



Hawkesbury City Council

attachment 1
to
item 178

DRAFT
Policy Regarding Payment of
Expenses and Provision of Facilities
to Councillors

date of meeting: 9 August 2016
location: council chambers
time: 6:30 p.m.



Hawkesbury City Council
Policy

DRAFT

**Policy regarding payment
of Expenses and
Provision of Facilities to
Councillors**

Section 252 Local
Government Act 1993

Hawkesbury City Council



HAWKESBURY CITY COUNCIL POLICY

Policy Regarding Payment of Expenses and Provision of Facilities to Councillors

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HAWKESBURY CITY COUNCIL POLICY
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PART 1 INTRODUCTION

1 TITLE

This policy is to be known as the Council's Policy Regarding the Payment of Expenses and Provision of Facilities to Councillors.

2 PURPOSE OF POLICY

The purpose of the Policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by councillors. The Policy also ensures that the facilities provided to assist councillors to carry out their civic duties are reasonable.

3 OBJECTIVES

- a) To ensure that Councillors are reimbursed for all expenses legitimately and reasonably incurred in performing the role of Councillor.
- b) To establish clear guidelines regarding the provision of facilities and equipment to Councillors and the permitted use of such facilities and equipment.
- c) To provide for facilities and equipment to be made available to the Mayor and Councillors.
- d) To fulfill the statutory responsibilities of Section 252 of the Local Government Act, 1993.

4 MAKING AND ADOPTION OF THE POLICY

This Policy is made under the provisions of the Local Government Act, 1993, including Sections 252 to 254, and having regard to the provisions of circulars issued by the Division of Local Government, Department of Premier and Cabinet, in this regard. Section 252 of the Act requires that the Council must adopt a policy concerning the payment of expenses and the provision of facilities to the Mayor and other Councillors, and is in the following terms:

- (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.*



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5 REPORTING REQUIREMENTS

Section 217 of the Local Government (General) Regulation 2005 and the NSW Division of Local Government's Integrated Planning and Reporting Guidelines, stipulate the inclusions in Council's Annual Report, including:

- the cost of Councillor office equipment
- the cost of Councillors attending conferences and seminars
- the expenses for any spouse/ partner accompanying a Councillor in the performance of their civic duties
- the total annual allowances paid to Councillors and the Mayor.

6 OTHER GOVERNMENT POLICY PROVISIONS

- Division of Local Government, Department of Premier and Cabinet Guidelines for payment of expenses and provision of facilities
- Model Code of Conduct
- Division of Local Government, Department of Premier and Cabinet Circulars to councils
- ICAC publications

7 APPROVAL ARRANGEMENTS

Approval for discretionary trips and attendance at conferences and the like under this Policy should, where possible, be approved by a full meeting of the council. If this is not possible, then the approval should be given jointly by the Mayor and the General Manager. If the Mayor requires approval to travel outside of council meetings, it should be given jointly by the Deputy Mayor and the General Manager.

Total costs for the payment of expenses and the provision of facilities to Councillors are to be within the limits of the provision of Council's annual budget, with expenditure against budget allocation to be reviewed quarterly, in accordance with Council's standard quarterly budget review process.

PART 2 PAYMENT OF EXPENSES

1 EXPENSES

- a) "Expenses" includes travelling, accommodation and sustenance costs, entertainment, taxi charges, seminar and conference fees.
- b) Such expenses paid to Councillors are for attendance at meetings of the Council; other meetings duly authorised by the Council; inspections in compliance with a Council resolution or where a Councillor is representing Council as a delegate or participant at a function, conference or seminar.
- c) Council supports and encourages an active learning process and skills development for Councillors.
 - (i) Conferences and Seminars

Council may authorise the attendance of Councillors at conferences or seminars, with expenses associated with such attendance being met in accordance with this Policy. The General Manager may authorise attendance at relatively minor seminars or short courses conducted by organisations, such as the Local Government Association, Local Government Managers Association and other similar bodies covering industry related issues.

- (ii) Training and Professional Development

Council recognises the value in the development of Councillors of other training or educational courses which are directly related to the Councillor's civic functions and responsibilities.



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Council will reimburse reasonable expenses for attendance by Councillors at training or educational courses, including courses run by recognised educational institutions resulting in a formal qualification, and authorised by the General Manager in advance, where it directly relates to the Councillor's civic duties and responsibilities.

The General Manager or his delegate may authorise claims for such expenses up to \$2,000 per annum, with any requests which would result in the re-imburement of an amount higher than this for an individual Councillor being referred to Council for consideration.

In the event that the General Manager considers that a requested training or educational course does not meet the requirements of this clause the matter is to be referred to Council for consideration if this is requested by the Councillor concerned.

d) Travelling

The traveling costs reimbursed to Councillors shall be the same rate as that applied in the Local Government State Award, or any agreement or award that may replace this award, subject to the provisions in part (vi) below and payable on the following basis:

- (i) to and from the meetings of the Council, or a meeting of any committee of the Council, provided that the allowance is payable only from the Councillors residence to the Council offices or designated meeting place. Should a Councillor be attending a meeting not departing from their residence, any claim is limited to the place of departure or the Council boundary, whichever is the closer;
 - (ii) upon inspections, provided such inspections are undertaken in compliance with resolutions of the Council;
 - (iii) upon business of Council inside the Hawkesbury Local Government Area (such as functions, ceremonies, school presentation, etc.);
 - (iv) upon business of the Council outside the area, in compliance with a resolution of the Council;
 - (v) to and from conferences attended by a Councillor, provided such attendance is authorised by Council, or the Mayor, or the General Manager;
 - (vi) distances claimed shall be the shortest practicable, most cost effective, route and via the most cost effective mode of travel, with reimbursement to be paid in accordance with motor vehicle kilometer rate in the Local Government State Award, or, if applicable, an amount equivalent to the cost of a return economy class airfare (including travel costs to and from the airport and other associated costs such as parking), whichever is the lesser amount.
- e) Council's Policy for Interstate and Overseas Travel is outlined in Attachment A. Notwithstanding the Policy, Council is to meet all direct expenses in association with attendance by members including registration fees, transport and accommodation. The appropriate reimbursement will be paid for travelling expenses in accordance with (d) above. Travel arrangements are to be made through the General Manager's office.
- f) Incidental expenses such as telephone calls, refreshments and meals, not provided as part of conference participation, and internet charges, laundry and dry cleaning, newspapers, taxi fares, parking, etc., will be reimbursed upon presentation of documentary evidence and completion of a claim form. Amounts to be reimbursed shall be limited to \$75 per day.
- g) Councillors may request payment in advance, in anticipation of expenses to be incurred, in attending conferences, seminars and training away from home, and approved in accordance with Part 1 (7) above. These must be fully reconciled against actual expenses incurred and shall be limited to \$75 per day. Where the advance has not been expended in full after appropriate reconciliation, the balance of the advance is to be repaid to Council.



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- h) Claims for reimbursement of expenses under (f) above, or a reconciliation in respect of an advance made under (g) above, are to be made within 1 month of the event the subject of the claim occurred.
- i) No objection is raised to attendees at conferences being accompanied by their spouse/partner, subject to Council not being required to meet any costs in addition to those to be expended in association with a Councillor's participation.
- j) Where the Mayor is required to attend a function on behalf of Council, and the nature of the function is such that the Mayor's spouse, partner or accompanying person could reasonably be expected to attend, Council will meet their reasonable expenses i.e. ticket, meal and/or the direct cost of attending the function.
- k) Where the Mayor has requested a councillor to attend a function (on behalf of Council) in his/her stead, and the nature of the function is such that the councillor's spouse, partner or accompanying person could reasonably be expected to attend, Council will meet their reasonable expenses, i.e. ticket, meal and/or the direct cost of attending the function.
- l) When Councillors are attending an official function of the Council in the performance of their councillor role, and it would normally be expected that the Councillor would be accompanied by their spouse/partner or an accompanying person, the Council will meet the cost of the attendance of the Councillor's spouse/partner or accompanying person at the function. Examples of such functions could include, but not be limited to, Australia Day Award Ceremonies, Citizenship Ceremonies, Civic Receptions, charitable functions for charities formally supported by the Council, etc.
- m) Pursuant to Section 252(3) of the Local Government Act, the General Manager has authority to approve payments and advances, made in accordance with this Policy. All claims for expenses shall be submitted on an approved form for approval by the General Manager or his delegate. The reimbursement of expenses are to be claimed within 1 month of them being incurred.
- n) Councillors and their spouses are entitled to attend conferences that relate to Local Government, with the Council meeting all reasonable expenses in accordance with its Policy in relation to the Councillor, with travel for the Councillor's partner being the responsibility of the Councillor. Approval for such attendance to be given by the Mayor, alternatively, the matter requiring the approval of the Council.

2 ANNUAL FEES

a) Mayor

In accordance with Section 249(1) of the Local Government Act, 1993, Council will pay the Mayor an annual fee monthly in arrears, with the fee to be determined annually. This fee will be paid in addition to the fee paid to the Mayor as a Councillor.

Such amount is to be determined by Council in accordance with the Remuneration Tribunal's Guidelines.

b) Deputy Mayor

The Deputy Mayor shall receive a fee. The amount of the fee paid to the Deputy Mayor would be deducted from the Mayor's annual fee. Such amount to be determined by Council in conjunction with the decision in respect of (a) above (Mayor).



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c) Councillors

In accordance with Section 248(1) of the Local Government Act, 1993, Council will pay all Councillors an annual fee, paid in 12 equal installments, monthly in arrears.

The amount of the fee shall be determined by Council in accordance with the Remuneration Tribunal's Guidelines.

d) Sacrificing Annual Councillor fees to complying superannuation funds

In accordance with the Australian Taxation Office 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.

PART 3 PROVISION OF FACILITIES

1 UPON ELECTION TO OFFICE

Each Councillor will be provided with the following, upon election to office:

- a) various stationery for their elected member/ civic office duties; and
- b) a copy of Council's Councillor Induction Handbook, which includes all relevant publications produced to assist Councillors in the performance of their duties of office, including a copy of Council's Code of Meeting Practice, Code of Conduct and other relevant policies; the Delivery Program, Operational Plan, current Annual Report and Local Government Handbook, if available.

The above items will be located at the Councillor's place of residence or place of business, and remain the property of Council, being returnable upon the Councillor ceasing to hold office with Council.

2 DURING THE TERM OF COUNCIL

a) Mayor

The Mayor will be provided with the following items, which remain the property of Council, and, where applicable, must be returned to Council upon the Mayor ceasing to hold that office:

- (i) an office suitably furnished and including a telephone and computer outlet;
- (ii) a fully maintained and fuelled motor vehicle, being to the standard of a Ford Falcon G Series or Holden Caprice or equivalent, for all official and personal use;
- (iii) Mayoral Chain of Office for official/civic/ceremonial use;
- (iv) an iPad, or similar device, and laptop computer pre-configured with software applications required to undertake civic duties. All devices will be configured with Councillor email accounts and the ability to connect with the internet and will be maintained and upgraded by Council staff. The electronic devices will be set up by Council staff and secured with no access to the "control panel";
- (v) printer/scanner with air-print capability, for use with Council's equipment and consumables such as paper and toner cartridges, suitable for use in the Mayor's machine for Council's business, as required;
- (vi) Access to a suitable and cost effective data plan for all devices;
- (vii) Surge protection for use with Council's IT equipment;



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- (viii) mobile telephone with blue tooth capabilities;

The Mayor must abide by all Federal, State and Local laws and regulations when using a Council mobile phone including those that apply to the use of mobile phones while in motor vehicles;

- (ix) a phone land line:

- (x) a suitable name badge;

- (xi) a refreshments cabinet located in the Mayoral Office which will be maintained and stocked by Council;

- (xii) provision of tea, coffee and refreshments to the Mayor when fulfilling his/her Mayoral duties, as required;

- (xiii) an appropriate diary, in hardcopy to assist in the conduct of civic duties.

The Mayor will also be provided with the following:

- (i) the services of a suitably qualified and experienced Executive Assistant; and
(ii) a parking space.

Council will pay all Council related call and data charges, applicable to the Mayor, to a maximum of \$300 per month; and rental/line charges. The Mayor will be responsible for reimbursing Council for amounts in excess of this limit in addition to personal calls within three months of the date of the invoice issued by Council. In the case of the Mayor ceasing to hold office, all reimbursements must be made within one month of the effective date.

The Mayor will receive a copy of their monthly telecommunications account and will be required to complete a usage declaration highlighting any personal usage to be reimbursed to Council. Reimbursements can be paid by the Mayor or deducted from his/her monthly allowance, in accordance with Section 252(2) of the Act.

No unauthorised or unlicensed software is to be installed on the electronic devices provided by Council, and the Mayor is required to comply with the following Operational Management Standards applicable to staff in respect of the usage of Council's IT equipment:

- Email and Chat Usage by Council Staff
- Usage of Internet Services by Council Staff
- Use of Council's Computer Facilities
- Mobile Device Usage

The following items are for use as required by the Mayor in the performance of his/her role:

- (i) Christmas cards for forwarding in his/her role as an elected member of Hawkesbury City Council;
- (ii) business cards for his/her role as Mayor of Hawkesbury City; and
- (iii) presentation gifts, e.g. ties, scarves, books, etc., for own use and presentations as appropriate.

b) Deputy Mayor

The Deputy Mayor will be provided with the same facilities as those provided to Councillors, and the same provisions apply, as detailed in (c) below.



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In addition, when the Deputy Mayor is acting in the position of Mayor due to the absence of the Mayor, the Deputy Mayor will have use of the following facilities provided for the Mayor:

- (i) Mayoral Office;
- (ii) the refreshments cabinet located in the Mayoral office which will be maintained and stocked by Council;
- (iii) a suitable name badge; and
- (iv) provision of tea, coffee and refreshments to the Deputy Mayor when fulfilling his/her duties, as required;
- (v) access to secretarial services; and
- (vi) subject to availability, access to the Mayoral vehicle for Council business use or a similar vehicle to be provided for any civic or ceremonial functions only.

Council will pay all Council related call and data charges, applicable to the Deputy Mayor, to a maximum of \$225 per month; and rental/line charges. The Deputy Mayor will be responsible for reimbursing Council for amounts in excess of this limit in addition to personal calls within three months of the date of the invoice issued by Council. In the case of ceasing to hold office, all reimbursements must be made within one month of the effective date.

c) Councillors

Councillors will be provided with the following items, which remain the property of Council, and, where applicable, must be returned to Council upon the Councillor ceasing to hold that office:

- (i) a suitable name badge;
- (ii) a mobile telephone;

Councillors must abide by all Federal, State and Local laws and regulations when using a Council mobile phone including those that apply to the use of mobile phones while in motor vehicles;
- (iii) a phone land line;
- (iv) an iPad, or similar device and laptop computer, pre-configured with software applications required to undertake civic duties. All devices will be configured with Councillor email accounts and the ability to connect with the internet and will be maintained and upgraded by Council staff, as appropriate. The electronic devices will be set up by Council staff and secured with no access to the "control panel";
- (v) printer/scanner with air-print capability for use with Council's equipment and consumables, such as paper and toner cartridges suitable for use in the Councillor's machine for Council business, as required;
- (vi) Access to a suitable and cost effective data plan for all devices;
- (vii) surge protector for use with Council's IT equipment;
- (viii) an appropriate diary in hard copy to assist in the conduct of civic duties.

Council will pay all Council related call and data charges, applicable to a Councillor, to a maximum of \$150 per month; and rental/line charges. Councillors will be responsible for reimbursing Council for amounts in excess of this limit, in addition to personal calls, within three months of the date of the invoice issued by Council. In the case of ceasing to hold office, all reimbursements must be made within one month of the effective date.



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Councillors will receive a copy of their monthly telecommunications account and will be required to complete a usage declaration highlighting any personal usage to be reimbursed to Council. Reimbursements can be paid by each Councillor or deducted from their monthly allowance, in accordance with Section 252(2) of the Act.

No unauthorised or unlicensed software is to be installed on the electronic devices provided by Council, and Councillors are required to comply with the following Operational Management Standards applicable to staff in respect of the usage of Council's IT equipment:

- Email and Chat Usage by Council Staff
- Usage of Internet Services by Council Staff
- Use of Council's Computer Facilities
- Mobile Device Usage

Councillors will also have available, for use in the conduct of their civic duties:

- (i) Christmas cards;
- (ii) business cards;
- (iii) presentation gifts e.g. ties, scarves, books, etc., and presentations, as appropriate;
- (iv) tea, coffee and refreshments in the Council chambers, as required;
- (v) a room, suitably furnished and equipped for use by all Councillors, in which they can meet constituents
- (vi) a mailbox and key and fully stocked refreshments cabinet located in the Councillors Room
- (vii) Car parking spaces, as available, in the Council car park adjacent to the Council offices;
- (viii) Councillors will, subject to availability and approval by the General Manager, have access to secretarial services for Council related issues by a suitably qualified and experienced secretary.
- (ix) Councillors have the option to wear the uniform approved by Council for staff and, where the option is taken up, be provided with corporate clothing in accordance with the Staff Uniform Subsidy Policy applying to staff.

3 PRIVATE USE OF EQUIPMENT AND FACILITIES

Private use of Council equipment, facilities and resources by a Councillor to obtain a private benefit is not permitted. A Councillor acting in good faith in the performance of their civic duties is able to obtain no more than incidental private use of Council equipment, facilities and resources. While it is acknowledged that from time to time, incidental private use may occur, which is not subject to a compensatory payback, where more than incidental private use occurs, the Councillor will be required to reimburse the actual costs of the private benefit obtained.

In situations where private use by a Councillor of Council equipment, facilities and resources occurs, the General Manager will determine a suitable rate for reconciliation and reimbursement by the Councillor to the Council of the private benefit obtained.



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4 USE OF COUNCIL RESOURCES FOR POLITICAL PURPOSES

A Councillor's re-election to Council or election to other bodies, the fundraising activities of political parties, including political fundraising events, are considered to be personal interests. Official Council material such as letterhead, publications, websites as well as Council services, forms and logos must not be used for re-election purposes or any personal interests. Council equipment (including technological devices and motor vehicles), facilities and services must not be used for electoral purposes.

Situations in which the appearance or perception may be given that Council material, equipment, facilities or resources are being used for such purposes must be avoided.

5 COUNCIL MEETINGS

At Council/ Committee meetings the Mayor, Deputy Mayor and Councillors will be provided with suitable meals, including refreshments. The General Manager, in consultation with the Mayor and Councillors, will determine the standard of the meals provided.

6 ACCESS TO COUNCIL OFFICES

a) Mayor, Deputy Mayor and Councillors

All Councillors will be provided with an access card that enables entry to the Council Chambers area. The Mayor will be provided with access to his/her office.

The access cards remain the property of Council and must be returned to Council upon the person ceasing to hold office.

7 INSURANCE

Council will provide for Councillors, the following:

- Insurance of a Councillor against personal injury, whether fatal or not, arising out of or in the course of carrying out duties or the performance by such Councillor in functions in his/her capacity as a member of Council.
- Insurance to cover any loss or damage to Council property in their possession or control.
- Public Liability (for matters arising out of Councillors' performance of their civic duties and for exercise of their Council functions).
- Professional indemnity (for matters arising out of Councillors' performance of their civic duties and for exercise of their Council functions).
- Travel for approved interstate and overseas travel on Council business.

8 POSTAGE

Council will meet the cost of reasonable postage of correspondence issued by the Mayor, Deputy Mayor and Councillors, provided such correspondence is directly related to the role of the elected member.

9 LETTERHEAD

a) Mayor

Council will provide standard Mayoral letterhead for use by the Mayor for official correspondence.



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b) Councillors

Council will provide the appropriate letterhead for use by Councillors in replying to correspondence and in undertaking their civic duties.

c) Correspondence

Correspondence to Councillors will be placed in the relevant Councillor's mailbox adjacent to the Councillors' Room.

(Note: Correspondence by Councillors, relative to the elected member role, is NOT official correspondence of Council. It is only regarded as correspondence between the Councillor and the correspondent.)

10 COUNCILLORS WITH DISABILITIES

In addition to other clauses contained within this Policy regarding the provision of facilities to Councillors, in the event of a Councillor having a disability that would prevent them from performing their civic duties without the provision of additional facilities, where necessary, and with the agreement of the Mayor and General Manager, additional appropriate facilities will be made available to that Councillor to assist them in the performance of their civic duties.

11 CARERS AND OTHER RELATED EXPENSES

Council will reimburse reasonable costs of carer arrangements, including child care expenses and the care of elderly, disabled and /or sick immediate family members of Councillors, to allow Councillors to undertake their Council business obligations. Such costs will be certified by the Councillor to be necessarily incurred in the course of fulfilling their civic duties and conducting the business of Council.

12 LEGAL ASSISTANCE

- a) Council may disburse money only if the disbursement is authorised by the Local Government Act 1993, either expressly or because it is supplemental or incidental to or consequential upon the exercise of its functions.
- b) In the particular circumstances outlined below, the Council may indemnify or reimburse the reasonable legal expenses of:
- (i) a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act (section 731 refers); or
 - (ii) 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; or
 - (iii) a Councillor for proceedings before the Local Government Pecuniary Interest and Disciplinary Tribunal or an investigative body provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the Tribunal or investigative body makes a finding substantially favourable to the Councillor.
- c) Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act is distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. An example of the latter is expenses arising from an investigation as to whether a Councillor acted corruptly by using knowledge of a proposed rezoning for private gain. This latter type of expense does not form part of this Policy.
- d) The Council may obtain insurance cover against the risk of having to meet the costs of or to reimburse a Councillor, provided that the costs or reimbursements are ones that the Council is authorised to meet.



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- e) The Council will not meet the costs of an action in defamation taken by a Councillor or Council employee as plaintiff in any circumstances.
- f) The Council will not meet the costs of a Councillor or Council employee seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.
- g) The amount of any reimbursement to the Councillor shall be reduced by the amount of any moneys that may be or are recouped by the Councillor on any basis.

13 COUNCIL MEETING RECORDINGS

Council will provide to each Councillor, up to three recordings of Council Meetings, free of charge, in any one financial year.

PART 4 – OTHER MATTERS

1 ACQUISITION AND RETURN OF FACILITIES AND EQUIPMENT BY COUNCILLORS

Any equipment and/or facilities provided to Councillors, in accordance with the terms of this Policy, shall remain the property of the Council and, if applicable, must be returned upon the Councillor ceasing to hold office.

However, in the case of equipment allocated to Councillors, if that equipment is no longer required by Council or is to be the subject of replacement; or is excess to needs, then Councillors are to have the option to acquire the item of equipment in question at its written down value, or price to be obtained by Council as a result or an alternate means of disposal, whichever is the higher.

2 STATUS OF POLICY

| Date | Status |
|------------------|--|
| 15 November 2005 | Existing policy, following prior advertisement, readopted by Council. |
| 5 September 2006 | Guidelines for the Payment of Expenses and Provision of Facilities to Mayors and Councillors issued by the then Office of Local Government. |
| October 2006 | Existing policy amended having regard to above Guidelines. Content of policy re-arranged with, other than the minor amendment or alteration of wording that did not alter the provisions of the policy, the following changes being introduced into the policy as a result of the review: <ul style="list-style-type: none"> • Part 1 – Introduction - Inserted into policy. • Part 2 – Payment of Expenses: <ul style="list-style-type: none"> The following clauses subject to minor amendments: <ul style="list-style-type: none"> - 1 a. - The word "allowances" removed. - 1 b. - The word "function" inserted. - 1 c. - The third word "allowances" removed and replaced with "costs re-imbursed". The following clauses amended or inserted: <ul style="list-style-type: none"> - 1 e. – Expenses for attending conferences altered to provide for re-imburement for actual expenses up to \$75.00 per day. - 1 f. – An advance for conference expenses of up to \$75.00 per day may be paid subject to reconciliation requirements and repayment of unexpended amounts. - 1 g. - Claims for re-imburement of expenses or reconciliation of advance paid to be submitted within one month from end of event claimed for. - 1 h. – Councillors can be accompanied at conferences by spouse/partner subject to no additional costs being incurred by Council. |



HAWKESBURY CITY COUNCIL POLICY

Policy Regarding Payment of Expenses and Provision of Facilities to Councillors

| Date | Status |
|-----------------|---|
| | <ul style="list-style-type: none"> - 1 i. – Where Mayor attends function on behalf of Council may be accompanied by spouse/partner at Council’s costs - 1 j. – Where Mayor requests Councillors to represent him/her in his/her stead that Councillor may be accompanied by spouse/partner at Council’s cost. - 1 k. – Where Councillors are attending an official Council function in the performance of their councillor role and it would normally be expected that the Councillor would be accompanied by their spouse/partner the Council will meet the cost of the attendance of the Councillors spouse/partner at the function. • Part 3 – Provision of Facilities. <ul style="list-style-type: none"> - Subsection 3. Private Use of Equipment and Facilities inserted. - Subsection 3, Part c. amended by insertion of words "for council related issues" and "subject to availability and approval by the General Manager". • Part 4 – Other Matters <ul style="list-style-type: none"> - 1. Acquisition and Return of Facilities and Equipment by Councillors - Inserted into policy. - 2. Status of Policy - Inserted into policy. |
| 30 January 2007 | Adopted by Council |
| 28 August 2007 | <p>The following minor amendments made to the existing policy after a review of the latest guidelines issued by the then Office of Local Government in May 2007:</p> <ul style="list-style-type: none"> • Part 1 - Section 5 - Reporting Requirements Additional point as follows: <ul style="list-style-type: none"> - Additional information as required by the Local Government (General) Regulation 2005. • Part 3 - Section 7 - Insurance Additional insurance provisions for Councillors to cover: <ul style="list-style-type: none"> - Public Liability (for matters arising out of Councillors' performance of their civic duties and for exercise of their Council functions) - Professional indemnity (for matters arising out of Councillors' performance of their civic duties and for exercise of their Council functions) - Travel for approved interstate and overseas travel on Council business. |
| 30 October 2007 | Adopted by Council |
| 29 July 2008 | <p>The following amendments made to the existing policy after a review of the current provisions leading up to the local government elections and the findings of a review of Councillor expenses and facilities policies conducted by the then Office of Local Government (OLG) and released in January 2008:</p> <ul style="list-style-type: none"> • Part 1 - Section 7 - Approval Arrangements <ul style="list-style-type: none"> - Additional information clarifying requirements • Part 2 - Section 1 <ul style="list-style-type: none"> - Specific mention of training and development having regard to OLG audit of policies. - Additional information clarifying approvals processes • Part 2 - Section 2 <ul style="list-style-type: none"> - New provision facilitating an arrangement whereby Councillor fees can be paid into superannuation on a pre tax basis having regard to advice from the Local Government Superannuation Scheme and the ATO; |



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| Date | Status |
|-------------------|--|
| | <ul style="list-style-type: none"> • Part 3 - Sections 2 and 3 <ul style="list-style-type: none"> - Updating provision of equipment to current standards - Clarifying expenses limits processes - Emphasising facilities not to be used for election purposes - Clarifying changeover of Mayoral vehicle • Part 3 - Section 12 and 13 <ul style="list-style-type: none"> - Introducing Carer and other related expenses - in accordance with OLG audit findings - Introducing Legal Assistance - in accordance with OLG audit findings and OLG Circular 05/08. |
| 9 September 2008 | Adopted by Council with the following minor amendment to the Policy placed on public exhibition: <ul style="list-style-type: none"> - Part 2, Section 1 (m) altered to 1 month. |
| 29 September 2009 | Adopted by Council with the following amendment : <ul style="list-style-type: none"> • Part 3 - Section 4 (a) (ii) "Ford Fairlane" changed to "Ford Falcon G Series". |
| 31 August 2010 | The following amendments were placed on public exhibition: <ul style="list-style-type: none"> • Consequential changes due to the Office of Local Government becoming a Division of the Department of Premier and Cabinet • Part 3 – Section 2 (a) (iv) and (c) (xii) insert “USB memory stick” • Insert Part 3 - Section 2 (a) (xii) and (c) (xiv) provision of appropriate diary in hard copy or electronic format. • Part 3 - Section 2(a) and (c) Insert new provision allowing Councillors/Mayor where they have poor mobile reception to use their private mobile phone and have charges reimbursed. |
| 9 November 2010 | Adopted by Council with the following amendment: <ul style="list-style-type: none"> • Part 3 – Section 2 (a) (iv) and (c) (xii) insert “DVD-RW” |
| 13 September 2011 | The following amendments were placed on public exhibition: <ul style="list-style-type: none"> • Part 3 Section 4(a)(ii) - "Holden Statesmen" changed to "Holden Caprice". • Part 3 Section 14 - Insert new provision entitling Councillors up to three free recordings of Council Meetings annually. |
| 8 November 2011 | Adopted by Council |
| 31 July 2012 | The following amendments were placed on public exhibition: <ul style="list-style-type: none"> • Councillor training and learning, are further refined and defined • The provision of productivity enhancing facilities by way of an iPad as well as a laptop or desktop computer • Identification of time limits to make payments for mobile phone reimbursements to Council • Other minor amendments for the purposes of updating |
| 9 October 2012 | Adopted by Council |



HAWKESBURY CITY COUNCIL POLICY

Policy Regarding Payment of Expenses and Provision of Facilities to Councillors

| Date | Status |
|-------------------|---|
| 27 August 2013 | The following amendments were placed on public exhibition: <ul style="list-style-type: none">• Part 1 - Section 5 - Remove all content relating to Section 428(2)(f), and replace with content under "Section 217 of the Local Government (General) Regulation 2005 and the NSW Division of Local Government's Integrated Planning and Reporting Guidelines".• Part 3 - Section 1 - Existing (ii) removed. Insert into newly numbered (ii) "a copy of Council's Code of Meeting Practice, Code of Conduct and other relevant policies;".• Part 3 - Section 2(c) - The words "Each month" removed. The addition of "Reimbursements can be paid by each Councillor or deducted from their monthly allowance in accordance with Section 252(2) of the Act."• Minor typographical corrections. |
| 9 September 2014 | Policy Review with no changes. Reviewed Policy placed on public exhibition. |
| 11 November 2014 | Adopted by Council |
| 29 September 2015 | The following amendments were placed on public exhibition: <ul style="list-style-type: none">• All references to the Division of Local Government or DLG, be amended to Office of Local Government or OLG;• Under the heading of 'Mayor', clause 2(a)(vi), reference to Bluetooth capability has been worded more accurately;• Under the heading 'Part 2 – Payment of Expenses' point 1(d), an additional clause is added: "vi Upon business of Council inside the HLGA (such as functions, ceremonies, school presentations, etc.)". |
| 24 November 2015 | Adopted by Council |

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HAWKESBURY CITY COUNCIL POLICY

Policy Regarding Payment of Expenses and Provision of Facilities to Councillors

ATTACHMENT A: COUNCIL INTERSTATE AND OVERSEAS TRAVEL POLICY

Preamble

This policy has been developed by the Local Government Association for the guidance of member Councils in planning interstate and overseas travel for Councillors and staff where Council funds will be used to finance the journey. It recognises that there are occasions when representatives will need to travel interstate or overseas to represent the interests of their local areas. The thrust of the policy is that plans for any such travel should be transparent to the community and have an identifiable benefit to the local area through Council activity.

Policy - Interstate Travel

In most cases the need for such travel cannot be anticipated with as long a lead time as can reasonably be expected for overseas travel. There are also issues involving Councils close to interstate borders (such as Albury Councillors visiting Wodonga, Tweed Councillors visiting Logan City). In these cases no special policy should apply. There are instances where Councils are required to visit Canberra for official purposes such as meetings with Federal parliamentarians and Ministers. For purposes of this policy the ACT is regarded as being within NSW. Where Councillors and staff members propose to travel interstate, the proposals should be considered at an open Council meeting through a report from the Mayor or General Manager.

Where the cost of the travel is expected to exceed \$1,500 for transport, accommodation, and out of pocket reimbursement of expenses per person, a detailed report should be provided outlining:

- Who is to take part in the travel;
- The objectives to be achieved in undertaking it, including an explanation of what community benefits will accrue to undertaking the visit; and
- Details of costs, including any amounts expected to be reimbursed by participants.

If the travel is to be sponsored by private enterprise, ICAC guidelines and reporting structures should be followed. A detailed report should be included in the Annual Report in the year which the travel was undertaken, outlining how the travel's objectives were met and how the community benefited from it.

Policy - Overseas Travel

Proposals for overseas travel by Councillors and staff on Council business should be documented in the annual management plan. The plan must be widely circulated in the community. Community input about the proposed visit can, therefore, be considered as part of the management plan review and budget finalisation process.

Proposals should indicate:

- Who is planned to take part in the travel;
- The objectives for undertaking it, including an explanation of what community benefits will accrue from the exercise, with an approximate budget; and
- Detailed costs including a statement of any amounts expected to be reimbursed by the participants.

If the visit is to be sponsored by private enterprise, ICAC guidelines and reporting structures should be followed and this should form part of the community reporting process. A detailed 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. The Council should consider the above proposals in open meeting and resolve whether or not the travel is to take place. Where exceptional cases arise and travel has to be undertaken at short notice, the above proposals should be put to Council for decision. The outcomes, costs and attendances should be included in the first Annual Report issued subsequent to the travel taking place.