

**Policy Number:** Council.02.07 (10)

**Policy Section:** Council

**Person Responsible:** General Manager

**Policy Title:** MAYOR AND COUNCILLORS' TRAVELLING EXPENSES AND OTHER ASSISTANCE

**Date of Adoption:** November, 2010

**Date of Review:** September, 2011

**File reference:**

**File Notes:**

**This policy has been reviewed and amended in accordance with:**

the Division of Local Government, Department of Premier and Cabinet Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW – October 2009;

the Local Government Act, 1993;

the Local Government Amendment (Planning and Reporting) Act 2009;

and

the Local Government (General) Regulation 2005

**In addition, this policy is to be considered in conjunction with the following other Council policies:**

Attendance at Conferences (Elected Members and Community Members of Council Committees) -Council.02.02(09);

Common Seal– Council.02.03(09); and

Legal Costs – Assistance to Councillors, Committee Members, Officers and Council Employees – Council.02.012(09).

**OBJECTIVES:**

To provide an appropriate level of reimbursement of expenses for the Mayor and Councillors travelling on their official duties.

To provide appropriate assistance and facilities to the members of Council to allow them to perform their official duties.

### **POLICY STATEMENT:**

This policy outlines the level of support offered to Elected Members whilst they are performing their official duties.

Not all the assistance listed in this policy is currently provided or, indeed, required at this time and would only be available in the future subject to budgetary funding and a defined need. This policy is an enabling document. If the assistance is not mentioned it cannot be extended.

The Council will extend the level of support required to enable each Councillor to perform his or her duties as an elected representative. The areas of assistance available will only be provided subject to budgetary constraints and availability.

### **POLICY IMPLEMENTATION**

1. The Mayor shall, in carrying out the duties of that office, be entitled to receive the benefit of the following facilities without reduction of the fees payable under the Local Government Act, subject to budgetary constraint:

Suitable office accommodation within the Council's Administrative facilities.

Secretarial services including typing, photocopying, printing, postage, facsimile and telephone facilities.

Administrative assistance associated with any Council functions, meetings, publications and the like.

Office refreshments.

Mobile telephone, including all charges for rental, calls, etc associated therewith.

A Corporate Card to be used strictly in accordance with the rules established under the Council's Credit Card Policy.

2. That Council will provide a vehicle of an appropriate standard for official use by the Mayor.

3. No Councillor shall be excluded from any listed benefit that has been provided to one or more other Councillors.
4. To assist the Councillors, including the Mayor and Deputy Mayor, in carrying out the duties of their office, they are, if they request such, entitled to receive the benefit of the following facilities, without reduction (unless otherwise stated) of the fees payable under the Local Government Act subject to budgetary constraints:

A free copy of the Electoral Rolls for the whole Council area.

Corporate attire.

Secretarial service including typing, photocopying, printing and postage for the following purposes (provided that under no circumstances will the Council permit the facilities provided to be used for the initiation or issue of circular type letters or election material or letters without the prior authority of the full Council being obtained).

- (a) Initiating correspondence to, and answering correspondence received from ratepayers, residents, Members of Parliament, Government Departments, statutory authorities or bodies, other local authorities, other Councillors, local government related bodies and organisations, the media or the general public in relation to the business of the Council or local government.
- (b) Replying to invitations to attend functions or gatherings received in their capacity as a Councillor.
- (c) Communications to other Councillors and Council's staff on official business.

Suitable meals associated with Council and Council Committee meetings, meetings of Councillors, meetings with Parliamentary representatives, visiting dignitaries and other delegations.

Councillor business cards.

Access to a suitable Council vehicle or vehicles (if available) for use on official duties connected with the office of Councillor.

The provision of appropriate assistance where physical impediment or domestic necessity requires special consideration or equipment.

Subject to budgetary allocation the following furniture and/or equipment which shall remain the property of the Council. The Councillors must abide by the conditions of use and the furniture

and/or equipment must be immediately returned to the Council in good operational order and condition upon ceasing to be an elected member of Council. A retiring member of Council, who has been a Councillor for two or more years, may choose to retain the furniture and/or equipment by paying to the Council the book value of the goods at the time of separation from the Council:

- (a) Four (4) drawer filing cabinet
- (b) Telephone, facsimile and answering machine equipment installed in their principal place of residence. The Council shall meet the capital cost of the acquisition of the equipment and the initial cost of installation, where necessary, including additional power outlets, (1) one extension point for an existing phone line or (1) one separate telephone outline for a dedicated line. The Council will meet all the ongoing costs related to the installation and the call charges upon receipt of a statutory declaration that it was used solely for business related to their duties or the estimated proportion used for business related to their duties. The Council will meet the cost of all consumables, including paper, used by the equipment.

The Councillor shall be responsible for the good care and proper use of such equipment and shall promptly report any faults, malfunctions or needs for servicing or repairing to the Council.

The Councillors' telephone and facsimile numbers are to be made available to the public.

- (c) Mobile telephones. The Council will meet all the ongoing costs related to the installation and the call charges upon receipt of a statutory declaration that it was used solely for business related to their duties or the estimated proportion used for business related to their duties.
- (d) Dictaphone or dictating equipment.
- (e) Computer or other form of electronic system and any associated printers, modems, etc. These items always remain the property of Gwydir Shire Council. The Council will also pay for the connection of each Councillor's principal place of residence, by the most appropriate method, to the internet and provide an e-mail address to each Councillor. The Council will meet the on-going internet connection charges, which are restricted to the

negotiated ongoing monthly charges only, with each individual Councillor responsible for any excess charge.

#### 5. Travelling costs.

Councillors may claim a kilometre allowance for the use of a private vehicle when used to travel (including return) between their principal place of residence and:

- (a) to attend Council or Committee or Working Party Meetings of the Council.
- (b) to attend appointments at the Council Chambers for Council business.
- (c) to attend public meetings convened by the Council.
- (d) to attend regional or other business related meetings as the Council's representative.
- (e) to attend community meetings as a Councillor.
- (f) to attend inspections within the Councillor's electoral area relating to matters currently before Council for consideration or to discuss matters of concern with his or her constituents.
- (g) to attend inspections within the Council's area undertaken in compliance with a Council resolution where the Councillor is unable to use the Council provided transport, for good reason.
- (h) to travel to any event in compliance with the requirements laid down in the Council's policy entitled 'Attendance at Conferences (Elected Members and Community Members of Council Committees)'.

All claims must be made within (3) three months of the occurrence initiating the claim and must also be supported with all the relevant supporting information indicating dates, locations, names and purpose.

At all times the vehicles being used must be appropriately registered and covered by Compulsory Third Party Insurance.

The kilometre rate paid at the date of travel will be in accordance with a medium sized motor vehicle's expense claim as per the Income Tax Assessment Act (as varied from time to time).

This kilometre rate shall be deemed to cover and include any claims for accidental damage or repairs to the Councillor's own vehicle, and

any loss of no claim bonus and any excess not covered by any insurance.

#### 6. Councillors Contributing into Superannuation

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.