



COUNCILLOR BENEFITS POLICY

1. SCOPE

1.1 The policy applies to all Councillors of the Waratah-Wynyard Council.

2. PURPOSE

2.1 This policy formalises Councillor benefits determined by Council and ensures that there is transparency in relation to the claiming and payment of expenses, allowances and attendances at professional development conferences and seminars.

2.2 The objective of this policy is to provide a clear framework regarding Councillor’s entitlements to:

- (a) Travel allowances and reimbursement of expenses incurred whilst carrying out their duties as an elected member;
- (b) The reimbursement of expenses incurred, or those which may be incurred by, and the provision of facilities to the mayor and other Councillors in relation to discharging their function as elected representatives; and
- (c) Clarify the nature and extent of Council supported professional development afforded to Councillors.

3. POLICY

3.1 Section 340A of the Local Government Act 1993 (the Act) entitles councillors to allowances as prescribed in regulations. Mayors and deputy mayors are entitled to allowances in addition to those payable to them as councillors. Regulation 42(2) of the Local Government (General) Regulations 2015 (the Regulations) specifies the allowances payable to councillors, mayors, and deputy mayors. Regulation 42(2A) entitles deputy mayors to receive the allowance payable to the mayor when they act in the role for four consecutive weeks or more. The allowances payable from 1 November 2014 are set out in Schedule 4 of the Regulations.

3.2 All activities will be carried out in accordance with the adopted **Councillor Allowances and Expenses Policy Guidelines**.

4. LEGISLATION

Local Government Act 1993

Local Government (General) Regulations 2015

5. RELATED DOCUMENTS

GOV.027.1 Councillor Allowances and Expenses Policy Guidelines

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1.0 Introduction

- 1.1 These guidelines aim to provide a clear framework around Councillor entitlement to expense reimbursement and allowances relating to the execution of a Councillors duties in accordance with the *Local Government Act 1993*.

2.0 Councillors Allowance

- 2.1 In accordance with section 340A of the *Local Government Act 1993* the General Manager is obliged to pay Councillors the prescribed allowances. The Act states:
- (a) A Councillor is entitled to prescribed allowances;
 - (b) A Mayor and Deputy Mayor are entitled to prescribed allowances in addition to any allowances referred to in subsection (1);
 - (c) A Councillor, Mayor or Deputy Mayor may decide not to receive part or all of an allowance; and
 - (d) A decision under subsection (3) is to be by written notice to the General Manager of the relevant Council.
- 2.2 The Council is required to pay allowances in accordance with regulation 42 of the *Local Government (General) Regulations 2015*. The annual allowance cannot exceed such amounts and is indexed each year.
- 2.3 Allowances are annual and paid monthly or fortnightly in arrears; any such notification is not revokable retrospectively.
- 2.3 The Council has not elected to be recognised as an 'eligible local governing body', and therefore the allowances payable is not considered to be payment of a salary or wage. Determination of disclosure(s) for taxation purposes are a private matter for each individual Councillor.

3.0 Provision of Facilities

The Mayor is provided with office space for carrying out their duties as Mayor. Councillors are permitted to use office space for the discharging of the function of Councillor. Councillors will be required to book a meeting space in advance.

Council will provide elected members with administrative support in relation to performing their role as Councillor.

4.0 Travelling Expenses

- 4.1 The Council will reimburse a Councillor for necessary out-of-pocket expenses incurred for travelling from his/her place of residence to discharge their functions as a Councillor in respect of the following:
- (a) Attendance at formal meetings of Council, Councillor Workshops or a meeting of any Committee to which the Councillor has been appointed as a representative of Council, or for any other meeting where the Councillor has been delegated or authorised by Council to attend;

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- (b) inspections or business within the Council area, provided such inspection/s are undertaken in accordance with a resolution/s of the Council that the Councillor is authorised to attend;
- (c) attendance at any seminar/conference in compliance with a resolution of Council, or as authorised by the Mayor and General Manager; and
- (d) attendance as Council's representative by invitation, to a meeting of a local community organisation. This provision does not include public events that the Councillor attends as a community member.

- 4.2 The payment/reimbursement of travel expenses will be based on kilometers travelled (or the most direct route whichever is lower) and paid at the rate as set by ATO.
- 4.3 A Councillor shall not be entitled to be reimbursed for travel or other expenses where the expense would otherwise have been incurred as a result of private business.
- 4.4 Where Councillors attend an event by invitation a copy of the invitation will be required for Council's records.
- 4.5 For cost efficiency, Councillors should seek use of a pool car for longer business trips.
- 4.6 Council determines to make available a motor vehicle for use by the Mayor. The Mayor can use this vehicle for any purpose within the municipal area and for Council business outside of the municipal area. The vehicle is to be garaged at the Mayor's residence.
- 4.7 Other Councillors with the consent of the Mayor can arrange to use the vehicle if required to attend meetings/seminars/functions on behalf of the Council. Arrangements for the use of the vehicle are to be made with the Mayor.

5.0 Meal Allowance

- 5.1 Meals will be provided when attending meetings of Council or Councillor Workshops when the timing of such meetings require this provision.
- 5.2 Council will pay reasonable out of pocket expenses for meals upon presentation of a claim for payment, with a tax invoice/receipt attached. If a meal package is supplied as part of conference costs, those meals cannot be claimed as expense where the Councillor chooses to dine elsewhere.

6.0 Provision of Electronic Device

- 6.1 Councillors will be provided with a tablet on a designated data plan, for the receipt of emails, documents and information.
- 6.2 Each Councillor will be supplied with a council email address which will remain active during the Councillors term of office.
- 6.3 Retiring or departing Councillors may make application to the General Manager to purchase the tablet at the current valuation price. The tablet will be cleared of all confidential information prior to being given to departing Councillors.

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- 6.4 All information on the tablet must be treated with confidentiality and remains the property of Council.

7.0 Information Management

- 7.1 Councillor emails and documents are considered part of Council's information. Documents provided to Councillors for the purposes of making decisions are considered the property of council and should not be shared unless the information is deemed for public access.

8.0 Communication Expenses

- 8.1 Councillors will receive an annual payment of \$1000 to cover out of pocket communication expenses including IT consumables, internet expenses and landline telephone expenses. This will be paid monthly along with the Councillor Allowance.
- 8.2 The Mayor may be provided with a mobile phone for use on Council related business.

9.0 Internet access and downloads

- 9.1 Councillors will be provided with a data plan for their tablet paid for by Council.

10.0 Insurance

- 10.1 Council will provide the following insurance cover for the Mayor, Deputy Mayor and Councillors:
- (a) Group Personal Accident - on the lives of Councillors and their accompanying spouses/partners whilst undertaking travel on Council activity;
 - (b) Councillors (Directors) Liability - against loss arising from claim(s) made against them during the period of insurance by reason of any wrongful act committed or alleged to have been committed by them in their capacity as Councillor;
 - (c) Corporate Travel - Provided in connection with a journey that must include overnight accommodation or travel to a destination more than 50 kilometers; and
 - (d) Motor Vehicle - Vehicles owned by Councillors whilst being used on the business of the Council.

11.0 Professional Development

- 11.1 Council acknowledges an ongoing commitment to training and development will assist in the fulfilment of duties and responsibilities for Councillors.
- 11.2 Council will provide an annual budget allocation for Councillors for professional development purposes. Determination of attendance at any conferences and seminars should acknowledge equity for each Councillor to attend relevant conferences and seminars over their four-year term.

12 Eligible Events

- 12.1 Priority is to be given to professional development opportunities organised by local government affiliated entities, for example:
- (a) The Local Government Association of Tasmania (LGAT);
 - (b) Australian Local Government Association (ALGA); and
 - (c) Municipal Association of Victoria (MAV).
- 12.2 Council budget for the Mayor and Deputy Mayor plus two other Councillors attending the LGAT Annual Conference. Council may determine by resolution to add additional attendees on an annual basis.
- 12.3 Any mainland or high-cost intrastate attendance for events or professional development opportunities must be approved by a decision of council.
- 12.4 On some occasions, attendees may be required to provide a report / summary of learnings or benefits gained by attendance. This will be determined prior to attendance.

13 Conference/Seminar Expenses

Council will cover the following expenses:

(a) Travel

- (i) Reimbursement of fuel costs as per ATO guidelines and criteria set in these guidelines;
- (ii) The cost of taxi or other transit fares to and from conference venues, hotels or other approved places;
- (iii) For interstate travel, required flights for the delegate (business or first-class tickets will not be eligible); and
- (iv) Where delegates desire to travel interstate by private motor vehicle, they will be reimbursed for actual receipts accommodation costs and vehicle costs (in accordance with the current Australian Taxation Office (ATO) rates) up to and including an amount equivalent to that which would have been expended had arrangements been made to travel by air.

(b) Accommodation

- (i) Accommodation costs for delegates for the duration of the conference, including allowing delegates to arrive the day prior to, and depart the day after, the conference where the start and finish times do not allow reasonable travel times on the day;
- (ii) Delegates are generally expected to stay at the conference venue unless that facility is fully booked, or alternative accommodation can be used at no additional (or significantly less) cost to Council; and
- (iii) In the event that a delegate wishes to extend their visit for personal reasons not associated with approved Council business, any extended stay is to be at the cost of the delegate.

(c) Registration

- (i) The registration fee of the delegate is payable in full by Council.

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(d) Incidental Expenses

- (i) An amount up to the maximum ATO applicable rates for food and drink will be reimbursed upon receipt of tax receipts; and
- (ii) Meals will not usually be recognised where meals are provided as part of the conference or seminar program.

(e) Care of Children or Other Dependents Expenses

- (i) Council will reimburse a Councillor for necessary, reasonable childcare expenses when attending Council meetings, workshops and Council attended events and attending to Council business;
- (ii) Where a licensed provider is used, payment will be made net of any government subsidy. No fees will be paid for care by a person who normally lives with the Councillor or is a member of the Councillors family; and
- (iii) Any claim for reimbursement must include a tax invoice/receipt which details:
 - Name, address and contact number of the provider;
 - Date and time of services, including number of hours;
 - The hourly rate paid; and
 - Details of the council event/business attended should be noted on the invoice.

(f) Partners Costs

- (i) Where additional costs are incurred for Councillors partners to attend functions, dinners, events or similar, these costs will be at the expense of the Councillor. For practicality in booking arrangements this may be undertaken by deduction from councillors' allowance or separate invoice to Councillors.

(g) Reporting

- (i) The total expenses claimed by each Councillor are reported in the Annual Report and periodically throughout the year as part of the Council agenda. The total expenditure report includes expenses claimed in accordance with these guidelines.

(h) Claims for Expenses

- (i) The following general guidelines will apply when claiming expense payments: -
 - Payment of expenses will be in arrears unless approval is given by the General Manager for payment in advance in extenuating circumstances;
 - Claims for any travelling expenses and reimbursement of out-of-pocket expenses incurred in accordance with these Guidelines should be made within one month from date incurred;
 - To claim out of packet expenses a Tax invoice/receipt **must** be provided, which includes date, time and GST;
 - Where a question arises as to whether a claim for reimbursement of expenses is eligible under these Guidelines, or the claim appears unreasonable or does not serve the interests of Council, the General Manager should refer the matter to the Council for decision and policy guidance; and
 - The General Manager should endeavour to refer the matter without disclosing the identity of the individual who submitted the claim.

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(ii) **Ongoing Professional Development**

- In accordance with the Councillor Declaration of Office, Councillors have a commitment to engage in ongoing Professional Development. Opportunities will be provided as part of workshops, however, should a councillor identify a professional development opportunity they must apply to the General Manager in writing outlining the benefits of the proposed training.
- Applications for training courses over the approved budget; over \$1000 or that require interstate travel will require a resolution of Council.
- Costs associated with forums, meetings, events or dinners will be covered by Council if Councillors are attending in official capacity, as the nominated representative of Council, subject to the discretion of the Mayor.
- Bookings for these activities must be made through the Executive Officer.

14.0 Recognition of Councillor Service

14.1 Council will formally recognise and acknowledge elected members following the completion of their time of service to Council through the provision of a token gift.

14.2 In addition, Council may also present Councillors upon their retirement or resignation, with a certificate or plaque of appreciation in recognition of their service to council and the community.