoat and a pair of protective footwear for site inspections during inclement weather.
  - 100 Christmas or festive cards per year and 200 for the Mayor, including postage (which is additional to the Home office allowance for postage).

- Confidential counselling and support services (through Council's Employee Assistance Program provider). In line with the support available to Council staff, the EAP is available on a short term basis (generally up to three counselling sessions). The EAP provider will assist with referrals if longer term support is required.
- Three car parking spaces for Councillors at Council's offices. When Council and Committee meetings, Public Forums and other events are held where significant numbers of the public are expected to attend, a further six car parking spaces shall be allotted in the same car park.
- Car parking sticker to enable the Councillor to park in any Council car park at any time for an unlimited period when discharging the functions of civic office.
- A qualified and experienced executive assistant to support all Councillors. The executive assistant shall be responsible to the General Manager. The executive assistant may assist Councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.
- The provision of expenses and facilities will generally be of a standard deemed by the General Manager as appropriate for the purpose.

## **17. Additional Provisions for the Mayor**

17.1 The Mayor will be provided with the following expenses and facilities, in addition to relevant Councillor expenses and facilities:

- A furnished and equipped office to the standard consistent with the custom and practice of Council, including relevant consumables.
- Light meals and refreshments for the Mayor, visitors and guests during official business at Council.
- Mayoral letterhead and postage costs for official correspondence (with the exception of bulk mail-outs).
- Mayoral robes and chain for official, civic and ceremonial use.

- A fully maintained vehicle<sup>5</sup> of a similar standard to the Council vehicle available to the General Manager, with fuel card.
- A parking space at Council's offices will be reserved for the Mayor.
- The provision of expenses and facilities will generally be of a standard deemed by the General Manager as appropriate for the purpose.

## **18. Return or Retention of Equipment**

18.1 Upon a Councillor or Mayor ceasing to hold office, the following must be returned to Council:

- Information and communication technology equipment (phones, tablets, laptops, printers)
- Security access passes

18.2 Should a councillor desire to keep any equipment allocated by Council, then this policy enables the Councillor to make application to the General Manager to purchase any such equipment. The General Manager will determine the purchase price, based on an assessment of the approximate market price or the written down value for the item of equipment (subject to availability of pricing the lesser amount will be used).

18.3 Home office furniture and equipment provided under Clause 12.1 of this policy is not required to be returned to Council.

18.4 Minor items such as consumables, stationery and other incidentals are not required to be returned to Council.

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<sup>5</sup> Use of the vehicle is subject to compliance with relevant Council operational policies regarding motor vehicle use. The vehicle may be used for official business and professional development. Incidental private use of the vehicle is allowed such as minor diversions on the way to and from official business (e.g. attending local shops). If the Mayor uses the vehicle for private use other than incidental use as described above, the Mayoral Allowance will be reduced to cover the cost of any private travel, calculated on a per kilometre basis by the rate set by the Local Government (State) Award. This private use must be recorded in a log book.

## Part C — Processes

### **19. Approval, Payment and Reimbursement Arrangements**

19.1 Expenses should only be incurred by Councillors in accordance with the provisions of this policy.

19.2 Approval for incurring expenses, where required under this policy, should be obtained before the expense is incurred.

19.3 Final approval for payments made under this policy will be granted by the General Manager.

#### **Direct payment**

19.4 Council may approve and directly pay expenses. Requests for direct payment must be submitted through the appropriate system for assessment against this policy using prescribed forms, with sufficient information and time to allow for the claim to be assessed and processed.

#### **Reimbursement**

19.5 All claims for reimbursement of expenses incurred must be made on the prescribed forms, supported by relevant information, appropriate receipts and/or tax invoices and be submitted to the General Manager or delegate.

#### **Advance payment**

19.6 Council may pay a cash advance for Councillors attending approved professional development, or to meet the cost of any service or facility covered by the policy and paid for by the Councillor (rather than be reimbursed). The maximum value of a cash advance is \$755.

19.7 Requests for advance payment must be submitted to the General Manager for assessment against this policy with sufficient information and time to allow for the claim to be assessed and processed.

19.8 Councillors must fully reconcile all expenses against the cost of the advance within one 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
- Reimbursement of any amount of the advance payment not spent.

## Reimbursement to Council

19.9 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
- The Councillor will reimburse Council for that expense within 30 days of the invoice date.

19.10 If the Councillor cannot reimburse Council within 30 days of the invoice date, they are to submit a written explanation to the General Manager. The General Manager shall report such matters to the next meeting of Council seeking approval to deduct the amount from the Councillor's allowance.

## Maximum Limits and Time limits

19.11 Maximum financial limits for expenses and facilities apply to specific time periods and unspent amounts cannot be transferred from one time period to another, or brought forward from future periods.

19.12 If a Councillor is elected to office after the commencement of the Council term (such as in a bi-election), maximum limits will be adjusted to reflect any part periods. If a Councillor ceases to be in office prior to the end of the Council term, the Councillor will not be required to repay a portion of an expense allowance that has already been spent.

19.13 For the purposes of maximum limits, expenses will be allocated to the period in which the expenditure was incurred (not the date a claim was submitted or paid).

19.14 Once a maximum limit is exceeded, costs will not be paid for or reimbursed to Councillors.

19.15 Unless otherwise specified in this policy, Councillors must provide all claims for reimbursement within twelve months of an expense being incurred. The General Manager has no authority to approve claims submitted after this time.

## **20. Disputes**

20.1 If a Councillor disputes a determination under this policy, the Councillor should discuss the matter with the General Manager.

20.2 In the event of a dispute occurring that is unable to be resolved, the General Manager shall report to the next meeting of Council to have the dispute determined by a resolution of Council having regard to this Policy, the Act and any other relevant law. The decision of Council shall be binding on all of the parties.

## **21. Publication**

21.1 This policy will be published on Council's website.

## **22. Reporting**

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

## **23. Breaches**

23.1 Suspected breaches of this policy are to be reported to the General Manager.

23.2 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.

## PART D – Definitions

The following definitions apply throughout this policy.

Term	Definition
Accompanying person	Means any person a Councillor chooses to accompany them
Appropriate refreshments	Means food and beverages provided by Council to support Councillors undertaking official business
Act	Means the Local Government Act 1993 (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	Refers to all Councillors including the Mayor and Deputy Mayor
Council Term	Means the period that the Council was elected for
Greater Sydney and surrounding regions	Includes Metropolitan Sydney, the Blue Mountains, Central Coast, Lower Hunter, Greater Newcastle and Illawarra-Shoalhaven regions (as defined by the Greater Cities Commission NSW)
Immediate family member	A spouse or former spouse, de facto partner or former de facto partner, child, parent, grandparent, grandchild or sibling of an employee, or a child, parent, grandparent, grandchild or sibling of an employee's spouse or de facto partner. It includes step-relations (e.g. step-parents and step-children) as well as adoptive relations.
Incidental private use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
Maximum limit	Means the maximum limit for an expense or facility
Official business	Means activities that the Mayor or Councillors undertake to fulfil their legislated role and responsibilities for Council.
Regulation	Means the Local Government (General) Regulation 2005 (NSW)
Year	Means the financial year, that is the 12 month period commencing on 1 July each year
Year of Term	Refers to the twelve month period commencing on the date of election to Council of a Councillor and every subsequent twelve month period of the term of office.