



Councillor Expenses and Facilities Policy

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Public Policy

Adopted by Council: dd mmmmmm 2025 (Minute No. 25/nn)

Ref. No.: MagIQ Doc nnnnnnnn

Version No.: 2.3

Responsible Business Unit: Governance

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Policy Summary

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 *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 main expenses and facilities are summarised in the table below. All monetary amounts are exclusive of GST.

Expense or facility	Maximum amount	Frequency
General travel expenses	Reasonable expenses will be reimbursed per Councillor for official business in NSW and ACT. Cap of \$1,000 per Councillor for ancillary costs.	Per year
Interstate, overseas and long distance intrastate travel expenses	On request and approved by Council. Australian Capital Territory is excluded due to its proximity to the Yass Valley local government area	As required
Accommodation and meals	As per annually adjusted rates in accordance with the prevailing NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award	Per night /meal
Professional development	\$8,000 per councillor	Per term
Conferences and seminars	\$8,000 per councillor	Per term
Functions (council approved)	As determined appropriate by the CEO	Per function for official events only
ICT and equipment expenses	Laptop or tablet with a data plan issued to all councillors	Per term
	Provision of phone or SIM card (for dual SIM on privately-owned device).	Per term
Carer expenses	\$1,000 per councillor	Per year
Home office & Stationary expenses	\$1,000 per councillor	Per term
Business cards	\$200 per councillor (facilitated internally)	Per term

Expense or facility	Maximum amount	Frequency
Council vehicle or vehicle allowance for use of private vehicle, fuel card and cleaning of vehicle	Provided to the Mayor or to the value of \$22,000 per annum Where use of private vehicle is elected, allowance for Council business use claims will be calculated in accordance with prevailing rate under the NSW Local Government State Award	Ongoing
Furnished office	Provided to the Mayor	Ongoing
Access to facilities in a councillor meeting room	Dedicated space for meetings with stakeholders or to undertake individual work involving civic duties while on premises	Ongoing
Appropriate officers to support the Mayor and Councillors	Provided to the Mayor and other Councillors as per section 335 (f) of the <i>Local Government Act 1993</i>	Ongoing

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

Councillors must provide claims for reimbursement within three months of an expense being incurred or before the end of the financial year, whichever is the sooner. Claims made after this time cannot be approved.

Definitions

Act	Means the NSW <i>Local Government Act 1993</i>
CEO	Means the chief Executive Officer [general manager] of the council and includes their delegate or authorised representative
Clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	Means the <i>Yass Valley Council Code of Conduct</i>
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

council approved meeting or event	Means the meeting or event meets one or more of the following criteria (based on legislated roles and responsibilities of the mayor and councillors): ▪ a leadership role in guiding the development and implementation of the Community Strategic Plan plus Delivery Program and Operational Plan of the council ▪ direct and control the affairs of the council in accordance with the Act ▪ furthered the optimum allocation of council resources for the benefit of the area ▪ related to the creation and review of the council policies and objectives and criteria relating to the exercise of the regulatory functions of the council ▪ related to a review of the performance of the council and its delivery of services and the delivery program and revenue policies of the council Specific examples include: ▪ meeting with the Member for Goulburn at Parliament House or electorate office regarding the Yass Valley local government area ▪ meetings with representatives of other local councils that are members of the Canberra Joint Regional Organisation, to discuss the development of policy relating to joint project delivery or shared services
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 requiring more than three hours of travel by private vehicle
maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in Appendix 1
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: ▪ meetings of council and committees of the whole ▪ meetings of committees facilitated by council ▪ civic receptions hosted or sponsored by council ▪ meetings, functions, workshops and other events to which attendance by a councillor has been requested or approved by council
professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a councillor or the Mayor
Regulation year	Means the NSW <i>Local Government (General) Regulation 2021</i> Means the financial year - that is the 12 month period commencing on 1 July each year

Part A — Context

1. Introduction

- 1.1. The provision of expenses and facilities enables councillors to fulfil their civic duties as the elected representatives of Yass Valley 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 officers 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. 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

- 3.1. Council commits to the following principles:
 - **Proper conduct:** councillors and officers 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.
- 4.3. Such incidental private use does not require a compensatory payment back to Council.
- 4.4. Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of council facilities does occur, councillors must reimburse the Council.
- 4.5. 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.
- 4.6. Where a service is partly used for official council business, councillors must claim only that part related to their civic duties as a councillor. Individual councillors must, therefore, make a reasonable estimate as to their private and civic duties use (in percentage terms) for such accounts.

Part B — Expenses

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.

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, including the preferential use of a Council pool car, if one is available where appropriate and reasonable.
- 6.2. Each councillor may be reimbursed in accordance with the summary table of expenses appearing under the Policy Summary section of this policy, for travel expenses incurred while undertaking official business, professional development, attending approved conferences or seminars, or attending council approved meetings or events within NSW and the ACT.
This includes reimbursement:
 - for public transport fares
 - for the use of a private vehicle or hire car
 - for parking costs for Council and other meetings
 - for tolls
 - 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 prevailing NSW [Local Government \(State\) Award](#), subject to consideration being given to comparative methods of travel such as air travel or the use of a pool or hire car, taking into account the nature and destination of the trip, to ensure the best use of Council resources.

- 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. Reimbursement of private vehicle usage will only be approved where a Council pool car is not available, it is unreasonable for the Councillor to utilise the pool car and/or the CEO has provided prior approval.
- 6.6. Councillors are to arrange for the use of a Council pool car in advance of their travel.
- 6.7. Councillors will pick up and return the vehicle to the Council. Except in cases of an emergency, the vehicle is not to be driven by anyone other than the councillor(s) who have requested the vehicle. Council will meet the cost of fuel and all normal running expenses.

Interstate, overseas and long distance intrastate travel expenses

- 6.6. In accordance with Section 4, Council will scrutinise the value and need for councillors to undertake overseas travel. Council 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.
- 6.7. All interstate, long distance intrastate and overseas travel expenses for all councillors will be determined by agreement.
- 6.8. Councillors seeking approval for any interstate, overseas or long distance intrastate travel must submit a case to the CEO prior to travel.
- 6.9. All travel requests submitted under section 6.8 will be considered at an open meeting of the council prior to travel, through a report from the CEO.
- 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 that 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 journeys by air, the class of air travel is to be economy class.
- 6.12. Bookings for approved air travel are to be made through the CEO's office.
- 6.13. For air travel that is reimbursed as council business, councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

Travel expenses not paid by Council

- 6.14. Any expenses associated with travel by spouses, partners or other associates that choose to be accompanying person with the councillor on a business trip other than those listed in clause 6.37.
- 6.15. Council will not pay any traffic or parking fines or administrative charges for road toll accounts.
- 6.16. Should a councillor choose to use their own vehicle for travel on Council business or to approved conferences and seminars, Council will not accept responsibility for the cost of any breakdowns or damage to the vehicle as a result of such travel. Such costs are the individual councillor's responsibility. For example, Council will not pay for extra accommodation costs associated with vehicle breakdowns.
- 6.17. Claims for motor vehicle accidents/incidents involving councillors' private vehicles during a council approved trip will be assessed on a case by case basis.

Accommodation and meals

- 6.18. Council will reimburse costs for accommodation and meals while councillors are undertaking prior approved travel or professional development.
- 6.19. 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](#), as adjusted annually.
- 6.20. The daily limits for accommodation and meal expenses outside Australia are to be determined in advance by the CEO, being mindful of provisions in line with Clause 6.19.
- 6.21. Councillors will not be reimbursed for alcoholic beverages.

Professional development

- 6.22. Council will set aside \$8,000 per councillor per term in its budget to facilitate professional development of councillors through programs, training, education courses and membership of professional bodies.
- 6.23. In the first year of a new council term, Council will provide a comprehensive induction program for all councillors that 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.
- 6.24. Approval for professional development activities is subject to a prior written request to the CEO outlining the:
 - details of the proposed professional development
 - relevance to council priorities and business
 - relevance to the exercise of the councillor's civic duties.

Conferences and seminars

- 6.25. Council is committed to ensuring its councillors are up to date with contemporary issues facing council and the community, and local government in NSW.
- 6.26. Council will set aside \$8,000 per Councillor per term to facilitate councillor attendance at conferences and seminars.
- 6.27. This expenditure relates to relevant local government conference and seminars and related educational tours, either within NSW, interstate, or overseas such as:
 - The Australian Local Government Association (ALGA) and Local Government NSW (LG NSW) Annual Conferences
 - Special 'one off' conferences
 - Visits to other Councils to research best practice solutions
 - Others as approved by Council resolution.
- 6.28 Attendance at the ALGA and LGNSW annual conferences will be approved by council at an open meeting of council.
- 6.29 The Mayor's attendance at regular meetings such as Canberra Region Joint Organisation and Country Mayors Forums are not funded directly from individual Councillor professional development or general travel budgets.
- 6.30 Councillors seeking approval to attend another conference or seminar must submit a case to the CEO. The case should cover the following factors:
 - relevance of the topics and presenters to current council priorities and business and the exercise of the councillor's civic duties
 - cost of the conference or seminar in relation to the total remaining budget.
- 6.31 Requests submitted under section 6.29 may be considered at an open meeting of the council, through a report from the CEO.

- 6.32 Council will meet the reasonable cost of registration fees, transportation, meals and accommodation associated with attendance at conferences approved by the CEO. 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.
- 6.33 Council will not meet the following costs:
- laundry or dry cleaning services
 - use of the bar fridge other than water and non-alcoholic beverages
 - expenses incurred for movies provided in a hotel room
 - expenses incurred at bars (including the bar located at the hotel)
 - any tips for service provided to the councillors.
- 6.33. On returning from the seminar or conference, councillors, or officer accompanying the councillor/s, may provide a written report to the next available Council meeting on the aspects of the seminar or conference relevant to Council business and / or the local community. This report is not required for the Local Government NSW Annual Conference or the Australian Local Government Association Annual Conference.

Council approved functions

- 6.34. Council approved functions are those where the councillor receives an official invitation addressed specifically to the councillor in his / her capacity as an elected representative of Yass Valley Council and is relevant to the Yass Valley local government area.
- 6.35. Councillor expenses may not be used to support attendance by councillors at political fundraising functions.
- 6.36 Entry costs for attending official Council approved functions may be arranged through the CEO's office.

Accompanying person's expenses

- 6.37. Council will meet certain expenses incurred by a councillor on behalf of an accompanying person up to an annual limit of \$500 per term, providing they are properly and directly related to the role of the councillor as follows:
- Attendance at official Council functions that are of a formal and ceremonial nature, as considered appropriate, when accompanying councillors within the local government area or outside the local government area but within the State when representing the Mayor. Examples include, but are not limited to, Australia Day Award ceremonies, Citizenship ceremonies, Civic receptions and charitable functions for charities formally supported by Council.
- 6.38 In relation to seminars and conferences attended by a councillor, all costs for an accompanying person, including any additional accommodation costs must be met by the councillor or accompanying person.

Information and communications technology (ICT) expenses

- 6.39. Council will provide the councillors with a package of ICT devices and services for use during each term of council, as determined by the CEO.
- 6.40 All Councillors who are issued a Yass Valley Council device must sign an ICT User Agreement Policy prior to use.
- 6.40. Devices and services are provided for councillors to undertake their civic duties, such as:
- receiving and reading council business papers
 - handling phone calls and correspondence
 - diary and appointment management
 - accessing professional development and current awareness information.

- 6.41. Council will issue the Mayor and Councillors with an iPad/laptop device to a specification determined by the CEO but including WiFi capability and a data SIM each term. It is the intention that the device will be used as the primary means of accessing council business papers.
- 6.42. The device and data services will be managed, paid for and maintained centrally by council to a Fairplay Policy Data Plan (or equivalent).
- 6.43. At the start of each term, or as directed by the CEO, council will issue the mayor and each councillor, with a Phone or a SIM card (for dual-SIM use in a privately-owned device) to a specification determined by the CEO. This will include a call and data plan managed and paid for centrally by Council. Councillors' phones may be replaced once every two years, if required.
- 6.44. Councillors will be issued with a Council email address and access to the Council's email system for their civic duties – communications concerning council business must be confined to use of this Council email address unless there is a legitimate reason it cannot be accessed temporarily.
- 6.45. Councillors will have access to a secure Councillor Portal where business papers, forms, access to policy documents and other key information will be made available.
- 6.46. ICT equipment provided under this policy will be depreciated over a 3-year period.
- 6.47. At the conclusion of their Council term, Councillors will have the option to purchase devices they have been using once they are restored to factory settings. The buyout cost will be calculated as the original purchase price, less depreciation.

Maintenance and replacement of ICT devices during the term

- 6.49. Councillors are expected to take the utmost care for any equipment provided to them.
- 6.50. Any scheduled or regular maintenance of Council provided facilities, including software upgrades or replacement of equipment due to technical redundancy, are conducted at Council's expense by council officers.
- 6.51. If a piece of equipment is faulty or damaged, it will either be repaired or replaced following an assessment of the cost.
- 6.52. Any other repairs, unscheduled maintenance or negligently broken, stolen or lost equipment, must be paid for by the councillor personally.
- 6.53. Councillors must report the theft of any equipment issued immediately to the Police and to the Governance unit of council.

Special requirements and carer expenses

- 6.54. 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.
- 6.55. In addition to the provisions above, the CEO may authorise the provision of reasonable additional facilities and expenses to allow a councillor with a disability to perform their civic duties.
- 6.56. 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 of \$1,000 per year for attendance at official business, plus reasonable travel from the principal place of residence.
- 6.57. Childcare expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.

- 6.58. In the event of caring for an adult person, councillors will need to provide suitable evidence to the CEO that reimbursement is applicable. This may take the form of advice from a medical practitioner

7. Insurances

- 7.1. In accordance with Section 382 of the Act, Council is insured through Statewide Mutual and JLT Risk Solutions with a range of insurance covers. Councillors are included as a named insured in all Council's insurance policies.
- 7.2. Insurance protection is only provided if a claim arises out of or in connection with the councillor's performance of their civic duties, or exercise of their functions as a councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 7.3. Council will pay the insurance policy excess in respect of any claim that is indemnified by Council insurers. In the case of allegations against the councillor that are not indemnified, the costs must be paid by the individual councillor.
- 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 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 CEO 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 no 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.

Part C — Facilities

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 meeting room
 - a name badge that may be worn at official functions.
- 9.2. Councillors will be provided with a security pass for entrance to the public areas of the council administration building.
- 9.3. Councillors may book meeting rooms for official business in a specified council building at no cost.
- 9.4. The provision of facilities will be of a standard deemed by the CEO as appropriate for the purpose.
- 9.5. The meeting room and facilities, including multi-function devices, are not to be used for private purposes and, in no circumstances, are they to be used to produce electoral material.

10. Car parking, home office expenses and administrative support

Car Parking

- 10.1. Given the surrounds of the Yass Valley Council Administration building is free parking, councillors are expected to avail themselves of general parking facilities open to members of the public and in accordance with any lawful regulations for use of such facilities.
- 10.2. Where councillors temporarily use a council supplied vehicle it should be returned to the nominated collection point or other designated place as advised.

Home office and stationery expenses

- 10.3. Each councillor may be reimbursed up to \$1000 per term for costs associated with the maintenance of a home office, such as minor items of consumable stationery, greeting cards for council events, and toner cartridges.
- 10.4. In addition, council will provide councillors with business cards if requested.
- 10.5. Council will pay for postage of official correspondence provided that all mail is directed through council's mailing system and a copy of correspondence is maintained on relevant council records.
- 10.6. Councillors are not permitted to personalise Council's letterhead in any way that may portray the councillor as acting on behalf of Council.
- 10.7. Council funds are not to be used to promote groups or affiliations, and they are not to be displayed or promoted on correspondence as this practice is considered to be electioneering.
- 10.8. Councillors, excluding the Mayor, are prohibited from using any of Council's intellectual property, including, but not limited to, Council's name and logo on any personalised stationery. Photographs for which Council is the copyright owner must not be used on personalised stationery without the written approval of the CEO. The only exception is the Mayoral Letterhead, as this is produced by Council.
- 10.9 Council will only support council issued devices that are used in a home office or other remote access setting that the councillor is obliged to use while undertaking civic duties

Administrative support

- 10.10. Council will provide administrative support to councillors to assist them with their civic duties only. Administrative support may be provided by the officers of the office of the CEO and or by another officer as arranged by the CEO or their delegate.
- 10.11. As per Section 4, council officers are expected to assist councillors with civic duties only and not assist with matters of personal or political interest, including campaigning or providing administrative support for services they receive in their ordinary capacity as a resident of the Yass Valley Council local government area.
- 10.12. All interactions are to be undertaken in accordance with the *Interaction Between Council Officials Policy* as updated from time to time.

11. Additional facilities for the Mayor

- 11.1. Council may provide to the Mayor a maintained 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.
- 11.2. Where the mayor elects to use a suitable private vehicle, reimbursement of up \$22,000 per year can be claimed. Logbook records setting out date, distance and purpose of all travel must be maintained and details submitted to the Governance unit each month for reconciliation.
- 11.3. Council will provide the Mayor with a furnished office incorporating a computer configured to council's standard operating environment, telephone and meeting space.
- 11.4. In performing their civic duties, the Mayor will be assisted by the Executive Support Officer to the CEO who will provide administrative and secretarial support, or by another officer as determined by the CEO.
- 11.5. As per Section 11.5, officers supporting the mayor are expected to work on official business only, and not for matters of personal or political interest, including campaigning or providing administrative support for services they receive in their ordinary capacity as a resident of the Yass Valley Council local government area.
- 11.6. All interactions are to be undertaken in accordance with the *Interaction Between Council Officials Policy* as updated from time to time.
- 11.7. Council provides and maintains Mayoral Robes and the Mayoral Chain of Office for use by the Mayor at official, civic and ceremonial services.

Part D — Processes

12. Approval, payment and reimbursement arrangements

- 12.1. Expenses should only be incurred by councillors in accordance with the provisions of this policy.
- 12.2. Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 12.3. 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
 - home office and stationery expenses.
- 12.4. Final approval for payments made under this policy will be granted by the CEO or their delegate.

Direct payment

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

Reimbursement

- 12.6. All claims for reimbursement of expenses incurred must be made using the approved form provided by the Corporate Support Officer to the CEO and must be supported by appropriate receipts and / or tax invoices.
- 12.7. Reimbursement claims should be submitted to the Governance unit (councillorsupport@yass.nsw.gov.au) within the three month claim deadline.

Advance payment

- 12.8. The payment of expenses in advance will not be considered other than instances where advance payment is an unavoidable requirement of a supplier e.g. as a condition of registration for a professional development event. Submissions must be made to allow reasonable time for assessment and any subsequent processing.

Notification

- 12.9. If a claim is approved, council will make payment directly or reimburse the councillor through accounts payable.
- 12.10. 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

- 12.11. 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, and
 - the councillor will reimburse council for that expense within 14 days of the invoice date.
- 12.12. If the councillor cannot reimburse council within 14 days of the invoice date, they are to submit a written explanation to the CEO. The CEO may elect to deduct the amount from the councillor's allowance.

Timeframe for reimbursement

- 12.13. Councillors must provide claims for reimbursement within three months of an expense being incurred or before the end of the financial year, whichever is the sooner. Claims made after this time cannot be approved.
- 12.4. Expenses incurred close to the end of a financial year should be immediately submitted for reimbursement to ensure funds are expended from the appropriate year's budget and council can meet the Annual Reporting requirements in line with the Act.

13. Disputes

- 13.1. If a councillor disputes a determination under this policy, the councillor should discuss the matter with the CEO.
- 13.2. If the councillor and the CEO cannot resolve the dispute, the councillor may submit a notice of motion to a council meeting seeking to have the dispute resolved. Any decision by Council is final.

14. Return or retention of facilities

- 14.1. All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a councillor or mayor ceasing to hold that office or at the cessation of their civic duties. This includes items purchased under clause 6.48.
- 14.2. All equipment not returned within 30 days must be paid for by the councillor at depreciated cost.
- 14.3. The prices for all equipment purchased by councillors under Clause 6.48 will be recorded in Council's annual report.

15. Publication

- 15.1. This policy will be published on council's website.

16. Reporting

- 16.1. Council will report on the provision of expenses and facilities to councillors as required by the Act and Regulations. This includes providing a statement of the total payment of expenses and provision of facilities for Councillors in the Annual Report, including costs for:
 - provision of dedicated office equipment allocated to Councillors
 - total telephony costs for all Councillors
 - attendance by Councillors at Conferences and Seminars
 - professional development
 - interstate visits by Councillors, including transport, accommodation and other out of pocket travelling expenses
 - overseas visits by Councillors, including transport, accommodation and other out of pocket travelling expenses
 - expenses of any spouse, partner or other person who accompanied a Councillor that were met by Council
 - expenses involved in the provision of care for a child or an immediate family member of a Councillor.

17. Breaches

- 17.1. Suspected breaches of this policy are to be reported to the CEO.
- 17.2. Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the *Yass Valley Council Code of Conduct*, as detailed in the Code and in the *Yass Valley Council Procedures for the Administration of the Code of Conduct*.

Related Information

- Local Government Act 1993, sections 252 and 253
- Local Government (General) Regulation 2021, sections 217 and 403
- Yass Valley Council Code of Conduct
- Yass Valley Council Procedures for the Administration of the Code of Conduct
- NSW Office of Local Government publications
 - Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2009
 - Councillor Handbook, 2024
 - Local Government Circular 21-12 "Electoral Matter" and use of council resources prior to local government elections
 - Local Government Circular 17-17 Councillor Expenses and Facilities Policy – Better Practice Template

Review

As required by section 252 of the Act, this Policy is to be reviewed in the first 12 months of each new term of Council.

Contact

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DRAFT