

## **Council Policy**

# **Councillor Expenses and Facilities**

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## Policy Summary

Council is required to adopt a policy concerning the payment of expenses incurred by, and the provision of facilities to, the mayor, deputy mayor and councillors. These supports assist the mayor and councillors to undertake their respective roles under the *Local Government Act 1993* (the Act) and provide reasonable recompense for expenses they incur in undertaking their civic duties.

The policy 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](#) and [Local Government \(General\) Regulation 2021](#), 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 maximum amounts Council will provide for specific expenses and facilities is set out in the policy. Expenses not explicitly addressed in this policy will not be paid or reimbursed. The main expenses and facilities are summarised in the table below. All monetary amounts are exclusive of GST.

| Clause                                       | Expense or facility                                                                                                                                                                  | Maximum amount (per councillor)                                                                                                                                          | Frequency          |
|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 6.2<br>6.16<br>6.17<br>6.19<br>6.34<br>10.23 | Expenses relating to civic duties including attendance at non-Council functions and events and travel (excluding private use vehicle) – includes local, long distance and interstate | \$10,000 (councillor)<br>\$15,000 (mayor)                                                                                                                                | Per financial year |
| 6.3                                          | Vehicle – private use (includes mileage claims for private vehicle use for official business)                                                                                        | Allowances for the use of a private vehicle will be reimbursed at the rate contained in the <a href="#">Local Government (State) Award</a>                               |                    |
| 6.23                                         | Training, educational and professional body memberships as relevant to councillor duties and functions                                                                               | \$2,000                                                                                                                                                                  | Per financial year |
| 6.28                                         | Seminars and conferences, including registration costs and accommodation and other related out of pocket expenses (note: travel expenses and meals are excluded)                     | \$6,500                                                                                                                                                                  | Per financial year |
| 6.34.3<br>6.36                               | Meals and refreshments while attending council events, meetings and conferences                                                                                                      | Of a standard and level as set out in Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009 (adjusted annually) | Per Award          |
| 6.21                                         | Professional development                                                                                                                                                             | \$10,000                                                                                                                                                                 | Per term           |
| 6.21                                         | Professional development – specific allocation to undertake directors course                                                                                                         | \$10,000                                                                                                                                                                 | Per term           |
| 6.38                                         | Subscriptions, publications and access to resource material                                                                                                                          | \$1,200                                                                                                                                                                  | Per year           |
| 6.54                                         | Off-site or home office and stationery                                                                                                                                               | \$1,500                                                                                                                                                                  | Per year           |
| 6.51                                         | Child care and/or family member care                                                                                                                                                 | \$6,000                                                                                                                                                                  | Per year           |

| Clause | Expense or facility                                                                         | Maximum amount (per councillor)                | Frequency                                                  |
|--------|---------------------------------------------------------------------------------------------|------------------------------------------------|------------------------------------------------------------|
| 6.41   | Technology and telecommunications equipment, including a mobile phone, tablet and/or laptop | \$6,500                                        | Provided and maintained upon election for duration of term |
| 6.43   | Download applications (apps) to devices above                                               | \$100                                          | Per year                                                   |
| 6.46   | International data roaming                                                                  | \$500                                          | Maximum of 30 days per year                                |
| 6.39   | Home internet                                                                               | \$80 per month – internet service              | Total of \$960                                             |
| 6.39   | Mobile phone (if mobile not supplied by Council – BYOD)                                     | \$75 per month – standard mobile phone service | Total of \$900                                             |

Additional costs incurred by a councillor in excess of these limits are considered a personal expense and the responsibility of the councillor.

Councillors must provide claims for reimbursement within three months of an expense being incurred. The reimbursement of claims made after this time must be considered and approved by the Chief Executive Officer.

A report on the provision of expenses and facilities to councillors will be publicly tabled at a Council meeting every twelve months and published on Council's website. These reports will include expenditure summarised by individual councillor and as a total for all councillors.

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## Part A – Introduction

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### 1. Introduction

- 1.1 The provision of expenses and facilities enables councillors to fulfil their civic duties as the elected representatives of Northern Beaches 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 is 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 fee range a council may pay each councillor is set by the Local Government Remuneration Tribunal in accordance with section 241 of the [Local Government Act 1993](#) and reviewed annually. Council must adopt its annual fees within this set range.
- 1.5 The Chief Executive Officer or their delegate is empowered to question or refuse a request for payment from a councillor when it does not accord with this policy.

### 2 Policy objectives

The objectives of this policy are to:

- 2.1 enable the reasonable and appropriate reimbursement of expenses incurred by councillors while undertaking their civic duties
- 2.2 enable facilities of a reasonable and appropriate standard to be provided to councillors to support them in undertaking their civic duties

- 2.3 ensure accountability and transparency in reimbursement of expenses and provision of facilities to councillors
- 2.4 ensure facilities and expenses provided to councillors meet community expectations
- 2.5 support a diversity of representation
- 2.6 fulfil Council's statutory responsibilities.

### 3 Principles

Council commits to the following principles:

- 3.1 **Proper conduct:** Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions
- 3.2 **Reasonable expenses:** Providing for councillors to be reimbursed for expenses reasonably incurred as part of their role as councillor
- 3.3 **Participation and access:** Enabling people from diverse backgrounds, under-represented groups, those in carer roles and those with special needs to serve as councillors
- 3.4 **Equity:** There must be equitable access to expenses and facilities for all councillors
- 3.5 **Appropriate use of resources:** Providing clear direction on the appropriate use of council resources in accordance with legal requirements and community expectations
- 3.6 **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. For example, telephoning home to advise that a Council meeting will run later than expected is acceptable under the policy.
- 4.3 Such incidental private use does not require a compensatory payment back to Council.
- 4.4 Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council facilities does occur, councillors must reimburse Council.
- 4.5 Campaigns for re-election are considered to be a private interest. The following are examples of what is considered to be a private interest during a re-election campaign:
  - production of election material
  - use of Council resources 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.

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## Part B – Expenses

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### 5 General expenses

- 5.1 All expenses provided under this policy will be for a purpose specific to the functions of holding civic office.
- 5.2 Expenses not explicitly addressed in this policy will not be paid or reimbursed.

### 6 Specific expenses

#### **Expenses related to civic duties including travel, attendance at events**

- 6.1 All travel by councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.2 Each councillor may be reimbursed up to a total of \$10,000 per year for expenses (excluding private use vehicle reimbursements which are outlined below) incurred in association with undertaking professional development, attending approved conferences and seminars within NSW and interstate, representing Council at official meetings, and attending to matters related to the fulfilment of a councillor's civic duties. This includes:
  - public transport fares
  - parking costs for Council and other meetings
  - tolls incurred on private E-tags
  - documented ride-share programs, such as Uber
  - the provision of a Cabcharge card (or an equivalent) if required.

#### **Use of private vehicle**

- 6.3 In addition to the above clause 6.2, allowances for the use of a private vehicle to attend meetings on official business will be reimbursed at the rate contained in the [Local Government \(State\) Award](#). This 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.
- 6.4 Councillors seeking to be reimbursed for use of a private vehicle under clause 6.3 must keep a log book recording the date, distance and purpose of travel being claimed. The relevant Council claim form (*Councillor Private Vehicle for Official Events Claim*) must be completed and submitted for reimbursement to the Councillor Services Office.

#### **Interstate, overseas and long distance intrastate travel expenses**

- 6.5 This section includes reference to long distance intrastate travel. At Northern Beaches Council long distance intrastate travel is travel that is estimated to take more than two hours from the councillor's residence.
- 6.6 In accordance with Section 4, Council will scrutinise the value and need for Councillors to undertake overseas travel. Councils should avoid interstate, overseas and long distance intrastate trips unless direct and tangible benefits can be established for the Council and the local community. This includes travel to cities where diplomatic ties exist.
- 6.7 Councillors seeking approval for any interstate and long distance intrastate travel must submit a business case to, and obtain the approval of, the Chief Executive Officer prior to travel.

- 6.8 Councillors seeking approval for any overseas travel must submit a request to, and obtain the approval of, Council at a Council meeting prior to travel.
- 6.9 The request should include:
- 6.9.1 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
  - 6.9.2 who is to take part in the travel
  - 6.9.3 duration and itinerary of travel
  - 6.9.4 a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
- 6.10 For interstate and long distance intrastate journeys by air of less than two hours the class of air travel is to be economy class.
- 6.11 For interstate journeys by air of more than two hours, the class of air travel may be premium economy where it is available.
- 6.12 For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 6.13 Bookings for approved air travel are to be made by the Mayor's Office on behalf of the mayor or the Councillor Services team on behalf of a councillor.
- 6.14 Councillors shall not be entitled to claim frequent flyer or other loyalty points relating to air travel or other expenses incurred by them under this policy. In circumstances where the mayor or a councillor has no option but to incur any expenditure for which loyalty points accrue to his/her personal account, the mayor or councillor must surrender the points to the airline or service provider before reimbursement of the expense by the Council.

#### **Travel expenses not paid by Council**

- 6.15 Council will not pay any traffic or parking fines or administrative charges for toll road accounts.

#### **Representing Council at non-Council functions/events**

- 6.16 The reasonable cost for councillors who have been invited to officially attend events/functions to represent the Council may be met within the allocated expenses cap of \$10,000 for expenses related to civic duties.
- 6.17 Council will pay the entry fee/ticket cost associated with the attendance of a councillor for events and functions which may include lunches/dinners, non-council functions and community, corporate or industry events where councillor attendance would be expected, such as award nights.
- 6.18 The Chief Executive Officer or their delegate is to approve the cost of such an event/function where it exceeds \$500.
- 6.19 Where a mayor's/councillor's spouse, partner or accompanying person accompanies them to a non-Council function or event, the expenses of the spouse/partner/accompanying person shall be met by Council within the allocated expenses cap of \$10,000 for expenses related to civic duties in the following circumstances:
- 6.19.1 The mayor's/councillor's spouse/partner/ accompanying person has been officially invited to and has accompanied the mayor/councillor to a function/event

6.19.2 The function/event relates to the discharge of the civic functions of the mayor/councillor

6.19.3 The attendance of the spouse/partner/accompanying person at the function is considered reasonably necessary or appropriate in order for the mayor/councillor to fulfil his/her statutory role.

- 6.20 This reimbursement does not extend to functions where the attendance of the councillor's spouse, partner or accompanying person may be convenient, but could not be properly seen as relating to the discharge of functions of civic office. Examples of the types of functions that could be reimbursed under this clause include charitable functions to which the mayor/councillors have been invited and award ceremonies and other functions to which the mayor/councillors are invited to represent the Council. The payment for spouses, partners and accompanying persons for attending appropriate functions will be confined specifically to the ticket, meal and/or the direct cost of attending the function. Peripheral expenses incurred by spouse, partners or accompanying persons such as grooming, special clothing and transport are not considered reimbursable expenses.

### **Professional development**

- 6.21 Council will set aside \$10,000 per councillor per term in its budget to facilitate the relevant professional development of councillors, with an additional \$10,000 set aside for the term for councillors to specifically undertake a director's course.
- 6.22 Within the first 12 months of a new Council term, Council will provide a comprehensive induction program for all councillors which considers any guidelines issued by the Office of Local Government (OLG). Council will cover the cost of the induction program and it will be in addition to ongoing professional development funding allocated to councillors.
- 6.23 Annual membership of professional bodies will be covered to a maximum limit of \$2,000 per year 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 substantially offset by savings from attending events or the membership provides information of relevance and value to the role of councillors.
- 6.24 Approval for professional development activities is subject to a prior written request to the Chief Executive Officer outlining the:
- details of the proposed professional development
  - relevance to Council priorities and business
  - relevance to the exercise of the councillor's civic duties.
- 6.25 In assessing a councillor request for a professional development activity, the Chief Executive Officer must consider the factors set out in clauses 6.21 and 6.24 of this policy, as well as the cost of the professional development in relation to the councillor's remaining budget.
- 6.26 In-house program expenses, including a councillor induction program will be borne by Council outside of the allocated budget for councillors outlined in this Policy.
- 6.27 On occasion Council will engage external providers (as appropriate) to undertake specific training in-house as part of the ongoing professional development program for councillors. Councillors will be invited to attend and the cost of engaging the provider will be covered by Council outside of the allocated budget for councillors outlined in this policy.

### **Conferences and seminars**

- 6.28 Council is committed to ensuring its councillors are up to date with contemporary issues facing Council, the community and local government in NSW and will

provide up to \$6,500 annually to facilitate councillor attendance at conferences and seminars.

- 6.29 Approval to attend a conference or seminar is subject to a written request to the Chief Executive Officer by way of the *Councillor Request to Attend Conference or Professional Development Form*. In assessing a councillor request, the Chief Executive Officer 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.
- 6.30 Council will meet the reasonable cost of registration fees, transportation, out of pocket expenses and accommodation associated with attendance at conferences approved by the Chief Executive Officer or their delegate.
- 6.31 Where a councillor is accompanied at a conference all costs for, or incurred by, the accompanying person, including travel, any additional accommodation costs, breakfast, meals, registration and/or participation in any conference programs, are to be borne by the councillor/accompanying person and not by the Council. Council may by resolution, and in exceptional circumstances, pay the expenses of a spouse/partner/carer while travelling on Council business. Exceptional circumstances would only be where the councillor is prevented by health reasons from travelling alone.
- 6.32 The registration and program fees of the accompanying person are to be paid directly to the conference organiser and paid at time of registration. The Council is prepared to receive reimbursement for such registration and payments and to forward them on to the conference organiser, etc. with any Council delegates' registration.
- 6.33 Where the Council meets, on account, any expenditure or cost on behalf of an accompanying person attending a conference, such expenditure must be repaid to the Council by the councillor/accompanying person within seven (7) days of being invoiced for such expenditure following the conclusion of the conference.

#### **Accommodation and meals while attending conferences, seminars and training courses**

- 6.34 Reasonable out-of-pocket or incidental expenses incurred by councillors associated with attendance at a conference, seminars, training courses shall be reimbursed for the following:
- 6.34.1 any hotel/motel conference related charges associated with conferences/seminars, other than accommodation
  - 6.34.2 all telephone, internet or data related to Council business
  - 6.34.3 reasonable lunches, dinners and other meals incurred whilst travelling to or from the conferences, seminars, training courses and other lunches, dinners or meals occurring during the conference but not included in the conference registration fee, as set out in Part B *Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award, 2009*, as adjusted annually
  - 6.34.4 incidental expenses including taxi fares, parking fees, bridge tolls, refreshments, newspapers, laundry and dry cleaning
  - 6.34.5 any optional activity in a conference program, excluding any pre or post conference activities.
- 6.35 Where requested by a councillor, consideration will be given to the provision of an advance payment of up to \$200 to cover anticipated out-of-pocket expenses. Following attendance at a conference (and no more than one [1] month after the

conference concludes) the advance payment must be fully reconciled with receipts for costs associated as above.

### **Refreshments for Council related meetings**

- 6.36 Appropriate refreshments will be available for Council meetings, Council committee meetings, councillor briefings, approved meetings and engagements, and official Council functions as approved by the Chief Executive Officer or their delegate.
- 6.37 As an indicative guide for the standard of refreshments to be provided at Council related meetings, the Chief Executive Officer must be mindful of Part B Monetary Rates of the *NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009*, as adjusted annually.

### **Subscriptions**

- 6.38 Councillors are entitled to subscriptions and publications and any resource material related to the exercise of civic duties for which a fee is required up to an amount of \$1,200 per year.

### **Technology, telecommunications and other related expenses**

- 6.39 Council will provide or reimburse councillors for expenses associated with appropriate technology and telecommunications devices and services up to \$1,860 per financial year. This includes:
  - \$75 per month –mobile service (provided by Council or reimbursed BYOD)
  - \$80 per month – internet service
- 6.40 In addition, Council will provide a mobile phone, tablet/iPad and/or a lap-top or equivalent which will be provided on a standard monthly plan as arranged by Council for the purposes of receiving communications and business papers from Council by electronic means and carrying out civic duties.
- 6.41 Council may provide appropriate technology equipment up to a limit of \$6,500 per councillor upon the commencement of the term of office (this is inclusive of tablets/iPads and accessories issued under 6.39/6.40. The determination as to what equipment will be provided will be made by the Chief Executive Officer or their delegate based upon Council's general technology and telecommunications program and identified business needs.
- 6.42 Reimbursements will be made only for communications devices and services used for councillors to undertake their civic duties, such as receiving and reading Council business papers and relevant phone calls and correspondence.
- 6.43 Councillors may seek reimbursement for applications (apps) on their Council issued mobile or electronic devices that are directly related to their duties as a councillor, within the maximum limit of \$100 per year.
- 6.44 Council may from time to time provide councillors with upgraded equipment or new facilities, where doing so will result in efficiencies and aligns to Council's general technology and telecommunications program.
- 6.45 All equipment provided to councillors by Council shall remain in the possession of the councillor during their term of office and shall remain the property of Council and returned in good operational order and condition upon ceasing to be an elected member of Northern Beaches Council.
- 6.46 Council will provide international roaming packages on a Council provided mobile phone plan, to the maximum value of \$500 for data, voice and messaging for up to 30 days per year. This amount is in addition to the maximum monthly usage limits outlined in clause 6.39.

- 6.47 Where the councillor uses their own mobile phone plan, a reimbursement to the maximum value of \$500 for data, voice and messaging for up to 30 days per year will only be provided for international roaming where the reconciliation is supported by a detailed account itemising Council usage.

### **Special requirements and child care and/or family member care**

- 6.48 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.
- 6.49 Transportation provisions as outlined in this policy, such as access to Cabcharge and Uber will also assist councillors who may be unable or unwilling to drive a vehicle.
- 6.50 In addition to the provisions above, the Chief Executive Officer or their delegate may authorise the provision of reasonable additional facilities and expenses in order to allow a councillor with disability to perform their civic duties.
- 6.51 Councillors who are the principal carer of a child or other immediate family member who is an older adult, has disability and/or is sick will be entitled to re-imbursement of carer's expenses up to a maximum of \$6,000 per annum for attendance to official business, plus reasonable travel from the principal place of residence.
- 6.52 Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not the children's parent.
- 6.53 In the event of caring for an adult person, councillors will need to provide suitable evidence to the Chief Executive Officer or their delegate that reimbursement is applicable. This may take the form of advice from a medical practitioner.

### **Off-site office expenses**

- 6.54 Each councillor may be reimbursed up to \$1,500 per year for costs associated with the maintenance of a home or off-site office, such as minor items of consumable stationery and printer ink cartridges and furniture.

### **Health and wellbeing services**

- 6.55 Council aims to provide a working environment that promotes and supports the health and wellbeing of both staff and councillors.
- 6.56 Councillors will have access to Council's relevant employee Assistance Program.
- 6.57 Councillors will have free entry to Council's Aquatic Centres.

## **7 Insurances**

- 7.1 In accordance with section 382 of the [Local Government Act 1993](#), Council has in place public liability and professional indemnity insurance. Council also obtains Councillors and Officers insurance in the course of its annual insurance renewal program.
- 7.2 Insurance protection is only provided if a claim arises out of, or in connection with, the councillor's performance of their civic duties, or exercise of his or her functions as a councillor. All insurances are subject to any limitations or conditions set out in Council's policies of insurance.
- 7.3 Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.
- 7.4 Appropriate travel insurances are to be included for any councillors travelling on approved interstate and overseas travel on Council business.

## 8 Legal assistance

- 8.1 Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
- 8.1.1 a councillor defending an action arising from the performance in good faith of a function under the [Local Government Act 1993](#);
  - 8.1.2 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
  - 8.1.3 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 [Local Government Act 1993](#) 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.
- 8.2 In the case of a conduct complaint made against a councillor, legal costs will only be made available where the matter has been referred by the Chief Executive Officer or their delegate to a conduct reviewer or conduct review panel and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the councillor.
- 8.3 Legal expenses incurred in relation to proceedings arising out of the performance by a councillor of their functions under the [Local Government Act 1993](#) are distinguished from expenses incurred in relation to proceedings arising merely from something that a councillor has done during their term in office. For example, expenses arising from an investigation as to whether a councillor acted corruptly would not be covered by this section.
- 8.4 Council will not meet the legal costs:
- 8.4.1 of legal proceedings initiated by a councillor under any circumstances
  - 8.4.2 of a councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation
  - 8.4.3 for legal proceedings that do not involve a councillor performing their role as a councillor.
- 8.5 Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a Council meeting prior to costs being incurred.

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## **Part C – Facilities**

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### **9 General facilities for all Councillors**

#### **Facilities**

- 9.1 Council will provide the following facilities to councillors to assist them to effectively discharge their civic duties:
- 9.1.1 A councillor common room appropriately furnished which includes photocopier, printer, meeting space, letterboxes and appropriate refreshments
  - 9.1.2 Each councillor will receive a security card to access the three central administration offices of Mona Vale, Dee Why and Manly, allowing them appropriate access as determined by the Chief Executive Officer or their delegate
  - 9.1.3 Free parking access to shared car parking spaces while attending Council offices on official business at both the Manly and Dee Why administration offices
  - 9.1.4 A name badge which may be worn at official functions, indicating that the wearer holds the office of a councillor and/or mayor or deputy mayor
  - 9.1.5 Appropriate meeting spaces to allow councillors to meet with community members as determined by the Chief Executive Officer or their delegate. Meeting rooms can be booked through the Office of the Mayor or the Councillor Services team.
  - 9.1.6 Daily media reports and updates on media releases issued by Council by email.
- 9.2 The provision of facilities will be of a standard deemed by the Chief Executive Officer or their delegate as appropriate for the purpose.
- 9.3 Council may from time to time provide additional facilities for councillor use such as protective equipment for use during site visits.

#### **Stationery**

- 9.4 Council will provide the following to councillors:
- 9.4.1 Electronic letterhead template, to be used only for correspondence associated with civic duties
  - 9.4.2 Electronic Christmas or festive message (if requested)
  - 9.4.3 Business cards (printed in-house).
- 9.5 Council will also from time to time provide additional stationery or branded items for councillor use.
- 9.6 The provision of other stationery required to furnish an off-site or home office is outlined in clause 7.54 of this policy.

#### **Administrative support**

- 9.7 Council will provide administrative support to councillors to assist them with carrying out their civic duties. Administrative support is provided to councillors by the Councillor Services team and support for the mayor is provided by the Mayor's Office.

- 9.8 As outlined in section 4, Council staff are to assist councillors with civic duties only and must not assist with matters of personal or political interest, including campaigning.

### **Glen Street Theatre Complimentary Tickets**

- 9.9 Tickets to productions at Glen Street Theatre will be issued to councillors in accordance with the Glen Street Theatre Complimentary Tickets Policy.

## **10 Additional facilities and/or expenses for the Mayor**

### **Provision and use of a mayoral vehicle**

- 10.1 The mayor has the option of using and maintaining a private vehicle in accordance with the provisions of clauses 6.3 and 6.4 of this policy or Council may provide the option to the mayor of a suitable and appropriate vehicle (excluding any vehicle subject to the Australian Taxation Office's luxury car tax) for use by the mayor for all official, executive and social duties connected with the office of mayor and for occasional or full private use.
- 10.2 The Council cannot make a motor vehicle, owned or leased by the Council, available for the exclusive or primary use or disposition of a particular councillor other than a mayor.
- 10.3 The Council will:
- 10.3.1 provide servicing, maintenance, registration and insurance of a suitable vehicle
  - 10.3.2 provide all fuel, which may be charged against a fuel card, whilst the vehicle is used for Council business.
- 10.4 The vehicle will be registered and comprehensively insured by the Northern Beaches Council.
- 10.5 Special accessories where required, shall be provided, fitted, installed and removed at Council's cost.
- 10.6 The vehicle shall be available for the exclusive use of the mayor, and where available by any councillor attending council business and as approved by the mayor subject to the conditions of this policy.
- 10.7 Where private or personal use is on an occasional basis, the mayoral allowance will be reduced on a per kilometre basis, by the rate set by the Local Government (State) Award, and in accordance with a log submitted by the mayor on a monthly basis. Where full private or personal use is chosen, the mayoral allowance will be reduced, in accordance with Council's *Management Standard for Provision of Private and Take Home Use Vehicles (amended)*.
- 10.8 The following restriction shall apply to the use of the mayoral vehicle:
- 10.8.1 The vehicle shall only be driven by a properly licensed person, being:
    - the mayor
    - Council employee
    - a councillor of the Northern Beaches Council, with the mayor's consent
    - a member of the mayor's immediate family or nominated person so long as the mayor is a passenger in the car.
  - 10.8.2 The mayor shall not use, or allow the vehicle to be used, to compete in any car rally or competition

- 10.8.3 The vehicle is not to be used for any trading undertaking or for any activity where remuneration is received which is not directly related to Council business or activities of the office of mayor.
- 10.9 The mayor, if they intend to drive the vehicle, must show evidence of a current New South Wales driver's licence of an appropriate class, or equivalent, and be the holder of a licence for the duration of their use of the vehicle. If the mayor loses his/her licence or is suspended from driving, they must immediately forfeit use of or access to the mayoral vehicle or provide evidence of a properly licensed person who will be the driver of the vehicle whenever used by the mayor during such period.
- 10.10 Whenever the mayor has the control of the vehicle, the mayor must ensure that it is driven only by a responsible properly licensed person.
- 10.11 If the mayor drives or allows another person to drive the vehicle without a current driver's licence, or whilst disqualified for any reason, the Council may withdraw the vehicle from access by the mayor.
- 10.12 All traffic fines and penalties incurred by the mayoral vehicle will be paid by the driver. The mayor must keep a record of any drivers of the vehicle, other than the mayor, whom the mayor permits to drive the vehicle.
- 10.13 If the mayor or a properly licensed person, by their action, negates any motor vehicle insurance, that person will be responsible for the payment of costs as a consequence thereof.
- 10.14 The mayor always remains responsible for ensuring proper and adequate care and usage of the vehicle at all times including garaging and vehicle maintenance
- 10.15 The mayor must ensure all accidents /maintenance/repair issues are reported to Council's Fleet Management without delay.
- 10.16 If the mayor or a properly licensed person, whilst driving the vehicle, is convicted of drink-driving or an offence leading to licence suspension or loss in association with an accident involving the mayoral vehicle, the mayor will be required to pay the cost of associated repairs in the event that Council's insurers disclaim responsibilities on the grounds of such conviction, suspension or loss.
- 10.17 A parking space at Council's offices will be reserved for the mayor for use on official business, professional development and attendance at the mayor's office.

### **Accommodation and office support**

- 10.18 Council will provide the mayor with a furnished office incorporating a computer configured to Council's standard operating environment, telephone and a meeting room.
- 10.19 In performing their civic duties, the mayor will be assisted by a small number of staff providing administrative and secretarial support, as determined by the Chief Executive Officer or their delegate.
- 10.20 The number of exclusive staff provided to support the mayor and councillors will not exceed the number of full time equivalent staff identified in the adopted organisational structure and as provided in the adopted budget.
- 10.21 As outlined in section 4, staff who are appointed to the Mayor's Office or Councillor Services team are required to work on official business only, and not for matters of personal or political interest, including campaigns.

### **Industry conferences**

- 10.22 The mayor has an allocation to attend and represent Council at the Local Government NSW Annual Conference (this entitlement is available to all councillors) and the Australian Local Government Association Annual Conference each year. The costs associated with attending both conferences will be in addition to the allocated councillor limits.

### **Expenses related to civic duties including travel, attendance at events**

- 10.23 The mayor has an additional allocation of \$5000 for expenses incurred in association with undertaking professional development, attending approved conferences and seminars within NSW and interstate, representing Council at official meetings, and attending to matters related to the fulfilment of a councillor's civic duties. Refer to section 6.2.

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## **Part D – Processes**

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### **11 Approval, payment and reimbursement arrangements**

- 11.1 Expenses should only be incurred by councillors in accordance with the provisions of this policy.
- 11.2 Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred where possible.
- 11.3 Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred for:
- 11.3.1 private vehicle use and local travel relating to civic duties and official business
  - 11.3.2 office expenses and out of pocket expenses
  - 11.3.3 carer costs
  - 11.3.4 technology and telecommunications expenditure.
- 11.4 Final approval for payments made under this policy will be granted by the Chief Executive Officer or their delegate.
- 11.5 All requests for reimbursement will be processed by a staff member and then reviewed and authorised by the Chief Executive Officer or their delegate.
- 11.6 The Chief Executive Officer or their delegate will provide a system for the request of reimbursements for councillors. This may include appropriate forms where councillors will be required to provide the relevant details required.

### **Direct payment**

- 11.7 Council may approve and directly pay expenses. Requests for direct payment must be submitted through the appropriate system for assessment against this policy using the appropriate Council forms, with sufficient information and time to allow for the claim to be assessed and processed.

### **Reimbursement**

- 11.8 All claims for reimbursement of expenses incurred must be made on the system or forms prescribed, supported by relevant information, appropriate receipts and/or tax invoices and be submitted to the Mayor's Office (for mayoral expenses) or the Councillor Services team (for councillors) for processing. There are two payments runs per month for the reimbursements of expenses.

### **Advance payment**

- 11.9 Council may pay a cash advance for councillors attending approved conferences, seminars or professional development.
- 11.10 The maximum daily value of a cash advance is \$200 for a conference, seminar or professional development undertaking, up to a maximum of \$600.
- 11.11 Requests for advance payment must be submitted to the Chief Executive Officer or their delegate for assessment against this policy with sufficient information and time to allow for the claim to be assessed and processed.
- 11.12 Councillors must fully reconcile all expenses against the cost of the advance within one month of incurring the cost and/or returning home. This includes providing to Council:
- 11.12.1 a full reconciliation against the provisions of this policy of all expenses including appropriate receipts and/or tax invoices; and
  - 11.12.2 reimbursement of any amount of the advance payment not spent in attending to official business or professional development.

### **Notification**

- 11.13 If a claim is approved, Council will make payment directly or reimburse the councillor through accounts payable.
- 11.14 If a claim is refused, Council will inform the councillor in writing that the claim has been refused and the reason for the refusal.

### **Reimbursement to Council**

- 11.15 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 may, with the approval of the Chief Executive Officer or their delegate, invoice the councillor for the expense; and
  - the councillor will be required to reimburse Council for that expense within 14 days of the invoice date.
- 11.16 If the councillor cannot reimburse Council within 14 days of the invoice date, they are to submit a written explanation to the Chief Executive Officer or their delegate. The Chief Executive Officer or their delegate may elect to deduct the amount from the councillor's allowance (councillor fee).

### **Timeframe for reimbursement**

- 11.17 Unless otherwise specified in this policy, councillors must provide all claims for reimbursement within three months of an expense being incurred. The acceptance of claims made after this time must be considered and approved by the Chief Executive Officer or their delegate.

## **12 Disputes**

- 12.1 If the councillor disputes a determination under this policy, the councillor should discuss the matter with the Chief Executive Officer or their delegate.

- 12.2 If the councillor and the Chief Executive Officer (or their delegate) cannot resolve the dispute, the councillor may submit a notice of motion to Council seeking to have the dispute resolved.

### **13 Return or retention of facilities**

- 13.1 All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a councillor or the mayor ceasing to hold office.

### **14 Publication**

- 14.1 This policy will be published on Council's website.

### **15 Reporting**

- 15.1 Council will report on the provision of expenses and facilities to councillors as required in the [Local Government Act 1993](#) and [Local Government \(General\) Regulation 2021](#).
- 15.2 Detailed reports on the provision of expenses and facilities to councillors will be publicly tabled at a Council meeting every twelve months and published in full on Council's website.

### **16 Auditing**

- 16.1 The operation of this policy, including claims made under the policy, will be included in Council's audit program with a regular audit to be scheduled within the Northern Beaches Council Strategic Internal Audit Plan.

### **17 Breaches**

- 17.1 Suspected breaches of this policy are to be reported to the Chief Executive Officer or their delegate.
- 17.2 In accordance with the Northern Beaches Council Code of Conduct this Councillor Expenses and Facilities Policy is a policy of Council and must not be contravened.
- 17.3 Alleged breaches of this policy shall be dealt with by the processes outlined for breaches of the Northern Beaches Council Code of Conduct as detailed in the Code and in the Procedures for the Administration of the Code.

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## PART E – Appendices

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### Appendix I: Related legislation, guidance and policies

#### **Relevant legislation and guidance:**

- [Local Government Act 1993](#), sections 252 and 253
- [Local Government \(General\) Regulation 2021](#), Clauses 217 and 403
- Office of Local Government's [Guidelines for the payment of expenses and provision of facilities to Mayors and councillors in NSW](#)
- Office of Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities
- Office of Local Government Circular 05-08 Legal Assistance for Councillors and Council Employees.

#### **Related Council policies:**

- Northern Beaches Council Code of Conduct
- Northern Beaches Council Management Standard for Provision of Private and Take Home Use Vehicles (amended)
- Northern Beaches Council Glen Street Theatre Complimentary Tickets Policy

### Appendix II: Definitions

The following definitions apply throughout this policy.

| Term                            | Definition                                                                                                                                                                                                                                                                                                |
|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| accompanying person             | 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        | food and beverages, excluding alcohol, provided by Council to support councillors undertaking official business                                                                                                                                                                                           |
| Act                             | the <a href="#">Local Government Act 1993</a> (NSW)                                                                                                                                                                                                                                                       |
| Annual Conference               | Local Government NSW Annual Conference                                                                                                                                                                                                                                                                    |
| clause                          | Unless stated otherwise, a reference to a clause is a reference to a clause of this policy                                                                                                                                                                                                                |
| Code of Conduct                 | the Code of Conduct adopted by Council or the Model Code if none is adopted                                                                                                                                                                                                                               |
| councillor                      | a person elected or appointed to civic office as a member of the governing body of Council who is not suspended, including the mayor                                                                                                                                                                      |
| Chief Executive Officer         | the person referred to in the <i>Local Government Act 1993</i> as the general manager of a council and, in the case of the Northern Beaches Council, means the person referred to as the Chief Executive Officer of the Northern Beaches Council and includes their delegate or authorised representative |
| incidental personal use         | use that is infrequent and brief and use that does not breach this policy or the Code of Conduct                                                                                                                                                                                                          |
| long distance intrastate travel | travel to other parts of NSW of more than two hours duration by private vehicle                                                                                                                                                                                                                           |
| maximum limit                   | the maximum limit for an expense or facility provided in the text and summarised in Appendix 1                                                                                                                                                                                                            |
| NSW                             | New South Wales                                                                                                                                                                                                                                                                                           |

|                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| nominated person         | the holder of a current NSW driver's licence who is nominated by the mayor, in writing to the Chief Executive Officer or their delegate, as a person who may regularly drive the mayoral vehicle whilst the mayor is a passenger in the vehicle.                                                                                                                                                                                                                                                                                                                                                   |
| official business        | functions that the mayor or councillors are required or invited to attend to fulfil their legislated role and responsibilities for Council or result in a direct benefit for Council and/or for the local government area, and includes: <ul style="list-style-type: none"> <li>meetings of Council and committees of the whole</li> <li>meetings of committees facilitated by Council</li> <li>civic receptions hosted or sponsored by Council</li> <li>meetings, functions, workshops and other events to which attendance by a councillor has been requested or approved by Council.</li> </ul> |
| professional development | a seminar, conference, training course or other development opportunity relevant to the role of a councillor or the mayor                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Regulation               | the <a href="#">Local Government (General) Regulation 2021</a> (NSW)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| term                     | the period from which a councillor or the mayor is in office – usually commencing from the councillor's inauguration and concluding on the day prior to the local government election – the term includes a caretaker period                                                                                                                                                                                                                                                                                                                                                                       |
| year                     | the financial year, that is the 12 month period commencing on 1 July each year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

#### Version Control

| Version | Date             | Version                                                                                                                                                                                                                                                                   | Ref         |
|---------|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 1       | 22 November 2016 | Northern Beaches Council Policy for Payment and Reimbursement of Expenses Incurred by, and the Provision of Facilities to the mayor, deputy mayor and Councillors - adopted                                                                                               | 2016/358418 |
| 2       | 26 June 2018     | Draft Councillor Expenses and Facilities Policy for Public Exhibition                                                                                                                                                                                                     | 2018/353965 |
| 3       | 28 August 2018   | Councillor Expenses and Facilities Policy for adoption including minor amendment to include applications in ICT expenses                                                                                                                                                  | 2018/534619 |
| 4       | 26 April 2022    | Revision of allocations based on review of comparable councils in large metropolitan category as determined through the Local Government Remuneration Tribunal, clarification and update of clause interpretations and some administrative formatting. Adopted by Council | 2022/093113 |