

Shellharbour City Council

Ordinary Council Meeting

8 February 2022

Item 10.1.1 Attachment 2

Councillor Expenses and Facilities Policy

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Councillor Expenses and Facilities

Policy Owner: Executive Manager/Public Officer	
Date Last Adopted/Amended: 8 September 2021	Review Date: 8 September 2024

1. Policy Statement/Objective(s)

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 2005* (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.

The objectives of this policy are to:

- 1.1 Enable the reasonable and appropriate reimbursement of expenses incurred by councillors while undertaking their civic duties.
- 1.2 Enable facilities of a reasonable and appropriate standard to be provided to councillors to support them in undertaking their civic duties.
- 1.3 Ensure accountability and transparency in reimbursement of expenses and provision of facilities to councillors.
- 1.4 Ensure facilities and expenses provided to councillors meet community expectations.
- 1.5 Support a diversity of representation.
- 1.6 Fulfil the Council’s statutory responsibilities.
- 1.7 To ensure that no councillor suffers financial hardship by meeting their civic responsibilities and obligations to a reasonable standard.

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2. Scope

This Policy commences on the date it is adopted by Council and applies to the mayor and all councillors of Shellharbour City Council.

3. References

- *Local Government Act 1993, Sections 252 and 253*
- *Local Government (General) Regulation 2005, Clauses 217 and 403*
- Guidelines for the payment of expenses and provision of facilities for Mayors and Councillors in NSW 2009
- Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities
- Local Government Circular 05-08 legal assistance for Councillors and Council Employees
- Local Government Circular 17-17 Councillor Expenses and Facilities Policy – Better Practice Template

Related Council policies

- Code of Conduct and Procedures for the Administration of the Code of Conduct
- Councillor Access to Information, Staff and Premises Policy and Guidelines
- Councillor Information Technology Acceptable Usage Policy
- Corporate Credit Card Policy
- Vehicle Management Policy

4. External/Internal Consultations

Office of Local Government

5. Definitions

Accompanying Person	A spouse, partner or defacto or other person with a close personal relationship to the councillor who may or may not provide carer support to the councillor
Appropriate refreshments	Food and beverages provided by Council to support councillors undertaking their official business
Act	The Local Government Act 1993
Clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	Code of Conduct adopted by Council
Council	Shellharbour City Council

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Councillor	A person elected or appointed to civic offices as a member of the governing body of Council who is not suspended, including the mayor
Councillor Portal	An on-line and secure access point (portal) to resources on tablet devices issued to councillors to enable them to conduct their business.
Expense Claim	A claim made by a councillor for reimbursement of or payment of an expense, or for an advance payment of an expense, in accordance with Section 10 of this Policy
Expense Claim Form	The form to be used for the making of an Expense Claim through the Councillor Portal
Expense	Reasonable costs or charges for the provision of goods and services incurred, or to be incurred, by a councillor when discharging their civic functions and of a type outlined in this Policy
Facilities	Equipment and services provided by Council to councillors to enable them to perform their civic functions and as outlined in Sections 8 and 9 of this Policy
Chief Executive Officer	The Chief Executive Officer of Council and includes the Chief Executive Officer's delegate
Incidental personal use	Use that is infrequent and brief and use that does not breach this Policy or the Code of Conduct
Investigation Costs	The reasonable fees, costs and expenses incurred by or on behalf of the mayor or councillor with the Insurer's prior written consent for the principal purpose of preparing for, responding to, or attending an investigation. However, investigation costs shall not include the remuneration of the mayor or councillor, cost of their time, compliance costs, or any other costs or overheads of Council.
Legal/Defence Costs	<ul style="list-style-type: none"> (i) Reasonable fees, costs and expenses incurred by or on behalf of the mayor or councillor in the investigation, defence, settlement or appeal of a claim with the insurer's prior written consent; and (ii) Reasonable fees, costs and expenses of accredited experts retained through defence counsel to prepare an evaluation, report, assessment, diagnosis or rebuttal of evidence in respect of a claim specified in (i) above
Long distance intrastate travel	Travel to other parts of NSW of more than three hours duration by private vehicle
Maximum Limit	The maximum limit for an expense or facility as provided in the table at Appendix 1 to this Policy

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6. Variation and Review

Section 252(1) of the Act provides as follows:

- (1) Within the first 12 months of each term of Council, the Council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, deputy mayor (if there is one) and the other councillors in relation to discharging the functions of civic office.

Under Section 252(4) of the Act, Council may from time to time amend this Policy.

Section 253 of the Act requires public exhibition of this Policy before it is adopted or before any amendment to the Policy is adopted. Section 253 provides:

- (1) A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.
- (2) Before adopting or amending the policy, the Council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.
- (3) Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the Council is of the opinion that the proposed amendment is not substantial.
- (4) Repealed.
- (5) A council must comply with this section when proposing to adopt a policy in accordance with Section 252 (1) even if the council proposes to adopt a policy that is the same as its existing policy.

Review History

The history of amendments to this Policy is outlined below:

Date Policy first adopted – version 01	20 June 1994
Date amendment adopted – version 02	10 October 2000
Date amendment adopted – version 03	28 October 2003
Date amendment adopted – version 04	14 December 2004
Date amendment adopted – version 05	27 February 2007
Date amendment adopted – version 06	13 November 2007
Date amendment adopted – version 07	11 November 2008
Date amendment adopted – version 08	16 December 2008
Date amendment adopted – version 09	27 January 2010
Date amendment adopted – version 10	12 October 2010
Date amendment adopted – version 11	16 August 2011
Date amendment adopted – version 12	16 October 2012
Date amendment adopted – version 13	17 September 2013

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Date amendment adopted – version 14	17 March 2015
Adopted without changes – version 15	15 September 2015
Date amendment adopted – version 16	26 September 2017
Date reviewed – version 17	8 September 2021

7. Policy

See attached document.

8. Related Forms/Documents

- Expense Claim Form
- Councillor Report Forms
- Letterhead

Note: Related forms can be located on the Councillor Portal

9. Attachments

Attachment 1: Councillor Expenses and Facilities Policy

Policy Authorised by:

Council Resolution: 241

Date: 26 September 2017



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Amendment adopted 10 October 2000
Amendment adopted 28 October 2003
Amendment adopted 14 December 2004
Amendment adopted 27 February 2007
Amendment adopted 13 November 2007
Amendment adopted 11 November 2008
Amendment adopted 16 December 2008
Amendment adopted 27 January 2010
Amendment adopted 12 October 2010
Amendment adopted 16 August 2011
Amendment adopted 16 October 2012
Amendment adopted 17 September 2013
Amendment adopted 17 March 2015
Amendment adopted 26 September 2017
Policy reviewed 8 September 2021

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Part A – Introduction

1. Introduction

- 1.1. The provision of expenses and facilities enables councillors to fulfil their civic duties as the elected representatives of Shellharbour City 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 are available to councillors to assist them in fulfilling their civic duties.
- 1.4. Council staff are empowered to question or refuse a request for payment from a councillor when it does not accord with this Policy.
- 1.5. Expenses and facilities provided by this Policy are in addition to fees paid to councillors. The minimum and maximum fees a Council may pay each councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range.

2. Principles

- 2.1. Council commits to the following principles:
 - **Proper conduct:** councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions.
 - **Reasonable expenses:** providing for councillors to be reimbursed for expenses reasonably incurred as part of their role as councillor.
 - **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a councillor.
 - **Equity:** there must be equitable access to expenses and facilities for all councillors.
 - **Appropriate use of resources:** providing clear direction on the appropriate use of council resources in accordance with legal requirements and community expectations.
 - **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to councillors.



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3. Private or political benefit

- 3.1. Councillors must not obtain private or political benefit from any expense or facility provided under this Policy.
- 3.2. 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.
- 3.3. Such incidental private use does not require a compensatory payment back to Council.
- 3.4. 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 the Council.
- 3.5. Councillors are required to report to the Chief Executive Officer in writing any substantial private use of Council facilities immediately. If the Chief Executive Officer determines that a councillor's private use of Council resources exceeds reasonable incidental personal use, the councillor must reimburse Council for the cost of the private use. The amount of reimbursement to Council by the councillor will be determined by the Chief Executive Officer in accordance with Section 10 of this Policy having regard to the extent of personal use and the value of the benefit, on a case-by-case basis.
- 3.6. Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:
 - Production of election material.
 - Use of Council resources and equipment 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.

Part B – Expenses

4. General expenses

Note: Clause 403 of the Regulation provides that a policy adopted under Section 252 of the Act must not include any provision which enables a Council to pay any councillor an allowance in the nature of a General Expense Allowance. For the avoidance of doubt, this Policy does not permit the payment of a General Expense Allowance to any councillor.

- 4.1. All expenses provided under this Policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this Policy.
- 4.2. Expenses not explicitly addressed in this Policy will not be paid or reimbursed.

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4.3. Expenses provided for in this Policy can be paid:

- (a) By Council directly;
- (b) By way of an advance payment to the councillor (but not for legal expenses); or
- (c) By the councillor and then reimbursed by Council.

Note: for the avoidance of doubt, claims for legal expenses are to comply with Section 7 of this Policy.

5. Specific expenses

General travel arrangements and expenses

Travel

- 5.1. All travel by councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 5.2. Each councillor may be reimbursed in accordance with the Monetary Limits for Expenses Table Appendix 1, for travel expenses incurred while undertaking official business or professional development or attending approved conferences, seminars, workshops and training within NSW. This includes reimbursement of:
 - telephone calls, internet charges, laundry and dry cleaning;
 - refreshments and other meals occurring during or incurred whilst travelling to or from the conference but not included in the conference registration fee;
 - parking fees, taxi fares, hire car fees, motorway or bridge tolls; and
 - tickets to/cost of attending social functions/dinners at approved conferences.

For the avoidance of doubt, the following expenses will not be reimbursed and are the responsibility of the councillor:

- alcohol from mini-bar or not consumed as part of a meal;
- cigarettes;
- tips or gratuities; and
- where meals are included as part of conference registration, no reimbursement will be made to councillors for additional meals on those days.

- 5.3. Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the Local Government (State) Award.

Councillors seeking to be reimbursed for use of a private vehicle must keep a log book recording the date, distance and purpose of travel being claimed. Copies of the relevant log book contents must be provided with the claim.

Interstate, overseas and long distance intrastate travel expenses

- 5.4. In accordance with Section 3, 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 sister and friendship cities.

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Overseas Travel

- 5.5 Overseas travel by councillor(s) must be approved by resolution adopted at an Ordinary Meeting of Council prior to the councillor(s) undertaking the trip. Travel must be approved on a case by case basis. The use of a Mayoral Minute to obtain Council approval for overseas travel is not appropriate, as it is not consistent with the principles of openness and transparency.
- 5.6 The case should include:
- 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;
 - who is to take part in the travel;
 - duration and itinerary of travel; and
 - a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
- 5.7 Within two months after returning from overseas, the councillor(s) will provide a detailed written report to a full meeting of Council on the aspects of the trip relevant to Council business and/or the local community. A report template is provided via the Councillor Portal. This report should be provided to the Chief Executive Officer by the relevant councillors no later than two full weeks prior to the Ordinary Meeting of Council at which the report will be presented.
- 5.8 For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.

Interstate and Long Distance Intrastate Travel

- 5.9 Councillors seeking approval for any interstate and long distance intrastate travel must submit a case to, and obtain the approval of, the Chief Executive Officer prior to travel.
- 5.10 Interstate and long distance journeys may be undertaken by way of air travel, where such travel is considered reasonable and appropriate by the Chief Executive Officer.
- 5.11 For interstate and long distance intrastate journeys the class of air travel is to be economy class. Consideration may be given by the Chief Executive Officer to premium economy or business class travel, dependent on the duration of the flight and any personal medical considerations of the councillor.
- 5.12 Bookings for approved air travel will be made by the Executive Assistant - Councillor Support.

Loyalty Schemes

- 5.13 When travelling on Council business, councillors cannot gain any personal benefit from any loyalty schemes. Councillors are not permitted to attribute Council flights, accommodation or any other expenses to a personal loyalty scheme account. Refer to Section 3 of this Policy.

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Travel expenses not paid by Council

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

Accommodation and meals

Accommodation

- 5.15 Council will pay for accommodation in accordance with the applicable Maximum Limit (refer to Appendix 1) where official business or professional development involves an overnight stay away from home. This may include the night before and/or after, where the Chief Executive Officer determines that this is necessary due to travel and/or timetables.
- 5.16 Where accommodation is required for a councillor, Council staff will make the bookings in advance and arrange for payment of accommodation directly with a travel agent or the accommodation provider.
- 5.17 The standard of accommodation booked for councillors will be at the discretion of the Chief Executive Officer. Councillors may arrange, at their own expense, upgrades of the standard of accommodation provided.

Professional development

Council provides for the professional development of councillors through programs, training, education courses and membership of professional bodies.

- 5.18 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 for conferences, workshops, seminars, training and other programs.
- 5.19 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.
- 5.20 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
- 5.21 In assessing a councillor request for a professional development activity, the Chief Executive Officer must consider the factors set out in Clause 5.20, as well as the cost of the professional development in relation to the Council's budget.

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Conferences, Workshop, Seminars and/or Training

- 5.22 Council is committed to ensuring its councillors are up to date with contemporary issues facing Council and the community, and local government in NSW.
- 5.23 Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences, workshops, seminars and/or training approved by the Chief Executive Officer. Council will also meet the reasonable cost of meals when they are not included in the conference fees, workshop, training course and/or seminar.

Conferences

- 5.24 Each councillor is approved to attend the Local Government NSW Annual Conference, ALGA National General Assembly and Australian Local Government Womens' Association (ALGWA) Conference. These conferences will be reported to Council each year by the Executive Assistant - Councillor Support, for resolution and expression of interest to attend. Councillors are also eligible to attend up to two (2) Conferences per year, in addition to these conferences.
- 5.25 The Chief Executive Officer will inform the mayor and councillors of information regarding future conferences, as this information becomes available to Council.
- 5.26 If a councillor seeks reimbursement/payment of any other expenses associated with the councillor's attendance at the conference, an Expense Claim must be lodged for consideration by the Chief Executive Officer, via the Councillor Portal.
- 5.27 Any councillor wishing to attend a third or subsequent conference within the one year will be required to obtain prior approval of the Council by a resolution of Council. The report is to include:
- relevance of the topics and presenters to current Council priorities and business and the exercise of the councillor's civic duties; and
 - cost of the conference, workshop, seminar and/or training in relation to the total remaining budget.
- 5.28 Councillors may lodge an Expense Claim via the Councillor Portal for any reasonable incidental expenses incurred whilst attending a conference.

The following will not be reimbursed and are the responsibility of the councillor:

- alcohol from mini-bar or not consumed as part of a meal;
- cigarettes;
- tips or gratuities; and
- where meals are included as part of conference registration, no reimbursement will be made to councillors for additional meals on those days.

It is a matter for the Chief Executive Officer to determine whether incidental expenses claimed by a councillor are reasonable and whether the conference falls within the scope of this clause.

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Workshops, Seminars and/or Training Courses

All councillors are entitled and encouraged to attend workshops, seminars and/or training courses.

- 5.29 The Chief Executive Officer will inform the mayor and councillors of information regarding future conferences, workshops, seminars and/or training courses as this information becomes available to Council.
- 5.30 Councillors may also seek approval to attend other workshops, seminars and/or training courses of interest subject to Clauses 5.18 – 5.21 of this Policy.
- 5.31 Reasonable incidental costs up to the maximum limit in this Policy associated with the attendance of a councillor at workshops, seminars and/or training courses may be claimed by the councillor provided that the workshop, seminar or course is specifically related to the councillor's civic functions.
- 5.32 Councillors may lodge an Expense Claim via the Councillor Portal for any reasonable incidental expenses incurred whilst attending a workshop, seminar and/or training course.

The following will not be reimbursed and are the responsibility of the councillor:

- alcohol from mini-bar or not consumed as part of a meal;
- cigarettes;
- tips or gratuities; and
- where meals are included as part of conference registration, no reimbursement will be made to Councillors for additional meals on those days.

It is a matter for the Chief Executive Officer to determine whether incidental expenses claimed by a councillor are reasonable and whether the event falls within the scope of this clause.

Report to Council subsequent to attending conference, workshop, seminars and/or training courses

- 5.33 Attendance at any conferences, workshops, seminars and/or training courses must be the subject of a report to Council prepared by the relevant councillor(s) outlining the major issues raised at the event and its relevance to the Council with recommendations for further areas of investigation if applicable. This requirement does not apply to a councillor's attendance at the following annual conferences:
- (a) Local Government NSW Annual Conference, and
 - (b) ALGA National General Assembly of Local Government.

Where a group of councillors attend the same event, the report to Council may be submitted by the group, but must be signed by all councillors who attended.

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The councillor(s) must submit this report to Council within two calendar months following the event. The written report to Council will include the following Sections:

- (a) The purpose/subject matter of the conference, workshop, seminar and or training course, including the reason for the attendance of the councillor,
- (b) The agenda
- (c) Any items of interest to Council discussed at the event, and
- (d) Recommendations for further areas of action or investigation by Council if applicable.

A report template is available via the Councillor Portal. The written report should be provided to the Chief Executive Officer by the relevant councillors no later than two full weeks prior to the Ordinary Council Meeting at which the report will be presented.

Expenses relating to attendance at key meetings of local government organisations or bodies

- 5.34 Councillors are entitled and encouraged to attend meetings of local government organisations or bodies to which a councillor has been elected to or appointed as a delegate or member of the Council or any meeting of the Local Government NSW (LGNSW) or Australian Local Government Association (ALGA). Such meetings will include (but not be limited to) Illawarra Shoalhaven Joint Organisation (ISJO) and South East Australia Transport Strategy Inc (SEATS).
- 5.35 Councillors may lodge an Expense Claim via the Councillor Portal for any reasonable incidental expenses incurred whilst attending an event under clause 5.34.

The following will not be reimbursed and are the responsibility of the councillor:

- alcohol from mini-bar or not consumed as part of a meal;
- cigarettes;
- tips or gratuities; and
- where meals are included as part of conference registration, no reimbursement will be made to Councillors for additional meals on those days.

It is a matter for the Chief Executive Officer to determine whether incidental expenses claimed by a councillor are reasonable and whether the event falls within the scope of this clause.

Expenses relating to attendance at dinners and other non-Council functions

- 5.36 Where functions are held by key community groups, charitable organisations formally supported by the Council, politicians and businesses which are of direct relevance to Council's interest, councillors may lodge an Expense Claim for the cost of attendance at these functions.

It is a matter for the Chief Executive Officer to confirm whether an event falls within the scope of this clause and may be the subject of an Expense Claim.

The extent of the reimbursement in this section is limited to the cost of the function only, or accommodation.

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For the avoidance of doubt:

- (a) Council will not reimburse the mayor or any councillor for attending any political fundraising dinner or event, and
- (b) Councillors attending meetings or functions, as community representatives of community organisations or in their personal capacity and not representing the Council will not be reimbursed under this Policy for any expenses incurred.

Allowable expenses for Accompanying Persons

5.37 Local Government conferences

Council will meet the costs of registration and any official conference dinners for one accompanying person only in attending the following annual conferences:

- Local Government NSW, and
- National General Assembly of Local Government (ALGA)

No other expenses attributed to an accompanying person can be claimed.

5.38 Official Council Functions within Shellharbour LGA

Council will meet the costs of an accompanying person of the mayor or a councillor when attending official Council functions of a formal and/or ceremonial nature within the Shellharbour LGA. Such functions include, but are not limited to Australia Day awards ceremonies, citizenship ceremonies, civic receptions, Mayoral receptions and charitable functions formally supported by the Council.

Payment of expenses under this clause is limited to the direct cost of attending the function (i.e. the ticket and meal cost).

5.39 Other official functions within NSW

Council will meet the costs of an accompanying person of the mayor or a councillor (when the councillor is representing the mayor) at an official function of the Council or carrying out an official ceremonial duty within NSW or the ACT. Such functions include but are not limited to charitable functions to which the mayor has been invited, award ceremonies and other functions to which the mayor is invited to represent the Council.

Payment of expenses under this clause is limited to the direct cost of attending the function (i.e. the ticket and meal cost).

Disallowed Expenses for Accompanying Persons

5.40 For the avoidance of doubt, Council will not meet the following expenses of an accompanying person:

- (a) Any conference or event not noted in clauses 5.37-5.39;
- (b) Any event or function outside the Shellharbour LGA, not noted above, including interstate and overseas;
- (c) Incidental expenses incurred by an accompanying person such as personal grooming, dry cleaning/laundry, special clothing, travel expenses, additional accommodation expenses, accompanying person tours and other sundry expenses, including meals not covered above.

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Special requirement and carer expenses

- 5.41 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.
- 5.42 Transportation provisions outlined in this Policy will also assist councillors who may be unable to drive a vehicle.
- 5.43 In addition to the provisions above, the Chief Executive Officer may authorise the provision of reasonable additional facilities and expenses in order to allow a councillor with a disability to perform their civic duties.
- 5.44 Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of carer's expenses up to a maximum limit as outlined in Appendix 1 for attendance at official business.
- 5.45 Childcare expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 5.46 In the event of caring for an adult person, councillors will need to provide suitable evidence to the Chief Executive Officer that reimbursement is applicable. This may take the form of advice from a medical practitioner.
- 5.47 A councillor seeking payment/reimbursement of care and other related expenses under this clause must lodge an Expense Claim. It is a matter for the Chief Executive Officer to determine whether expenses claimed by a councillor under this clause are reasonable.

6 Insurances

- 6.1 Council will provide, at its own cost, insurance to protect the interest and welfare of the mayor and all councillors acting in good faith in carrying out the duties of civic office. In accordance with section 382 of the *Local Government Act 1993*, Council is insured against public liability and professional indemnity claims. Councillors are included as a named insured on this Policy. In addition, Council maintains the following insurance policies:
 - (a) Councillors and officers insurance (protects mayor and councillors against the risk and exposures in carrying out their duties as an elected representative in accordance with Council's Code of Conduct i.e. your liability for mismanagement, breach of duty, breach of trust, neglect, error, omission, breach of Statute);
 - (b) Travel insurance for approved interstate and overseas travel on Council business;
 - (c) Group personal accident insurance while on Council business;
- 6.2 Insurance protection is only provided if a claim arises out of or in connection with the mayor or councillor's performance of his or her civic duties, or exercise of his or her functions and a mayor or councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.

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- 6.3 Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.
- 6.4 The above insurance policies do not cover the mayor or councillors for any criminal offences.
- 6.5 It is for the mayor and councillors to satisfy themselves as to the adequacy/extent of the insurance policies maintained by Council as detailed above. Copies of the policy documents can be made available upon request.

7 Legal assistance

Legal assistance granted for inquiries by various bodies

- 7.1 In the particular circumstances outlined below, the Council may reimburse the reasonable legal/defence/investigation costs and expenses (as defined) insofar as such expenses are covered by Council's insurance policies as detailed in clauses 6.1(a) and 6.1(d) of this Policy:
 - (a) the mayor or councillor defending an action arising from the performance in good faith of a function under the Act; or
 - (b) the mayor or councillor defending an action in defamation provided the statements the subject of the action were made in good faith in the course of exercising a function under the Act; or
 - (c) an inquiry, investigation or hearing into the mayor or councillor's conduct by the Local Government Pecuniary Interest and Disciplinary Tribunal, NSW Civil and Administrative Tribunal or other investigative or review body (including the Independent Commission Against Corruption, the NSW Ombudsman, Office of Local Government, NSW Police Force, Director of Public Prosecutions and the Council's Code of Conduct Review Panel/Reviewer).
- 7.2 Council may only authorise the payment/reimbursement of a councillor's legal expenses under this clause if:
 - (a) an Expense Claim has been made in accordance with Section 4 of this Policy;
 - (b) the outcome of the inquiry, investigation, proceedings or hearing has concluded and is substantially favourable to the councillor;
 - (c) the subject of the inquiry, investigation, proceedings or hearing arises from the performance in good faith of the councillor's functions under the Act; and
 - (d) where the matter is before an investigative or review body, the matter has proceeded past an initial assessment phase to a formal investigation or review and that body has made a finding that is not substantially unfavourable to the councillor (for example, where the matter does not proceed to a finding or the body determines that the councillor's conduct gives rise to an inadvertent minor technical breach only).

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7.3 For the avoidance of doubt, Council will not in any circumstances meet the following types of legal expenses:

- (a) where an Expense Claim is not made in accordance with Section 4 of this Policy;
- (b) the costs of legal proceedings initiated by the councillor (that is, where the councillor is a plaintiff in the proceedings);
- (c) the costs of a councillor seeking legal advice in respect of a possible defamation claim by the councillor, or in seeking a non-litigious remedy for possible defamation;
- (d) the costs arising from legal proceedings that do not involve the councillor performing their role as councillor; or
- (e) the costs incurred by a councillor in obtaining legal advice relating to a pecuniary interest, conflict of interest or other matter governed by the Code of Conduct which is required by the councillor to obtain clarification as to their responsibilities in the performance of his/her duties as a councillor.

7.4 If the Council determines to make a payment of legal expenses under this clause, then Council will make the payment of legal costs on a solicitor/client basis provided that:

- (a) the amount of such reimbursement is reduced by the amount of any monies that may be or are recouped by the mayor or councillor on any basis; and
- (b) the amount of such reimbursement is limited to the extent that only fees charged at a rate equivalent to the average hourly rate then being charged by Council's solicitors will be paid. Any portion of the expenses representing any hourly charge rate higher than the average hourly rate of Council's solicitors will not be reimbursed.

Procedure for claiming payment and determination of a claim for payment of legal expenses

7.5 An Expense Claim made by a councillor which seeks reimbursement of legal expenses must be made in accordance with Section 4 of this Policy. For the avoidance of doubt, a councillor is not entitled to make an Expense Claim which seeks an advance payment of legal expenses.

7.6 Any Expense Claim for payment of legal expenses:

- (a) will not be determined until the inquiry, investigation, hearing or legal proceedings has concluded; and
- (b) will be reported by the Chief Executive Officer to the Council for determination as soon as practicable following the conclusion of the inquiry, investigation, hearing or legal proceedings.

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Part C – Facilities

8 General facilities for all Councillors

Facilities

- 8.1 Council will provide facilities to councillors, together with additional exclusive facilities for the mayor's use, to allow all councillors to perform their civic functions. The provision of any equipment to councillors will be of a standard deemed by the Chief Executive Officer as appropriate for this purpose.
- 8.2 Facilities provided under this section are subject to Section 3 of this Policy.
- 8.3 Council facilities, equipment and services are not to be used for private use or for political purposes (refer to Section 3 of this Policy).
- 8.4 This Section should be read in conjunction with the Code of Conduct and the *Councillor Access to Information, Staff and Premises Policy and Guidelines*.
- 8.5 Council will provide the following facilities to councillors to assist them in the effective discharge of their civic functions:
- personal protective equipment for use during site visits;
 - 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.
- 8.6 A Councillor Meeting Room will be provided and available to all councillors as a space to use for example conference/interviews, telephone calls, research and reading, or as an office work area during normal business hours 8.30am to 4.30pm. The room will be appropriately furnished to include telephone, photocopier/printer, desks, computer and appropriate refreshments (excluding alcohol). The Councillor Meeting Room may be booked for exclusive use by a councillor through the appropriate facility booking system or Executive Assistant - Councillor Support.
- 8.7 Councillors may book meeting rooms for official business in a specified Council building at no cost. Rooms may be booked through the appropriate facility booking system.
- 8.8 Councillors may also use Shellharbour City libraries as meeting places subject to any conditions for use.
- 8.9 Council will provide the following stationery to councillors each year:
- letterhead, to be used only for correspondence associated with civic duties;
 - business cards;
 - up to 25 Christmas or festive cards per year for councillors and up to 50 for the mayor to be posted by Council Services staff; and
 - paper and consumables for multi-function centres.

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- 8.10 Stationery shall only be used to support a councillors' civic duties. Requests for additional issues of stationery above these levels should be directed to the Chief Executive Officer, for approval via the Councillor Portal.

Building Access

- 8.11 As elected members of the Council, councillors are entitled to have access to the Council Chambers, Councillor's Meeting Room, Mayor's Office (for the mayor) and public areas of the Council's buildings (refer to Clause 8.1 of this Policy).
- 8.12 Councillors who are not exercising their civic functions have the same rights of access to Council buildings and premises as any other member of the public. As with members of the public, a councillor has no right to enter staff-only areas without the prior authorisation of the Chief Executive Officer or as is provided in any procedures adopted by the Council governing the interaction of councillors and Council staff. Councillors should refer to Part 7 of the Code of Conduct.

Administrative support

- 8.13 Council will provide administrative support to councillors to assist them with their civic duties only. Administrative support may be provided by Council Services staff or by a member of Council's administrative staff as arranged by the Chief Executive Officer or their delegate.
- 8.14 As per Section 3, Council staff are expected to assist councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

Council Photocopiers

- 8.15 Councillors may have documents photocopied by the Chief Executive Officer's office during normal business hours (8.30am to 4.30pm). Photocopying must be for the purpose of carrying out the councillor's civic functions. Councillors may also utilise any of the Council's libraries' photocopying facilities during their normal opening hours for the same purpose.
- 8.16 Limits to the amount of photocopying undertaken will be applied and restricted to the Maximum Limit. Use above the Maximum Limit will be charged to the councillor in accordance with Section 3 and Clause 10.16 of this Policy.

Refreshments for Council related meetings

- 8.17 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.

Insignia of Civic Office

- 8.18 The mayor and councillors are provided with a badge and nameplate, indicating that the wearer holds the office of mayor, deputy mayor or councillor as the case may be for the Council.

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- 8.19 These insignia are for use in official capacities only, when the mayor or councillors are formally representing the Council. Care must be taken with these insignia, to avoid any accidental misrepresentation of activities as being Council endorsed.
- 8.20 Insignia of Civic Office must not be worn whilst "electioneering".

Local Newspaper (Digital Edition) Subscription

- 8.21 Councillors will be provided, on request being made to the Chief Executive Officer, with an annual subscription to the digital edition of the Illawarra Mercury.

Information and communications technology (ICT) expenses

Council Telephones at the Civic Centre

- 8.22 Councillors may only make local or local STD telephone calls from a Council-owned fixed line phone with the prior approval of the Chief Executive Officer.
- 8.23 Councillors will be supplied with a mobile phone handset of Council's choice with email access for use on Council business only. Use above the applicable Maximum Limit will be charged to the councillor in accordance with Section 3 and Clause 10.16 of this Policy.

Mobile phones, tablet and laptop with Internet Access

- 8.24 Council will provide councillors with an iPad and laptop to conduct their Council business with internet access, licensed software including a purpose built Councillor Portal. Council will provide appropriate training and support to assist councillors to conduct Council business, operate internet and Council email accounts (established by Council in each councillor's name) to facilitate Council related business and to receive and access their Council business papers, all relevant information, documents and appropriate forms in electronic format.

Internet data usage is monitored regularly. If Council has incurred an expense on behalf of a councillor who has exceeded the ordinary consumption of the internet data usage clause 10.16 will apply as follows:

- Council will invoice the councillor for the expense;
- The councillor will reimburse Council for that expense within 14 days of the invoice date.

Councillors will be responsible for the good care and proper use of equipment and must promptly report any faults, malfunctions or needs for service/repair to the Council.

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Multi Function Centre

8.25 Councillors will be supplied with a multi function centre for location or installation at their place of residence for use on Council business only, subject to the following conditions:

- (a) The Council will:
 - i) meet the capital cost of acquisition of the equipment;
 - ii) meet the initial cost of installation of the equipment in the residence of the mayor or councillor;
 - iii) meet the cost of any maintenance/servicing of the equipment including any service call charge; and
 - iv) be responsible for the cost of all consumables, including paper, for the equipment.
- (b) Councillors will be responsible for the good care and proper use of equipment and must promptly report any faults, malfunctions or needs for service/repair to the Council.

General

8.26 Use of the telecommunications provided to councillors under this clause is subject to the following conditions:

- (a) The Council will:
 - i) Meet the capital cost of acquisition and periodic updating, as required, of the equipment,
 - ii) Meet the cost of any maintenance/servicing of the equipment including any service call charge, and
 - ii) Perform a periodic software licence audit.

Councillors will be responsible for the good care and proper use of equipment and must promptly report any faults, malfunctions or needs for service/repair to the Council.

- (b) The councillors' mobile telephone numbers are to be made available to the public.
- (c) Premium service call costs and International phone calls/International SMS message costs etc will be charged back to the councillor in accordance with Section 3 and Clause 10.16 of this Policy.
- (d) Use of this equipment is subject to compliance with Councillor Information Technology Acceptable Usage Policy and any operational protocols provided from time to time by the Chief Executive Officer, for the protection of Council's computer systems. These protocols will cover areas including the following:
 - Authorised and unauthorised software,
 - Firewall and Virus prevention,
 - Required maintenance routines, and
 - Disposal of used/replaced equipment.

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9. Additional facilities for the Mayor

In addition to the facilities outlined in Section 8, the mayor will also be entitled to:

Office accommodation

- 9.1 Council will provide the mayor with a furnished office incorporating a computer configured to Council's standard operating environment, telephone and meeting space.

Telecommunications

- 9.2 A telephone with unrestricted access will be provided in the mayoral office. In addition, a telecommunications expense limit as set out in Attachment 1, for the office of the mayor for each year will be paid, for the provision of telecommunications facilities to meet Council business related requirements.

Administrative Support

- 9.3 Administrative support will be provided during normal business hours for work directly associated with the official functions and duties of the office of mayor.
- 9.4 As per Section 3, staff in the mayor's office are expected to work on official business only, and not for matters of personal or political interest, including campaigning.

Refreshments

- 9.5 Office meeting, civic and Mayoral reception refreshments will be provided to a reasonable standard, having regard to the nature of the event.

Corporate Credit Card

- 9.6 A corporate credit card will be provided to meet hospitality, reasonable incidental and other expenses incurred by the mayor in discharging his or her functions on behalf of Council. Use of the corporate credit card is to be in accordance with Council's Corporate Credit Card Policy.

Parking

- 9.7 A parking space at Council's offices will be reserved for the mayor's Council-issued vehicle for use on official business, professional development and attendance at the mayor's office.

Motor Vehicle

- 9.8 Council will provide a suitable and appropriate mayoral vehicle, fully maintained, insured and registered by the Council, including a fuel card, for use by the mayor for all official, executive and social duties connected with the Office of Mayor, and any reasonable incidental private and personal use in accordance with Appendix 2 to this Policy. Any substantial private use of the motor vehicle by the mayor must be reported to the Chief Executive Officer in accordance with Section 3 of this Policy.



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Part D – Processes

10. Approval, payment and reimbursement arrangements

- 10.1. Expenses should only be incurred by councillors in accordance with the provisions of this Policy and the applicable maximum limit.
- 10.2. No expenses other than those expressly contained in this Policy are payable by Council to the mayor or councillors.
- 10.3. Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 10.4. Up to the maximum limits specified in this Policy, approval for the following may be sought after the expense is incurred:
 - local travel relating to the conduct of official business;
 - carer costs.
- 10.5. Final approval for payments made under this Policy will be granted by the Chief Executive Officer or their delegate.

Direct payment

- 10.6. Council may approve and directly pay expenses. Requests for direct payment must be submitted to the Executive Manager for assessment against this policy using the prescribed form via the Councillor Portal, with sufficient information including:
 - Relevant tax invoices and receipts, and
 - If it is not possible to attach tax invoices and receipts, a statutory declaration should be provided by the councillor explaining how the sum claimed was incurred and why it should be paid.
- 10.7. The Executive Manager will determine whether an expense claim complies with the requirements of this Policy.

Reimbursement

- 10.8. All claims for reimbursement of expenses incurred must be made on the prescribed form, supported by appropriate receipts and/or tax invoices and be submitted to the Executive Manager, via the Councillor Portal.

Advance payment

- 10.9. Council may pay a cash advance for councillors attending approved conferences, seminars or professional development.
- 10.10. The maximum value of a cash advance per day is as outlined in Appendix 1 of this Policy.



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- 10.11 Requests for advance payment must be submitted via the Councillor Portal 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.
- 10.12 Councillors must fully reconcile all expenses against the cost of the advance within 21 days of incurring the cost and/or returning home. This includes providing to Council:
- A full reconciliation of all expenses including appropriate receipts and/or tax invoices
 - Reimbursement of any amount of the advance payment not spent in attending the official business or professional development.
- 10.13 Where a reconciliation has not been completed and submitted by a councillor in accordance with this clause, the Chief Executive Officer is to prepare and present a report to the next convenient Ordinary Meeting of the Council.

Notification

- 10.14 If a claim is approved, Council will make payment directly or reimburse the councillor through accounts payable.
- 10.15 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

- 10.16 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.
- 10.17 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

- 10.18 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.

11 Disputes

- 11.1 Should a councillor dispute any determination made under this Policy, the councillor is to submit a formal written request to the Chief Executive Officer advising of the dispute and the provision or remedy sought (Review Request).

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- 11.2 A Review Request must be made by the councillor within 30 days of:
- (a) the date of any written notice of a determination made under Section 10 of this Policy; and
 - (b) the date of any resolution of the Council in respect of which a determination under this Policy has been made.
- 11.3 If the councillor and the Chief Executive Officer cannot resolve the dispute, the councillor may submit a notice of motion to a Council meeting seeking to have the dispute resolved.
- 11.4 All Review Requests will be referred by the Chief Executive Officer to the Council for determination at the next Ordinary Meeting of the Council. Council's decision on the Review Request will be final and no further appeal will be permitted.
- 11.5 The Chief Executive Officer will notify the relevant councillor in writing within 30 days of the Council's decision of the determination made by the Council on the Review Request and the reasons for that determination.

12 Return or retention of facilities

- 12.1 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.
- 12.2 Should a councillor desire to keep any equipment allocated by Council, then this Policy enables the councillor to make application to the Chief Executive Officer to purchase any such equipment. The Chief Executive Officer will determine an agreed fair market price or written down value for the item of equipment.
- 12.3 The prices for all equipment purchased by councillors under Clause 12.2 will be recorded in Council's annual report.
- 12.4 Councillors may 'take over' their Council issued mobile phone number at the conclusion of their term of office.
- 12.5 Each councillor must sign a declaration indicating a thorough understanding and acceptance of these conditions before receipt of the equipment provided to the councillor in accordance with clauses 8.24-8.26 of this Policy.

13 Publication

- 13.1 This Policy will be published on Council's website.

14 Reporting

- 14.1 Council will report on the provision of expenses and facilities to councillors as required in the Act and Regulations.



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- 14.2 Detailed reports on the provision of expenses and facilities to councillors will be publicly tabled at a Council meeting every six months and published in full on Council's website. These reports will include expenditure summarised by individual Councillor and as a total for all councillors.

15 Auditing

- 15.1 The operation of this Policy, including claims made under the policy, will be included in Council's audit program and an audit undertaken at least every two years.

16 Breaches

- 16.1 Suspected breaches of this Policy are to be reported to the Chief Executive Officer.
- 16.2 Alleged breaches of this Policy shall be dealt with by following the processes outlined for breaches of the 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

Appendix 1:

Policy Clause Reference	Expense	Expense Type	Refund Basis	Maximum Limit
5.2	General Travel	Parking Bus Taxi fares, hire car fees, motorway or bridge tolls	Actual per trip Actual per trip Actual per trip	\$60.00 per day \$20.00 per day None
5.3	Travel by private motor vehicle	Use of private motor vehicle	Actual	For travel outside the LGA, any payment must not exceed the total cost of a median return economy class airfare to the destination. Applicable reimbursement rate as defined in the Local Government (State) Award 2010 clause 14(ix) vehicle allowance for each kilometre of authorised travel as follows: (i) motor vehicle under 2.5 litres (normal engine capacity) (\$0.65 per km) (ii) 2.5 litres (normal engine capacity) and over (\$0.74 per km)

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Policy Clause Reference	Expense	Expense Type	Refund Basis	Maximum Limit
5.9-5.12	Interstate, overseas and long distance intrastate travel expenses	Air Travel	Actual per trip	None
5.23	Professional Development – conferences, workshops, seminars and/or training	Registration Costs	Actual	None
	Attendance at professional development requiring overnight stay	Accommodation	Actual up to daily limit	Up to \$500 per day or as otherwise approved by the Chief Executive Officer in exceptional circumstances.
5.31	Attendance at professional development NOT requiring overnight stay	Out of pocket incidental expenses	Actual up to daily limit	\$110.00 per day
		Enrolment/registration fee	Actual	None
5.35	Attendance at key meetings of local government organisations or bodies NOT requiring overnight stay	Incidental expenses	Actual up to daily limit	\$50.00 per day
		Enrolment/registration fee	Actual	None
5.36	Attendance at dinners and other non-Council functions	Incidental expenses	Actual up to daily limit	\$50.00 per day
		Cost of function	Actual	None
		Accommodation if required	Actual up to daily limit	Up to \$500 per day as otherwise approved by the Chief Executive Officer in exceptional circumstances.

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Policy Clause Reference	Expense	Expense Type	Refund Basis	Maximum Limit
5.37	Allowable expenses for accompanying persons at Local Government NSW conferences	Partner registration	Actual	None
		Official conference dinner	Actual	None
5.38	Allowable expenses for accompanying persons at official Council functions within the LGA	Ticket, meal and/or direct cost of attending the function	Actual	None
5.39	Allowable expenses for accompanying persons for other official functions in NSW.	Ticket, meal and/or direct cost of attending the function	Actual	None
5.47	Special requirement and carer expenses	Care and other related expense	Actual up to annual limit	\$2,600 per year
7.1	Legal Assistance	Legal assistance granted for enquiries by various bodies	As determined by Council resolution	Determined by Council resolution
8.9	Stationery	Letterhead	Actual	None
		Business Cards	None	None
		Christmas or festive cards	Mayor – up to 50 Councillor – up to 25	None
8.15	Council Photocopiers	Copies made at the Council Administration Centre and/or Council libraries	Actual up to monthly limit	\$25 per month
8.18	Insignia of Civic Office	Name badge	1 - Mayor	1 - Mayor
		Name plate	1 per Councillor	1 per Councillor

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8.21	Illawarra Mercury local newspaper (Digital Edition) subscription	Subscription for daily access to Illawarra Mercury local newspaper (Digital Edition)	Actual	None
Policy Clause Reference	Expense	Expense Type	Refund Basis	Maximum Limit
8.22	Information & Communications Technology (ITC) Expenses	Councillors' telephones at the Civic Centre	Actual	Limit – local or local STD calls
8.23 & 8.24		Mobile phones, ipad and laptop with internet access	Actual up to annual limit	Mobile Phone \$468 annually iPad \$288 annually Laptop \$288 annually Annual total: \$1,044 (based on current telecommunications contract) Use above the annual mobile phone and/or data allowance limit will be charged to the Mayor or Councillor
8.25	Home multi-function Centre	All consumable including ink and paper	Actual	None
9.6	Corporate Credit Card	Provision of corporate credit card to the Mayor	Up to limit of \$5,000 per month	Maximum limit in accordance with the Corporate Credit Card Policy

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Appendix 2:

TERMS AND CONDITIONS FOR USE OF MAYORAL VEHICLE

A vehicle is made available for use by the mayor:

- i. To attend any function, activity or engagement whether associated with local government or not, both within and outside the Shellharbour LGA, at any time and on any day, in the official capacity of mayor;
- ii. At any time or day to attend any meetings, inspections, sites or appointments within Shellharbour LGA as mayor, with residents, ratepayers or people associated with Council business; and
- iii. For incidental personal or private use (refer to clause 9.8 of this Policy).

1. Restrictions on Use of Vehicle

The following restrictions will apply to the use of the mayoral vehicle:

- i. The vehicle is only to be driven by a properly licensed person, being:
 - a) The mayor or acting mayor;
 - b) A Council employee;
 - c) A councillor of Shellharbour City Council, with the mayor's consent;
 - d) A member of the mayor's immediate family (eg. partner/spouse/mother/father/son/daughter/brother/sister); or
 - e) A person nominated by the mayor or acting mayor, so long as the mayor or acting mayor is a passenger in the vehicle.
- ii. The mayor will not use, or allow the vehicle to be used, to compete in any car rally or competition.
- iii. 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 and which has been authorised by resolution of the Council.

2. Conditions of Use of Mayoral Vehicle

The following conditions apply to the use of the mayoral vehicle:

- i. The mayor, if he/she intends to drive the vehicle, must show evidence to the Chief Executive Officer of a current New South Wales driver's licence of an appropriate class, or equivalent, and must be the holder of a driver's 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:
 - a) forfeit use of or access to the mayoral vehicle; or
 - b) provide evidence of a properly licensed person who will be the driver of the vehicle whenever used by the mayor during such period.

COLLABORATION	ACCOUNTABILITY	INTEGRITY	RESPECT	SUSTAINABILITY
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- ii. Whenever the mayor has the control of the vehicle, the mayor must ensure that it is driven only by a responsible properly licensed person as above.
- iii. If the mayor drives, or allows another person to drive the vehicle without a current driver's licence, or whilst disqualified, the Council may withdraw the vehicle from access by the mayor.
- iv. 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.
- v. 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.
- vi. The mayor always remains responsible for ensuring proper and adequate care and usage of the vehicle at all times including ensuring:
 - a) day to day routine maintenance (eg. fuel, oil, battery, radiator, tyre pressures etc) is carried out at regular intervals;
 - b) garaging off-street and under cover wherever possible;
 - c) the vehicle is to be kept in a clean condition;
 - d) all maintenance/repair issues are reported to Council without delay;
 - e) any accident or damage to the vehicle is immediately reported using the appropriate Accident Report Form.
- vii. 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 any associated repairs in the event that Council's insurers disclaim responsibilities on the grounds of such conviction, suspension or loss.