

# Councillor Expenses and Facilities Policy

Version 3.0

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Corporate Services  
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See Version Control

Tweed Shire Council is committed to using plain language so that our documents and publications are easy to understand.

The purpose of this document is to provide clear information about drought and water restrictions in the Tweed. The main readers of the document are Tweed residents and business owners.

## Councillor Facilities and Expenses Policy objective

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 2009 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. Where reference is made to a year, this means a financial year.

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## Part A – Introduction

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### 1. Introduction

- a. The provision of expenses and facilities enables councillors to fulfil their civic duties as the elected representatives of Tweed Shire Council.
- b. The community is entitled to know the extent of expenses paid to councillors, as well as the facilities provided.
- c. 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.
- d. Council staff are empowered to question or refuse a request for payment from a councillor when it does not accord with this policy.
- e. 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. Policy objectives

- 2.1 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

### 3. Principles

- 3 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.

## 4. Private or political benefit

- 4.1 Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 4.2 Private use of council equipment and facilities by councillors may occur from time to time. For example, telephoning home to advise that a council meeting will run later than expected. Such incidental private use does not require a compensatory payment back to Council.
- 4.3 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.
- 4.4 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.

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## Part B – Expenses

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### 5. General expenses

- 5.1 All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.
- 5.2 Expenses not explicitly addressed in this policy will not be paid or reimbursed.
- 5.3 Councillor and Mayor annual remuneration and councillor and mayor superannuation payments do not fall within the scope of this policy.

### 6. Specific expenses

#### General travel arrangements and expenses

- 6.1 All travel by councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.

- 6.2 Each councillor may be reimbursed , for travel expenses incurred from their home while undertaking official business or professional development or attending approved conferences and seminars within NSW. This includes reimbursement:
- for public transport fares
  - for the use of a private vehicle or hire car
  - for parking costs for Council related meetings
  - for tolls
  - by Cabcharge card or equivalent
  - for documented ride-share programs, such as Uber, where tax invoices can be issued.
- 6.3 Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the Local Government (State) Award.
- 6.4 Councillors seeking to be reimbursed for use of a private vehicle must keep a logbook recording the date, distance and purpose of travel being claimed. Copies of the relevant logbook contents must be provided with the claim.
- 6.5 Where a Councillor must use a form of transport other than their own vehicle for travel within the local government area, then prior approval must be obtained from the General Manager.

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

- 6.6 Given Council's location near an interstate border, travel to South-East Queensland region will be considered as general travel. Arrangements and expenses for this travel will be governed by Clauses 6.1-6.4.
- 6.7 Given Council's location near an interstate border, with the State's capital in Sydney and nearest airport at Coolangatta, Queensland, long distance intrastate travel will be considered as general travel. Arrangements and expenses for this travel will be governed by Clauses 6.1-6.4.
- 6.8 In accordance with Section 4, Council will scrutinise the value and need for councillors to undertake overseas travel. Councils should avoid interstate, overseas and long distance intrastate trips unless direct and tangible benefits can be established for the council and the local community. This includes travel to sister and friendship cities.
- 6.9 Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full council meeting prior to travel.
- 6.10 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
  - a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
- 6.11 For interstate and long distance intrastate journeys by air of less than three hours, the class of air travel is to be economy class.
- 6.12 For interstate journeys by air of more than three hours, the class of air travel may be premium economy.
- 6.13 For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 6.14 Bookings for approved air travel are to be made through the General Manager's office. Third party booking agents must not be used.

- 6.15 Carbon offset payment is to be selected, seat allocation for an additional cost is not to be selected.
- 6.16 Travel and Baggage insurance will be considered on an as needs basis prior to making reservations. Luggage should be carry on, where practical, unless overnight accommodation is required in which case the smallest checked luggage allowance may be approved.
- 6.17 Councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

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

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

### **Accommodation and meals**

- 6.19 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 General Manager. This includes where a meeting finishes later than 9.00pm or starts earlier than 7.00am and the councillor lives more than 50 kilometres from the meeting location.
- 6.20 Council will reimburse costs for accommodation and meals while councillors are undertaking prior approved travel or professional development outside the Tweed Shire.
- 6.21 The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.
- 6.22 The daily limits for accommodation and meal expenses outside Australia are to be determined in advance by the General Manager, being mindful of Clause 6.21.
- 6.23 Council will reimburse costs for a meal where Councillors, are invited to and attend a Tweed Shire Council event in their official capacity, the event concludes after business hours and no catered meal was provided at the event. Council will reimburse costs for a meal where the Mayor (or the Deputy Mayor attending on behalf of the Mayor) is invited in their official capacity to attend events in neighbouring local government areas or the South East Queensland region, the event concludes after business hours and no catered meal was provided at the event. Evidence of invitation and receipt for the meal expense is required for reimbursement.
- 6.24 Councillors will not be reimbursed for alcoholic beverages.

### **Refreshments for council related meetings**

- 6.25 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 General Manager.
- 6.26 Where a Planning Committee or Council meeting finishes after usual business hours, Councillors may seek reimbursement for a meal up to the value listed for clause 29.1.2 of Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually
- 6.27 As an indicative guide for the standard of refreshments to be provided at council related meetings, the General Manager must be mindful of Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.

## Professional development

- 6.28 Council will set aside the maximum limit listed in Appendix I per councillor annually in its budget to facilitate professional development of councillors through programs, training, education courses and membership of professional bodies.
- 6.29 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.
- 6.30 Unless otherwise resolved by Council, 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.
- 6.31 Approval for professional development activities is subject to a prior written request to the General Manager outlining the:
- details of the proposed professional development
  - relevance to council priorities and business
  - relevance to the exercise of the councillor's civic duties.
- 6.32 All professional development expenses are to be authorised in advance by council resolution.
- 6.33 In assessing a councillor request for a professional development activity, the General Manager must consider the factors set out in Clause 6.28, as well as the cost of the professional development in relation to the councillor's remaining budget.
- 6.34 Professional development costs are to accord to the Councillor's professional development plan and are not to exceed the professional development budget allocated for each Councillor for their term of office, as provided for under Council's Councillor Induction and Professional Development Policy.

## Conferences and seminars

- 6.35 Council is committed to ensuring its councillors are up to date with contemporary issues facing council and the community, and local government in NSW.
- 6.36 Costs associated with conference and seminars are covered by each individual councillor's professional development budget annually to facilitate councillor attendance at conferences and seminars. This allocation is for all councillors. The General Manager will ensure that access to expenses relating to conferences and seminars is distributed equitably.
- 6.37 Approval to attend a conference or seminar must be authorised in advance by council resolution, Council 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.
  - If a council resolution is unable to be obtained due to an extenuating circumstance, then attendance may be authorised by the Public Officer and the General Manager. The exception will only apply to single-day events held within the Northern Rivers Joint Organisation footprint or an adjoining local government area, including the Gold Coast.
- 6.38 Council will meet the reasonable cost of registration fees, transportation and accommodation (up to a standard four-star NRMA rating, unless impractical) associated with attendance at

conferences approved by in accordance with this policy. Accommodation may only be booked by the Personal Assistant to the Mayor and Councillors.

- 6.39 Accommodation may be booked for a single night before and/or after the event depending on the circumstances. Approval for this additional accommodation must be obtained in advance from the General Manager.
- 6.40 Council will also meet the reasonable cost of meals when they are not included in the conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses 6.18-6.21.
- 6.41 Costs approved are not to exceed the professional development budget allocated for each Councillor for their term of office, as provided for under Council's Councillor Induction and Professional Development Policy.

### **Information and communications technology (ICT) expenses**

- 6.42 Council offers all Councillors standard ICT devices being a laptop and mobile phone. Councillors' mobiles are to be equipped to access the internet on a plan.
- 6.43 Council will provide or reimburse councillors for expenses associated with appropriate ICT devices and services up to the maximum limit set out in Appendix I for each councillor. This may include mobile phones and tablets, mobile phone and tablet services and data, and home internet costs.
- 6.44 Reimbursements will be made only for communications devices and services used for councillors to undertake their civic duties, such as:
- receiving and reading council business papers
  - relevant phone calls and correspondence
  - diary and appointment management.
- 6.45 Councillors may seek reimbursement for applications on their mobile electronic communication device that are directly related to their duties as a councillor, within the maximum limit. The claim must be accompanied by a signed certification that the amounts claimed are true and correct.
- 6.46 With the exception of incidental private use, any substantial private use component is to be identified by the claimant and excluded from the claim for reimbursement.
- 6.47 If a Councillor makes a claim in excess of the monthly monetary limit for telecommunications expenses, an exceptional circumstances request may be submitted to the Public Officer for determination by the Public Officer and the Director Corporate Services. Account statements must be submitted with the request.
- 6.48 Councillors may request a bluetooth hands-free mobile system, including installation, in a nominated vehicle.
- 6.49 Councillors may seek reimbursement for media, print and online, including newspapers and magazines, pertinent to Council business within the maximum limit set out on Appendix I.

### **Attendance at dinners and other non-council functions**

- 6.50 Before a Councillor attends a dinner or other non-Council function for which expenditure is significant (greater than \$50) the Councillor must gain Council resolution. Less than significant expenditure on dinners and non-Council functions may be authorised by the Public Officer and Director Corporate Services.



- 6.51 Approval will only be given when the function is relevant to Council's interests. For the purpose of determining whether attendance at the function is relevant to Council's interests Council will favour events designed to provide briefings from key members of the community, politicians and business representatives, such as Rotary, Lions, LandCare, Chambers of Commerce. However, expenses are not reimbursable for attendance at functions held by the branch of the organisation which the Councillor is a member of.
- 6.52 No reimbursement is available for the attendance at functions where any component of the ticket is political fund raising or when the event regards development other than those events organised by a government department or authority

### **Spouse and partner expenses**

- 6.53 There are limited instances where certain costs incurred by the Councillor on behalf of an accompanying person are reimbursable.
- 6.54 Council will reimburse reasonable expenses of accompanying persons for attendance at official Council functions that are of a formal and ceremonial nature when the event is held within the local government area. Examples could include but not be limited to Australia Day award ceremonies, citizenship ceremonies, civic receptions and charitable functions for charities formally supported by Council.
- 6.55 Limited expenses of accompanying persons associated with attendance at the Local Government NSW and Australian Local Government Association annual conferences may be met by Council. These expenses should be limited to the cost of registration and official conference dinners. Travel expenses, any additional accommodation expenses, and the cost of Accompanying person tours, as examples, will not be reimbursed by Council.
- 6.56 Reimbursement of expenses for the Mayor's or a Councillor's accompanying person of a Mayor, or a Councillor may be available only when the Mayor or Councillor is attending an official Council function outside the Council's area, but within the State, or adjoining Local Government Areas (including the Gold Coast). Examples could include charitable functions and award ceremonies to which the Mayor, or a Councillor as a delegate, is invited to represent Council.
- 6.57 Councillors must meet expenses incurred by accompanying persons at seminars and conferences regardless of whether reimbursement is sought at a later date or not. Accommodation (shared basis) will be met by Council, provided that there are no additional costs incurred by Council. Councillors must make separate arrangements for the payment of expenses incurred by an accompanying person.

### **Special requirement and carer expenses**

- 6.58 Council encourages wide participation and interest in civic office. It will seek to ensure council premises and associated facilities are accessible, including provision for sight or hearing impaired councillors and those with other disabilities.
- 6.59 Transportation provisions outlined in this policy will also assist councillors who may be unable to drive a vehicle.
- 6.60 In addition to the provisions above, the General Manager may authorise the provision of reasonable additional facilities and expenses in order to allow a councillor with a disability to perform their civic duties.

- 6.61 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 the maximum of set out in Appendix I for attendance at official business, plus reasonable travel from the principal place of residence.
- 6.62 Childcare expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 6.63 In the event of caring for an adult person, councillors will need to provide suitable evidence to the General Manager that reimbursement is applicable. This may take the form of advice from a medical practitioner.

### **Home office expenses**

- 6.64 Each councillor may be reimbursed up to the maximum limit set out in Appendix I for costs associated with the maintenance of a home office, such as minor items of consumable stationery and printer ink cartridges.

## **7. Insurances**

- 7.1 In accordance with Section 382 of the Local Government Act, Council is insured against public liability and professional indemnity claims. Councillors are included as a named insured on this Policy.
- 7.2 Insurance protection is only provided if a claim arises out of or in connection with the councillor's performance of his or her civic duties, or exercise of his or her functions as a councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 7.3 Council shall pay the insurance policy excess in respect of any claim accepted by council's insurers, whether defended or not.
- 7.4 Appropriate travel insurances will be provided for any councillors travelling on approved interstate and overseas travel on council business.

## **8. Legal assistance**

- 8.1 Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
- 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.
- 8.2 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 General Manager 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.

- 8.3 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.
- 8.4 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.
- 8.5 Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a council meeting prior to costs being incurred.

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## Part C – Facilities

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### 9. General facilities for all councillors

#### Facilities

- 9.1 Council will provide the following facilities to councillors to assist them to effectively discharge their civic duties:
- a councillor common room appropriately furnished and appropriate refreshments
  - access to shared car parking spaces while attending council offices on official business
  - 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.
- 9.2 Councillors may book meeting rooms for official business in a specified council building at no cost. Rooms may be booked through a specified officer in the mayor's office or other specified staff member.
- 9.3 The provision of facilities will be of a standard deemed by the General Manager as appropriate for the purpose.

#### Stationery and protective clothing

- 9.4 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 the maximum number of ordinary postage stamps set out in Appendix I
  - up to the maximum number of Christmas or festive cards per year for councillors and for the mayor.
- 9.5 As per Section 4, stamps shall only be used to support a councillor's civic duties. Councillor mail will only be posted using the stamps provided. Any stamps not used will not be carried over to the next year's allocation.
- 9.6 At the beginning of each Council term, each Councillor will be issued 1 set of protective clothing, comprising 1 high visibility vest, 1 hard hat and 1 pair of work boots.

- 9.7 At the beginning of each Council term, each Councillor will be issued a name badge.

### **Administrative support**

- 9.8 Council will provide administrative support to councillors to assist them with their civic duties only. Administrative support may be provided by staff in the mayor's office or by a member of council's administrative staff as arranged by the General Manager or their delegate.
- 9.9 As per Section 4, council staff are expected to assist councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

## **10. Additional facilities for the mayor**

- 10.1. Council will provide to the mayor a vehicle to a similar standard of other council vehicles, with a fuel card. The vehicle will be supplied for use on business, professional development and attendance at the Mayor's office.
- 10.2. The motor vehicle bearing no markings or identification, other than the plant number, will be provided for the sole use of the Mayor.
- 10.3. While the Mayor will have unrestricted and exclusive use, the motor vehicle is and shall remain the property of Council and shall be surrendered to Council by the Mayor in the event that the person is no longer the Mayor.
- 10.4. Council will service, maintain, register, and insure the mayoral vehicle. The Mayor will receive a fuel card to be used only with the Mayoral Vehicle, and the vehicle will be included in a road-side assistance program of Council's choice.
- 10.5. The Mayor and his/her partner or other licensed driver (provided the Mayor or Mayor's spouse is in the car, except in extraordinary circumstances) or any other Councillor or Council employee are allowed to drive the vehicle.
- 10.6. The vehicle is to be replaced at the most economically beneficial time as determined by Council's Fleet Unit.
- 10.7. With the exception of incidental private use, as described in section 1.6.4 "Private Benefit" from the "Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW", any substantial private benefit derived from access to the Mayoral vehicle should be declared by the Mayor and a compensatory payment made under Council's Motor Vehicle Lease Protocol or be reimbursed on a cents/km basis.
- 10.8. 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.
- 10.9. Council will provide the mayor with a furnished office incorporating a computer configured to council's standard operating environment, telephone and meeting space.
- 10.10. In performing his or her civic duties, the mayor will be assisted by a small number of staff providing administrative and secretarial support, as determined by the General Manager.
- 10.11. The number of exclusive staff provided to support the mayor and councillors will not exceed 1 full time equivalent.
- 10.12. As per Section 4, 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.
- 10.13. The Mayor will be provided with a credit card with a limit of \$5,000. All expenses debited to this card can only be reimbursed upon supply of point-of-sale receipts. The Mayor is responsible for

complying with the terms and conditions of the issuing bank and Council's Corporate Purchasing Cards Protocol.

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## Part D – Processes

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### 11. Approval, payment and reimbursement arrangements

- 11.1 Expenses should only be incurred by councillors in accordance with the provisions of this policy.
- 11.2 Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 11.3 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
  - ICT expenditure.
- 11.4 Non-significant claims for Councillors are to be reviewed by the General Manager or their delegate and approved by the Mayor.
- 11.5 Non-significant claims for the Mayor are to be reviewed by the General Manager or their delegate and approved by the Deputy Mayor.
- 11.6 Final approval for payments made under this policy will be granted by the General Manager or their delegate.

#### Direct payment

- 11.7 Council may approve and directly pay expenses. Requests for direct payment must be submitted to the Manager Corporate Governance for assessment against this policy using the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

#### Reimbursement

- 11.8 All claims for reimbursement of expenses incurred must be made on the prescribed form, supported by appropriate receipts and/or tax invoices and be submitted to the Councillor Request System. If a receipt of invoice is lost, a statutory declaration must be completed in relation to the expense.
- 11.9 Subject to resourcing, final approval for payment will be made by staff within 3 business days of the approver receiving the claim. Forms will be reviewed and processed in the payroll of the week following approval of the claim.

#### Advance payment

- 11.10 No cash advance payments in advance are payable to Councillors in the course of their civic duties except in exceptional circumstances, as determined by the General Manager.

## Notification

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

## Reimbursement to council

- 11.13 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.
- 11.14 If the councillor cannot reimburse council within 14 days of the invoice date, they are to submit a written explanation to the General Manager. The General Manager may elect to deduct the amount from the councillor's allowance.

## Timeframe for reimbursement

- 11.15 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.

## 12. Disputes

- 12.1 If a councillor disputes a determination under this policy, the councillor should discuss the matter with the General Manager.
- 12.2 If the councillor and the General Manager cannot resolve the dispute, the councillor may submit a notice of motion to a council meeting seeking an independent review by the Chair of the Audit, Risk and Improvement Committee

## 13. Return or retention of facilities

- 13.1 All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a councillor or mayor ceasing to hold office, at the beginning of extended leave or at the cessation of their civic duties.
- 13.2 Should a councillor desire to keep any equipment allocated by council, then this policy enables the councillor to make application to the General Manager to purchase any such equipment. The General Manager will determine an agreed fair market price or written down value for the item of equipment. Leased equipment cannot be sold by Council.
- 13.3 Upon purchase from Council, Council takes no responsibility for the equipment, its running costs, insurance and maintenance.
- 13.4 The prices for all equipment purchased by councillors under Clause 13.2 will be recorded in Council's annual report.

## 14. Publication

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

## 15. Reporting

- 15.1 Council will report on the provision of expenses and facilities to councillors as required in the Act and Regulations.
- 15.2 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.

## 16. Auditing

- 16.1 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.

## 17. Breaches

- 17.1 Suspected breaches of this policy are to be reported to the General Manager.
- 17.2 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.

## 18. Review

- 18.1 This policy will be reviewed within 12 months of the election of each new Council or more frequently in the event of any legislative changes or change in circumstances.

## 19. Useful links

[Tweed Shire Council website](#)

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## PART E – Appendices

### Appendix I: Monetary amounts

All monetary amounts are exclusive of GST.

Expense or facility	Maximum amount	Frequency
General travel expenses, including interstate and long-distance intrastate expenses	Use of private motor vehicle for civic duties will be as per the State Award and do not fall within the cap.	Not relevant
Overseas travel expenses	No budget allocation, expenses must be resolved by Council	Not relevant
Accommodation and meals	As per the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, adjusted annually	Per meal/night
Professional development (which includes conference and seminar costs)	As per the adopted budget	Per term (subject to budget reviews)
Councillor's own mobile phone, home phone and internet	\$300 excluding GST per councillor	Per month
Councillor issued with Council phone, home phone and internet	\$250 excluding GST per councillor	
ICT equipment	1 x laptop and 1 x mobile phone	Per term
Home office expenses	\$300 per councillor	Per month
Business cards	250 business cards	Per year
Postage stamps	25 stamps	Per year
Print and online media	\$75 per councillor	Per month
Christmas or festive cards	10 per councillor	Per year
Access to facilities in a Councillor common room	Provided to all councillors	Not relevant
Council vehicle and fuel card	Provided to the mayor	Not relevant
Reserved parking space at Council offices	Provided to the mayor	Not relevant
Furnished office	Provided to the mayor	Not relevant
Number of exclusive staff supporting Mayor and Councillors	1 - Provided to the mayor and councillors	Not relevant
Protective clothing	1x hard hat, 1 x PPE vest and 1 x work boots	Per term

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

Councillors must provide claims for reimbursement **within three months** of an expense being incurred. Claims made after this time cannot be approved. Reimbursement that is sought after three months of being incurred may be approved in exceptional circumstances by the Public Officer.



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.

## Appendix II: Related legislation, guidance and policies

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

19 Local Government Act 1993, Sections 252 and 253

20 Local Government (General) Regulation 2021, Clauses 217 and 403

21 Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2009

22 Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities

23 Local Government Circular 05-08 legal assistance for Councillors and Council Employees.

### **Related Council policies:**

24 Code of Conduct for Councillors

## Appendix II: Definitions

The following definitions apply throughout this policy.

Term	Definition
accompanying person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a councillor
appropriate refreshments	Means food and beverages, provided by council to support councillors undertaking official business
Act	Means the <i>Local Government Act 1993</i> (NSW)
clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	Means the Code of Conduct adopted by Council or the Model Code if none is adopted
Councillor	Means a person elected or appointed to civic office as a member of the governing body of council who is not suspended, including the Mayor
General Manager	Means the General Manager of Council and includes their delegate or authorised representative
incidental personal use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
long distance intrastate travel	Means travel to other parts of NSW of more than three hours duration by private vehicle
maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in Appendix 1
NSW	New South Wales
official business	Means functions that the mayor or councillors are required or invited to attend to fulfil their legislated role and responsibilities for council or result in a direct benefit for council and/or for the local government area, and includes: <ul style="list-style-type: none"> <li>meetings of council and committees of the whole</li> <li>meetings of committees facilitated by council</li> <li>civic receptions hosted or sponsored by council</li> <li>meetings, functions, workshops and other events to which attendance by a councillor has been requested or approved by council</li> </ul>
professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a councillor or the mayor
Regulation	Means the <i>Local Government (General) Regulation 2021</i> (NSW)
year	Means the financial year, that is the 12 month period commencing on 1 July each year

## 20. Version control

Version #	Summary of changes made	Date changes made
1.0	Adopted by Council	19 December 2006 Minute Nos O327 and 230
1.1	Updated and adopted by Council	13 November 2007 Minute Nos O290 and 179
1.2	Updated and adopted by Council	22 April 2008 Minute Nos O70 and 42
1.3	Updated and adopted by Council	16 December 2008 Minute No 75
1.4	Rebranded, updated and adopted by Council	17 November 2009 Minute No 430
1.5	Updated and adopted by Council	16 November 2010 Minute No 791
1.6	Updated and adopted by Council	13 December 2011 Minute No 767
1.7	Updated and adopted by Council	13 December 2012 Minute No 773
1.8	Reference to newspapers included in Payment of Expenses - General Provisions - Monetary limits for all expenses category. Also an update to the number of filing cabinets to be provided.	Adopted 21 November 2013 Minute No 785.
1.8	Updated and adopted by Council	11 December 2014 Minute No 716
1.9	Updated and adopted by Council	21 May 2015 Minute No 275
2.0	Changes to various sections concerning review of expenses.	17 March 2016 Minute No 133
2.0	Minor amendment to Section 4.1.4	15 December 2016 Minute No 556
2.1	Amendments following changes to legislation	Adopted by Council 26/10/2017 Minute No 556.
2.2	Inclusion of provisions relating to professional development activities and expenses other than seminars, conferences, training and educational courses. Direct reference added to the professional development budget provided for under Council's Councillor Induction and Professional Development Policy	Adopted by Council 3/10/2019 Minute No 439
3.0	Updates to Accommodation and Meals section of policy and review of legislation currency.	Adopted by Council 17/11/2022