

# Council Members – Payment of Expenses and Provision of Facilities

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## Purpose

1. To comply with Section 252 of the Local Government Act 1993 in that:
  - “(1) Within 5 months after the end of each year, a council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one) and the other councillors in relation to discharging the functions of civic office.*
  - (2) The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the mayor or a councillor of a facility provided by the council to the mayor or councillor.*
  - (3) A council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the mayor, the deputy mayor (if there is one) or a councillor otherwise than in accordance with a policy under this section.*
  - (4) A council may from time to time amend a policy under this section.*
  - (5) A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.”*
2. This Policy ensures that there is accountability and transparency in the facilities provided and expenses claimable by Councillors, in their elected role. It is also designed to establish limits and categories to comply with the Annual Reporting requirements of Council as set out in Clause 217 of the Local Government General Regulation 2005.

## Statement

3. Councillors may claim payment for expenses incurred or to be incurred in relation to discharging the functions of civic office.
4. The payment of expenses and the provision of facilities to the Mayor, Deputy Mayor and Councillors are in accordance with the Local Government Act, 1993 (Section 252) and the Local Government (General) Regulation 2005 in respect to the limits of expenses.
5. Such payments will be reimbursed to Councillors on the third Thursday of each month. If for some reason Treasury are unable to pay, payment be deferred until the following Monday.
6. Approval of Claims shall be undertaken jointly between the Governance Business Unit Manager and Chief Financial Officer or respective nominee.
7. Expenses for which reimbursement is being sought must be accompanied by appropriate receipts invoice or other evidence of payment. The General Manager (or Delegate) must be satisfied that sufficient evidence of the expenditure has been provided, if insufficient evidence is provided the General Manager (or Delegate) should refuse the claim. Deadline for claims for reimbursement are to be received by 12.00 noon on the day prior to processing of payment. As payment processing

usually occurs on a Tuesday for payment on Thursday the deadline will usually fall at 12.00pm Monday.

8. Claims for expenses that are not specifically provided for within this Policy are to be declined.
9. Annual Limits outlined in this policy refer to expenses incurred during the relevant financial year.

## **10. Definitions**

10.1 **“Legitimate Business”** (Clause 3.1) includes, but without being limited to, attendance at the following:

- all Council meetings;
- civic functions, receptions and official openings organised by Council or its delegate;
- Meetings of Council Committees, Boards and Working Parties/Groups or the like;
- other functions by invitation in capacity as Mayor or Councillor;
- inspections, briefings or the like as arranged by Council;
- Funerals as a Community representative, Government Events – e.g., openings.
- meetings of Community Consultative Bodies (CCB’s) or Business Chambers;
- responding to rate payer’s enquiries or requests for inspections subject to a brief explanation being given or other source documentation being provided with the claim.

10.2 **“Council business”** (Clause 3.3) includes, but without being limited to, the following:

- meetings of State or regional organisations (or the like) of which the Mayor/Councillor is a member, or invitee and the attendance is authorised by Council or jointly by the General Manager and Mayor;
- official or civic functions of such significance that attendance is justified and authorised by Council or jointly by the Mayor and General Manager;
- conferences or training authorised by Council or jointly by the Mayor and General Manager;
- other official business approved by the Council or jointly by the Mayor and General Manager.
- Dinners and other non-Council functions that provide briefings to Councillors from key community members, politicians and business.
- Australia Day and Anzac Day Ceremonies;
- Charitable functions organised by groups which are recognised as such and supported by Council and their annual dinner meeting, as well as events sponsored by Council;
- Changeover dinners of service clubs,
- Christmas functions for Council boards where the Councillor is invited in their civic capacity to attend.

## Provisions

### 11. Business within the Shoalhaven and Adjoining areas

Councillors may claim reasonable transport and sustenance costs in respect of any legitimate business conducted within the City of Shoalhaven and adjoining Local Government areas on behalf of the Council subject to completion of electronic claim forms to be provided by the General Manager.

#### 11.1 Private Vehicle

If travelling is by private vehicle the rate applicable from 1 July 2015 shall be as follows:

<b>Engine Capacity</b>	<b>Cents per kilometre</b>
2601 cc and over	0.89
1601 cc - 2600cc	0.84
1600 cc or less, and Electric Powered Vehicles	0.66

These rates were initially based on the rates for Crown Employees (Public Service Conditions of Employment) Reviewed Award 2006. That Award was reviewed in 2008 and the kilometre rate for private travel was reduced. The rate applying at that time was used as the base rate and is now adjusted in accordance with any variations to the Private Motoring Component of the Consumer Price Index for the preceding twelve month period to March.

In the event that a Councillor is returning from a private or business trip outside the City of Shoalhaven and is travelling directly to a Council engagement, the Councillor shall be entitled to a reimbursement of travel expenses from the city boundary to that engagement.

In submitting claims for reimbursement of travel expenses to inspections and meetings with residents, business owners or others, a description of the inspection/meeting be included detailing who attended. If appropriate the Staff member assessing the reimbursement request may seek further advice or clarification from the Councillor.

#### 11.2 Public Transport, Taxi and Car Rental.

Councillors travelling by taxi, car rental or other means of public transport shall be reimbursed for actual expenses incurred.

#### 11.3 Sustenance

Reasonable costs incurred for sustenance will be met by Council or actual costs reimbursed.

Council may provide meals when Council business extends over meal times. If a meal is not provided, and

- a Councillor who resides more than 2 kilometres from Council, is committed to Council engagements including Community meetings, briefings etc both in the morning (am) and in the afternoon (pm) or
- it is likely that the Councillor will arrive home after 7.00pm

the Councillor will be entitled to a reimbursement of reasonable costs (actual expenses) paid for the meal (lunch and/or dinner) to a limit set out in 3.3(d).

Where multiple engagements occur outside of Council and when combined extend over meal times and a Councillor resides more than 2 kilometres from the engagement(s) that Councillor shall be entitled to be reimbursed for the actual cost of the meal.

## **12. Business Outside the Shoalhaven City Council Area**

Within the limits established in this policy, Council shall meet reasonable out of pocket expenses incurred by Councillors in attending Council business outside the City area and adjoining Local Government areas authorised by Council resolution. When the event has been deemed business of Council by resolution within Australia, the Executive Support and Financial Services Managers shall jointly authorise expenditure. Where the business is outside Australia, approval is to be by Council resolution.

Claims for such expenses may include:

### **12.1 Private Vehicle**

If travelling is by private vehicle, the rate applicable shall be in accordance with the rates set out in Clause 3.1 () of this policy.

### **12.2 Public Transport, Taxi and Car Rental**

Councillors travelling by taxi, car rental or other means of public transport shall be reimbursed for actual expenses incurred.

When a Councillor is on business outside of the city an annual limit for car hire use of \$2000 shall apply and where possible vehicles are to be shared between Councillors. If further allowance is required prior approval shall be obtained from the Mayor and General Manager.

### **12.3 Airfares**

Where appropriate Council shall meet the costs of airfares to an event authorised under this policy. The General Manager shall be authorised to determine under what circumstances travel by air is appropriate.

When travelling within NSW, ACT or Victoria, a Councillor may elect to travel by car, bus or air. When travelling by car, pooling is encouraged.

Any air travel frequent flyer points earned from Council business travel shall only be redeemed for subsequent Council business and not be converted for private use.

#### 12.4 Accommodation & Sustenance

Council shall meet actual reasonable accommodation sustenance and incidental costs as follows:

##### 12.4.1 Accommodation

An accommodation allowance for actual expenses up to a limit of \$300.00 per day shall apply. Accommodation is organised through the General Managers' office. When requested by the Councillor, staff will seek to incorporate breakfast in the accommodation tariff.

Only in circumstances where accommodation is provided at the facility where an event is staged, Council will meet the full cost of accommodation if the cost exceeds the authorised amount.

The annual limit for accommodation to be paid under this section is \$10,000.00 per Councillor.

Unless prior agreement with the General Manager the accommodation component is the only expense charged back to Council and the individual Councillor meets all other expenses and then claims legitimate expenses via the electronic claims system.

##### 12.4.2 Sustenance

Council will reimburse reasonable costs (actual) incurred for meal expenses to a daily limit of \$250.00.

##### 12.4.3 Incidental Expenses

Reasonable out of pocket or incidental expenses associated with attending conferences, seminars or other Council business outside the city area may be reimbursed upon the presentation of official receipts and the completion of the necessary claim form. Incidental expenses include telephone or facsimile calls, refreshments, internet charges, laundry and dry cleaning, newspapers, tolls and parking fees. In addition, the cost of meals not included in the registration fees for conferences or similar functions may be reimbursed after reconciliation for single day events.

The cost of out of pocket or incidental expenses referred to above shall not exceed \$150 per day for each Councillor.

#### 12.5 Seminars and Conferences

For councillors attending conferences or seminars Council will meet the cost of registration fees and other associated expenses provided for elsewhere within this policy.

After returning from a conference or seminar, councillors, or an accompanying member of council staff, shall provide a written report to council on the aspects of the conference or seminar relevant to council business and/or the local community. No written report is required for the annual conferences of the Local Government NSW (LGNSW) and Australian Local Government Association (ALGA).

Attendance at conferences is limited to three per annum per Councillor exclusive of any conference arranged by either the Local Government NSW (LGNSW) or Australian Local Government Association (ALGA).

#### 12.6 Training and Development

This policy shall apply to Training and Development Requirements of Councillors in respect to registration, mileage and other allowances set out in clause 3.3.

Requests for course fees for Training and Development of Councillors shall be approved jointly by the Mayor and General Manager upon submission of information that demonstrates a benefit to the Council that is consistent with the estimated cost of that Training.

The limit payable under this clause for course fees shall be \$4,000 each financial year per Councillor. This limit may be carried forward, with the total amount accumulated for each Councillor not exceeding \$16,000 over a four-year term.

#### 12.7 Overseas travel

Overseas travel must be approved by a meeting of the full council prior to a Councillor undertaking the trip. Council will scrutinize the value and need for the overseas travel together with the direct and tangible benefits for the council and the local community.

After returning from overseas, councillors, or an accompanying member of council staff, shall provide a detailed written report to a full meeting of council on the aspects of the trip relevant to council business and/or the local community.

#### 12.8 Claims over \$500

“The Mayor or Deputy Mayor and General Manager or delegate may jointly determine Councillor claims in excess of \$500.00 per individual item.”

### **13. Additional Facilities for the Mayor**

In addition to the facilities, equipment and services provided to Councillors, the following additional facilities may be provided to the Mayor, in recognition of the special role, responsibilities and duties of the position, both in the Council and in the community.

#### 13.1 Mayoral Vehicle

The Mayor may provide a vehicle of appropriate standard for use on Mayoral duties or alternatively Council shall provide and maintain a vehicle of appropriate standard for use by the Mayor to carry out the role, responsibilities and duties of the Mayor in accordance with the conditions outlined in Appendix A to this policy

For private use outside of the City of Shoalhaven a rate of 15 cents per kilometre shall apply.



The Mayor shall be required to provide a monthly reconciliation of such private use which may be deducted from the fees paid to the Mayor.

### 13.2 Additional Equipment, Facilities & Services

- Ceremonial clothing, including Mayoral Robes and Chain of Office.
- Dedicated secretarial support.
- Furnished Mayoral office.
- Communication facilities and call costs associated with the operational role of the Mayoral office.
- Childcare to a limit of \$5,000 per annum from 1 July 2009

## 14. Insurance

Councillors shall receive the benefit of insurance cover for –

- Personal Accident, including travel, while on Council business.
- Public Liability (for matters arising out of Councillors' performance of their civic duties and/or the exercise of their Council functions).
- Professional Indemnity (for matters arising out of Councillors' performance of their civic duties and/or the exercise of their Council functions).
- Councillor Liability (for matters arising out of Councillors' performance of their civic duties and/or the exercise of their Council functions).
- Travel insurance for approved interstate and overseas travel on Council business

## 15. Communication Expenses

15.1 Council shall provide or support access to Council's central computing facilities for each Councillor. The technology used for connection will be dependent on the location and availability. However, "high speed" technology solutions will be provided wherever practicable. Councillors will be provided with a maximum of two lines, or alternatively broadband or ISDN, to their nominated residence for Council usage.

15.2 In addition, Council will provide –

- Mobile communication device and car kit
- Facsimile machine (if requested)
- "Desktop Computer, Notebook and/or Tablet device – e.g., iPad (or similar updated technology) as required. Other peripherals as determined appropriate by the General Manager and Mayor jointly or in the case of the Mayor the Deputy Mayor, necessary for the Councillors to perform their civic function."
- Multi-Functional device

15.3 Council will meet the following costs:

- Connection and rental charges;
- Councillors shall be provided with an allowance for telephone use to a yearly limit of \$6,000. Call costs made from the Mayoral Office are not included. Any costs above that limit are to be recovered from the Councillor as per Clause 3.18.

- 15.4 Council may enter into any telephone (capped) plan that may be considered appropriate and/or cost effective taking into account a Councillors usage history and where a savings potential can be identified.
- 15.5 All private usage of equipment (e.g., telephone and mobile phone) shall be reimbursed to Council as per clause 3.18. The amount to be reimbursed shall be determined on the average monthly call cost for each councillor based on the actual private call costs as disclosed in the declarations for a six month period during the term of council with such amount to be deducted from monthly fees.
- 15.6 In circumstances where it is not practicable for the Councillor to receive a Council mobile phone in addition to being required to carry their own business/personal mobile phone, the Councillor may elect to retain their own business/personal phone and be reimbursed a monthly allowance, taking into account the Councillor's use over at least a 3-month period. The monthly allowance would be based on the cost for calls, data exchange if email is received on the phone, and the cost of providing a phone of similar standard to that which would normally be supplied by Council, spread over a 2-year period.
- 15.7 Where a Councillor uses their own tablet device for Council purposes which is connected to a carrier data service, Council will, following approval, reimburse the Councillor the equivalent cost that would be charged to Council.

## **16. Secretarial Assistance & Office Supplies**

- 16.1 The General Manager shall be authorised to provide reasonable secretarial support for each Councillor by way of providing stationery, photocopying, postage and stenographic support. There is no limitation in respect of a Councillor responding to and dealing with constituent's correspondence.
- 16.2 In respect of Councillor initiated correspondence reasonable secretarial support shall be limited to 240 stamps or the equivalent per Councillor per 3 months and/or the typing of forty (40) letters per month per Councillor (with the exception of the Mayor).
- 16.3 In addition, Council will meet the purchase and mailing costs of up to 200 Corporate Christmas cards for each Councillor.
- 16.4 Councillors will have access to photocopiers in Administration buildings for Council business.
- 16.5 Secretarial support and stationery supplies shall only be used for Council business, in accordance with this Policy and Council's Code of Conduct.

## **17. Office Equipment**

- 17.1 Council will provide the following office equipment:
- one filing cabinet (or similar) for the purpose of storing Council records - limited to \$300)
  - Office desk - limited to \$900 and
  - ergonomic chair limited to \$400
- 17.2 Council will provide a paper shredder for the purpose of destroying Council documents, in accordance with the provisions of the State Records Act.

17.3 In addition, Council will provide a digital camera for Council purposes, if requested.

## **18. Council Jacket**

18.1 Councillors shall be provided with a jacket with the option of an embroidered pocket or plain badge identifying Council.

## **19. Councillors Room**

19.1 A Councillors' Room shall be provided which is to be shared by all Councillors. It will include:

- Office equipment such as desks - studio style, meeting table, a telephone, facsimile, photocopy machine, Desktop Computers, VGA access, and Internet access.
- Councillors will be provided access to an electronic library of relevant documents including adopted Council policies and plans, Council documents on public exhibition, Local Government Act, Planning and Environment Legislation, and Internet access to the Local Government Legislation website.
- Kitchen facilities including refreshments which shall comprise tea/coffee, and non-alcoholic drinks.

## **20. Acquisition and Return of Equipment and Facilities**

20.1 Equipment and other facilities provided to councillors under this policy shall be returned to the council after the completion of the councillor's term of office, during an extended leave of absence or at the cessation of their civic duties.

20.2 Councillors shall have the option to purchase council equipment previously allocated to them at the cessation of their duties or when a Councillor converts from a Council provided mobile service to an alternate service. The item for sale may be purchased at an agreed fair market price or written down value as determined jointly by the General Manager and Mayor in respect of councillors or the Deputy Mayor and General Manager in respect of the Mayor.

## **21. Spouses, Partners and Accompanying Persons**

21.1 There may be limited instances where certain costs incurred by the councillor on behalf of their spouse, partner or accompanying person are properly those of the councillor in the performance of his or her functions. An accompanying person is a person who has a close personal relationship with the councillor and/or provides carer support to the councillor.

21.2 Meeting the reasonable costs of spouses and partners or an accompanying person for attendance at official council functions that are of a formal and ceremonial nature, is considered appropriate when accompanying councillors within the local government area. Such functions would be those that a councillor's spouse, partner or accompanying person could be reasonably expected to attend. Examples could include but not be limited to Australia Day award ceremonies, citizenship ceremonies, civic receptions and charitable functions for charities formally supported by the council.

- 21.3 Limited expenses of spouses, partners or accompanying persons associated with attendance at the annual conferences of the Local Government NSW (LGNSW) and Australian Local Government Association (ALGA) could be met by council. These expenses should be limited to the cost of registration and official conference dinners. Travel expenses, any additional accommodation expenses, and the cost of partner/accompanying person tours etc would be the personal responsibility of individual councillors.
- 21.4 Consideration should also be given to the payment of expenses for the spouse, partner or accompanying person of a 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 council's area, but within the State. Examples could include charitable functions to which the mayor has been invited and award ceremonies and other functions to which the mayor is invited to represent the council.
- 21.5 The above circumstances should be distinguished from spouses, partners or accompanying persons who accompany a councillor at any event or function outside the council area, including interstate and overseas, where the costs and expenses of the spouse or partner or accompanying person should not be paid by council (with the exception of attendance at the Local Government and Shires Associations annual conferences, as noted above).
- 21.6 The above examples should also be distinguished from circumstances where spouses, partners or accompanying persons accompany councillors at seminars and conferences and the like. In these situations all costs, including any additional accommodation costs, must be met by the councillor or the spouse/partner/accompanying person.
- 21.7 Definition  
"An Accompanying Person" is a person who has a close personal relationship with the councillor and/or provides carer support to the Councillor.

## **22. Carer and Other Related Expenses**

- 22.1 Council will reimburse the reasonable (actual) cost of carer arrangements up to a maximum of *twenty four hours per week* in order to allow councillors to undertake their council business obligations, including:
- childcare expenses and
  - the care of elderly, disabled and/or sick immediate family members of councillors.
- 22.2 An annual limit in the amount of \$3,000 shall apply to this clause.
- 22.3 Council may also pay for other related expenses associated with the special requirements of councillors such as disability and access needs, to allow them to perform their normal civic duties and responsibilities.

## **23. Legal Advice**

- 23.1 Council may indemnify or reimburse reasonable legal expenses of a councillor for proceedings taken against a councillor in defending an action arising from the performance in good faith of a function under the Local Government Act, or defending

an action in defamation provided that the outcome of the proceedings is favourable to the councillor.

23.2 Councillors shall be entitled to legal advice, subject to the concurrence of the General Manager, on Council related personal matters. Legal advice includes seeking opinion on:

- personal pecuniary interest matters
- action in defamation
- other action

arising from the performance in good faith of a function of a Councillor, as approved by the General Manager.

23.3 Reasonable legal costs may also be available for an inquiry, investigation or hearing into the conduct of a Councillor by any of the following –

- Independent Commission Against Corruption
- Office of the NSW Ombudsman
- Office of Local Government
- Police Service
- Director of Public Prosecutions
- NSW Civil and Industrial Tribunal (NCAT) or other similar body
- Council's Conduct Review Committee/Reviewer.

23.4 In addition, reasonable legal costs may be available where legal proceedings are taken against a Councillor arising out of or in connection with the Councillor's performance of their civic duties or exercise of their functions as a Councillor and a formal investigation or review is commenced.

23.5 In the case of a conduct complaint made against a councillor, legal costs may only be made available where a matter has been referred by a general manager to a conduct reviewer/conduct review committee to make formal enquiries into that matter in accordance with the Code of Conduct Procedures adopted by Council.

23.6 In the case of a pecuniary interest or misbehaviour matter, legal costs may only be made available where a formal investigation has been commenced by the Office of Local Government.

23.7 Council may reimburse such Councillor, after the conclusion of the inquiry, investigation, hearing or proceeding, on a solicitor/client basis, PROVIDED –

- a) the amount of such reimbursement shall be reduced by the amount of any moneys that may be or are recouped by the Councillor on any basis; and
- b) the inquiry, investigation, hearing or proceeding results in a finding substantially favourable to the Councillor, despite an identification of an inadvertent minor technical breach.

23.8 In circumstances where a claim is intended to be made under this policy, the Councillor must provide a cost estimate from the legal firm to the General Manager for concurrence, prior to engagement.

23.9 Council will not meet the legal costs for proceedings initiated by a Councillor under any circumstance, or the legal costs of a Councillor seeking advice in respect of

possible defamation, or a non-litigious remedy for possible defamation. Legal costs shall also not be met for proceedings that do not involve a Councillor performing their role as a councillor.

**24. Expenses arising from a Motor Vehicle Accident Whilst on Council Business**

- 24.1 Council shall reimburse any reasonable out-of-pocket expenses incurred by a Councillor, if they are involved in a motor vehicle accident whilst on Council business.
- 24.2 Any amount claimed will be reduced by the amount that may be recovered from any other third party or from their own motor vehicle insurer.
- 24.3 This clause shall not apply if the Councillor is charged with driving under the influence of alcohol or drugs or is charged with driving at excess speed (i.e. over the speed limit).
- 24.4 A claim under this Clause shall be limited to the excess provided for in Council's Motor Vehicle Policy.

**25. Attendance at Political Functions**

- 25.1 Council will meet the incidental costs associated with the attendance of the Mayor or a Councillor at a political function, at the invitation of a local Member of Parliament or candidate of a registered political party.
- 25.2 "Incidental costs" do not include any cost which would constitute a direct contribution to election campaign funds. Any costs incurred under this Clause must be authorised by Council resolution or under the delegated authority of the General Manager jointly with the Mayor or Deputy Mayor, as required.

**26. Contribution to a Complying Superannuation Fund**

- 26.1 In accordance with the Australian Taxation Office's Interpretative Decision 2007/205, 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.
- 26.2 Any request by a Councillor to redirect their fees as a superannuation contribution must be in writing and cannot be retrospective.
- 26.3 Councillors are responsible for seeking independent financial advice, before making a decision on whether or not to make additional superannuation contribution before submitting an application to Council. Proof of receiving that advice is to be provided in the written request.
- 26.4 Requests in writing are to be provided to the General Manager who is the approving authority.

**27. Election Material**

- 27.1 Under no circumstances shall Councillors use the secretarial services, council facilities, equipment and services provided to produce election material or for any

other political purposes in association with Local, State or Federal Government elections.

## **28. Reimbursement of Personal Expenses**

28.1 Any private or alternative business expenses relating to Councillor activities incurred by Council including those expenses referred to in this policy plus GST shall be recovered (deducted) from future reimbursement claims or fee payments.

## **Dispute Resolution**

29. If a Claim is refused jointly by the Chief Financial Officer and the Governance Business Unit Manager and the reason for the refusal is disputed by the Councillor, the matter is referred to the General Manager for determination. The Councillor will be required to set out the reasons the refusal is disputed. The decision of the General Manager is final.
30. The dispute process will be conducted separately to the electronic Councillor Claims process in order to allow the approved claims to be paid and the subsequent resolution of any disputed claims

## **Reporting of Expenses in Annual Report**

31. The Local Government Regulation at Clause 217 requires the publication in the Annual report of expenses reimbursed in each category set out as follows.

- “(a1) details of the total cost during the year of the payment of the expenses of, and the provision of facilities to, councillors in relation to their civic functions (as paid by the council, reimbursed to the councillor or reconciled with the councillor), including separate details on the total cost of each of the following:
- (i) the provision during the year of dedicated office equipment allocated to councillors on a personal basis, such as laptop computers, mobile telephones and landline telephones and facsimile machines installed in councillors’ homes (including equipment and line rental costs and internet access costs but not including call costs),
  - (ii) telephone calls made by councillors, including calls made from mobile telephones provided by the council and from landline telephones and facsimile services installed in councillors’ homes,
  - (iii) the attendance of councillors at conferences and seminars,
  - (iv) the training of councillors and the provision of skill development for councillors,
  - (iv) interstate visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,
  - (v) overseas visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,
  - (vi) the expenses of any spouse, partner (whether of the same or the opposite sex) or other person who accompanied a councillor in the performance of his or her civic functions, being expenses payable in accordance with the

*Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for Local Councils in NSW* prepared by the Director-General from time to time,

- (vii) expenses involved in the provision of care for a child of, or an immediate family member of, a councillor, to allow the councillor to undertake his or her civic functions,
32. Council at its meeting on 28 June 2011 (MIN11.674) resolved to disclose the following additional information to that prescribed in the Local Government (General) Regulation in the Annual report:
- Legal Costs
  - Subsistence and out of pocket expenses
  - Travelling Expenses
  - Mayoral Vehicle
  - Printing and Stationary/Office Expenses
  - Council & Committee Meetings, Briefings, Meals & Sustenance
  - Secretarial Support
33. All claims submitted by Councillors are a matter of public record and may be subject to audit at the discretion of the Audit Committee and or the General Manager.
34. In addition, Council shall publish the expenses paid to individual Councillors on its website on an annual basis.

### Review

35. This policy statement will be reviewed annually prior to 30 November in accordance with Section 252 of the Local Government Act.

### Implementation

36. The Mayor and Councillors individually have a responsibility to submit claims for payment of expenses and to use facilities in accordance with this policy.
37. Any claims for reimbursement of expenses should be lodged within three (3) months of the expenditure being incurred. Claims made after this time will not be considered.
38. Council may deduct amounts from any claims or fees payable, sufficient to pay any debts owing by a Councillor relating to this Policy.
39. Authorisation for late payment of claims shall be by *either* –
- Council resolution;
  - The Mayor and General Manager jointly for claims for expenses in respect of Councillors; or
  - The Deputy Mayor and General Manager jointly for claims for expenses in respect of the Mayor.



## Application of ESD Principles

40. Non-Applicable

## Appendix A

### Conditions of use of Mayoral Vehicle

1. The vehicle is and shall remain the property of Council, and is to be used primarily for Mayoral duties and shall be surrendered to the Council by the Mayor at the time he/she ceases to hold office.
2. Use of the vehicle is subject to the Shoalhaven City Council's Code of Conduct and Code of Conduct Guidelines. Particular reference should be made to the "Use of Council Resources and Equipment" section. Unless approved by Council, a Council-owned vehicle is not to be used for any private purpose. It is noted that Council has deemed that all usage of the Mayoral vehicle by the Mayor within the City boundaries is Council related business.
3. The vehicle is classified as a smoke free zone at all times.
4. The Council may display such insignia or other identification as may be required by the Council from time to time.
5. During times when the Mayor has sought leave of absence or the Mayor designates the Deputy Mayor to undertake the Mayoral role, wherever practical, the Mayoral vehicle will be made available to the Deputy Mayor on those occasions.
6. The vehicle shall not be exchanged without prior advice being given to the Fleet Management Unit.
7. The Director of Finance and Corporate Services may require the keeping of a log book, running return or other form of travel record for any period of time as deemed necessary for the vehicle.
8. The person responsible for the vehicle or the driver will be liable for any fines and/or charges relating to alleged illegal use of the vehicle incurred whilst the vehicle is in the Mayor's care.
9. All drivers of the Mayoral vehicle shall be properly licensed. The Mayor may allow another person to drive the vehicle whilst he/she is a passenger.
10. The Mayor shall take all reasonable steps to ensure that the vehicle is located in a safe location when left unattended and will undertake cleaning and regular maintenance checks such as fluid levels i.e. water and oil.