



PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO MAYOR AND COUNCILLORS

**(SECTIONS 252, 253 & 254 LOCAL
GOVERNMENT ACT 1993)**

Policy 1/2025

DATE

- Corporate Development Committee Meeting - 12.04.94
- Ordinary Meeting - 13.02.96, 27.5.97, 16.12.97
- Corporate Development Committee Meeting - 17.03.98
- Ordinary Meeting - 26.04.00
- Corporate Development Committee Meeting 17.04.01
- Ordinary Meeting - 08.04.03, 27.07.04, 09.11.04, 10.10.06, 14.08.07, 25.09.07, 12.02.08, 19.08.2008, 11.11.08, 14.07.09, 23.11.10, 08.11.11, 12.02.13, 26.11.13, 10.02.15, 8.11.16, 13.03.18, 26.03.19, 10.05.22, 28.11.23 and 12.08.25

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PROCEDURES FOR POLICY NO:	1/2025
LEGISLATIVE REQUIREMENTS	• The policy has been prepared in accordance with the <i>Local Government Act 1993</i> (the Act) and <i>Local Government (General) Regulation 2005</i> (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. • Section 252 of the Local Government Act 1993 states that within the first 12 months of each term of a Council, the Council must adopt a <i>policy</i> concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Mayor, the Deputy Mayor and Councillors in relation to discharging the functions of civic office. • A Council may from time to time amend a policy. Section 253(1) of the Local Government Act states that a Council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions. • Section 253(5) states that Council must comply with Section 252(1) even if the Council proposes to adopt the same as its existing policy. • Section 253(2) of the Local Government Act 1993 states that before adopting or amending the policy, the Council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment. • Section 253(3) of the Local Government Act 1993 states that despite the above two points, a Council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the Council is of the opinion that the proposed amendment is not substantial.
RESPONSIBILITY:	GENERAL MANAGER

OBJECTIVE:	The objectives of this Policy are to ensure compliance with the provisions of Section 252 of the Local Government Act 1993, by adopting a Policy concerning the payment of expenses incurred, or to be incurred by, and the provision of facilities to the Mayor, the Deputy Mayor and Councillors in relation to the performance of the functions of civic office. This policy has been developed on a non-discretionary basis and in an equitable manner to enable full participation in Council for all kinds of people in a manner that they are not financially or otherwise disadvantaged in undertaking the duties of a Mayor or Councillor. The payment levels, limits, quality and range of facilities reflect the capacity of the Hills Shire Council to pay and what is acceptable to the Community. It also has been prepared to reflect modern practices and to minimise administrative costs. The purpose of this Policy is to ensure that there is appropriate accountability and transparency in the reimbursement of expenses incurred, or to be incurred, by Councillors. The Policy also ensures that the expenses allowed and the facilities provided to assist the Councillors to carry out their civic duties, are fair and reasonable.
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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 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.

The main expenses, facilities and equipment for all Councillors is summarised in the table below. All monetary amounts are exclusive of GST.

Expense or facility	Maximum amount	Frequency
General travel arrangements and expenses (Clause 6.1 – 6.14)	\$6,000 for the Mayor	Per year (As per each financial year adopted Budget)
	\$6,000 per Councillor	
	Fully maintained vehicle for the Mayor	Per term
Accommodation, meals and incidentals (Clause 7.1 – 7.5)	\$200 Full Day	Per day, Per Conference/Seminar
	\$100 Half Day	
	\$163 If breakfast is provided with accommodation costs \$90 If breakfast is provided with accommodation costs and dinner is provided with conference registration	Per day, Per Conference / Seminar
Professional development (Clause 8.1 – 8.5)	\$8,500 for the Mayor	Per year
	\$6,500 per Councillor	If not used in a year a Councillor may accumulate to the following year/years within the 4-year term.
Conferences, seminars and events (Clause 9.1 – 9.17)	Conferences and Seminars Six (6) for the Mayor Four (4) for the Deputy Mayor Two (2) per Councillor	Per year (As per each financial year adopted Budget)

Expense or facility	Maximum amount	Frequency
	Other Events Council Initiated – Mayor, Deputy Mayor and/or Councillor Attendance Community Initiated – Mayor, Deputy Mayor and up to \$500 per Councillor where the organiser is not covering the costs.	
Special requirement and carer expenses (Clause 10.1 – 10.6)	\$5,000 per Councillor	Per year
Information & Communications or technologies (ICT) expenses (Clause 11.1 – 11.6)	15GB data plan allowance for mobile and tablet per Councillor \$9,000 for equipment per Councillor	Per month Per term
Insurances (Clause 13.1 – 13.6)	Provided for the Mayor and Councillors	Per term
Legal Assistance (Clause 14.1 – 14.5)	Reasonable legal expenses	As required
Recognition of Service (Clause 15.1 – 15.2)	3 Terms Certificate 5 Terms Plaque at a Council Dinner 25 Years Gift at the discretion of The Mayor and General Manager, presented at a Council Dinner. Ceasing to hold Office after 25 years Civic Dinner	As required
Access to facilities in a Councillor common room (Clause 16.1)	Provided to all Councillors	Per term
Reserved/allocated parking space at Council offices (Clause 16.1, 19.2 and 19.9)	Specific spaces provided to the Mayor & Deputy Mayor in B1 carpark Councillor spaces in B1 carpark	Per term
Protective Clothing (Clause 16.1)	Provided for the Mayor and Councillors	As required
Name Badge (Clause 16.1)	Provided to all Councillors	Per term
Briefcase (Clause 16.1)	\$250 per Councillor	Per term

Expense or facility	Maximum amount	Frequency
Council Jacket/Blazer (Clause 16.1)	\$750 per Councillor	Per term
Photos (Clause 16.3)	Provision of hard copy and digital photos taken during civic duties	As required
Memorabilia (Clause 16.4)	As approved by the Mayor	As required
Stationery (Clause 17.1)	A4 Paper (5 reams) Printer Toner (2 toners of each colour)	Per year (or as approved by the Mayor and General Manager on an as needs basis)
Councillor Letterhead (Clause 17.1)	As approved by the Mayor	As required
Business Cards (Clause 17.1)	An initial allocation of 250 cards, then appropriate replacements	As required
Corporate Christmas cards and postage (Clause 17.1)	Design Chosen by Mayor 500 for the Mayor and Deputy Mayor 200 Per Councillor Reimbursement \$300 (Council to post)	Per year
Executive Assistant and Secretarial support (Clause 18.1-18.2 and 19.5)	Provided to the Mayor & Councillors	Not relevant
Council vehicle, fuel card & E-Tag (Clause 19.1-19.2)	Provided to the Mayor	Not relevant
Mayoral Chain (Clause 19.3)	The provision of the Mayoral Chain to carry out civic duties.	Not relevant
Furnished office (Clause 19.4 & 19.8)	Provided to the Mayor & Deputy Mayor	Not relevant

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 The Hills Shire Council.
- 1.2. The community is entitled to know the extent of expenses paid to Councillors, as well as the facilities provided.
- 1.3. The purpose of this policy is to clearly state the facilities and support that are available to Councillors to assist them in fulfilling their civic duties.
- 1.4. 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.
- 1.5. The amounts set out in this policy will be adjusted annually as per guidelines issued by the Australian Taxation Office or Local Government Award or Consumer Price Index (CPI) for Sydney as of 1 March of each year
- 1.6. Request for payment from a Councillor for an expense for facility that does not comply with this policy are not authorised.

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
 - fulfil the Council's statutory responsibilities.
 - Minimise administrative costs to Council.

3. Principles

- 3.1. Council commits to the following principles:
 - **Proper conduct:** Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions
 - **Reasonable expenses:** providing for Councillors to be reimbursed for expenses reasonably incurred as part of their role as Councillor
 - **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor
 - **Equity:** there must be equitable access to expenses and facilities for all Councillors

- **Appropriate use of resources:** providing clear direction on the appropriate use of Council resources in accordance with legal requirements and community expectations
- **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to Councillors.

4. Private or political benefit

- 4.1. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 4.2. Private use of Council equipment and facilities by Councillors may occur from time to time and does not require a compensatory payment back to Council.
- 4.3. 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 and can do so by making arrangements with the General Manager or delegate.
- 4.4. 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.

Part B – Expenses

5. General Expenses

All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. The legislation does not permit allowances for general expenses in this policy. Accordingly, expenses not explicitly addressed in this policy cannot be paid or reimbursed. All expense claims must be made within six (6) months of actual expense. Claims made after this time cannot be approved.

6. Specific expenses

General travel arrangements and expenses

- 6.1. Each Councillor & the Mayor may be reimbursed for travel expenses incurred while undertaking official Council business, professional development in respect to their role as an elected member or attending approved conferences and seminars within Australia. All claims must be made via Councillor Portal within six (6) months of expense being incurred.
- 6.2. Each Councillor may be reimbursed up to a total of \$6,000 per year, and the Mayor may be reimbursed up to a total of \$6,000 per year, for travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW. All travel by Councillors should

be undertaken using the most direct route and the most practicable and economical mode of transport.

This includes reimbursement for:

- public transport fares
- the use of a private vehicle or hire car (*family sized standard vehicle as approved by the General Manager*)
- parking costs for Council and other meetings
- tolls
- Cabcharge card or equivalent
- ride-share programs, such as Uber, where tax invoices can be issued.
- Private driver provided cost is comparable to taxi travel

Reimbursement will be made upon production of appropriate receipts and tax invoices, and the completion of the required online claim forms via the Councillor portal.

Council will provide a fully maintained vehicle for the Mayor to assist in travel arrangements for civic duties.

- 6.3. Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the Local Government (State) Award following completion of the online Councillor portal form.

Interstate, overseas and long distance intrastate travel expenses

- 6.4. In accordance with Section 4 of this policy, Council will scrutinise the value and need for Councillors to undertake any overseas travel. Councillors should avoid interstate and long distance intrastate trips unless direct and tangible benefits can be established for the Council and the local community. This includes travel to sister and friendship cities.
- 6.5. Total interstate and long distance intrastate travel expenses for all Councillors will be paid by Council. An allocated amount per Councillor will need to be budgeted or seek a budget variation and must be approved by Council Resolution of the Council at an Ordinary Meeting.
- 6.6. Councillors seeking approval for any interstate and long distance intrastate travel must submit a case to, and obtain the approval of, the General Manager prior to travel.
- 6.7. The case required for any interstate and long distance intrastate travel should include:
- objectives to be achieved in travel, including an explanation of how the travel aligns with current Council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the Councillor's civic duties
 - who is to take part in the travel
 - duration and itinerary of travel
 - a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.

NB. A business case is not required for conferences or seminars already identified and approved by Council's Annual Conference Schedule.

- 6.8. Unless authorised by a Council resolution, attendance by the Mayor or a Councillor at any Conference, seminar, congress, forum, workshop, course, meeting, deputation, information or training sessions, the travel to and from events, etc. related to the industry of Local Government which are held overseas, must be at the Mayor or Councillor's own personal expense.
- 6.9. For interstate and long distance intrastate journeys by air of less than three (3) hours, the class of air travel is to be economy class.
- 6.10. For interstate journeys by air of more than three (3) hours, the class of air travel may be premium economy if available.
- 6.11. Bookings for approved air travel are to be made through the General Manager's office.
- 6.12. For air travel that is reimbursed or paid by Council as Council business, Councillors will not accrue points from the airlines frequent flyer program. This is considered a private benefit. Councillors are prevented from obtaining benefit from travel bonuses such as frequent flyer schemes or any other such loyalty schemes while on Council funded business.
- 6.13. Upgrades to the class of air travel is allowed but at the Councillor's expense.

Travel expenses not paid by Council

- 6.14. Council will not pay any traffic or parking fines or administrative charges for road toll accounts while travelling on Council business either in their own vehicle, rental vehicle or a Council vehicle.

7. Meals, Incidentals and Accommodation

7.1. Meals and Incidentals

Council will pay the costs (ATO mid-range allowances) for accommodation, meals and incidentals while Councillors are undertaking prior approved travel or professional development. The following allowances will be paid in advance and no receipts will be required.

- Full Day – \$200 per day for a full day conference
- Half Day – \$100 per day for a half day conference
- If breakfast is provided with accommodation costs - \$163 per day for a full day conference
- If breakfast is provided with accommodation costs and dinner is provided with conference registration - \$90 per day for a full day conference

7.2. Accommodation

In circumstances where it would introduce undue risk for a Councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the official business may be approved by the General Manager in consultation with the Mayor.

The payment of accommodation costs is on the following basis:

Accommodation selected by the Council or the General Manager on the basis of cost and convenience of location to the venue of official business. A Councillor may choose accommodation at a different location which is at the same cost or less.

The number of accommodation days provided will be limited to:

- Registration Day

- Each day on which official sessions are held, as well as the night preceding where travelling schedules reasonably require such accommodation; and
 - Each day on which a Councillor is required to be accommodated enroute to and from the official business.
- 7.3. Any additional accommodation costs incurred as a result of the attendance of partners and/or children shall be borne by the Councillor, personally unless provided for within this policy.

Refreshments for Council related meetings

- 7.4. Appropriate refreshments will be available for Council meetings, Council committee meetings, Councillor Briefings, other approved meetings and engagements and official Council functions as approved by the General Manager in consultation with the Mayor.
- 7.5. A meal allowance of currently \$19.93 (as per Local Government Award) will be available to Councillors who attend meetings, briefings or other official engagement remotely. Meal expenses up to \$60 would be payable on the production of a receipt.

8. Professional development

- 8.1. Council will set aside a sum of \$6,500 per Councillor and \$8,500 for the Mayor annually in its budget to facilitate professional development of Councillors through programs, training, education courses and membership of professional bodies. Any amount unspent and not expended by the Mayor or a Councillor can be accumulated to the following year(s) within the four (4) year term.
- 8.2. In the first year of a new Council term, Council will provide a comprehensive induction program for all Councillors which consider 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.
- 8.3. 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. Where applicable the cost of the annual membership to Australian Institute of Company Directors (AICD) will be covered for the Council term.
- 8.4. 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
 - relevance to the exercise of the Councillor's civic duties.
- 8.5. In assessing a Councillor's request for a professional development activity, the General Manager must consider the factors set out in Clause 8.4, as well as the cost of the professional development in relation to the allocated budget, as per Clause 8.1.

9. Conferences, Seminars and Events

- 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.

- 9.2. Subject to Clause 9.4 of this policy, Council will set aside an amount annually in its budget to facilitate Councillor attendance at conferences, seminars including registration and the main dinner. This allocation is for all Councillors.
- 9.3. Approval to attend a conference or seminar is subject to a Council report or via written request to the Mayor and General Manager. In assessing a Councillor's request, the Mayor and General Manager must consider factors including the:
 - relevance of the topics and presenters to current Council priorities and business and the exercise of the Councillor's civic duties
 - cost of the conference or seminar in relation to the total remaining budget.
- 9.4. All Councillors and the Mayor are eligible to attend the LGNSW Annual Conference with accommodation, meals, incidentals and travel in accordance with the terms of this policy. Attendance at other seminars and conferences be restricted to allow the Mayor to attend a maximum of six (6), the Deputy Mayor a maximum of four (4) and Councillors a maximum of two (2) each financial year. Prior to the commencement of each financial year, Council will determine which delegates will attend which Conferences.
- 9.5. Should any Councillor nominated to attend a Conference then not be subsequently able to do so, authority is given to the Mayor to appoint an alternate delegate to attend, in which case, the two (2) Conference restriction does not apply.
- 9.6. Should a Councillor who was not nominated and who not exceeded their quota of Conferences express an interest in attending a Conference, authority is given to the Mayor to approve such attendance subject to funds being available in the Conference budget for that same financial year.
- 9.7. Council will meet the reasonable cost of registration fees, transportation, accommodation, meals and incidentals for attendance at conferences in accordance with this policy.
- 9.8. Attendance at Council initiated events, Council will meet the entry costs associated with a Councillor's attendance at Council initiated, organised or approved functions by a Mayoral Minute or where the Council is a member of the organisation.
- 9.9. The Mayor and General Manager are authorised to book tables to Award Evenings for Councillors to attend, where Council is a member of the hosting organisation.
- 9.10. Attendance at Community initiated events, the community organiser is expected to cover the cost of attendance at a community initiated organised events for the Mayor, Deputy Mayor and Councillors. However, if the community organiser is not covering the costs and if approved by the General Manager in consultation with the Mayor, Council will meet the costs for the Mayor, Deputy Mayor and up to \$500 per Councillor per year to attend if it is reasonable that attendance is expected.
- 9.11. Where a donation for an auction, raffle or similar is sought or thought appropriate, the Mayor and General Manager have the authority to offer a donation up to the value of a Waves adult full 6 month membership.

Special Requirements for Spouse/Partner

- 9.12. Council will meet the cost of the main conference dinner for spouse or partner for all conferences and seminars which Council either resolves to attend or permission is granted pursuant to this policy.
- 9.13. Council will meet the reasonable costs of a spouse or partner of the Mayor, or a Councillor when they are representing the Mayor, when they are called on to attend an official function of Council or carry out an official ceremonial duty while accompanying the Mayor outside the area but within the State.

- 9.14. Council will meet all reasonable accommodation and meal costs of spouses or partners and their children for attending any Council Strategic and Planning Workshop.
- 9.15. Council will meet reasonable costs of spouse or partner for the entry cost associated with a Councillor's attendance at Council initiated, organised or approved functions where it could be reasonably expected that a spouse or partner is expected to attend. Council will also meet reasonable costs of spouses and partners or carers to attend Council organised, supported or sponsored events
- 9.16. Reasonable costs would include the cost of a ticket, meal and/or appropriate refreshments with the event and the direct cost of attending the function but would exclude peripheral expenses such as grooming, special clothing and transport.
- 9.17. In the event that a Councillor is unable to attend an event, the General Manager is authorised to offer at short notice, the spare ticket to another Councillor's spouse/partner with first preference to the Mayor then Deputy Mayor then all other Councillors. Spare tickets will be allocated on a first in first served basis.

10. Special requirement and carer expenses

- 10.1. 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.
- 10.2. Transportation provisions outlined in this policy will also assist Councillors who may be unable to drive a vehicle. (*refer to 6.2*)
- 10.3. In addition to the 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.
- 10.4. 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 \$5,000 per annum for attendance at official business, plus reasonable travel from the principal place of residence. This includes the use of an infant child carer and all reimbursements under this clause are subject to the provision of receipts.
- 10.5. Child care expenses that may be claimed for children up to and including the age of 16 years where the carer is not a relative. (*Copies of appropriate receipts and/or tax invoices must be provided*)
- 10.6. 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.

11. Information and Communications Technology (ICT) expenses

- 11.1. Council will provide Councillors with the following IT equipment:
 - A smart phone from Apple, Samsung or brand otherwise supported by Council, on an unlimited Talk, MMS and Text plan;
 - a Windows or Apple Laptop;
 - an Apple iPad;
 - a data plan of a maximum of 15GB of data allowance per month; and

- a colour laser printer as per Council IT specification with wireless printing for laptop, iPad and phone.
- 11.2. In accordance with the requirement of Councils IT Cyber Security Hardening requirements as specified by the Australian Signals Directorate (ASD)'s Blueprint for Secure Cloud, all devices issued will be enrolled to Council's device management system and the native App Store will be disabled and managed via a THSC Apps catalogue which are enabled and maintained by IT. The device management system will also give the ability for IT staff to troubleshoot any issues remotely.
 - 11.3. Where Councillors require their home internet service they will be entitled to a reimbursement of their costs equivalent to a maximum of NBN 100 per month.
 - 11.4. Council will purchase mobile, laptop, iPad, printer and accessories up to \$9,000 per Councillor per term. Breakages and loss of equipment will be covered once per term.
 - 11.5. At the end of the term all Councillor IT equipment will be disabled including Council's Microsoft 365 and email accounts, data, mobile and voice plans. If number porting is required, a separate application form will need to be filled out by the Councillor and submitted to IT for processing.

12. Insurances

- 12.1. In accordance with Section 382 of the Act, Council is insured against public liability and professional indemnity claims. Councillors are included as a named insured on this policy.
- 12.2. Directors and Officers insurance is available 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.
- 12.3. Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.
- 12.4. Travel insurances will be provided for any Councillors travelling on approved Council business in Australia.
- 12.5. Personal Accident insurance will be provided whilst Councillors are engaged in activities directly connected with or on behalf of the Council.
- 12.6. Motor Vehicle Insurance whilst driving a Council owned vehicle.

13. Legal assistance

- 13.1. Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
 - a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act provided that the outcome of the legal proceedings is favourable to the Councillor
 - a Councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the Councillor
 - a Councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the Councillor.

- 13.2. 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 (or equivalent) and the Conduct Reviewer (or equivalent) has commenced a formal investigation of the matter and makes a finding substantially favourable to the Councillor.
- 13.3. 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.
- 13.4. Council will not meet the legal costs:
- of legal proceedings initiated by a Councillor under any circumstances
 - of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation
 - for legal proceedings that do not involve a Councillor performing their role as a Councillor.
- 13.5. Reimbursement of expenses for reasonable legal expenses under this policy must have Council approval by way of a resolution at a Council meeting prior to costs being incurred.

14. Recognition of Service

- 14.1 Upon ceasing to hold civic office Council will recognise Councillors' service with a certificate of service as follows:
- If the Councillor elects not to seek re-election at a general Council election, the presentation of the certificate will be made during the course of the last Council meeting prior to the local government elections.
 - If the Councillor elects to seek re-election, however is not returned to civic office, then the presentation will occur during the course of a dinner held prior to a Council meeting. The presentation will take place no longer than two months after the new Council has been formed following the election that saw the former Councillor not return to civic office.
- 14.2 The presentation of a gift will remain at the discretion of the Mayor of the day.
- Upon 12 years (*3 terms*) service - presentation of long service certificate
 - Upon 20 years (*5 terms*) service - presentation of plaque at a Council dinner
 - Upon 25 years – presentation of a gift at the discretion of Mayor and General Manager at a dinner prior to a Council Meeting.
 - Upon ceasing to hold office after a period of 25 years – Civic dinner in recognition of service.

Part C – Facilities

15. General equipment and facilities for all Councillors

Facilities

- 15.1. Council will provide the following equipment and facilities to Councillors to assist them to effectively discharge their civic duties:

- a Councillor common room appropriately furnished to include telephone, photocopier, printer, desks, computer terminals, pigeonholes and appropriate refreshments. Approval must be sought by the Mayor should a Councillors' spouse and/or guest wish to visit the Councillors common room. The room is for Councillors and visitor access must be approved by the Mayor prior to the access being made.
 - access to allocated car parking spaces while attending Council offices on official business
 - personal protective equipment for use during site visits
 - a name badge for each Councillor & their partners which may be worn at official functions
 - an access card which enables entry to the public areas of the Council building, Councillors room and car park
 - A briefcase/carry case to the value of \$250.00 per Council term
 - A tailored jacket/blazer to the value of \$750.00, as selected by the General Manager in consultation with Mayor will be provided per Council term.
- 15.2. Councillors may book meeting rooms via the Mayor's Executive Assistant for official business in a specified Council building at no cost.
- 15.3. The provision and ownership of photos in both hard copy and digital format of Councillors taken during the purpose of their civic duties.
- 15.4. The provision of memorabilia and other token gifts (*pens, caps, pins etc*) to Councillors, for the purpose of distribution to the community, is at the discretion of the Mayor. Councillors must request in writing to the Mayor's Executive Assistant the gifts required and the purpose of the gift.
- 15.5. The provision of facilities will be of a standard deemed by the General Manager as appropriate for the purpose.

16. Stationery

- 16.1. Council will provide the following stationery to Councillors each year:
- Electronic letterhead, to be used only for correspondence associated with civic duties. If requested printed letterheads will be provided.
 - an initial allocation of 250 business cards and thereafter appropriate replacements for use in connection with Councillor's civic duties
 - up to 200 Christmas or festive cards per year for Councillors and 500 for the Mayor and the Deputy Mayor. If a Councillor chooses to source their own cards, Council will reimburse up to \$300 per annum excluding postage upon submission of receipts. This limit will be reviewed each Council term.

17. Administrative support

- 17.1. Council will provide administrative support to Councillors to assist them with their civic duties only. Administrative support will be provided by the Mayor's Executive Assistant or by a member of Council's Executive or Governance Team as arranged by the General Manager or their delegate.
- 17.2. 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.

18. Additional facilities for the Mayor & Deputy Mayor

Mayor

- 18.1 Council will provide the Mayor a maintained vehicle to a similar standard of other Council vehicles, with a fuel card and E-Tag. The vehicle will be supplied for all official and incidental personal use.
- 18.2 A parking space at Council's offices will be reserved for the Mayor.
- 18.3 The provision of the Mayoral Chain to carry out civic duties.
- 18.4 Council will provide the Mayor with a furnished office incorporating a Laptop configured to Council's standard operating environment, telephone, refreshments cabinet and meeting space.
- 18.5 In performing his or her civic duties, the Mayor will be assisted by an Executive Assistant not exceeding one full time equivalent (FTE) to provide administrative and secretarial support, as determined by and responsible to, the General Manager.
- 18.6 As per Section 4 of this policy, staff in the Mayor's office are expected to work on official business only, and not matters of personal or political interest, including campaigning.
- 18.7 Council will provide electronic and printed letterheads, to be used only for correspondence associated with civic duties.

Deputy Mayor

- 18.8 Council will provide the Deputy Mayor an allocated parking space at the Council's Offices.
- 18.9 Council will provide the Deputy Mayor with a suitably furnished office in the Councillors room area.

Part D – 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, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 19.3 Approval for the following may be sought after the expense is incurred:
 - travel relating to the conduct of official business
 - carer costs
 - Meal allowance for Council approved meetings
- 19.4 Final approval for payments made under this policy will be granted by the General Manager or their delegate.

Direct payment

- 19.5 Council may approve and directly pay expenses. Requests for direct payment must be submitted to the General Manager or their delegate for assessment against this policy using the prescribed form on the Councillor portal, with

sufficient information and time to allow for the claim to be assessed and processed.

Reimbursement

- 19.6 All claims for reimbursement of expenses incurred (excluding alcoholic beverages) must be made via the councillor portal, supported by appropriate receipts where applicable

Advance payment

- 19.7 Council may pay a cash advance for Councillors attending approved conferences, seminars or professional development as per 7.1.
- 19.8 Requests for a cash advance payment must be made via the Portal submitted to the General Manager for assessment against this policy in writing, with sufficient information and time to allow for the claim to be assessed and processed.

Notification

- 19.9 If a claim is approved, Council will make payment directly for advance payments or reimburse the Councillor within the next Councillor monthly allowance.
- 19.10 If a claim is refused, the Councillor will be informed in writing that the claim has been refused and the reason(s) for the refusal.

Reimbursement to Council

- 19.11 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 the expense within 14 days of the invoice date.
- 19.12 If a 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.

Timeframe for reimbursement

- 19.13 Unless otherwise specified in this policy, Councillors must provide all claims for reimbursement within the same financial year of an expense being incurred, lodged via the Councillor Portal within six (6) months of claim date.

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 If the Councillor and the General Manager cannot resolve the dispute, the Councillor may submit a notice of motion to a Council meeting seeking to have the dispute resolved.

21. Return or retention of facilities

- 21.1 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. Xxx

- 21.2 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
- 21.3 The prices for all equipment purchased by Councillors will be recorded in Council's annual report.

22. Publication

- 22.1 This Procedure will be published on Council's website.

23. Reporting

- 23.1 Council will report on the provision of expenses and facilities to Councillors and their spouses/partners in the Annual Report as required in the Act and Regulations.

24. Auditing

- 24.1 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.

25. Breaches

- 25.1 Suspected breaches of this policy are to be reported to the General Manager.
- 25.2 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 E – Appendices

Appendix I: Related legislation, guidance and policies

Relevant legislation and guidance:

- Local Government Act 1993, Sections 252, 253 and 254
- Local Government (General) Regulation 2005, Clauses 217 and 403
- Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2009
- Local Government Circular 09-36 and 17-17 Guidelines for Payment of Expenses and Facilities
- Local Government Circular 05-08 legal assistance for Councillors and Council Employees
- Office of Local Government Guidelines for payment of expenses and provision of facilities for Mayors and Councillors in NSW
- Office of Local Government Guidelines for Model Code of Conduct for Local Council's in NSW
- ICAC – No Excuses for Misuse

Related Council policies:

- 2b/2025 - Code of Conduct - Councillors

Appendix II: Definitions

The following definitions apply throughout this policy.

Term	Definition
accompanying person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a Councillor
appropriate refreshments	Means food and beverages, provided by Council to support Councillors undertaking official business at the discretion of the General Manager and Mayor having regard to the occasion.
Act	Means the <i>Local Government Act 1993</i> (NSW)
Carer	People who look after someone who needs help with their day-to-day living.
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 & Deputy 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
Managed device	A Council owned device set up and managed by Council's IT team.
maximum limit	Means the maximum limit for an expense or facility provided
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: - meetings of Council and Committees of the Whole - meetings of Committees facilitated by Council - Civic Receptions hosted or sponsored by Council - meetings, functions, workshops and other events to which attendance by a Councillor has been requested or approved by Council
Principal Carer	Person responsible for day to day care of a child or adult
professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a Councillor or the Mayor
Reasonable cost	A cost is considered reasonable if it does not exceed that which would be incurred by an ordinary prudent person in the conduct of a competitive business.
Regulation	Means the Local Government (General) Regulation 2005 (NSW)

Term	Definition
Relative	as defined by the Local Government Act 1993
year	Means the financial year, that is the 12 month period commencing on 1 July each year