

ITEM 8 (continued)

ATTACHMENT 1

Policy on the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors



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Scope

- (1) This Policy, and associated procedures and guidelines, may be cited as the Policy on the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors, and is effective from **date to be inserted**.
- (2) In this Policy, and associated procedures and guidelines, unless otherwise stated, the expression "Councillor" refers to all Councillors of the City of Ryde, including the Mayor and Deputy Mayor.

Purpose

This Policy ensures that Councillors have access to the facilities and support required to fulfil their civic duties. It also aims to ensure that the facilities provided to Councillors to carry out their civic functions are equitable and in keeping with legislative requirements.

In addition, the purpose of this Policy, and associated procedures and guidelines, is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by the Councillors.

Objectives

- (1) The objective of this Policy is to describe those expenses incurred or to be incurred by, and the facilities provided to the Councillors of the City of Ryde, the cost of which shall be met by the Council.
- (2) This Policy also aims to uphold and demonstrate the following key principles:
 - (a) Conduct: Councillors must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out their functions under the *Local Government Act 1993* or any other Act.
 - (b) Participation, equity and access: The provisions of the Policy are to be non-discriminatory and used in an equitable manner to enable the full participation by Councillors from different walks of life. The provisions of the Policy shall also be at an appropriate level to encourage members of the community, particularly under-represented groups such as those in primary caregiver roles, to seek election to Council by ensuring that they would not be financially or otherwise disadvantaged in undertaking the civic functions of a Councillor.

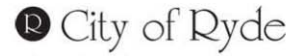
The Policy shall also take into account and make reasonable provision for the special needs of Councillors to allow access to the appropriate parts of Council premises, and facilities, and maximise participation in the civic duties and business of Council.

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- (c) Accountability and transparency: The details and range of benefits provided to the Councillors are to be clearly stated and be fully transparent and acceptable to the local community.
 - (d) Reasonable expenses: Councillors shall only be reimbursed for expenses reasonably incurred in their performance of their role as a Councillor.
- (3) Only those entitlements specifically described in this Policy shall be provided by the Council.

References - Legislation

This Policy is made pursuant to Sections 252 - 254 of the Local Government Act 1993.

Review Process and Endorsement

As required by Section 252 (1) of the Act, the Policy is to be adopted by Council annually, within 5 months after the end of each year.

As required by Section 253 of the Act, public notice of at least 28 days is required to be given of Council's intention to adopt or amend the Policy. Public notice is not required if an amendment is "not substantial". The term "not substantial" shall be taken to mean minor changes to wording of the Policy or changes to monetary provisions or rates that are less than 5%. It shall also mean minor changes to the standard of the provision of equipment and facilities. Any new category of expenses, facilities and equipment included in the Policy will, however, require public notice no matter how minor.

As required by Section 253 (5) of the Act, public notice of 28 days is required to be given prior to each annual adoption process, even if there is no proposed change to the Policy.

Attachments

<i>Title</i>
Procedure – Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors
Guidelines – Councillor Attendance at Conferences

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PROCEDURE

Related Policy

These procedures relate to the Policy on the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors.

Reporting requirements

Section 428 of the Act and clause 217 of the Local Government (General) Regulation (“the Regulation”) require Council to include in each Annual Report a copy of the Policy and details of the cost of implementing the Policy. These sections are set out in Clause 6.

PAYMENT OF EXPENSES GENERALLY

Payment of Councillor Fees

- 1 (1) An annual fee is paid to each Councillor by the Council. The fee is the amount fixed by the Council under Division 5 of Part 2 of Chapter 9 of the Act in accordance with the appropriate determination of the Local Government Remuneration Tribunal.
- (2) Unless otherwise provided for in this policy, the annual fee paid to each Councillor is intended to offset the costs involved in discharging the functions of civic office including, but not limited to, all incidental and out-of-pocket expenses relating to transport, clothing, home office expenses, home telephone and postage costs.
- (3) All fees payable under this policy shall be paid monthly in arrears for each month (or part of a month) for which the Councillor holds office.
- (4) Unless otherwise stated, no entitlement under this Policy shall be treated as being a private benefit that requires a reduction in the Councillors Fee.

Reimbursement and reconciliation of expenses

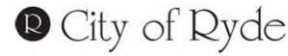
- 2 (1) Reimbursement of costs and expenses to Councillors under part 13 – Communication costs will only be made upon the production of appropriate receipts and tax invoices, and the completion of the “Request for Councillor Reimbursement” form. Expenses and costs incurred must be in accordance with the requirements of this Policy.
- (2) Reimbursement of other costs and expenses to Councillors will only be made upon the production of appropriate receipts and tax invoices, and the completion of the “Request for Councillor Reimbursement” form. Expenses and costs incurred must be in accordance with the requirements of this Policy. Where no receipts or tax invoices are submitted, a Councillor shall be required to sign a Statutory Declaration to confirm that the expense was incurred. If a Statutory Declaration is provided in lieu of receipts and tax invoices, Councillors are required to personally retain any

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supporting documentation for audit purposes and shall be required to produce this documentation to Council upon request.

- (3) The General Manager or one other delegated employee shall assess all such claims and if considered to be reasonable and to be legitimately payable under this Policy, shall approve the claim for payment and payment shall be made within seven (7) days.
- (4) Should the General Manager or delegated employee decide that the claim should not be paid, the General Manager shall explain such decision to the Councillor and should the Councillor still consider that the claim should be paid, it shall be considered that a dispute exists and the provisions of the Disputes clause of this policy shall apply. See Clause 34.

Payments in advance

- 3 (1) Councillors may request payment in advance in anticipation of expenses to be incurred in attending conferences, seminars and training away from home. Councillors may also request an advance payment for the cost of any other service or facility covered by the Policy. However, Councillors must fully reconcile all expenses against the cost of the advance within one (1) week of their return, with receipts, and submit these details to the General Manager or his/her delegated employee for verification. Any unspent money is required to be returned at this time.
- (2) The maximum value of a cash advance is \$500.

ESTABLISHMENT OF MONETARY LIMITS AND STANDARDS

Monetary Limits

- 4 Monetary limits are stated in this Policy against each expense category as required. These monetary limits set out the maximum amount payable in respect of any facility or expense. Any additional cost incurred by a Councillor in excess of any limit set shall be considered a personal expense that is the responsibility of the Councillor. All monetary amounts stated are exclusive of GST.

Time Limits

- 5 Reimbursement of costs and expenses to Councillors must be made within 3 months of the cost or expense being incurred.

Spouse and partner expenses

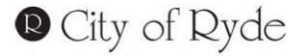
- 6 (1) In limited circumstances, Council shall meet certain costs incurred by a Councillor on behalf of their spouse, partner or accompanying person that are properly and directly related to the role of the Councillor in the performance of his or her duties, such as attendance at official Council functions that are of a formal and ceremonial nature when accompanying Councillors within metropolitan Sydney.

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- (2) Costs and expenses incurred by the Councillor on behalf of their spouse, partner or accompanying person will be reimbursed if the cost or expense relates specifically to the ticket, meal and/or direct cost of attending the function, including carer costs. Peripheral expenses such as grooming, special clothing and transport are not considered reimbursable expenses.
- (3) Each Councillor is entitled to seek reimbursement up to \$300 per annum for the purposes of sub-clause (2). Official receipts will be required for reimbursement under this clause.
- (4) In recognition of the importance of a good work and family balance, spouses, partners or accompanying persons are welcome to join Councillors whilst attending events away from home. In such circumstances, Council will not require reimbursement of costs if no additional travel and accommodation expenses are incurred over and above what would have been expended by the individual Councillor. For example, if the person/s travel as a passenger in the Councillor's vehicle and are able to be accommodated in the same room already provided as standard to the Councillor, it will be considered that no additional cost has been incurred by Council.
- (5) Where a spouse, partner or accompanying persons do attend an event away from home with the Councillor, all additional costs of the person/s will not be met by Council except for attendance at official dinners or ceremonies associated with the event and for which partners are invited to attend. This provision does not extend to social outings and tours which may be provided as part of a "partners program".
- (6) Each Councillor is entitled to seek reimbursement up to \$300 per annum for the purposes of sub-clause (5). Official receipts will be required for reimbursement under this clause.

SPECIFIC EXPENSES

Attendance at seminars, conferences and training courses

- 7 (1) Council approval is required for Councillors to attend seminars or conferences on behalf of the Council by way of a report to be included in the Council business papers. The report will include the purpose of the seminar, conference and training course, expected total costs, expected benefits for Councillors to attend and the names of Councillors who have indicated an interest to attend.
- (2) After returning from the seminar, conference or training course, the Councillor/s, or accompanying member of Council staff, shall provide a written report to Council on the aspects of the event relevant to Council business and/or the local community. No written report is required for the Annual Conferences of the Local Government Associations or for compulsory training courses or seminars required by any Government agency.
- (3) Council will pay the seminar, conference or training course registration fees charged by the organisers including the costs of related official meals and associated tours

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where they are relevant to the business and interests of the Council. Any time and costs incurred in undertaking activities not related to attendance at the event shall not be included in the expenses paid by Council.

- (4) Council will also meet the reasonable cost of transportation and accommodation associated with attendance at the seminar, conference or training course, including the cost of meals (and reasonable cost of drinks) when they are not otherwise included in the fees. Each Councillor is entitled to seek reimbursement up to \$100 per meal for the purpose of this sub-clause up to a limit of 3 meals per day. Official receipts will be required for reimbursement under this clause.
- (5) Councillors shall be entitled to seek reimbursement for attendance at dinners and other non-Council functions where briefings relevant to the Council's interest are provided by key members of the community, politicians, government departments and business. Each Councillor is entitled to seek reimbursement up to \$300 per annum for the purposes of this sub-clause. Official receipts will be required for reimbursement under this clause.
- (6) Councillors, who are Executive Members of an organisation relevant to Council's interest by way of a Council resolution, shall be entitled to seek reimbursement and support for their attendance to the Executive Meetings held by the organisation. Council will meet the cost of the Councillor's transportation and accommodation expenses, including the cost of meals. The support provided to Councillors in their capacity as an Executive Member of an organisation shall only be valid for the period they hold such a position.
- (7) No payment shall be reimbursed for any component of a ticket that is additional to the cost of the function, such as a donation to a political party, candidate's electoral fund or some other private benefit.
- (8) When determining attendance at conferences and seminars consideration will be given to the Councillor Attendance at Conference guidelines.

Training and education expenses

- 8 (1) An induction program shall be conducted by the General Manager for Councillors upon election to Council and every subsequent re-election. This program may include the provision of resources and the attendance at training courses.
- (2) Provision for other training and education for Councillors will be made separately in Council's budget via the adopted Management Plan. All Councillors will be offered the same access to the same training in accordance with the budget allocated.

General travel and accommodation arrangements

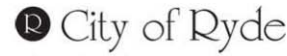
- 9 (1) All travel by Councillors to a seminar, conference or training course shall be undertaken by utilising the most direct route and the most practical and economical mode of transport subject to any personal medical considerations or extenuating circumstances.

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- (2) Economy class air travel will be provided as standard for travel within Australia. The cost of any upgrade shall be the responsibility of the Councillor. Air travel will be allowed for any overseas travel (subject to Council approval). Councillors are not entitled to receive private benefits relating to travel bonuses such as frequent flyer schemes and other loyalty programs.
- (3) Where trains are used, first class train travel will be provided, including sleeping berths where available.
- (4) Council shall also meet the cost of any transfers between a Councillor's residence and a transport interchange (ie: airport) and between the transport interchange and hotel or venue, such costs not to exceed the cost of taxi fares.
- (5) Council shall provide Councillors with taxi vouchers for travel to a seminar, conference or training course. Councillors must ensure that unused vouchers and the receipts of used vouchers are provided to Council after seven (7) days of the event.
- (6) Council shall reimburse travel expenses to a seminar, conference or training course by a Councillor whilst using their own private vehicle by way of a reimbursement for each kilometre travelled for the specific journey, plus any road tolls and parking fees necessarily incurred. The rate of reimbursement for kilometres travelled shall be equivalent to the rates prescribed in the relevant legislation or policies applicable to employees of the Council. Council is not liable for any traffic, parking or transport fines, or costs of petrol, oil, depreciation, repair, maintenance, insurance or registration incurred by Councillors whilst using their private vehicles on Council related business.
- (7) Any accommodation required by Councillors will be provided by Council subject to availability, access to venue and cost. A reasonable standard of accommodation is considered to be 4 – 4.5 star although 5 star accommodation will be provided where no suitable alternative accommodation is available. The cost of any upgrade shall be the responsibility of the Councillor. Where possible, Council will make payment of the accommodation booking prior to the date of arrival.

Local travel arrangements and expenses

- 10**
- (1) Under normal circumstances, Councillors are expected to provide their own transport to and from the Civic Centre and the Councillor's home and place of work for the purpose of undertaking Council business.
 - (2) Transport to and from the Civic Centre and a Councillor's home and/or place of work may be provided by the Council at the discretion of the General Manager having regard to the circumstances, whenever it is not practicable for a Councillor to use his or her normal method of transport.
 - (3) Council shall reimburse expenses incurred by Councillors for travel on Council related business outside a 15km radius of the Ryde Civic Centre, excluding the NSROC region. Travel expenses include use of a private vehicle, use of public

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transport, taxis, hire cars, travel using a Council vehicle and associated costs such as parking and road tolls. Except for the provisions of clause 9(6), actual costs will be reimbursed. Council is not liable for any traffic, parking or transport fines, or costs of petrol, oil, depreciation, repair, maintenance, insurance or registration incurred by Councillors whilst travelling on Council related business.

- (4) A Council vehicle (with or without a driver), a hire car, or a taxi voucher may be provided to a Councillor for the purpose of attending any Council related event at the discretion of the General Manager having regard to the circumstances.
- (5) Nothing in this Policy prevents a Councillor from travelling in a Council vehicle with a staff member who is also attending any Council related event.

Interstate or overseas travel

- 11 (1) Council approval is required for interstate or overseas travel for which reimbursement is sought by Councillors. Any travel proposals for Councillors to travel interstate or overseas requires to be included in the non-confidential business papers of Council for which due public notice has been given. Such proposals cannot be considered in a late report or Mayoral Minute.
- (2) Any application for interstate or overseas travel will require full details of the travel including itinerary, expected total costs, reasons for the travel and expected benefits. Council does not allow the retrospective re-imburement of such travel expenses so all expenses must be approved in advance.
- (3) After returning from interstate or overseas travel, the Councillor, or an accompanying member of Council staff, shall provide a written report to Council on the aspects of the trip relevant to Council business and/or the local community.

Incidental Expenses

- 12 (1) Council shall reimburse reasonable out of pocket or incidental expenses associated with attending conferences, seminars or training courses incurred by Councillors.
- (2) Incidental expenses include, but are not limited to, in-house hotel television, telephone or facsimile calls, internet charges, refreshments, laundry and dry cleaning, and newspapers.
- (3) Each Councillor is entitled to seek reimbursement up to \$20 per day for the purposes of this clause.

Communication costs and expenses

- 13 (1) Councillors are entitled to seek reimbursement for communications costs and expenses covering the areas of email, internet, telephone (both fixed and mobile) and postage.
- (2) Each Councillor is entitled to seek reimbursement up to \$300 per month (\$3600 per annum) for the purposes of this clause.

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- (3) Where the communication costs include the provision of a communication device through a communication plan, Council shall reimburse the costs associated with the plan, including email, internet and telephone access and usage. Communication costs also include expenses incurred by a Councillor for the proportion of leasing, renting or repayment costs associated with any communication device used by a Councillor in undertaking their role as a Councillor.
- (4) ***Council may provide Councillors with a mobile phone and call plan in lieu of the individual Councillor seeking reimbursement for mobile telephone costs. It is noted that there will be a small proportion of private/personal use.***

Meals and refreshments

- 14 (1) Morning and afternoon tea may be provided to each Councillor when in attendance at the Civic Centre during normal office hours. A meal including drinks may be provided to each Councillor at the Civic Centre whenever the Councillor is required to attend at the Civic Centre, or leave from or return to the Civic Centre, for a Council related event.
- (2) Meals and refreshments may also be provided to Councillors when attending a local community event or festival. The General Manager, shall determine when such meals and refreshments are to be provided.
- (3) Pursuant to clauses 7(3) and 7(4), meals and refreshments may also be provided to Councillors when attending a seminar, conference or training course.

Care and other related expenses

- 15 (1) Where a Councillor has responsibilities for the care and support of any relative, the Council may reimburse the actual cost incurred by the Councillor to engage professional care for the relative whenever considered necessary by the Councillor in order for the Councillor to discharge the functions of civic office.
- (2) The total amount paid to a Councillor in a financial year under sub-clause (1) shall not exceed an amount equivalent to 25% of the Councillors fee set for that year.
- (3) In this clause, *relative* shall have the same meaning as set out in the Dictionary in the Local Government Act.

Relative, in relation to a person, means any of the following:

- (a) *the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or of the person's spouse;*
- (b) *the spouse or de facto partner of the person or of a person referred to in paragraph (a)*

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- (4) Where a Councillor has a special requirement, such as disability and access needs, Council shall meet reasonable costs and expenses required in order for that Councillor to discharge the functions of civic office.
- (5) The total amount paid to a Councillor in a financial year under sub-clause (4) shall not exceed an amount equivalent to 25% of the Councillors fee set for that year, however, Council can approve additional expenditure in extenuating circumstances.
- (6) Each application for care and support of a relative or for meeting the special requirements of a Councillor is to be made in writing to the General Manager or his/her delegated officer and will be assessed on its merits. The General Manager may use his/her discretion to refer the matter to Council for determination.

Insurance provisions and expenses

- 16
- (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.
 - (2) Councillors are also provided additional liability protection by way of the Councillors and Officers Liability Policy, and personal injury protection by way of the Personal Accident Policy.
 - (3) 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.
 - (4) Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.

Legal assistance provisions and expenses

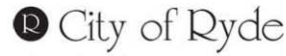
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- 1 Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
- (a) a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act; or
 - (b) a Councillor defending an action in defamation provided the statements complained of were made in good faith in the course of exercising a function under the Act;
 - (c) a Councillor for proceedings before the ~~Local Government Pecuniary Interest and Disciplinary Tribunal or 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 ~~Tribunal or~~ investigative **or review** body makes a finding substantially favourable to the Councillor.

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Clause (c) applies only when the subject of the inquiry, investigation or hearing arises from the performance in good faith of a Councillor's functions under the Act and the matter before the investigative or review body has proceeded past any initial assessment phase to a formal investigation or review.

In the case of a conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred by the General Manager to a conduct reviewer or conduct review panel to make formal enquiries into that matter in accordance with Council's Code of Conduct.

In the case of a pecuniary interest or misbehaviour matter legal costs will only be made available where a formal investigation has been commenced by the Division of Local Government.

- 2 Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.
- 3 Council will not meet the costs of an action in defamation taken by a Councillor as plaintiff in any circumstances and will not meet the costs of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.
- 4 Council must not meet the legal costs of legal proceedings initiated by a councillor under any circumstance.
- ~~5 The provisions of this section shall not apply in respect of any enquiry, investigation or hearing initiated at the request of, or to any legal proceedings taken by, the Council itself.~~
- 5 ***Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution of Council at a Council Meeting prior to costs being incurred.***

ADDITIONAL MAYORAL EXPENSES

Mayoral Fee

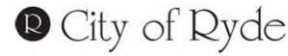
- 18 (1) An annual fee is paid to the Mayor by the Council. The fee shall be the amount fixed by the Council under Division 5 of Part 2 of Chapter 9 of the Act in accordance with the appropriate determination of the Local Government Remuneration Tribunal.

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- (2) Unless otherwise provided for in this Policy, the annual fee paid to the Mayor is intended to offset the additional costs involved in discharging the functions of the mayoral office over and above the costs incurred by other Councillors.
- (3) In the event that the Council resolves to pay an annual fee to the Deputy Mayor, the amount of such annual fee shall be deducted from the amount determined to be paid to the Mayor.
- (4) All fees payable under this policy shall be paid monthly in arrears for each month (or part of a month) for which the Mayor holds office.
- (5) Unless otherwise stated, no entitlement under this Policy shall be treated as being a private benefit that requires a reduction in the Mayoral Fee.

Civic Expenses

- 19 Council shall meet the cost of providing refreshments and associated expenses for civic functions, civic receptions and any other formal event hosted by the Mayor, subject to adequate funds being allocated and available in the Council's adopted Management Plan.

Communication costs and expenses

- 20 Council shall reimburse up to an additional \$250 per month (\$3,000 per annum) for communication costs and expenses for the Mayor, over and above the monthly expenditure limit prescribed in clause 13.

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PROVISION OF FACILITIES - GENERAL PROVISIONS

Provision of facilities generally

- 21** (1) Facilities, equipment and services shall be provided to Councillors to support them in undertaking their role as elected members of the Council.
- (2) The equipment supplied under sub-clause (1) shall be of adequate capacity and functionality to generally undertake the role of Councillor. Unless otherwise resolved by the Council, the equipment shall be provided to a Councillor only once during the term of each Council. Council remains in ownership of the equipment and will be responsible for maintenance, replacement, insurance, technology upgrades and supply of consumables, and the equipment is required to be returned at the end of the term of each Councillor. However, Councillors shall be offered the option to purchase the subject equipment that they have been in possession of, at the conclusion of their term, at current market value. Unless stated otherwise, the Councillor shall be responsible for all other costs of operation, for such equipment.

Private use of equipment and facilities

- 22** (1) Council facilities, equipment and services are not to be used for private purposes unless the use is incidental, unavoidable and of a minor nature.
- (2) Where a Councillor obtains a private benefit for the use of a facility provided by the Council, the Councillor shall be invoiced for the amount of the private benefit with repayment to be in accordance with Council's normal terms. The value of the benefit shall be determined by Council in non-confidential session of a Council meeting.
- (3) Council facilities, equipment and services are not to be used to produce election material or for any other political purposes.
- (4) Unless otherwise stated, no entitlement under this Policy shall be treated as being a private benefit that requires a reduction in the Mayoral fee or the Councillors fee.

PROVISION OF FACILITIES - SPECIFIC PROVISION OF EQUIPMENT AND FACILITIES FOR COUNCILLORS

Stationery and other items

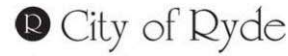
- 23** (1) Each Councillor may receive:
- (a) 2500 sheets of plain white A4 paper per year;
- (b) 500 plain white DLE envelopes per year;
- (c) 500 business cards per year in a format agreed by each Councillor;

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the year commencing from the date of election to Council and each subsequent anniversary.

Additional supplies of the above stationery items may be provided by the General Manager if considered warranted having regard to the particular needs of any Councillor.

- (2) Each Councillor may be issued from time to time with name badges, a security access card, ties/scarves and other corporate apparel or accessories for personal use. Security access cards are required to be returned when the Councillor ceases to hold office.
- (3) Stationery is not to be used to produce election material or for any other political purposes.

Home Office and Equipment

24 The following equipment and facilities may be provided by the Council at a location nominated by the Councillor:

- a personal computer with office and related software (up to a total value of \$3,000)
- a printer which may include or have attached facilities for facsimile, scanning, photocopying and telephone answering (up to a total value of \$1,000)
- ***an iPad or other tablet device (up to a total value of \$1,000)***

All amounts stated are inclusive of GST.

Parking

25 Councillors shall be provided with allocated parking at the Civic Centre for attendance at meetings and functions in the performance of their role as a Councillor and be provided with a parking permit sticker for use when parking in the Civic Centre Car Park. No other parking concessions within the City of Ryde will be granted and Council will not indemnify Councillors for any damage to their vehicles whilst utilising this facility.

Secretarial Support

26 Secretarial support may be provided at the discretion of the General Manager for each Councillor at the Civic Centre. This may include typing, photocopying or use of a telephone. All expenses incurred including the cost of staff shall be met by the Council.

Delivery of Material

27 At least once weekly, each Councillor may receive a delivery of material from Council including business papers, correspondence, newspapers, etc delivered to one property address nominated by the Councillor.

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Council Meeting Chamber and Library Meeting Rooms

- 28 Councillors may use the Council Meeting Chamber *or access the meeting rooms at the library, as available and in accordance with the relevant booking process for the purposes of Councillors meeting with the public during operating hours and free of charge* to conduct meetings with members of the public. The nature of the meeting must relate to Council business.

PROVISION OF ADDITIONAL EQUIPMENT AND FACILITIES FOR THE MAYOR

Mayoral Office

- 29 A furnished Mayoral Office shall be provided by the Council at the Civic Centre, including a computer with office and related software (including access to email and internet).

Secretarial Support

- 30 Secretarial support shall be provided by the Council. All necessary staff, office equipment, furnishings, printing, stationery, postage and other general office expenses shall be met by the Council, subject to adequate funds being available in the Council's adopted Management Plan.

Motor Vehicle

- 31 (1) A Toyota Camry Hybrid Level 2 (or general equivalent) shall be provided by the Council and shall be fully maintained for use by the Mayor for Council related business. The vehicle may be used for private purposes by the Mayor. The cost of petrol used for private purposes shall be the responsibility of the Mayor.
- (2) A car parking space shall be allocated at the Civic Centre for the Mayoral vehicle.
- (3) *Should the Mayor elect not to make use of the vehicle for the length of their term, it will be disposed of appropriately. The Mayor will be entitled for reimbursement for all Council related travel expenses in accordance with the rate set out in the "Councillor Reimbursement Form". Reimbursements will be made upon the production of an appropriate vehicle mileage log and the completion of a "Request for Councillor Reimbursement" form.*

Ceremonial Clothing

- 32 The Mayor shall be supplied with a suitable robe and chains of office.

Other equipment and facilities

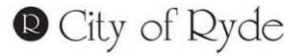
- 33 (1) In addition to equipment and facilities already provided to the Mayor as a Councillor, the Mayor shall be entitled to the following equipment and facilities:
- (a) an additional 500 business cards per year of term in a format agreed by the Mayor,

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- (b) 200 Christmas Cards per year of term,
 - (c) corporate attire and presentation gifts for use in connection with civic and ceremonial functions eg: tie, scarfs, mementos
- (2) The General Manager shall have discretion to provide the Mayor with further equipment and facilities, not otherwise specified in this Policy, subject to funding being made available in the adopted Management Plan and the provision of such equipment or facilities is considered reasonable for the efficient and effective performance of the Office of the Mayor. Should the General Manager exercise his/her discretion to provide the Mayor with further equipment and facilities, not otherwise specified in this Policy a report detailing the provision shall be presented to Council.

OTHER MATTERS

Disputes

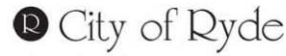
- 34 Should any Councillor consider that a dispute exists at any time regarding this policy, the parties to the dispute shall provide a written report on the nature of the dispute and the General Manager shall submit such reports to the next meeting of the Council to have the dispute determined by a resolution of the Council having regard to this policy, the Act and any other relevant law. The decision of the Council shall be binding on all of the parties.

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LEGISLATIVE PROVISIONS

The relevant legislative provisions are set out below. In this legislation, the expression "year" means the period from 1 July to the following 30 June.

Local Government Act

252 *Payment of expenses and provision of facilities*

- (1) *Within 5 months after the end of each year, a council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one) and the other councillors in relation to discharging the functions of civic office.*
- (2) *The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the mayor or a councillor of a facility provided by the council to the mayor or councillor.*
- (3) *A council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the mayor, the deputy mayor (if there is one) or a councillor otherwise than in accordance with a policy under this section.*
- (4) *A council may from time to time amend a policy under this section.*
- (5) *A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.*

253 *Requirements before policy concerning expenses and facilities can be adopted or amended*

- (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) *Within 28 days after adopting a policy or making an amendment to a policy for which public notice is required to be given under this section, a council is to forward to the Director-General:*

(a) a copy of the policy or amendment together with details of all submissions received in accordance with subsection (1), and

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- (b) a statement setting out, for each submission, the council's response to the submission and the reasons for the council's response, and
- (c) a copy of the notice given under subsection (1).
- (5) A council must comply with this section when proposing to adopt a policy each year in accordance with section 252 (1) even if the council proposes to adopt a policy that is the same as its existing policy.
- 254 Decision to be made in open meeting
- The council or a council committee, all the members of which are councillors, must not close to the public that part of its meeting at which a policy for the payment of expenses or provision of facilities is adopted or amended, or at which any proposal concerning those matters is discussed or considered.
- 428(pt) Annual reports
- (1) Within 5 months after the end of each year, a council must prepare a report as to its achievements with respect to the objectives and performance targets set out in its management plan for that year.
- (2) A report must contain the following:
- (f) the total amount of money expended during the year on mayoral fees and councillor fees, the council's policy on the provision of facilities for use by councillors and the payment of councillors' expenses, together with a statement of the total amount of money expended during that year on the provision of such facilities and the payment of such expenses,

Local Government (General) Regulation

- 217(pt) Additional information for inclusion in annual report
- (a1) details of the total cost during the year of the payment of the expenses of, and the provision of facilities to, councillors in relation to their civic functions (as paid by the council, reimbursed to the councillor or reconciled with the councillor), including separate details on the total cost of each of the following:
- (i) the provision during the year of dedicated office equipment allocated to councillors on a personal basis, such as laptop computers, mobile telephones and landline telephones and facsimile machines installed in councillors' homes (including equipment and line rental costs and internet access costs but not including call costs),
- (ii) telephone calls made by councillors, including calls made from mobile telephones provided by the council and from landline telephones and facsimile services installed in councillors' homes,

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- (iii) *the attendance of councillors at conferences and seminars,*
- (iv) *the training of councillors and the provision of skill development for councillors,*
- (v) *interstate visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,*
- (vi) *overseas visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,*
- (vii) *the expenses of any spouse, partner or other person who accompanied a councillor in the performance of his or her civic functions, being expenses payable in accordance with the Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for Local Councils in NSW prepared by the Director-General from time to time,*
- (viii) *expenses involved in the provision of care for a child of, or an immediate family member of, a councillor, to allow the councillor to undertake his or her civic functions,*

403 Payment of expenses and provision of facilities

A policy under section 252 of the Act must not include any provision enabling a council:

- (a) *to pay any councillor an allowance in the nature of a general expense allowance, or*
- (b) *to make a motor vehicle owned or leased by the council available for the exclusive or primary use or disposition of a particular councillor other than a mayor.*

Under Section 248A of the Act, Council must not, unless otherwise permitted, pay an annual fee to a Councillor for any period during which the Councillor is suspended from office or the right to be paid any fee is suspended.

Under Section 254A of the Act, Council may resolve that an annual fee not be paid to a Councillor or the amount reduced if the Councillor is absent, with or without leave, from meetings of the Council for a period not more than 3 months or in any circumstances prescribed by regulation. A fee must not be paid if the period of absence exceeds 3 months.

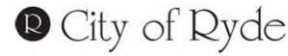
Under clause 404 of the Regulation, a prescribed circumstance for non-payment or reduction of a Councillor's annual fee is where payment would adversely affect the Councillor's

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entitlement to a pension, benefit or allowance and the Councillor is agreeable to the non-payment or reduction.

A Councillor may elect not to accept any entitlement under this Policy, except that the Mayor and every Councillor must be paid the appropriate minimum fees determined by the Local Government Remuneration Tribunal (unless the provisions of Section 254A of the Act apply). Payment of the appropriate minimum fees determined by the Remuneration Tribunal is a requirement of Sections 248 (4) and 249 (4) of the Act.

Other Government and Council Policy provisions

This Policy has been prepared with reference to other Government and Council Policy provisions as follows:

- (1) Division of Local Government Circular No. 09-36, 7 October 2009, "*Release of Revised Councillor Expenses and Facilities Guidelines*"
- (2) Division of Local Government Publication, "*Guidelines for the Payment of Expenses and Provision of Facilities to Mayors and Councillors in NSW, October 2009*"
- (3) Department of Local Government Circular No. 05-08, 9 March 2005, "*Legal Assistance for Councillors and Council Employees*"
- (4) ICAC Publication "*No excuse for misuse*", November 2002
- (5) City of Ryde "*Code of Conduct*"

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