



**PAYMENT OF  
EXPENSES &  
PROVISION OF  
FACILITIES TO THE  
MAYOR &  
COUNCILLORS  
POLICY  
P3.0111.4**

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## PAYMENT OF EXPENSES & PROVISION OF FACILITIES

**DIVISION:** CUSTOMER & CORPORATE STRATEGY

**BRANCH:** LEGAL & GOVERNANCE

**CATEGORY:** 1

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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), 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.

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 the table below. All monetary amounts are exclusive of GST unless otherwise indicated.

### Monetary limits

Expense or facility	Maximum amount	Frequency	Policy clause
General travel expenses	\$1,000 per Councillor	Per year	6.1
Interstate, overseas and long distance intrastate travel expenses	\$1,500 per Councillor Council resolution required to approve travel	Per year	6.2
Accommodation and meals	As per the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, adjusted annually	Per meal/night	6.4
Professional development	Expenses for professional development are allocated within the annual budget	Per year	6.6
Conferences and seminars	\$5,000 per Councillor \$7,500 for the Mayor	Per year	6.7
Information and communications technology (ICT) expenses	The Mayor and Councillors are provided with the below options:	Per term	6.8



## Part A – Introduction

### 1. INTRODUCTION

1.1 The purpose of this policy is to:

- Ensure that there is accountability and transparency in the reimbursement of expenses incurred, or to be incurred, by Councillors; and
- Clearly state the facilities and support that are available to Councillors to assist them in fulfilling their civic duties.

1.2 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 *Local Government Act 1993* and reviewed annually.

1.3 The community is entitled to know the extent of expenses paid to Councillors, as well as the facilities provided.

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 Within the first 12 months of each term of Council, this policy must be adopted, even if the proposed changes are considered 'not substantial'. The initial adoption of this policy must be subject to public notification and allow at least 28 days for public submissions.

1.6 At any time, other than the required adoption of this policy within the first 12 months of each term of Council, if the proposed amendment is not substantial then Council is not required to provide public notice. The term 'not substantial' should be taken to mean minor changes to the wording of the policy, or changes to monetary provisions or rates that are less than five per cent. It also means minor changes to the standard of the provision of equipment and facilities. Any new category of expenses, facilities and equipment included in the policy will require public notice.

### 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 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; and
- **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to Councillors.

### 4. PRIVATE OR POLITICAL BENEFIT

- 4.1 Council will provide facilities, equipment and services that are appropriate to support the Mayor and Councillors in undertaking their role as elected members.
- 4.2 Councillors will not obtain private benefit from the reimbursement of expenses, provision of equipment and facilities, nor from travel bonuses or any other loyalty schemes.
- 4.3 It is acknowledged that incidental use of council equipment and facilities may occur from time to time. Such incidental private use is not subject to compensatory payment.
- 4.4 Where more substantial private use occurs, Councillors will be expected to make a payment to cover the level of private use. This payment will be made on a full cost recovery basis.
- 4.5 Councillors must be scrupulous in their use of Council property, including intellectual property, official services and facilities and should not permit misuse by any other person or body.
- 4.6 Councillors should avoid any action or situation, which could create the appearance that Council property, official services or public facilities are being improperly used for their benefit or the benefit of any other person or body.
- 4.7 Councillors must not convert any property of Council to their own use unless properly authorised.
- 4.8 Council facilities, equipment and services are not to be used to produce election material or for any other political purposes. Councillors should not generally obtain private benefit from the provision of equipment or facilities, nor from any travel bonus or other such loyalty scheme.

- 4.9 The interests of a Councillor in their re-election is considered to be a personal interest and as such the reimbursement of travel expenses incurred on election matters is not appropriate. Council letterhead, council crests and other information that could give the impression it is official council material must not be used for these purposes.

## **Part B – Expenses**

### **5. GENERAL EXPENSES**

- 5.1 Council is committed to ensuring that Councillors are reimbursed for expenses reasonably incurred in their role of Councillor so that they are not financially or otherwise disadvantaged in undertaking their civic duties.
- 5.2 To ensure consistency and transparency all expenses and costs claimed must be done so in accordance with the requirements of this policy.
- 5.3 For the purpose of clarity, it is noted that Councillor-related business refers to functions and duties that Councillors are required to undertake to fulfill their legislated role and responsibilities for Council that should result in a direct benefit for Council and/or the local government area.
- 5.4 Expenses not explicitly addressed in this policy will not be paid or reimbursed.

### **6. SPECIFIC EXPENSES**

#### **6.1 General travel arrangements and expenses**

- 6.1.1 All travel by Councillors should utilise the most direct route and the most practicable and economical mode of transport subject to any personal medical conditions.
- 6.1.2 Councillors may be reimbursed at a maximum amount in accordance with the monetary limits table within this policy for travel expenses incurred relating to Council business and/or representing Council at civic events, ceremonial functions and Council related meetings. Reimbursement may include:
- public transport fares
  - the use of a private vehicle or hire car
  - parking fees
  - road tolls
  - taxis
  - documented ride-share programs, such as Uber, where tax invoices can be issued.
- 6.1.3 Councillors using private vehicles will be paid the mileage allowance at the then-current rate set by the appropriate Local Government State Award, but subject to any such payment not exceeding economy class air fares to and from the particular destination. The mode and method of transportation to be used shall be agreed with the Mayor (or Deputy Mayor in case of a claim by the Mayor) and the General Manager prior to the travel taking place, and where possible Councillors should attempt to travel with other representatives from Council in order to minimise costs.

6.1.4 For the purposes of clarification in this policy, the ACT is taken to be included as part of NSW due to the proximity and ease of travel.

## **6.2 Interstate, overseas and long distance intrastate travel expenses**

- 6.2.1 Full Council resolution approval is required prior to any interstate or overseas travel being undertaken by Councillors (but is not required for long distance intrastate travel or travel to ACT which may be authorised by the Mayor and General Manager). The report to Council should include all details of the travel, including itinerary, expected costs and expected benefits. Travel will be approved on an individual trip basis.
- 6.2.2 Council will not undertake any overseas travel unless a direct and tangible benefit for Council and the local community can be established.
- 6.2.3 Total interstate, overseas and long distance intrastate travel expenses for all Councillors will be capped at a maximum amount in accordance with the monetary limits table within this policy, This amount will be set aside in Council's annual budget.
- 6.2.4 Before a proposal for overseas travel is approved, a detailed proposal, including nomination of the Councillor(s) undertaking the trip, purpose of the trip, expected benefits, duration, itinerary and detailed costs, will be furnished to Council as part of the Council Business Paper.
- 6.2.5 After returning from overseas, Councillors or an accompanying member of staff will provide a detailed report to a meeting of Council on the aspects of the trip relevant to council business and/or the local community.
- 6.2.6 Councillors wishing to extend their stay in a destination they have visited for Council purposes, or to travel to an alternative location, will require the prior approval of the Mayor (or the Deputy Mayor in the case of a claim by the Mayor) and the General Manager. In such instances Councillors should recognise that Council's responsibility for their travel ends when the business activity ends and not when they return home. Any additional costs incurred following the completion of the business activity, including accommodation, are not considered to be reimbursable expenses.
- 6.2.7 Bookings for approved air travel are to be made through the General Manager's office.
- 6.2.8 For interstate and long distance intrastate journeys by air of less than three hours, the class of air travel is to be economy class.
- 6.2.9 For journeys by air of more than three hours, the class of air travel may be premium economy.
- 6.2.10 For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 6.2.11 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.

### **6.3 Travel expenses not paid by Council**

6.3.1 Under this policy, Councillors are personally responsible for all administrative charges for road toll accounts and traffic or parking fines incurred while travelling in private or Council vehicles on Council business.

### **6.4 Accommodation and meals**

6.4.1 Council will reimburse costs for accommodation and meals while Councillors are undertaking prior approved travel or professional development outside metropolitan Sydney in accordance with clause 6.4.3.

6.4.2 In the rare occasion that accommodation is required as part of a civic event, ceremonial function or other Council related meeting, accommodation costs will be reimbursed in accordance with clause 6.4.3.

6.4.3 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, as adjusted annually.

6.4.4 The Mayor and General Manager may authorise reimbursement of costs above the daily limits for accommodation and meal expenses within Australia in exceptional circumstances.

6.4.5 The daily limits for accommodation and meal expenses outside Australia are to be determined in advance by council resolution, being mindful of Clause 6.4.3.

6.4.6 Councillors will not be reimbursed for alcoholic beverages.

### **6.5 Refreshments for Council-related meetings**

6.5.1 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.

### **6.6 Professional development**

6.6.1 Council will set aside an amount in the annual budget for 'Councillor Professional Development' expenses to facilitate professional development of Councillors through programs, training, education courses and membership of professional bodies.

6.6.2 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.

6.6.3 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.

6.6.4 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; and
- relevance to the exercise of the Councillor's civic duties.

6.6.5 In assessing a Councillor request for a professional development activity, the General Manager must consider the factors set out in clause 6.6.4, as well as the cost of the professional development in relation to the Councillor's remaining budget.

## **6.7 Conferences and seminars**

6.7.1 Councillors are encouraged to attend conferences as a formal representative of Council as part of discharging their functions of civic office.

6.7.2 Council will set aside funds, in accordance with the monetary limits table within this policy, annually in its budget to facilitate Councillor attendance at conferences and seminars.

6.7.3 Each Councillor is entitled to attend the following conferences, the costs of which are not included in each Councillor's conference and seminar allocation:

- Local Government NSW Annual Conference;
- National General Assembly (Australian Local Government Association); and
- Urban Development Institute of Australia NSW National Congress.

6.7.4 Approval to attend a conference or seminar that is not listed in clause 6.7.3 is subject to approval by a Council resolution. The Council report 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
- cost of the conference or seminar in relation to the total remaining budget.

6.7.5 Prior to Council considering a report prepared in accordance with clause 6.7.4, a Councillor must submit a written request to the General Manager outlining the:

- details of the conference or seminar;
- relevance to Council priorities and business; and
- relevance to the exercise of the Councillor's civic duties.

- 6.7.6 In assessing a Councillor request to attend a conference or seminar not listed in clause 6.7.3, the General Manager must consider the factors set out in clause 6.7.5, as well as the cost of the conference or seminar in relation to the Councillor's remaining budget. The Councillor request to attend a conference or seminar will only be reported to Council for consideration if the General Manager has decided that it is suitable having regard to this criteria, and the necessary funds are available in accordance with the monetary limits table within this policy.
- 6.7.7 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.
- 6.7.8 Accommodation and meals not included in the conference fees will be met by Council subject to clause 6.4.3.
- 6.7.9 If required, travel costs associated with conferences, will be met by Council subject to clause 6.1.
- 6.7.10 The payment of expenses by Council for the purpose of clause 6.7 takes effect from 1 July 2022.

## **6.8 Information and communications technology (ICT) expenses**

- 6.8.1 Council will provide ICT devices (as detailed below) for use in order to carry out each Councillor's civic functions and responsibilities. Call charges and data usage costs incurred for Council related business will be processed up to the monetary limits within this policy, subject to increases in the Consumer Price Index (CPI) (Sydney All Groups) figures for the full year to 30 June.
- 6.8.2 Council will provide and manage the following ICT devices to Councillors, if requested, subject to the monetary limits table within this policy, subject to increases in the Consumer Price Index (CPI) (Sydney All Groups) figures for the full year to 30 June:
- (a) mobile phone and accessories
  - (b) tablet computer device and accessories
  - (c) computer device (eg laptop – if requested)
  - (d) a printer/fax multi-function machine.
- Council will also provide necessary ongoing maintenance, to ensure all Council issued ICT devices are secure, operational, and provide printer cartridges and consumables as needed.
- 6.8.3 Council provides Councillors the use of ICT devices for Council related business (as per Council's 'Acceptable Use Policy').
- 6.8.4 Council will provide regular statements to each Councillor indicating the call and data usage of the ICT devices provided to them. Councillors must identify any private use of ICT devices, as reasonably required by Council.

6.8.5 If a Councillor decides to use their own personal ICT devices for Council related business, Council will reimburse an amount in accordance with the monetary limits table within this policy for Council related business call costs and data usage costs. Charges associated with private use, and charges in excess of the monetary limits within this policy, must be met by the Councillor. Councillors who use their own personal ICT devices for Council related business are required to keep their devices up to date for security patches and advise Council's Digital Technology and Innovation (DTI) branch as soon as possible if a device is lost or stolen. This will enable effective control over loss of Council data such as emails or applications.

6.8.6 Councillors must complete a 'Councillor Travel and/or Expense Claim Form' for each billing period in relation to telecommunication charges associated with Council related business. All claims for reimbursement for call and data usage costs must be made within three months of the date of the provider's invoice. Any amounts exceeding the limit must be approved for payment by the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager.

## **6.9 Special requirement and carer expenses**

6.9.1 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.

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

6.9.3 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.

6.9.4 Councillors will be reimbursed for the reasonable cost of care arrangements including child care expenses and the care of immediate family members who are elderly, disabled and/or sick in order to allow Councillors to attend Council and other official meetings/functions or to attend to their responsibilities and duties as a Councillor. Carer costs will be paid to cover the period 30 minutes prior to the scheduled commencement time of the meeting/function and one hour after the conclusion of the meeting/function.

6.9.5 The rate of reimbursement for care will be up to the amount in accordance with the monetary limits table within this policy, or as varied by Council from time to time, payable on the provision of receipts or a declaration by the Councillor for such payments ('Councillor Travel and/or Expense Claim Form'), within three months of the period being claimed. The Mayor (or Deputy Mayor in the case of a claim by the Mayor) and the General Manager will authorise payment of care and other related expenses.

## **6.10 Home office expenses**

6.10.1 Each Councillor may be reimbursed, in accordance with the monetary limits table within this policy, per year for costs associated with the maintenance of a home office, such as minor items of consumable stationery and printer ink cartridges.

## **6.11 Spouse and Partner Expenses**

- 6.11.1 Where a Councillor is accompanied to a civic event, ceremonial function, conference or Council related meeting by a spouse/partner, costs incurred for the attendance of the spouse/partner shall be the responsibility of the Councillor. These costs relate to travel, partner's program and out of pocket expenses.
- 6.11.2 There may be limited instances where certain costs incurred by a Councillor on behalf of their spouse/partner are properly those of the Councillor expended in the performance of civic duties. Accordingly, Council will reimburse reasonable expenses in attending these functions and meetings. Such functions could include those which a Councillor's spouse/partner would be reasonably expected to attend such as Council civic and ceremonial receptions, Australia Day ceremonies or, on occasion, citizenship ceremonies.
- 6.11.3 Any further expenses incurred in relation to spouses/partners will not be reimbursed by Council. For the purposes of clarification, costs for a spouse/partner attending a conference and ancillary conference costs are not reimbursable under this policy.
- 6.11.4 Outside of these provisions, the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager may approve payment for the attendance of a spouse/partner as part of a Council group booking to a local charity event or similar function as may occur from time to time.

## **7. INSURANCES**

- 7.1 Councillors will receive the benefit of insurance cover to the limit specified in Council's insurance policies for the following matters arising out of the performance of their civic duties and/or exercise of their council functions:
- (a) Public Liability – public liability and professional indemnity insurances apply in relation to claims arising out of a Councillor's (alleged) negligent performance of civic duties or exercise of their functions as a Councillor, subject to any limitations or conditions set out in the policy.
  - (b) Professional Indemnity – for matters arising out of a Councillor's performance of civic duties or exercise of functions provided the performance or exercise of the relevant civic duty or function is, in the opinion of Council, bona fide and/or proper.
  - (c) Personal accident – coverage where personal injury occurs whilst on Council business Australia wide.
- 7.2 Appropriate travel insurances, if considered appropriate, will be provided for any Councillors travelling on approved interstate and overseas travel on Council business.

## **8. LEGAL ASSISTANCE**

- 8.1 Council may, by way of resolution specifying the amount involved, indemnify or reimburse the reasonable legal expenses:

- (a) of a Councillor defending an action arising from the performance in good faith of a function under the *Local Government Act 1993* or any other Act for and on behalf of Council; or
  - (b) of 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 *Local Government Act 1993*; or
  - (c) of a Councillor for proceedings before the Local Government Pecuniary Interest Tribunal, the Independent Commission Against Corruption, Office of Ombudsman, Office of Local Government, Department of Premier and Cabinet, NSW Police Force, Director of Public Prosecutions or Council's Conduct Review Committee / Reviewer, provided, the subject of the proceedings arises from the performance in good faith by the Councillor of a function under the *Local Government Act 1993*.
- 8.2 If points 8.1(a), (b) or (c) have been satisfied, Council will reimburse the reasonable legal expenses only if the enquiry, investigation, hearing or proceedings taken against a Councillor results in a finding substantially favorable to the Councillor.
- 8.3 In addition, the amount of such reimbursement shall be reduced by the amount of any monies that may be or are recouped by the Councillor on any basis.
- 8.4 Legal costs will not be met for legal proceedings that do not involve a Councillor performing their role as a Councillor.
- 8.5 Council must not meet the legal costs of legal proceedings initiated by a Councillor under any circumstance.
- 8.6 Council must 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.
- 8.7 No legal expenses may be incurred by a Councillor without the express resolution of Council prior to the expense being incurred.

## **Part C – Facilities**

### **9. GENERAL FACILITIES FOR ALL COUNCILLORS**

#### **9.1 Facilities**

9.1.1 Council will provide the following facilities to Councillors to assist them to effectively discharge their civic duties:

- (a) access to the ground floor meetings rooms at the Oran Park Administration Centre to assist Councillors in dealing with resident and ratepayer matters and Council business generally;
- (b) proposed dedicated Councillor Room as part of the Administration Centre extension works; and
- (c) the provision of Executive Assistants to assist and support Councillors.

## **9.2 Stationery**

9.2.1 Council will provide the following stationery to Councillors each year in accordance with the monetary limits within this policy:

- letterhead, to be used only for correspondence associated with civic duties;
- business cards;
- ordinary postage stamps;
- Christmas or festive cards.

9.2.2 As per Section 4, stamps shall only be used to support a Councillor's civic duties. Councillor mail will only be posted using the stamps provided. Any stamps not used will not be carried over to the next year's allocation.

## **9.3 Administrative support**

9.3.1 Council will provide administrative support to Councillors to assist them with their civic duties only. Administrative support will be provided by the Executive Assistants.

9.3.2 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.

## **9.4 Clothing**

9.4.1 Councillors will each annually be issued with two business shirts or blouses and polo shirts in colours compatible with Council's corporate colours and with Council's logo. Councillors may also request additional clothing products in writing to the General Manager, with a preference for Australian made products where available.

## **10. ADDITIONAL FACILITIES FOR THE MAYOR**

10.1. In order to reflect the additional time and commitment required to carry out the responsibilities of the Mayor, in addition to the support provided to Councillors, the following is provided to the Mayor:

- (a) Mayoral Office - to assist in carrying out the Mayoral functions;
- (b) secretarial support is provided by the Executive Assistants;
- (c) a dedicated Mayoral car-parking space in the Council car-park adjacent to the Council Offices; and
- (d) a dedicated Mayoral vehicle is currently not provided for private or Council use, however the Mayor may request the use of a Council pool vehicle or, if a Council pool vehicle is unavailable, a hire vehicle, similar to the current Council fleet vehicles, for official Council business, if a vehicle is required.

10.2. 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.

## Part D – Processes

### 11. APPROVAL, PAYMENT AND REIMBURSEMENT ARRANGEMENTS

#### 11.1 Approvals

- 11.1.1 Various approval arrangements are indicated throughout this policy and vary from full Council resolution approval to approval by the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager.
- 11.1.2 The Executive Assistants will assist Councillors with respect to seeking reimbursement of expenses incurred in their role as a Councillor, assisting with travel and accommodation arrangements, attendance at conferences and civic events, training and education, and the provision of facilities under this policy.
- 11.1.3 All claims for reimbursement must be made within three months of the date of the receipt and on the appropriate 'Councillor Travel and/or Expense Claim Form' (**Annexure A**), together with production of relevant supporting evidence.
- 11.1.4 Any claim will be reconciled with the relevant supporting evidence and authorised as follows:
  - (a) authorised by the General Manager and Mayor (or Deputy Mayor where the claim is made by the Mayor) for spouse and partner expenses, incidental expenses, advance payments, travel, conferences, childcare and carer fees;
  - (b) authorised by two of the 'Authorised Officers' as set out in clause 11.1.5 if the particular expense category does not require approval by the General Manager and Mayor (or Deputy Mayor in the case of a claim by the Mayor).
- 11.1.5 The General Manager, Mayor, Director Customer & Corporate Strategy, Manager Legal & Governance, Senior Governance Officer and Executive Assistants are 'Authorised Officers' for the purpose of completing the 'Councillor Travel and/or Expense Form'.

#### 11.2 Direct payment

- 11.2.1 Council may approve and directly pay expenses. Requests for direct 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.

#### 11.3 Reimbursement

- 11.3.1 Claims for reimbursement of expenses will only be made on production of receipts/tax invoices for such amounts where indicated in this policy and on completion of the appropriate 'Councillor Travel and/or Expense Claim Form', itemising the expenses. Reimbursement of general expenses will not be allowed.

- 11.3.4 Payment of expenses will not be made to support a Councillor's attendance at political fundraising functions. Participation in Council elections is also a private matter and Councillors must not use Council resources in the course of this participation.
- 11.3.5 Out of pocket expenses or incidental expenses associated with attending civic events, ceremonial functions or Council related meetings will be reimbursed on presentation of receipts and completion of a claim form as provided above.
- 11.3.6 Examples of incidental expenses include telephone or facsimile calls, taxi fares, parking fees or meals where not part of the Council related meeting or function. Councillors may claim such expenses by completing the 'Councillor Travel and/or Expense Claim Form' (**Annexure A**) and attaching the relevant receipts. The Mayor (or Deputy Mayor in the case of a claim by the Mayor) and the General Manager will authorise payment of incidental expenses.

#### **11.4 Advance payment**

- 11.4.1 Councillors may request, through the General Manager, payment in advance in anticipation of expenses being incurred for such matters as attending civic events, ceremonial functions and Council related meetings.
- 11.4.2 On return Councillors must produce all receipts for the expenditure of those funds, with a full reconciliation to be completed and authorised by the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager.
- 11.4.3 Councillors are to produce the receipts and complete the reconciliation within one month of the expenditure being incurred.

#### **11.5 Notification**

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

#### **11.6 Reimbursement to Council**

- 11.6.1 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 14 days of the invoice date.
- 11.6.2 If the Councillor cannot reimburse Council within 14 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.

## **12. DISPUTES**

- 12.1 Should a dispute arise as to payment of a claim for reimbursement of expenses or provision of facilities, the matter should be submitted in writing by the Councillor to the General Manager, who will determine the matter in conjunction with the Mayor (or Deputy Mayor in the case of a claim by the Mayor) in accordance with the terms of this policy.
- 12.2 If the Councillor and the General Manager, in conjunction with the Mayor, 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 On completion of the term of office, extended leave of absence or at the cessation of civic duties and where requested, Councillors are required to return all equipment and facilities issued by Council within 28 days. This includes unused consumables.
- 13.2 Any internet allowance provided under this policy is only applicable up until the last month of term of office held by a Councillor.
- 13.3 All equipment provided to Councillors contained in this policy, remain the property of Camden Council.
- 13.4 The General Manager will consider requests from Councillors to purchase equipment previously allocated to them at an agreed fair market price.
- 13.5 The prices for all equipment purchased by Councillors will be recorded in Council's annual report.

## **14. REPORTING**

- 14.1 Council will report on the provision of expenses and facilities to Councillors as required in the Act and Regulation.
- 14.2 Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council meeting every six months and published in full on Council's website. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

## **15. AUDITING**

- 15.1 The operation of this policy, including claims made under the policy, will be included in Council's audit program and an audit undertaken at least every two years.

## **16. BREACHES**

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

16.2 Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct.

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<b>RELEVANT LEGISLATIVE INSTRUMENTS:</b>	<i>Local Government Act 1993</i> <i>Local Government (General) Regulation 2021</i>
<b>RELATED POLICIES, PLANS AND PROCEDURES:</b>	Code of Conduct
<b>RESPONSIBLE DIRECTOR:</b>	Director Customer & Corporate Strategy
<b>APPROVAL:</b>	Council

**HISTORY:**

Version	Approved by	Changes made	Date	EDMS Number
5.57	Council		12/02/2007	ORD25/07
5.57	Council		11/09/2007	ORD238/07
5.57	Council		25/11/2008	ORD302/08
5.57	Council		27/10/2009	ORD252/09
5.57	Council		23/11/2010	ORD262/10
5.57	Council	Report (adopt policy) – 13/51099	08/11/2011	ORD270/11
5.57	Council	Report (exhibit policy) (23 Oct 2012) – 13/52080	27/11/2012	ORD296/12 13/52362
5.57	Council	Report (exhibit policy) (22 Oct 2013) – 13/43837	26/11/2013	ORD322/13 13/56178
P3.0111.1	Council	Changes to value of allowances; formatting changes; updates to position titles. Report (exhibit policy #1) (28 Oct 2014) –14/163299 Report (exhibit policy #2) (09 Dec 2014) – 14/195752	10/02/2015	ORD41/15 15/8739
P3.0111.2	Council	Minor formatting and editing changes Report (exhibit policy) – (06 Oct 2015) –15/324922 Report (adopt policy) – (09 Nov 2015) – 15/317244	24/11/2015	ORD317/15 15/332843
P3.0111.3	Council	Changes to be in line with OLG Circular 17-17 – Better Practice Template Report (exhibit policy) – (22 Aug 2017) – 17/260406 ORD182/17 - no submissions received	20/09/2017	17/297047
P3.0111.4	Council	Changes to enhance alignment with OLG Circular 17-17 Better Practice Template and other minor revisions Report (exhibit policy) – (12 July 2022) – 22/266873 ORD97/22 – no submissions received	17/08/2022	17/297047

## Definitions

The following definitions apply throughout this policy.

<b>Term</b>	<b>Definition</b>
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
Code of Conduct	Means the Code of Conduct adopted by Council
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 hours duration by private vehicle
maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in the monetary limits table within the policy summary
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"> <li>• meetings of Council and Committees of the whole</li> <li>• meetings of Committees facilitated by Council</li> <li>• civic receptions hosted or sponsored by Council</li> <li>• meetings, functions, workshops and other events to which attendance by a Councillor has been requested or approved by Council</li> </ul>
professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a Councillor or the Mayor
year	Means the financial year, that is the 12 month period commencing on 1 July each year



**ANNEXURE A**  
**COUNCILLOR TRAVEL &/OR EXPENSE CLAIM**  
 SECTION 252 LOCAL GOVERNMENT ACT 1993

<b>COUNCILLOR:</b>	
<b>MONTH:</b>	

TRAVEL EXPENSES				
MEETING DETAILS	DATE	KMS	RATE *	VALUE
			<b>SUB TOTAL:</b>	<b>\$</b>

\* Kilometre rate (cents per kilometre) depending on vehicle capacity and current Local Government (State) Award.

OTHER EXPENSES		
DETAILS	VALUE	
<b>SUB TOTAL:</b>		<b>\$</b>

If additional space is required, please include attachment.

**TOTAL VALUE FOR REIMBURSEMENT: \$**

**CERTIFICATION**

I hereby certify that this claim is in accordance with section 252 of the *Local Government Act* and Council's ' Payment of Expenses & Provision of Facilities to the Mayor and Councillors Policy'.

<b>SIGNATURE OF CLAIMANT:</b>	
<b>DATE:</b>	

Payment of this claim will be made by Electronic Funds Transfer (EFT), through Council's normal Creditor payment facility. Claimants should ensure that correct banking details are held by Council.

_____ Mayor/Deputy Mayor	_____ Authorised Officer (if within limits provided by the Policy)
_____ General Manager	_____ Authorised Officer (if within limits provided by the Policy)

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