

Payment of Expenses and Provision of Facilities for the Mayor and Councillors

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<p>Changes made to increase the Mayor and Councillor accommodation and travel amount and to remove the travel within the LGA requirement for the Mayor. Minor formatting changes updating title from Executive Manager Governance and Internal Control to Manager Corporate Governance.</p>	

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1. INTRODUCTION

1.1 PURPOSE

The objectives of this policy are to:

- enable the reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties
- enable facilities of a reasonable and appropriate standard to be provided to Councillors to support them in undertaking their civic duties
- ensure accountability and transparency in reimbursement of expenses and provision of facilities to Councillors
- ensure facilities and expenses provided to Councillors meet community expectations
- support a diversity of representation
- fulfil the Council's statutory responsibilities.

1.2 BACKGROUND AND RELATED LEGISLATION

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to help them undertake their civic duties.

It ensures accountability and transparency, and seeks to align Councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2021* (the Regulation), and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The policy sets out the maximum amounts Council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

- Local Government Act 1993, Sections 252 and 253
- Local Government (General) Regulation 2021, sections 217 and 403
- Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2009

1.3 SCOPE

The policy applies to all Councillors, including the Mayor.

1.4 DEFINITIONS

To assist in interpretation, the following definitions apply:

Term	Definition
The Act	The Local Government Act 1993
Expenses	Payments made by Council to reimburse Councillors for reasonable costs or charges incurred, or to be incurred, for discharging their civic functions. Expenses are separate and additional to annual fees.
Facilities	Equipment and services that are provided by Council, to Councillors, to enable them to perform their civic functions with relative ease and at a standard appropriate to their professional role as Councillors.
Official duties/Civic duties	Functions and duties that Councillors are required to undertake to fulfil their legislated role and responsibilities for the Council that should result in a direct benefit for the Council and/or for the local government area.
The Regulation	The Local Government (General) Regulation 2021

1.5 RELATIONSHIP TO ANNUAL FEES

The payment of expenses and the facilities which may be provided to the Mayor and Councillors under this Policy shall be provided in addition to the annual fees payable to the Mayor and Councillors as determined by the Council under Sections 248 and 249 of the Act.

1.6 CODE OF CONDUCT

Council's Code of Conduct sets the minimum requirements of behaviour for Council officials. The Code of Conduct refers, in part, to the use of Council Resources as follows:

- You must use Council resources ethically, effectively, efficiently and carefully in the course of your official duties and must not use them for private purposes (except when supplied as part of a contract of employment) unless this use is lawfully authorised and proper payment is made where appropriate.
- You must be scrupulous in your use of Council property including intellectual property, official services and facilities and must not permit their misuse by any other person or body.

- You must avoid any action or situation that could create the appearance that Council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.
- You must not convert any property of the Council to your own use unless properly authorised.
- You must not use Council's computer resources to search for access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature.

These sections of the Code are relevant to this Policy in that they provide for an overarching standard of behaviour that the Mayor and Councillors would be expected to display when using Council's resources.

2. GENERAL PROVISIONS

2.1 GENERAL EXPENSES

- 2.1.1 Additional to the facilities provided by Council to Councillors and the Mayor under this Policy, it is expected that further expenses may be incurred in the performance of Councillors' and the Mayor's civic duties. Accordingly, Council will provide reimbursement of approved expenses only incurred in the performance of a Councillors' or Mayor's role.
- 2.1.2 In accordance with section 403 of the Regulation, this policy does not include the provision for a general expense allowance. No allowances or expenses other than those expressly contained in this policy are payable to the Mayor or Councillors.

2.2 RESTRICTIONS

- 2.2.1 Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 2.2.2 Any gifts received by Councillors must be declared in Council's Gift Register and surrendered. Council's Code of Conduct should be adhered to at all times.
- 2.2.3 Councillors will not be reimbursed for alcoholic beverages.

2.3 PROCESSES

Approval

- 2.3.1 Expenses should only be incurred by Councillors in accordance with the provisions of this policy.
- 2.3.2 Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 2.3.3 Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred, but must be made within three months of the expense being incurred:
- local travel relating to the conduct of official business (including meals within the LGA);
 - carer costs.
- 2.3.4 Final approval for payments made under this policy will be granted by the Chief Executive Officer or their delegate.

Direct Expenses

- 2.3.5 Council may approve and directly pay expenses. Requests for direct payment must be submitted to the Chief Executive Officer for assessment against this policy with sufficient information and time to allow for the claim to be assessed and processed.

Reimbursement

- 2.3.6 All claims for reimbursement of expenses incurred must be made on the prescribed form (Appendix 1: Expenses of Members of Council – Incidental Expenses; Appendix 2: Expenses of Members of Council – Vehicle Allowance), supported by appropriate receipts and/or tax invoices and be submitted to the Chief Executive Officer. In the absence of receipts, claims must be accompanied by a Statutory Declaration (Appendix 4).
- 2.3.7 Any claim submitted to Council for reimbursement of expenses must be approved by the Manager Corporate Governance having regard to appropriateness of the claim and regard to budget allocations. The Chief Executive Officer will then authorise the claim approval form.
- 2.3.8 All claims must be made within three months of the expense being incurred.

Advance Payment

- 2.3.9 For official travel outside of the Dubbo Regional Local Government Area (LGA), any meals which are not included in the event being attended will be paid in advance where possible.
- 2.3.10 Requests for advance payment of meals must be submitted to the Chief Executive Officer for assessment against this policy using the prescribed form (Appendix 3: Expenses of Members of Council – Meals).
- 2.3.11 Meal allowances will be made in accordance with section 2.4 of this policy
- 2.3.12 Advance payments will only be possible if the prescribed form is received at least one week before the monthly pay run, otherwise, payment will be made the following month.

Notification

2.3.13 If a claim is approved, Council will make payment directly, through pay roll, or reimburse the Councillor through accounts payable.

2.3.14 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

2.3.15 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 will invoice the Councillor for the expense
- the Councillor will reimburse Council for that expense within 14 days of the invoice date.

2.3.16 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. The Chief Executive Officer may elect to deduct the amount from the Councillor's allowance.

Timeframe for Reimbursement

2.3.17 Unless otherwise specified in this policy, Councillors must provide all claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

2.3.18 Despite section 2.3.17 above, following a Local Government Election, Councillors have up to six months to submit claims for reimbursement for the use of a private vehicle (in accordance with section 2.4.2).

Disputes Resolution

2.3.19 Any dispute relating to the administration of this Policy must be made in writing to the Chief Executive Officer detailing the grounds for the dispute. Any such disputes will be referred to the next scheduled Ordinary Meeting of the Council for determination and resolution.

2.4 MONETARY LIMITS

2.4.1 Expenses under this policy, in most instances, will be reimbursed based on actual expenditure. However, monetary limits have been applied which set a maximum level of expenditure which Council will reimburse for each type of expense. These limits are listed below in the tables.

The monetary limits contained within this policy have been set based on information available on reasonable market rates for the provision of the relevant services. Regional considerations have also been addressed with respect to accommodation costs.

These limits may be amended with any amendment to this policy and will be assessed for relevance and reasonableness on an annual basis in line with the annual policy review.

2.4.2 Monetary Limit Tables

Accommodation and Travel

Rate - Accommodation		Limit	Comment
Adelaide	\$157/night	<p>The following limits are for accommodation and travel (outside of LGA) combined:</p> <p>\$5,000/year per Councillor</p> <p>\$18,000/year for the Mayor</p>	<p>Accommodation rates in accordance with the rates determined by the Australian Tax Office within the Taxation Ruling issued in respect of reasonable allowance amounts for each year.</p>
Brisbane	\$175/night		
Canberra	\$168/night		
Darwin	\$220/night		
Hobart	\$147/night		
Melbourne	\$173/night		
Perth	\$190/night		
Sydney	\$198/night		
High cost country centres	See taxation ruling – Table 4		
Tier 2 country centres (taxation ruling Table 5)	\$134/night		
Other country centres	\$118/night		
Rate - Travel			
Air travel	Standard economy air fare		
Train travel	First class fare, including sleeping berth when required		
Taxi	Standard rate		
Bus	Standard rate		

Private Vehicle Travel

Rate		Limit	Comment
Private vehicle (Applies to journeys greater than 10km only – excluding the Mayor on verified Council business)	Engine size less than 2.5L (including Electronic Vehicles, or EVs): \$0.68/km Engine size 2.5L or larger: \$0.78/km	Kilometre allowance will be capped at a reasonably priced economy class return air fare/taxi for single destination travel (for example, drive from Dubbo to Sydney for an event) (section 3.4.5) Up to \$5,000/year per Councillor Up to \$10,000/year for the Mayor	Private vehicle rates in accordance with the Local Government (State) Award 2020 Councillors will need to seek their own accounting advice regarding tax requirements on distances claimed over 5,000 km.

Meals

Rate - Meals		Limit	Comments
Capital cities and high cost country centres (excl Dubbo Regional LGA)	Breakfast: \$29.20 Lunch: \$32.85 Dinner: \$56.00	None, when on approved Council business	In accordance with the rates determined by the Australian Tax Office within the Taxation Ruling issued in respect of reasonable allowance amounts for each year.
Tier 2 country centres and Other country centres (excl Dubbo Regional LGA)	Breakfast: 26.15 Lunch: \$29.85 Dinner: \$51.50		
Meals within Dubbo Regional LGA	Reimbursed at cost	None, when on approved Council business	Reimbursement claim to be submitted on prescribed form and accompanied by relevant receipts.

Other Expenses

Expense Type	Rate/Limit	Comments
Registration costs	None	Includes costs relating to official luncheons, dinners and tours/inspections which are relevant to the interests of the Council
Enrolment fees	\$3,000/year per Councillor in accordance with section 3.2	In most cases, Council will arrange and fund attendance of the Mayor and Councillors at training courses
Incidental expenses associated with attendance at seminars, training courses or official functions	\$100 per day	<p>Expenses in this category may include:</p> <ul style="list-style-type: none"> • Parking fees • Tolls <p>The following expenses will not be reimbursed and are the responsibility of the Mayor/Councillors:</p> <ul style="list-style-type: none"> • Any traffic or parking fines • Administrative charges for road toll accounts • Alcohol (not consumed as part of meal) • Cigarettes • Mini-bar items including snack foods <p>Note: Meals are not included in this category.</p>
Cost of service provided	None	<p>No payment shall be reimbursed for any component of a ticket which is additional to the service cost of the function, such as a donation to a political party or candidate's electoral fund, or some other private benefit.</p> <p>An additional payment to a registered charity may be acceptable as part of the cost of the function.</p>
Personal care of child care	\$25/hour up to six hours per day.	Council will reimburse costs to a maximum of \$25 per hour of a

	No annual limit.	babysitter or carer where required to allow the Mayor or Councillors to attend any Council, Standing Committee, Meetings, Committee Meetings, Working Party or Council workshops. The period of cover shall include the period of 30 minutes prior to and after the conclusion of the meeting or workshop.
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3. PAYMENT OF EXPENSES FOR COUNCILLORS

3.1 ATTENDANCE AT SEMINARS AND CONFERENCES

3.1.1 This section shall apply for the Mayor and Councillors authorised and/or appointed as delegates under this policy to attend conferences.

Definition of Conference

3.1.2 In this part **conference** means conferences, seminars, congresses, forums, workshops, courses, meetings, deputations, information and training sessions, events etc related to the industry of local government and held within Australia.

3.1.3 Council is committed to ensuring its councillors are up to date with contemporary issues facing council and the community, and local government in NSW.

3.1.4 Council will allocate a sufficient amount annually in its budget to facilitate councillor attendance at conferences and seminars. This allocation is for all councillors. The Chief Executive Officer will ensure that access to expenses relating to conferences and seminars is distributed equitably.

3.1.5 Approval to attend a conference or seminar is subject to a written request to the Chief Executive Officer. 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.

Conference Costs

- 3.1.6 Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the Chief Executive Officer with any necessary bookings to be made through the Mayor's office and in accordance with this Policy.
- 3.1.7 Council will also meet the reasonable cost of meals when they are not included in the conference fees. Reimbursement/Advance payment for accommodation and meals not included in the conference fees will be subject to this policy.
- 3.1.8 The Council, in accordance with section 2.4, will pay all normal registration costs for delegates which are charged by organisers, including those relating to official luncheons, dinners and tours/inspections which are relevant to the interests of the Council.
- 3.1.9 All reasonable travel costs for delegates to and from the conference location and venue will be met by the Council in accordance with section 3.4.
- 3.1.10 The Council will normally pay registration fees, accommodation costs and airline/train tickets direct to conference organisers/travel agent in advance. Where this is not appropriate or possible an advance payment or cheque equivalent thereto may be paid to the attendee for payment to the appropriate party.

Who May Attend Conferences

- 3.1.11 Council will continue to be represented at the Annual Conference or Convention of the Associations as detailed hereunder, subject to appropriate funding provision being provided in the Council's Annual Budget and subject to the usual conditions.
- 3.1.12 Attendance at conferences are to be approved by the Council with the Chief Executive Officer to approve attendances at seminars and conferences by staff.
- 3.1.13 Conference Attendance Table

ORGANISATION	DELEGATES	OBSERVERS
Local Government NSW	Mayor, or their nominee, three other Councillors as delegates plus an alternate delegate (to act as delegate if required) and Councillors as determined by the Council	Chief Executive Officer or Nominee and Councillors as determined by the Council
Australian Livestock Markets Association	Mayor, or their nominee, one Councillor and alternate	Chief Executive Officer or nominee and the Director Culture and Economy

	Councillors determined by the Council	
Australian Airport Association	Mayor, or their nominee, one Councillor and alternate Councillors determined by the Council	Chief Executive Officer or nominee and the Director Culture and Economy
Local Government Women's Conference	Two Councillors and alternate Councillors determined by the Council	Chief Executive Officer or nominee
Local Government Aboriginal Network Conference	Two Councillors and alternate Councillors determined by the Council	Chief Executive Officer or nominee
Australian Local Government Association National General Assembly	Mayor, or their nominee	Chief Executive Officer or nominee

3.1.14 Councillors may attend other conferences with the approval of Council.

3.2 TRAINING AND EDUCATIONAL EXPENSES

3.2.1 Council will allocate a sufficient amount annually in its budget to facilitate professional development of councillors through programs, training, education courses and membership of professional bodies.

3.2.2 An amount of \$30,000 will be allocated annually for Councillor Professional Development, being \$3,000 annually for each Councillor.

3.2.3 This amount will be allocated for individual professional training plans for Councillors and any unexpended funds shall not be carried over to the following year.

3.2.4 This allocation may be made available for individual training courses for Councillors or attendance at conferences where the conference directly relates to their role as a Councillor.

3.2.5 Expenses incurred by Council without a reasonable excuse for non-attendance at related events, including but not limited to training sessions and conferences, by a Councillor may result in a possible reimbursement to Council by that Councillor for costs incurred.

3.2.6 In the first year 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). The cost of the induction program will be in addition to the ongoing professional development funding.

- 3.2.7 Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the Councillor's civic duties, the Councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.
- 3.2.8 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.
- 3.2.9 In assessing a Councillor request for a professional development activity, the Chief Executive Officer must consider the factors set out in this policy, as well as the cost of the professional development in relation to the available budget.

3.3 LOCAL TRAVEL AND EXPENSES

- 3.3.1 Where the Councillor attends local functions on behalf of Council, Council will be responsible for the payment of any fees for both the Councillor and their partner/accompanying person.
- 3.3.2 Councillors will be reimbursed for use of a private vehicle in accordance with monetary limits set out in section 2.4 of this Policy.
- 3.3.3 Councillors using private vehicles (Councillor's own) in accordance with this policy may claim the kilometre rates for the necessary travel at the rate set out in section 2.4 of this Policy as with such rate deemed to cover and include any claims for accidental damage or repairs to the private vehicle and any loss of no claim bonus and any excess not covered by an insurance.
- 3.3.4 Vehicle allowance for travel within the LGA can be claimed on trip in excess of 10km, excluding the Mayor on verified council business.
- 3.3.5 Councillors may claim vehicle allowance for attendance at Council meetings, Standing Committee meetings and Councillor Workshops with no prior approval required.
- 3.3.6 Councillors may claim vehicle allowance when undertaking other **official duties** in their role as a Councillor with prior approval from the Mayor's office.
- 3.3.7 The most direct route must be taken.
- 3.3.8 Councillors will be personally responsible for all traffic or parking fines incurred while travelling in private or council vehicles while on council business.
- 3.3.9 All claims must be made in accordance with sections 2.3.6 to 2.3.8 of this Policy.

3.4 TRAVEL OUTSIDE THE LGA INCLUDING INTERSTATE TRAVEL, ACCOMMODATION AND INCIDENTAL EXPENSES

3.4.1 All expenses in this section will be reimbursed in accordance with monetary limits set out in section 2.4 of this Policy.

Travel

3.4.2 All reasonable travel costs for delegates to and from the conference location and venue will be met by the Council. Where appropriate, travel will be provided by air (economy class). Depending upon the location or circumstances, it may be more appropriate for travel to be undertaken by car or train.

3.4.3 Where trains are used the Council will provide first class travel, including sleeping berths where available.

3.4.4 Where travel by motor vehicle is used it should be undertaken by Council vehicle where available, or by private vehicle subject to prior approval of the Chief Executive Officer.

3.4.5 Councillors may use private vehicle allowance in accordance with sections 2.4 and 3.2.3 of this Policy. This claim for kilometre allowance is subject to such claim not exceeding economy class air fares to and from the particular destination.

3.4.6 Where air travel is booked by Council for Councillors, Councillors shall not accrue frequent flyer points under the respective airlines program. This is considered a personal benefit.

Accommodation

3.4.7 In circumstances where it would introduce undue risk for a Councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the Chief Executive Officer. This includes where a meeting finishes later than 9.00pm or starts earlier than 7.00am and the Councillor lives more than 50km from the meeting location.

3.4.8 In accordance with section 2.4, Council will pay reasonable double room or twin share accommodation costs the night before and/or after the commitment where this is necessary because of travel and/or in accordance with section 3.4.7.

3.4.9 Where evidence is provided that accommodation within the above cost range cannot be provided or is not available then the Chief Executive Officer has the discretion to approve the increase in costs.

Incidental Expenses

3.4.10 So that Councillors, as representatives of the Council whilst on official business are not financially disadvantaged, Councillors shall be entitled to claim incidental expenses.

3.4.11 The amount of the payment under Clause 3.4.10 shall be equal to reasonable costs substantiated by a tax invoice receipt or statutory declaration to the effect that the expenditure was incurred, and up to the relevant daily limits as per section 2.4 of this Policy.

3.4.12 Such payment shall be made to cover incidental expenses associated with the official business, such as conferences, such as:

- (a) laundry - Council will meet the cost of reasonable laundry or dry cleaning services whilst away on Council business, if necessary;
- (b) optional activities in a conference program where approved by the Chief Executive Officer;
- (c) gifts taken - If it is appropriate that gifts be required for presentations, Council will provide items as determined by the Chief Executive Officer.

3.4.13 The following items are expressly excluded from incidental expenses that will be funded by Council:

- (a) bar fridge - Council will not meet the cost of any expenses incurred from the use of the bar fridge provided in the hotel room or snack food as provided by the bar fridge service.
- (b) bar service - Council will not meet the cost of any expenses incurred at the bar located within the hotel other than where special guests have been invited for drinks at the request of the Mayor or leader of the Council's delegation or meals as provided for in 2.4.

3.4.14 An advance payment to the Councillor's bank account for any meals not included in registration/accommodation costs may be paid. The amount payable per meal is defined in section 2.4 of this policy. Any request for advance payment of meals must be completed on the attached form (Appendix 4). Refer section 2.3.9 to 2.3.12.

3.5 OVERSEAS TRAVEL

3.5.1 Overseas Travel for any purpose which is considered to be relevant to Council business and/or of particular benefit to the local community must be approved by Council. Full details of the travel and the purpose for the travel must be approved on an individual basis.

3.5.2 The use of a tabled Mayoral Minute (not included on the Council Agenda) to obtain Council approval for travel is not considered appropriate as it is not consistent with principles of openness and transparency.

3.5.3 Retrospective re-imburement for overseas travel is not permitted.

3.5.4 After returning from overseas the Councillor, or an accompanying member of Council staff, must provide a detailed written report to Council on the aspects of the trip relevant to Council business and/or the local community.

3.5.5 In regard to Sister City Relationships the establishment of a Sister City Relationship will be on the basis that Council bear no cost of staff members, the Councillor or members of the public visiting Sister Cities, with the exception being in respect of the Sister Cities Officer as follows:

That Council fund the salary, travel and accommodation expenses for the Sister Cities Officer to undertake a visit to Minokamo and Wujiang every three years, with the first visit being within the first year of appointment of a new person to the position based upon the following conditions:

- *The visits to both Minokamo and Wujiang being combined during the one (1) overseas trip*
- *A maximum of seven (7) days is spent during any one (1) combined visit*
- *That the Sister City Officer be paid his /her normal salary for a maximum of seven (7) days during any one (1) visit*
- *An economy return air fare being provided from Dubbo to the Sister Cities*
- *The Sister City Officer being paid for subsistence and accommodation during any visit at Level One (1) of the Reasonable Travel Allowance for the Sydney Metropolitan Area as determined from time to time by the Australian Taxation Office and as detailed in Council's Management Policy – Travelling and Subsistence Expense Policy.*
- *Travel insurance, a visa to visit China and travel to and from airports to accommodation being funded by Council.*
- *Council not incurring any other incidental travel costs such as a passport, luggage, clothes, money conversion costs and travel debit / credit card costs.*

3.6 CARE

3.6.1 Council will reimburse reasonable costs of care arrangements including childcare expenses and the care of elderly, disabled and/or sick immediate family members of Councillors to allow the Councillors to undertake their Council business obligations.

3.6.2 Such costs will be certified by the Councillor to be necessarily incurred in the course of fulfilling their civic duties and/or conducting Council business.

3.6.3 Limits for the cost of care are as stated in section 2.4 of the Policy.

3.7 SPOUSE AND PARTNER EXPENSES

- 3.7.1 Where the Councillor attends local functions on behalf of Council, Council will be responsible for the payment of any fees for both the Councillor and their partner/accompanying person (3.3.1).
- 3.7.2 Where the Mayor or a Councillor is accompanied at a conference all costs for, or incurred by, the accompanying person, including travel, breakfast, meals, registration and/or participation in any conference programs, are to be borne by the Councillor/accompanying person and not by the Council. The exception to this is that Council will meet the costs of the official conference dinner for an accompanying person of a Councillor for the Local Government NSW Annual Conference only. Accompanying person's registration, or accompanying person's program fees, are to be paid to the conference organiser, etc. and paid at the time of registration. The Council is prepared to receive such registration and payments and to forward them on to the conference organiser, etc with any Council delegates' registration.
- 3.7.3 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.

3.8 INSURANCE

Personal Accident Insurance

- 3.8.1 Council carries a personal accident insurance policy on Councillors of Council as set out hereunder.

On the lives of ten (10) Councillors whilst engaged on their duties as Councillors of the Dubbo Regional Council, including whilst travelling.

Professional Indemnity/Public Liability Insurance

- 3.8.2 Public Liability – indemnify each insured person(s) for all costs, charges, expenses and defence costs **but** excluding **fines** and **penalties** incurred in relation to any **prosecution** (criminal or otherwise) of any insured person(s), attendance by any insured person(s) at any official investigation, examination, inquiry or other proceedings ordered or commissioned during the period of insurance by any official body or institution that is empowered to investigate the affairs of the Council by reason of any **wrongful act** wherever or whenever committed or allegedly committed by the insured person(s) in their capacity as insured person(s), BUT subject to any limitations or conditions set out in the policy of insurance which is, at the direction of the Council.

3.8.3 Professional Indemnity - for matters arising out of the Councillor's performance of civic duties or exercise of the functions provided the performance or exercise of the relevant civic duty or function is in the opinion of Council bona fide and/or proper and is carried out in good faith, as required under 731 of the Local Government Act, BUT subject to any limitation or conditions set out in the policy of insurance, which is, at the direction of Council, taken out.

Councillors' and Officers' Liability Insurance

3.8.4 Councillors' and Officers' Liability Insurance provides limited financial protection to Councillors and staff in circumstances where they may be named as an individual to a claim, and the normal protections under the Local Government Act or Council's General and Professional Liability insurance are not available.

3.8.5 The protection provided covers the liability to pay civil damages, the claimant's legal costs, and the Councillor's or staff member's costs incurred in the. The protection extends to the estate and heirs of a deceased Councillor or staff member.

3.9 LEGAL EXPENSES

Legal and Representation Costs – Enquiries, Investigations, Hearings, etc

3.9.1 Council may, if requested, indemnify or reimburse the reasonable legal expenses of:

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

3.9.2 In the case of a code of conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred by the Chief Executive Officer to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the Councillor.

3.9.3 Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.

3.9.4 Council will not meet the legal costs:

- of legal proceedings initiated by a Councillor under any circumstances
- of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation
- for legal proceedings that do not involve a Councillor performing their role as a Councillor.

3.9.5 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.

Legal Advice

3.9.6 Legal advice relating to a pecuniary interest, conflict of interest or matter governed by the code of conduct which in the opinion of the Chief Executive Officer is necessary to clarify the Councillor's responsibilities in the performance of his/her duties will be provided and paid for by Council.

3.10 ADDITIONAL EXPENSES FOR THE MAYOR

3.10.1 See section 2.4 for additional monetary limits for the Mayor.

4. PROVISION OF FACILITIES

4.1 PROVISION OF EQUIPMENT AND FACILITIES FOR COUNCILLORS

4.1.1 To assist the Councillors, including the Mayor, in discharging the function of Civic Office, Councillors are, if they request, entitled to receive the following without reduction to the fees payable under Section 248 of the Act.

4.1.2 Secretarial service including typing, photocopying, printing and postage for the following purposes:

- a) Initiating correspondence to, and answering correspondence received from, residents/ratepayers, Members of Parliament, Government Departments, statutory authorities/bodies, other local authorities, other Councillors, local government related bodies and organizations or the general public in relation to the business of the Council or local government subject to a response to petitions received by Councillors will only be made to the principal person who lodges the petition and not all signatories.
- b) Replying to invitations to attend functions/gatherings received in their capacity as a Councillor;
- c) Communications to Councillors and Council's staff on official business;

- d) Access to a customer service portal to report and manage and complaint/request received as a Councillor

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/letters.

4.1.3 Appropriate refreshments/meals will be available for Council meetings, Council Committee meetings, Councillor briefings and workshops, approved meetings and engagements, and official council functions as approved by the Chief Executive Officer.

4.1.4 Suitable stationery supplies.

- Councillor business cards and name badges
- Postage - official Councillor correspondence - to be directed through the Council's own mail system.

4.1.5 Access to Information - Councillors can obtain copies of Council information, if the information is required to enable a Councillor to undertake their role as defined under Section 232 of the Local Government Act 1993.

When seeking information on policy issues and day to day matters, in the exercise of their statutory role as a member of the Council, Councillors are to direct their enquiries to the Chief Executive Officer, the relevant Director, or an officer nominated by the Director, as per the Councillor and Staff Interaction Policy.

4.1.6 Preparation of media material for the chairpersons of Council's Standing Committees in respect of Committee issues.

4.1.7 Access to a suitable vehicle or vehicles (if available) provided by the Council for use on official duties connected with discharging the duties of Civic Office.

4.1.8 The provision of an electronic tablet device, appropriate broadband communications and a suitable printer in the Dubbo Civic Administration Building.

4.1.9 Provision of appropriate Council branded clothing including, but not limited to, blazer, jacket, polo shirt or t-shirt as approved by the Chief Executive Officer.

4.1.10 An appropriate space for Councillors be provided Monday to Friday 8am – 8pm to allow them to meet with ratepayers.

4.1.11 All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a Councillor or Mayor ceasing to hold office or at the cessation of their civic duties.

4.1.12 When a councillor or the mayor take a leave of absence in excess of one month, they are required to hand in their facilities and equipment, such as vehicle, phone, tablet or laptop for the period that they will be on leave.

4.2 PROVISION OF ADDITIONAL EQUIPMENT AND FACILITIES FOR MAYORS

4.2.1 The use of Mayoral Robes and Chain of Office

4.2.2 Suitable office accommodation in the Dubbo Civic Administration Building including the provision of a computer and software packages that enable email and internet services.

4.2.3 A range of secretarial and support services including telephone and reception duties, typing, organisation of Civic Receptions including catering, preparation of speeches, press releases, meetings and correspondence and other reasonable requests by the Mayor.

4.2.4 If the Mayor so chooses, a vehicle will be provided in accordance with the corporate Fleet Policy. This service is reviewed following each Mayoral election, having regard to the sustainability of the vehicle prior to changeover.

Alternatively, the Mayor may utilise their personal vehicle, if suitable, and maintain a logbook for reimbursement of kilometres travelled while carrying out Civic duties up to the limit set out in section 2.4.2. Such reimbursement must be submitted on the prescribed form every three months and be accompanied by supporting documentation (log book).

4.2.5 A mobile telephone service for which all expenses are paid but which is to be used exclusively for Council and Civic duties.

4.2.6 Preparation of media material for the Mayor in respect of Council activities.

4.2.7 Reasonable expenses for the Mayor and partner/accompanying person to attend on behalf of Council in the office of Mayor on official (including conferences) or legal occasions including travel, accommodation subsistence and the like. Attendance at local functions (excluding conferences as defined in section 3.1) by the Mayor and partner/accompanying person shall be paid by Council.

4.2.8 If the Mayor so chooses, a credit card facility with a monthly card limit up to \$5,000 to be used for expenses incurred in the pursuit of official Council business. The credit card facility is to be used in situations where it is not possible to go through Council's normal procedure for the ordering and/or payment of goods and services. Initial approval to hold a Corporate Purchase Card must come from the CEO. The Corporate Purchase Card cannot be used for the following:

- Cash advances under any circumstances.
- Accommodation/travel and work related expenses – preferred payment is via the administration team of the Mayor's Office. The Mayor's Purchase Card may be used for accommodation/travel related expenses in emergency situations and must be submitted to the Manager Corporate Governance as soon as practicable.
- Fines and penalties, unless approved by the CEO (eg, Toll Notices).
- Private expenditure or personal purchases with a view to reimburse Council at a later date.

- Split purchases - the cardholder to pay in one credit card transaction and not split the payment.
- Purchases in conjunction with award points or any personal award card or membership benefits (eg, Frequent Flyer or Woolworths Rewards).

4.2.9 Provision of appropriate Council branded clothing including, but not limited to, blazer, jacket, polo shirt or t-shirt as approved by the Chief Executive Officer.

5. OTHER MATTERS

5.1 ACQUISITION AND RETURNING OF FACILITIES AND EQUIPMENT BY COUNCILLORS

5.1.1 Councillors will be issued with facilities as provided for under this policy upon election to Office.

5.1.2 All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a Councillor or Mayor ceasing to hold office or at the cessation of their civic duties.

5.1.3 Should a Councillor wish to purchase council equipment previously allocated to them at the cessation of their duties, a written request should be submitted to the CEO. A fair market price will be proposed at the time of purchase.

5.2 ANNUAL FEES – MAYOR AND COUNCILLORS

Fees Payable to Councillors

5.2.1 Pursuant to Section 248 of the Act, the Council shall, prior to 30 June each year, set by resolution the annual fees to be paid to a Councillor for the following year commencing 1 July, provided that such fee shall be within the range for the Council determined annually by the Local Government Remuneration Tribunal.

5.2.2 Such payment shall be subject to Section 254A of the Act and any specific resolution of the Council under Section 254A.

Fees Payable to the Mayor

5.2.3 Pursuant to Section 249 of the Act, the Council shall, prior to 30 June each year, set by resolution, the annual fee to be paid to the Mayor for the following year commencing 1 July provided that such fee shall be within the range for the Council determined annually by the Local Government Remuneration Tribunal.

- 5.2.4 Pursuant to Section 249(5) of the Act, the Council may pay the deputy mayor (if there is one) a fee determined by the council for such time as the deputy mayor acts in the office of the mayor. The amount of the fee so paid must be deducted from the mayor's annual fee.
- 5.2.5 There will be an automatic transfer of the additional annual mayoral fee during any leave of absence of the Mayor, to the person acting in the role of the Mayor.

Fees from Paid Board Positions

- 5.2.6 Councillors and Mayors may keep any fees received from elected board positions, where such positions directly related to their position as Councillor or Mayor on the provision that any such position must be endorsed by Council.

5.3 SUPERANNUATION

- 5.3.1 In accordance with section 254B of the Act, and as resolved by Council on 24 February 2022, a superannuation contribution payment is payable with, and at the same intervals as, the annual fee is payable to Councillors. The amount of a superannuation contribution payment is in line with those payments made to employees of Council.

6. END SECTION

6.1 RESPONSIBILITIES

6.1.1 All Councillors, the Chief Executive Officer and the Manager Corporate Governance are responsible for enacting this policy.

6.2 APPENDICES

6.2.1 Appendix 1 – Expenses of Members of Council – Incidental Expenses

6.2.2 Appendix 2 - Expenses of Members of Council – Vehicle Allowance

6.2.3. Appendix 3 - Expenses of Members of Council – Meals

6.2.4 Appendix 4 – Expenses of Members of Council – Statutory Declaration Form

EXPENSES OF MEMBERS OF COUNCIL

Incidental Expenses

(Including meals when purchased within the Dubbo Regional LGA)

Please complete this form and return to the Governance Team Leader.

NOTE: Reimbursement of incidental expenses must be accompanied by the relevant approvals from the Mayor's office and receipts.

APPLICANT DETAILS	
Title	Councillor
Name/s	

INCIDENTAL EXPENSES	
Date	Meeting/Function
Summary of Expenses Claimed	Cost
	\$
	\$
	\$
	\$
	\$
	\$
	\$
Total out of pocket expenses	\$

Only expenses incurred in line with the Payment of Expenses and Provision of Facilities for the Mayor and Councillors Policy will be reimbursed.

APPLICANT SIGNATURE	
Signature	
Print Name	
Date	

EXPENSES OF MEMBERS OF COUNCIL

Incidental Expenses

(Including meals when purchased within the Dubbo Regional LGA)

OFFICE USE ONLY

Total payable		
Cost Number		

APPROVAL

MGIC Signature		Date	
CEO signature		Date	

Vehicle Allowance

Section 252, Local Government Act 1993

Please complete this form and return to the Governance Team Leader

NOTE: Reimbursement of travel expenses must be accompanied by the relevant approvals from the Mayor's office

APPLICANT DETAILS	
Title	Councillor
Name/s	

VEHICLE ALLOWANCE				
Date	Meeting/Function	Start Odometer	End Odometer	Distance Travelled (km)
Total distance claimable				
Engine size				

APPLICANT SIGNATURE	
Signature	
Print Name	
Date	

EXPENSES OF MEMBERS OF COUNCIL

Vehicle Allowance

Section 252, Local Government Act 1993

OFFICE USE ONLY			
Total distance claimable		Amount per km	
Total payable			
Cost number			

APPROVAL			
MCG Signature		Date	
CEO signature		Date	

Meals – Outside of LGA

Please complete this form and return to the Governance Team Leader.

NOTE: Payment of travel expenses must be accompanied by the relevant approvals from the Mayor’s office. Meal expenses will be paid before travel if completed forms are received at least one week prior to monthly pay run.

APPLICANT DETAILS	
Title	Councillor
Name/s	

Only meals which are not included in registration fees or provided as part of the event will be reimbursed.

MEALS			
Date/s		Meeting/Function	
Location of function			
Number of breakfasts			
Number of lunches			
Number of dinners			

APPLICANT SIGNATURE	
Signature	
Print Name	
Date	

OFFICE USE ONLY					
Payable/breakfast	\$	Payable/lunch	\$	Payable/dinner	\$
Totals/meal	\$		\$		\$
Total payable					
Cost Number					

APPROVAL			
MCG Signature		Date	
CEO signature		Date	

Statutory Declaration

I, _____ (Name)
of _____ (Address)

_____ (Occupation)

do solemnly and sincerely declare

Insert matter declared to. Where the matter is long add the words "as follows:" and then set out in numbered paragraphs.

I make this solemn declaration by virtue of the *Statutory Declarations Act 1959* as amended and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

Declared at _____ (Signature of person making declaration)
On _____ (Place of declaration)
In the presence of _____ (Date)

_____ (Signature of witness)
_____ (Name of witness)

See over page for notes, including witness requirements

Statutory Declaration

NOTE 1.-A person who wilfully makes a false statement in a statutory declaration under the *Statutory Declarations Act 1959* as amended is guilty of an offence against that Act, the punishment for which is a fine not exceeding \$200 or imprisonment for a term not exceeding six months or both if the offence is prosecuted summarily, or imprisonment for a term not exceeding four years if the offence is prosecuted upon indictment.

NOTE 2.-A statutory declaration may be made before a Magistrate, a Justice of the Peace, a Commissioner for Affidavits, a Commissioner for Declarations, a Notary Public, **a person before whom a statutory declaration may be made under the law of the State in which the declaration is made**, an Australian Consular Officer or an Australian Diplomatic Officer as defined by section two of the Consular Fees Act 1995, a chiropractor, a dentist, a legal practitioner, a medical practitioner, a nurse, a patent attorney, a pharmacist, a veterinary surgeon, an agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public, a bailiff, a bank officer with five or more years of continuous service, a building society officer with five or more years of continuous service, the chief executive officer of a Commonwealth court, a civil marriage celebrant, the clerk of a court, a credit union officer with five or more years of continuous service, the holder of a statutory office, the Judge of a court, the Master of a court, a member of the Australian Defence Force who is an officer or a non-commissioned officer within the meaning of the Defence Force Discipline Act 1982 with five or more years continuous service or a warrant officer within the meaning of the Act, a member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants, a member of the Institute of Corporate Managers, Secretaries and Administrators, a member of the Institution of Engineers, Australia other than at the grade of student, a member of the Parliament of the Commonwealth, the Parliament of a State, a Territory legislature or a local government authority of a State or Territory, a minister of religion registered under Division 1 of Part IV of the Marriage Act 1961, a permanent employee of the Commonwealth or of a Commonwealth authority or a State or Territory or of a State or Territory authority or a local government authority with five or more years continuous service, a permanent employee of the Australian Postal Corporation with five or more years continuous service who is employed in an office supplying postal services to the public, a police officer, the Registrar or Deputy Registrar of a court, a Senior Executive Service officer of the Commonwealth or of a State or Territory or of a Commonwealth, State or Territory authority, a Sheriff, a Sheriff's officer, or a teacher employed on a full-time basis at a school or tertiary education institution.