



# Policy for the Payment of Expenses and the Provision of Facilities for the Mayor and Councillors

DATA AND DOCUMENT CONTROL		
<b>Division:</b> City Governance <b>Section:</b> Governance and Risk <b>Record No:</b> CDO-23/19	<b>Adopted Date:</b> 01/03/2004 <b>Revised Date:</b> 13/12/2022 <b>Minute Number:</b> 289 <b>Review Date:</b> 31/12/2025	<b>Page:</b> 1 of 22

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## **Definitions**

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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
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	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 Appendix 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"> <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>

## **Executive Summary**

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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.

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.

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 months of an expense being incurred. Claims made after this time cannot be approved.

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.

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

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## Part A –Context, Objectives and Principles

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### 1. Introduction

- 1.1 The provision of expenses and facilities enables Councillors to fulfil their civic duties as elected representative of Campbelltown City Council.
- 1.2 This policy, and associated procedures and guidelines, may be cited as the Expenses and Facilities for Councillors Policy and is effective from 10<sup>TH</sup> December 2019.

### 2. Scope

- 2.1 In this policy, and associated procedures and guidelines, unless otherwise stated, the expression 'Councillor' refers to all Councillors of Campbelltown City Council, including the Mayor and Deputy Mayor.
- 2.2 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 Act and reviewed annually. Council must adopt its annual fees within this set range.

### 3. Policy Objectives

- 3.1. The objectives of this policy are to:
  - a. enable the reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties
  - b. assist Councillors to represent the interests of residents and ratepayers of Campbelltown and to facilitate communication between the community and the Council.
  - c. support a diversity of representation
  - d. provide Councillors with a level of support which will serve to encourage residents to seek election to civic office.
  - e. fulfil the council's statutory responsibilities.

### 4. Principles

- 4.1. Council commits to the following principles:
  - a. **Proper conduct:** Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions
  - b. **Reasonable expenses:** providing for Councillors to be reimbursed for expenses reasonably incurred as part of their role as Councillor
  - c. **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor
  - d. **Equity:** there must be equitable access to expenses and facilities for all Councillors
  - e. **Appropriate use of resources:** providing clear direction on the appropriate use of council resources in accordance with legal requirements and community expectations
  - f. **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to Councillors.

## 5. Code of Conduct

- 5.1 You must use council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes, except when supplied as part of a contract of employment (but not for private business purposes), unless this use is lawfully authorised and proper payment is made where appropriate.
- 5.2 You must be scrupulous in your use of council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.

## 6. Private or political benefit

- 6.1. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 6.2. 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.
- 6.3. Such incidental private use does not require a compensatory payment back to council.
- 6.4. 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.
- 6.5. 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
  - fundraising activities of political parties or individuals, including political fundraising events.

## 7. Limits

### 7.1 Monetary Limits

- a. Monetary limits are stated in this policy against each expenses category as required. These monetary limits set out the maximum amount payable in respect of any facility or expense. Any additional cost incurred by the Councillor in excess of any limit set shall be considered as personal expenses that is the responsibility of the Councillor. All monetary amounts stated are exclusive of GST.
- b. Where expense limits are specified in this Policy, these given limits and requirements apply whether the item is purchased via direct payment by Council or reimbursement to the Councillor.

### 7.2 Time Limits

- a. Reimbursement of costs and expenses to Councillors must be made within three months of the cost or expense being incurred.

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## Part B – Expenses

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### 8. General expenses

- 8.1. 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.
- 8.2. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

### 9. Professional development

- 9.1 Council is committed to ensuring its Councillors are up to date with contemporary issues facing council and the community, and local government in NSW and acknowledges the value of Councillor professional development and attendance at conferences, seminars and training to enable them to be both knowledgeable and current on issues affecting the Campbelltown City.
- 9.2 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.
- 9.3 In order to ensure that ongoing Councillor professional development training, and attendance at conferences and seminars is equitable, transparent and consistent, the following will apply:
  - a. Council will meet the reasonable costs of a seminar, conference or training course associated with approved professional development and where relevant to the business and interests of Council including:
    - registration fees
    - costs of official meals
    - associated tours
    - transportation
    - accommodation
    - Cost of meals where not otherwise including in the training conference or seminar fees which are authorised by the Council, Mayor or General Manager in accordance with the Australian Taxation Office (ATO) Tax Determination current at the time the expense was incurred.
  - b. Each Councillor is entitled to attend the Local Government NSW Annual Conference, these costs are excluded from each Councillor's individual professional development allocation—the number and details of the voting delegates and attendees are to be determined by resolution of Council.
  - c. Council will provide an annual allocation (Table 1) for each Councillor to facilitate professional development through programs, training, education courses, membership of professional bodies and attendance at conferences and seminars.
  - d. The General Manager will ensure that access to expenses relating to professional development is distributed equitably. In assessing a Councillor request for a professional development activity, the General Manager must consider the factors set out in Clause 9.4, as well as the cost of the professional development in relation to the Councillor's remaining budget.
  - e. Councillors may attend conferences throughout the year in addition to LGNSW each year in accordance with the professional development allocation. The conference must directly

relate to the business of Council. More than one Councillor may attend the same conference if Council resolves that this will be beneficial for both Council and the Councillors concerned.

- f. Council will also meet the reasonable cost of meals when they are not included in the professional development activity or conference fees. Reimbursement for meals not included in the conference fees will be subject to Clauses 6.18-6.21.

9.4 Professional Development Approval process (including conferences and seminars)

- a. Councillors must seek prior approval to undertake professional development or attend a conference at Council's expense.
- b. Approval for professional development activities including training, attendance at seminars or conferences within the NSW are determined by the General Manager and Mayor, subject to a prior written request to the outlining the:
- relevance of the topics and presenters to current council priorities and business and the exercise of the Councillor's civic duties;
  - details and cost of the professional development activity.
- c. Approval to attend a conference or other professional development training or seminar requiring air travel outside of NSW is subject to a resolution of Council. The Councillor must submit a prior written request to the General Manager. The General Manager prepare a report to Council proving an assessment of the Councillor request, 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 and the proportion of the conference and seminar budget utilised in relation to the total remaining budget.
- d. 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.

- 9.5 Each year, Council officers will provide a full report of professional development expenditure and conference attendance by Councillors in the Annual Report.

## 10. Travel Arrangements and expenses

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

Except in exceptional circumstances all travel bookings such as flights, accommodation and registration fees will be made by Council. Councillors are not entitled to receive private benefits relating to travel bonuses such as frequent flyer schemes and other loyalty programs.

### 10.1 Local Travel Arrangements and Expenses

- a. Councillors are expected to provide their own transport to and from the Council Offices and the Councillor's home and/or place of work for the purpose of undertaking Council business. Councillors using their private vehicles for official Council business such as attending meetings of the Council, Advisory Committees, Council briefings, reference groups, community consultations, may be reimbursed by kilometre at the rate prescribed in the Local Government (State) Award as is applicable to employees of the Council.
- b. Councillors seeking reimbursement for use of a private vehicle must submit a log with the claim, detailing the date, distance and purpose of travel being claimed.
- c. Council is not liable for any traffic, parking or transport fines, or costs of repairs, maintenance, registration, insurance or depreciation incurred by Councillors while using their private vehicles on Council business.
- d. Transport to and from the Council Offices and a Councillor's home and/or place of work may be provided by Council at the discretion of the General Manager having regard to the circumstances, if it is not practicable for a Councillor to use his or her normal method of transport.
- e. Each Councillor may expend up to a total of **\$1000** per year, and the Mayor up to a total of **\$4000** per year, for travel expenses other than private vehicle use incurred while undertaking official business.

This includes:

- public transport fares
- parking costs for Council and other meetings
- Cabcharge card or equivalent
- documented ride-share programs, such as Uber, where tax invoices can be issued.

### 10.2 Travel within NSW and ACT

- a. Council shall reimburse Council business related travel expenses by a Councillor while using their own private vehicle, by way of a reimbursement for each kilometre travelled for the specific journey. The rate of reimbursement for kilometres travelled shall be equivalent to the rate prescribed in the Local Government (State) Award as is applicable to employees of the Council.
- b. Councillors travelling into country NSW and ACT may choose the mode of transport that is most suitable, considering economy and convenience. Air travel will require prior approval by the Mayor and General Manager.
- c. If any travel within NSW and ACT requires payment or reimbursement of accommodation expenses, please refer to Section 'Accommodation costs', as prior approval is required.
- d. Economy class air travel will be provided as standard for travel within New South Wales.
- e. For train travel, first class train travel will be provided, including sleeping berths where available.
- f. The cost of any upgrade is the responsibility of the Councillor.

### 10.3 Interstate Travel

- a. Prior Council approval is required for interstate travel for which reimbursement or payment is sought by Councillors. Any proposal for Councillors to travel interstate is to be included in the non-confidential business papers of Council, for which due public notice has been given.
- b. Applications for interstate travel must be made in writing to the General Manager, giving full details of the travel including: itinerary, expected total costs, reasons for the travel and expected benefits. The General Manager, will provide a report to Council for its consideration.
- c. Economy class air travel will be provided as standard for travel within Australia except for flights longer than 3 hours where premium economy class will be provided. The cost of any further upgrade shall be the responsibility of the Councillor.
- d. Council shall meet the cost of any transfers between a Councillor's residence and a transport interchange (i.e.: airport) and between the transport interchange and hotel or venue.

### 10.4 Overseas Travel

- a. Council will scrutinise the value and need for Councillors to undertake overseas travel. Councils should avoid overseas trips unless direct and tangible benefits can be established for the Council and the local community.
- b. Councillors wishing to undertake overseas travel must do so at their own cost.
- c. Independently funded travel - Council officials who travel to cities that have a Sister City, Friendship or Partnership relationship with the Campbelltown City Council, are only able to present themselves as representing Council, if this representation has been endorsed by Council prior to the visit.
- d. Where the Mayor has been invited to officially represent Campbelltown overseas, a detailed report outlining the purpose of the trip, expected benefits, duration, itinerary and approximate costs, is to be included in the business papers of Council for which due public notice has been given. Council must approve the international travel and payment of expenses relating to such travel.
- e. After returning from overseas, a detailed report will be provided to a meeting of the Council on the aspects of the trip relevant to council business and/or the local community.
- f. A report should be given in the annual report for the year in which the visit took place, outlining how the objectives were met and what quantifiable benefits will flow to the community.
- g. Premium economy class air travel will be provided as standard for international travel. Where the flight exceeds 4 hours or the travel schedule requires the Mayor to work within 3 hours of arrival, business class air travel will be provided. The cost of any further upgrade shall be the responsibility of the Mayor.
- h. Council shall meet the cost of any transfers between the Mayor's residence and a transport interchange (i.e.: airport) and between the transport interchange and hotel or venue.
- i. Reimbursement of overseas travel expenses is not allowed unless prior authorisation of the travel has been obtained.

### 10.5 Cancellation policy

- a. Councillors will be advised of the penalty-free cancellation period for professional development and conference related bookings such as flights, accommodation and registration fees. After this date, except in exceptional circumstances of unforeseen

illness and/or misadventure Councillors will be required to reimburse the Council any applicable cancellation penalties.

- For interstate/ overseas travel requiring Council resolution the cut-off date for cancellation without penalty will be advised in the Officers report to Council
- For Sydney Region and other events cancellation without penalty will be advised at the time of booking

## 11. Accommodation and meals

- 11.1 Council shall meet the costs of accommodation for Councillors travelling on Council business, when prior appropriate approval has been granted as follows:
- Outside of Council area but within NSW - prior approval from General Manager and Mayor
  - Interstate and overseas accommodation - prior approval by resolution of Council
- 11.2 Where possible, Council will make payment of the accommodation booking prior to the date of arrival.  
Accommodation required by Councillors will be provided by Council subject to availability, access to venue and cost. A reasonable standard of accommodation is considered to be 4 – 4.5 star although other standards of accommodation may be provided where no suitable alternative accommodation is available.
- 11.3 The cost of any upgrade is the responsibility of the Councillor.
- 11.4 The need to obtain overnight accommodation shall be determined by the General Manager (or delegate) having regard to the safety of Councillors travelling on official business and local conditions applicable in the area. Where Councillors are required to attend conferences or seminars which involve evening sessions or are required to make an early start at work in a location outside of the Local Government Area, overnight accommodation shall be appropriately granted by the General Manager (or delegate).
- 11.5 The daily limits for accommodation and meal expenses within Australian are to be consistent with those set out in the Australian Taxation Office (ATO) Tax Determination current at the time the expense was incurred.

## 12. Legal assistance provisions and expenses

- 12.1 Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
- a. 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
  - b. 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
  - c. 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.
- 12.2 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.

- 12.3 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.
- 12.4 Legal assistance will be provided to Councillors in the event of an inquiry, investigation or hearing, into the conduct of a Councillor by the:
- Independent Commission Against Corruption
  - Office of the NSW Ombudsman
  - Department of Premier and Cabinet's Office of Local Government
  - NSW Police Force
  - Director of Public Prosecutions
    - Local Government Pecuniary Interest and Disciplinary Tribunal
    - Council's Code of Conduct Reviewer.
- 12.5 Reimbursement of properly and reasonably incurred legal expenses may be provided, subject to the following conditions:
- a. must have Council approval by way of a resolution at a Council meeting prior to costs being incurred.
  - b. the outcome of the legal proceedings is favourable to the Councillor or where an investigatory or review body makes a finding that is not substantially unfavourable to the Councillor
  - c. 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
  - d. the Councillor's exercise of his or her function, was in the opinion of Council bona fide and/or proper; and as a Councillor
  - e. the amount of legal expense reimbursement shall be paid at a rate equivalent to the average hourly partner rate charged by Council's Panel Solicitors.
- 12.6 Council will not meet the legal costs:
- a. of legal proceedings initiated by a Councillor under any circumstances
  - b. of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation
  - c. for legal proceedings that do not involve a Councillor performing their role as a Councillor.

## 13. Insurances

- 13.1 In accordance with Section 382 of the Local Government Act, Council is insured against public liability and professional indemnity claims. Councillors are included as named insured and will receive the benefit of insurance cover to the limit in Council's insurance policies for the following:
- a. Personal injury – Personal injury or death whilst on Council business covering bodily injury caused by accidental, violent, external and visible means. Personal injury insurance also

provides specified benefits for lost income and other expenses arising from permanent disablement, temporary total disability and temporary partial disability. The cover does not include medical expenses.

- b. Professional indemnity – Applies in relation to claims arising out of the Councillor’s (alleged) negligent performance of civic duties or exercise of their functions as Councillors provided the performance or exercise of the relevant civic duty or function is in the opinion of council bona fide and/or proper. This is subject to any limitations or conditions set out in the policy of insurance that is taken out at the direction of Council.
  - c. Public liability – Applies in relation to claims arising out of the Councillor’s (alleged) negligent performance of civic duties or exercise of functions as Councillors. This is subject to any limitations or conditions set out in the policy of insurance that is taken out at the direction of Council.
  - d. Councillors and Officers liability – Applies to cover expenses incurred by Councillors in respect of claims made against them for any alleged wrongful acts arising out of their official capacities (but excludes cover for statutory penalties).
- 13.2 Insurance protection is only provided if a claim arises out of or in connection with the Councillor’s performance of their civic duties, or exercise of their functions as a Councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 13.3 Council shall pay the insurance policy excess in respect of any claim accepted by council’s insurers, whether defended or not.
- 13.4 Appropriate travel insurances will be provided for any Councillors travelling on approved overseas travel on council business.

## 14. Special requirements and carer expenses

- 14.1 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.
- 14.2 Transportation provisions outlined in this policy will also assist Councillors who may be unable to drive a vehicle.
- 14.3 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.
- 14.4 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 of **\$4000** per annum for attendance at official business, plus reasonable travel from the principal place of residence.
- 14.5 Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 14.6 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.

## 15. Expenses for Spouses, Partners and Accompanying persons

- 15.1 In recognition of a good work and family balance, spouses, partners or accompanying persons are welcome to join Councillors while attending events away from home. In such circumstances, Council will not require reimbursement of costs if no additional travel and accommodation expenses are incurred over and above what would have been expended by the individual Councillor. For example, if the person travels as a passenger in the Councillor's vehicle and are able to be accommodated in the same room already provided as standard to the Councillor, it will be considered that no additional cost has been incurred to Council.
- 15.2 Where the Councillor is accompanied by their spouse/partner, costs incurred for the spouse/partner (including travel, sustenance, registration and partner's program) will be borne by the Councillor. Council will not be responsible for any costs incurred by other members of a Councillor's family.
- 15.3 Where a Councillor is accompanied by his or her spouse/partner to the annual Local Government NSW Association Conference, Council will meet the cost of the official dinner for the spouse/partner. Any additional travel and accommodation expenses will be the personal responsibility of the Councillor.

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## Part C – Facilities

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### 16. General facilities for all Councillors

- 16.1 Council will provide the following facilities to Councillors to assist them to effectively discharge their civic duties:
- a Councillor lounge area and beverage service
  - a Councillor work area appropriately furnished to include telephone, photocopier, printer, desks, computer terminals and pigeon holes
  - 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 the wearer holds the office of Councillor and/or Mayor or Deputy Mayor
- 16.2 Councillors may book meeting rooms for official business in a specified council building at no cost. Rooms may be booked through a specified officer in the Mayor's office or the Manager, Governance and Risk.
- 16.3 The provision of facilities will be of a standard deemed by the General Manager as appropriate for the purpose.
- 16.4 Council will provide the following stationery to Councillors each year:
- letterhead, to be used only for correspondence associated with civic duties
  - business cards
  - up to 50 ordinary postage stamps
  - up to 300 Christmas or festive cards per year for Councillors and 500 for the Mayor.

16.5 Council will provide administrative support to Councillors to assist them with their civic duties only. Administrative support may be provided by the Manager, Governance and Risk, nominated staff in the Mayor's Office or General Manager's office.

16.6 Appropriate meals and 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.

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, as adjusted annually.

## 17 Additional facilities for the Mayor

17.1 Council will provide to the Mayor a maintained vehicle to the value outlined in Table 1 and approved by the General Manager, with a fuel card for official and associated use.

17.2 Where the Mayor elects to use a privately owned vehicle instead of Council provided, Council will reimburse the cost of the vehicle registration, CTP, comprehensive insurance and general service costs to a maximum of \$3000 per year. Each claim should be supported by the provision of receipts and approved by the General Manager. A fuel card will also be provided for official and associated use. The Mayor accepts all liability associated with insurance claims.

17.3 Motor vehicle parking space – A permanent parking space in the basement of the Administration Building.

17.4 Council will provide the Mayor with a furnished office incorporating a computer configured to council's standard operating environment, telephone and meeting space.

17.5 In performing their civic duties, the Mayor will be assisted by staff providing administrative and secretarial support, as determined by the General Manager.

17.6 The number of exclusive staff provided to support the Mayor and Councillors will not exceed one full time equivalent.

## 18 Information and communications technology (ICT)

18.1 Council will provide or reimburse Councillors for expenses associated with appropriate ICT devices and services as approved by the General Manager in accordance with the limits in Table 1, comprising:

- mobile telephone
- personal computer or laptop
- iPad or tablet
- Multi-function device (combines printer, copier, scanner and facsimile)
- Home internet service

18.2 ICT equipment shall be provided to a Councillor only once during the term of each Council, with the exception of mobile telephones, which may be replaced more frequently within the limits provided in Table 1.

18.3 Council remains in ownership of the equipment and will be responsible for maintenance, replacement, insurance, technology upgrades and supply of consumables. The equipment is required to be returned at the end of the term of each Councillor.

- 18.4 ICT devices and services provided by Council will be fully serviced and maintained by Council with business hours.
- 18.4 Councillors, where their allocated equipment is damaged, lost or destroyed, are required to report this to Council urgently. If there are repeated instances requiring the equipment to be repaired or replaced, where this exceeds the allowable limits in Table 1 this may be at the Councillors cost.
- 18.5 At the conclusion of their term, Councillors shall be offered the option to purchase the equipment that they have been in possession of, at current market value. Unless stated otherwise, the Councillor shall be responsible for all other costs of operating this equipment.
- 18.6 Councillors may elect to purchase their own ICT equipment. Council will reimburse Councillors that elect to purchase their own equipment up to 80 per cent of the value of the standard ICT package approved by the General Manager, in accordance with the limitations set in Table 1 of this policy. Councillors that purchase their own ICT devices and services will be responsible for service and maintenance of that equipment.
- 18.7 Reimbursements will be made only for communications devices and services used for Councillors to undertake their civic duties, such as:
- receiving and reading council business papers
  - relevant phone calls and correspondence
  - diary and appointment management.

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## Part D – Processes

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### 19. Approval arrangements

- 19.1 Expenses should only be incurred by Councillors in accordance with the provisions of this policy.
- 19.2 Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 19.3 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
  - ICT expenditure
- 19.4 Claims for payment or reimbursement of expenses and the provision of facilities under this Policy will be assessed/approved by at least two of the following:
- General Manager or delegate
  - Director City Governance
  - Executive Manager, Corporate Services and Governance
  - Manager, Governance and Risk.
- 19.5 All claims for reimbursement of expenses incurred must be made on the prescribed form, supported by appropriate receipts and/or tax invoices and with sufficient information and time to allow for the claim to be assessed and processed.

### 20. Advance payment

- 20.1 Council may pay a cash advance for Councillors attending approved conferences, seminars or professional development. The maximum value of cash advance is \$500 which should be reconciled 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 in attending to official business or professional development.
  - If a claim is refused, council will inform the Councillor in writing that the claim has been refused and the reason for the refusal.
  - Council may pay a cash advance for Councillors attending approved conferences, seminars or professional development.
- 20.2 The maximum value of a cash advance is \$200 per day of the conference, seminar or professional development activity to a maximum of \$500.
- 20.3 Requests for advance payment must be submitted to the Manager, Governance and Risk for assessment against this policy using the prescribed form with sufficient information and time to allow for the claim to be assessed and processed.

- 20.4 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 in attending to official business or professional development.

## 21. Reimbursement

- 21.1 If a claim is approved, Council will make payment directly or reimburse the Councillor through accounts payable.
- 21.2 If a claim is refused, Council will inform the Councillor in writing that the claim has been refused and the reason for the refusal.
- 21.3 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 28 days of the invoice date.
- 21.4 If the Councillor cannot reimburse council within one month (28 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.

## 22. Disputes

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

## 23. Return or retention of facilities

- 23.1 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.
- 23.2 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 an agreed fair market price or written down value for the item of equipment.
- 23.3 The prices for all equipment purchased by Councillors will be recorded in Council's annual report.

## 24. Publication

- 24.1 This policy will be published on council's website.

## 25. Reporting

- 25.1 Council will report on the provision of expenses and facilities to Councillors as required in the Act and Regulations in the Annual report and on Council's website.

## 26. Auditing

- 26.1 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 three years.

## 27. Breaches

- 27.1 Suspected breaches of this policy are to be reported to the General Manager.
- 27.2 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.

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## **PART E – Fees and Superannuation**

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## 28. Councillor Fees

- 28.1 An annual fee is paid to each Councillor by the Council. The fee is the amount fixed by the Council under section 248 of the *Local Government Act 1993* in accordance with the appropriate determination of the Local Government Remuneration Tribunal.
- 28.2 All fees payable under this policy shall be paid monthly in arrears as provided by section 250 of the Act, for each month (or part of a month) for which the Councillor holds office.
- 28.3 Council may enter into an arrangement with a Councillor under which the Councillor agrees to forego all or part of their annual fee in exchange for the Council making contributions to a complying superannuation fund on their behalf.

## 29. Mayoral Fee

- 29.1 An annual fee is paid to the Mayor by the Council. The fee is the amount fixed by the Council under section 249 of the *Local Government Act 1993* in accordance with the appropriate determination of the Local Government Remuneration Tribunal. This fee will be in addition to the Councillor's fee.
- 29.2 The Mayor's fee payable under this policy shall be paid monthly in arrears as provided by section 250 of the Act, for each month (or part of a month) for which the Mayor holds office.
- 29.3 In the event that the Mayor stands aside, is incapacitated or voluntarily ceases to perform the functions of the Mayor for any reason, the Council may, by resolution, pay an additional fee to the Deputy Mayor for that period (on a pro rata basis) while they carry out the duties and responsibilities on behalf of the Mayor. This fee will be in addition to the Councillor fee and will be deducted from the Mayoral fee. This fee will be paid to the Councillor monthly in arrears as provided by Section 250 of the Act.

## 30. Superannuation

- 30.1 From 1 July 2022 Council will make superannuation contribution payments to the Mayor and Councillors at the level equivalent to the superannuation guarantee levy. A superannuation contribution payment does not constitute salary for the purpose of any Act.

## 31. Sitting Fees

- 31.1 A sitting fee for the Sydney Western City Planning Panel of \$500 per meeting attended is payable to Councillors nominated to the panel by the Council.

**PART F – Table 1**

<b>Expense or facility</b>	<b>Maximum amount</b>	<b>Frequency</b>
General travel expenses	\$1000 per Councillor \$4000 for the Mayor	Per year
Accommodation and meals	With consideration of the current Australian Taxation Office (ATO) Tax Determination	Per meal/night
Professional development (excluding conferences and seminars)	\$20,000 per Councillor plus an additional \$10,000 for the Mayor	Per term
Conferences and seminars	\$5000 per Councillor plus an additional \$2500 for the Mayor	Per year
PC/Laptop with MS Office (or equivalent) and Antivirus Multi-function device (Printer/scanner/fax & consumables)	\$3000 per Councillor	Per term
ICT accessories e.g. protective case, keyboard, stylus	\$1000 per Councillor	Per term
Mobile Phone	\$2500 per Councillor*	Per term
Mobile phone call/ data costs	\$350 per Councillor	Per month
iPad/Tablet	\$1500 per Councillor	Per term
Data sim for iPad/tablet	\$30 per Councillor	Per month
Carer expenses	\$4000 per Councillor	Per year
Home office expenses - Internet service	\$100 per Councillor	Per month
Home office expenses (such as filing cabinet, briefcase etc)	\$600 per Councillor	Per term
Postage expenses	\$50 per Councillor	Per year
Christmas or festive cards	300 per Councillor 500 for the Mayor	Per year
Subscriptions to resource materials	\$1000 per Councillor	Per year
Access to facilities in Councillor lounge and work room	Provided to all Councillors	Not relevant
Council vehicle and fuel card	\$50,000 Provided to the Mayor	Not relevant
Private vehicle reimbursable expense limit	\$3,000 Provided to the Mayor	Not relevant
Reserved parking space at Council offices	Provided to the Mayor	Not relevant
Furnished office	Provided to the Mayor	Not relevant
Number of exclusive staff supporting Mayor and Councillors	One full time equivalent provided to the Mayor	Not relevant

## **PART G – Related Legislation and Definitions**

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### **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 - Issued under section 23A
- Office of Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities
- Local Government Circular 05-08 Legal assistance for Councillors and Council Employees.
- Office of Local Government Circular 10/26 Misuse of council resources
- Independent Commission Against Corruption (ICAC) publication, No excuse for misuse, preventing the misuse of council resources - Guidelines 2 (November 2002).

### **Related Council policies:**

- Code of Conduct
- Policy - Councillors Access to Information and Interaction with Staff
- Councils Internet and Email Usage Authorised Statement