

Councillors Payment of Expenses and Provision of Facilities | POLICY – GC-CP-407



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TABLE OF CONTENTS

(TO BE INCLUDED)

PART A – INTRODUCTION

1. INTRODUCTION

The *Local Government Act 1993* (the Act) requires that a Council must adopt a policy concerning the payment of expenses incurred by, and the provision of facilities to, the Mayor and Councillors.

2. SCOPE

This policy applies to the Mayor and all Councillors of Griffith City Council. This policy is also relevant to NSW council administrators where applicable and with necessary modifications.

3. OBJECTIVES

3.1 To provide a framework encompassing the requirements of the Act for the payment of expense and provision of facilities to the Mayor and Councillors.

3.2 To ensure that there is accountability and transparency in the reimbursement of expenses incurred, or to be incurred by the Mayor and Councillors.

3.3 To provide adequate fair and equitable facilities for the payment or reimbursement of, expenses incurred by the Mayor, Deputy Mayor and Councillors appropriately and satisfactorily fulfil their role as responsive and responsible community representatives.

3.4 To provide a framework for Councillors to attend conferences to represent Council and any training sessions deemed appropriate for the education of each Councillor. This could include new legislation or refresher courses as deemed necessary.

4. IMPLEMENTATION GUIDELINES

4.1 All Councillors, including the Mayor are entitled to claim for reimbursement of reasonable expenses incurred in properly carrying out the duties of civic office as a Councillor.

4.2 All expenses should be directly and wholly attributable to the performance of the duties of civic office.

Councillors Payment of Expenses and Provision of Facilities | POLICY – GC-CP-407



4.3 Each expense claim is to be accompanied by appropriate documentation and/or certification from the Councillor as to its validity in terms of the Act.

4.4 The allocation of expenditure shall be via prior approval of Council. However, in the circumstances where the time factor does not allow prior authorisation by Council, then the General Manager and Mayor jointly have delegation, to approve such expenses.

4.5 A public record, open for scrutiny, is to be kept concerning all facilities provided to Councillors and of the total expenses reimbursed to Councillors.

5. APPROVAL ARRANGEMENTS

5.1 All expenses related to the exercise of Council-related business should only be incurred by Councillors in accordance with the provisions of this Policy.

5.2 Councillors may be nominated to attend conferences, seminars and similar functions by the Council through resolution duly taken.

5.3 However, when there is insufficient time for consideration by Council, the Mayor and the General Manager jointly have delegation to nominate Councillors to attend conferences, seminars and similar functions where the event is for a single day only (i.e. no overnight stay).

5.4 If the Mayor requires approval, it should be given jointly by the Deputy Mayor or another Councillor and the General Manager. In addition, the Mayor may nominate a substitute attendee in his or her stead for functions within the Council area or the general regional area on those occasions where the Mayor is unable to be in attendance.

6. ANNUAL FEES FOR MAYOR AND COUNCILLORS

6.1 Fees Payable to Councillors

The Council shall, prior to 30th June each year, set by resolution, the annual fees to be paid, monthly in arrears, to a Councillor for the following year commencing 1st July, provided that such fee shall be within the range for the Council determined annually by the Local Government Remuneration Tribunal. Such payment shall be subject to Section 254A of the Regulations and any specific resolution of the Council under Section 254A.

6.2 Fees Payable to the Mayor

The Council shall, prior to 30th June each year, set by resolution, the annual fee to be paid to the Mayor for the following year commencing 1st July provided that such fee shall be within the range for the Council determined annually by the Local Government Remuneration Tribunal. Council may only pay the Deputy Mayor part of the annual Mayoral fee where a Deputy Mayor demonstrably acts in the role of Mayor (section 249 of the Act). Such payment must only be done at the direction of Council and any amount paid to the Deputy Mayor must be deducted from the Mayor's Annual fee.

6.3 No Deduction under this Policy from Fees

Unless otherwise provided, (that is an agreement signed and approved by the individual Councillor), the payment of, or reimbursement of expenses and the facilities which may be provided under this Policy, shall be provided without reduction from the annual fees payable to the Mayor and Councillors, as determined by the Council, under this section

7. GENERAL CONDUCT

Councillors must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out their duties under the Local Government Act or any other Act. This is required under section 439 of the Local Government Act and reinforced in the Model Code of Conduct made under section 440.

8. PRIVATE & POLITICAL BENEFITS

8.1 Private Benefits

Councillors are not entitled to obtain private benefits from the provision of equipment, services and facilities, nor from travel bonuses such as frequent flyer schemes or any other such loyalty programs while on Council business.

It is acknowledged that incidental use of Council equipment and facilities may occur from time to time. Such incidental private use does not require a compensatory payment back to council.

In circumstances where other than incidental private use has occurred, the Local Government Act 1993 (Section 252) provides for Councillors fees to be reduced by an amount representing the private benefit to the Councillor. Councillors are required to report to the General Manager any significant private use of Council facilities immediately.

8.2 Political Benefits

Campaigns for re-election are considered to be a political benefit. Official council material such as letter head, publications, websites as well as council services and forums must be not be used for such personal interests. Situations in which the appearance may be given that these are being used for such purposes are also to be avoided (Code of Conduct clause 10.16)

The fundraising activities of political parties, including political fundraising events, are considered to be personal interests. Council will not pay expenses or provide facilities to councillors in relation to supporting and/or attending such activities and events.

9. DISPUTES

Any dispute of payment of expenses involving councillors are to be reviewed by the General Manager and Mayor. If the dispute involves the Mayor or General Manager, the matter is to be resolved by full Council at a Council meeting.

10. INTERNAL AUDITING CONTROLS

An audit of the expenses incurred by the Mayor and Councillors is to be included in the Internal Audit Strategic Plan and undertaken in the second and fourth year of each Council Office Term.

11. BREACHES

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

Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

PART B - PAYMENT OF EXPENSES

12. PROVISIONS

Beyond the facilities provided by Council to Councillors and the Mayor, it is expected that additional expenses will be incurred in the performance of Councillors' and the Mayor's civic duties. Accordingly, Council will provide annual allowances, together with reimbursement of approved expenses incurred in the performance of a Councillors' or Mayor's role.

No allowances or expenses other than those expressly contained in this policy are payable to the Mayor or Councillors.

13. GENERAL EXPENSES

General expenses are not allowed under the provisions of this policy. A general expense allowance is a sum of money paid by a Council to a Councillor to expend on an item or service that is not required to be receipted and/or otherwise reconciled according to a set procedure and within a specific timeframe.

14. MONETARY LIMITS

All expenses are allocated a monetary limit. The limit may reflect an actual limit or be an actual amount aligned to a monthly or annual limit. Refer to Appendix D for all Monetary Limits for Expenses, Equipment and Facilities.

15. LOCAL TRAVEL ARRANGEMENTS AND EXPENSES (WITHIN THE LGA)

Council will maintain an overall budget line item for Travel Expenses as is currently established. Expenses incurred by individual Councillors will be tracked against the overall budget line item. Totals for each individual Councillor will be disclosed as part of the Quarterly Financial Review of Council operations.

LIMIT: APPENDIX E

Councillors may claim expenses associated with reasonable travel expenses for travel relating to defined Council business within the Local Government area. Travel by Councillors should be undertaken by utilising the most direct route and most practicable and economic mode of transport subject to any personal medical considerations. A number of transport arrangements are available to Councillors:

Council Vehicle

A suitable vehicle or vehicles may be provided by the Council for use on official duties connected with the office of Councillor

Use of Private Motor Vehicle

A Councillor's registered and insured private vehicle may be used for official travel, but such usage must be approved jointly by the Mayor and General Manager prior to the journey. Where a private vehicle is used with appropriate approval, the Mayor or Councillor the claim is to be as follows:

1. If no Council vehicle was available to be utilised by the Mayor or Councillor then the claim is to be via the kilometre allowance (as provided by the Local Government State Award) at the date of travel. The travel must be via the most direct route

between the Councillor's place of residence within Griffith Local Government Area and the destination.

2. If a Council vehicle is available and Councillors elect to utilise their own vehicle (for example as they may be travelling on to an alternate location and not returning directly to Griffith) reimbursement will be by way of "actual" fuel receipts and not the set rate per kilometre method.
3. Participation in the Meals on Wheels program is deemed as a community service and travel expensed not be claimable.

Cab Charge

If approved jointly by the Mayor and General Manager, a Councillor may be issued with a cab charge card for use when on Council business, provided that at least one of the following conditions apply:

- when a Council vehicle is not reasonably available to provide such transport
- the provision of a vehicle would not be economical in the circumstances
- the councillor does not own a registered vehicle
- the Councillor is not a licensed driver

Incidental Expenses

Reasonable incidental expenses associated with attendance at a conference upon presentation of a claim and receipts for the following as defined in 2.5.5.4.

LIMIT: As per Appendix D – Incidental Expenses

16. TRAVEL ARRANGEMENTS & EXPENSES OUTSIDE THE LGA (INCLUDING INTRA AND INTERSTATE TRAVEL)

Total interstate, overseas and long distance intrastate travel expenses for all councillors will be capped at a maximum dollar amount per year. This amount will be set aside in Council's annual budget

LIMIT: APPENDIX E

Approval for travel outside the LGA for travel, accommodation and expense reimbursement must be granted prior to the travel and shall be given jointly by the Mayor or Deputy Mayor and the General Manager.

All travel by Councillors should be undertaken by utilising the most direct route and the most practicable and economical mode of transport subject to any personal medical considerations.

Where travel is by motor vehicle it should be undertaken by Council vehicle.

Where no Council vehicle is available Councillors may utilise their own vehicle (see section 2.8.2).

When attending official engagements and functions where the Councillor has been authorised by the Council to do so, or is deputising for the Mayor as an authorised Council delegate, at

Councillors Payment of Expenses and Provision of Facilities | POLICY – GC-CP-407



any conference as defined in this policy held outside the Griffith Local Government area, a Councillor may claim for approved use of a private motor vehicle.

If a Council vehicle is available and Councillors elect to utilise their own vehicle (for example as they may be travelling on to an alternate location and not returning directly to Griffith) reimbursement will be by way of “actual” fuel receipts and not the set rate per kilometre method.

Hire cars, taxi fares, tolls and parking costs which are reasonably required in attending conferences may also be claimed under this policy.

Air Travel

Travel by air must be to economy standard.

Prior approval for accommodation and incidental expenses incurred outside the LGA must be granted to obtain a reimbursement of expenses. The application must be made to the General Manager and should include full details of the travel, accommodation and expenses, including itinerary, costs and reasons for the travel.

Accommodation

Reasonable accommodation costs including the night before and/or after the conference or meeting where that is necessary due to travel and/or conference/meeting timetables.

LIMIT: As per Appendix D – Accommodation

Incidental Expenses

Incidental expenses associated with attendance at conferences, seminars or training courses may be reimbursed upon presentation of a claim form and appropriate receipts.

LIMIT: As per Appendix D – Incidental Expenses

17. DISALLOWED TRAVEL EXPENSES

The driver is personally responsible for all traffic or parking fines incurred while travelling in private or Council vehicles on Council business.

18. CONFERENCES AND SEMINARS

For the purpose of this policy, a conference or seminar is considered to be of a residential nature, with a program spanning more than one day. Workshops and training courses generally span a single day and are non-residential in nature.

Council will set aside a total dollar amount annually in its budget to facilitate councillor attendance at conferences and seminars. This allocation is for all councillors. The general manager will ensure that access to expenses relating to conferences and seminars is distributed equitably.

BUDGET: APPENDIX E

Attendance at Conferences and Seminars

Councillors Payment of Expenses and Provision of Facilities | POLICY – GC-CP-407



The Mayor and Councillors will be nominated and authorised to attend conferences by the Council, through resolution duly passed in open session at a Council Meeting.

A resolution of Council is not required for Councillors to attend seminars or conferences in the following circumstances:

- (i) During Council recess,
- (ii) Where a conference is for one day or less or does not involve an overnight stay, or
- (iii) Where there is insufficient time for consideration by the full Council

In the event of any of the above circumstances the Mayor jointly with the General Manager are to approve Councillors attendance at seminars or conferences.

Applicable Conferences

The conferences to which this Policy applies shall generally be confined to:

1. Annual conferences and special one-off conferences called or sponsored by any of the following Associations:
 - Local Government NSW
 - Australian Local Government Women's Association
 - Australian Local Government Association
 - National General Assembly of Local Government
 - Murray Darling Basin Authority
 - Australian National Roads and Transport Congress
 - Regional Capitals Australia
2. Annual conferences of the major professions in Local Government
3. Conferences, which further training and development efforts of the Council and of Councillors, or which relate to or impact upon the Council's functions
4. Conferences or meetings of organisations or bodies to which a Councillor has been elected, or appointed as a delegate or member of the Council, or the LGNSW, ALGWA, or ALGA
5. Attendance at any other type of conference or seminar would require the prior approval of the full Council.

Expression of Council's Viewpoint at Conferences

Where a viewpoint of Council may be sought at a Conference, the conduct of Delegates representing Council shall be governed as follows:

1. Where possible, Delegates should express only Council's viewpoint when representing Council
2. Where Council has not determined a viewpoint on any issue being raised at a Conference, or new information is provided, then the Delegate shall represent the best interests of Council

Registration, Travel and Accommodation Bookings

Delegates must, within 3 business days of the Council resolution authorising them as a delegate, contact Council to arrange for the relevant bookings to be made. Any special requirements which the delegate may have in relation to the conference, travel or accommodation are to be advised to Council at this time.

Registration, travel, accommodation bookings and confirmation of bookings for conferences and workshops will be coordinated through Council's Executive Services Unit.

Where payment is required up-front, delegates must provide to Council's Executive Services Unit a form of payment to meet those up-front costs:

- (a) an approved expense advance authorised by the Mayor and General Manager, or
- (b) valid credit card or bank detail.

Conference Costs

The Council shall pay or reimburse the Mayor or a Councillor:

Registration: All normal registration costs, including costs relating to official luncheons, dinners and tours/inspections which are relevant to the interests of the Council.

Accommodation: Reasonable accommodation costs including the night before and/or after the conference where that is necessary due to travel and/or conference timetables. Council should take advantage of any "corporate rates" at accommodation venues as secured by Conference organisers

LIMIT: As per Appendix D - Accommodation

Travel: All reasonable travel costs to and from the conference location and venue in accordance with the requirements for travel as outlined in this policy.

LIMIT: As per Appendix D – Travel

Incidental Expenses: Incidental expenses associated with attendance at conferences, seminars or training courses may be reimbursed upon presentation of a claim form and appropriate receipts. Incidental expenses include:

- (a) Any hotel/motel charges associated with the Conference, other than accommodation

LIMIT: As per Appendix D – Incidental Expenses

- (b) all telephone or facsimile calls or internet charges related to Council business;
- (c) reasonable lunches, dinners and other meals incurred whilst travelling to or from the Conference and other meals occurring during the Conference but not included in the conference registration fee;

LIMIT: As per Appendix D - Meals

- (d) incidental expenses, e.g. parking, motorway or bridge tolls, laundry and refreshments;
- (e) any optional activity in a conference program, but excluding any pre or post conference activities.

Report to Council

Attendance at any conference, seminar, training course or workshop shall be the subject of a report to Council outlining the major issues raised at the event and its relevance to the Griffith City Council with recommendations for further areas of investigation. This section does not apply to a Councillor's attendance at the annual conferences of the following associations:

- Local Government NSW
- Australian Local Government Women's Association
- Australian Local Government Association
- National General Assembly of Local Government
- Murray Darling Basin Authority
- Australian National Roads and Transport Congress
- Regional Capitals Australia

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

The delegate(s) must submit this report to Council within one calendar month of the conference.

The report to Council should be in writing and include the following sections:

- (a) The purpose / subject matter of the conference, including the reason for the attendance of the delegate
- (b) The agenda of the conference
- (c) Any items of interest to Council discussed at the conference
- (d) Recommendations for further areas of action or investigation

The written report should be provided to the General Manager as soon as practicable.

19. PROFESSIONAL DEVELOPMENT (WORKSHOPS AND TRAINING COURSES)

All councillors are entitled to attend workshops and training courses; however there is no obligation on any councillor to attend.

In the first year of a new council term, Council will provide a comprehensive induction program for all councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.

Council will maintain an overall budget line item for Professional Development as is currently established. Expenses incurred by individual Councillors will be tracked against the overall budget line item. Totals for each individual Councillor will be disclosed as part of the Quarterly Financial Review of Council operations.

Councillors Payment of Expenses and Provision of Facilities | POLICY – GC-CP-407



Seven days prior notice to any workshop must be given to Councillors in writing (electronic notification is also appropriate).

Costs associated with the attendance of a councillor at workshop or training courses may be claimed by the Councillor provided that the workshop or course is specifically related to the Councillor's civic duties and responsibilities.

Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the councillor's civic duties, the councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.

Attendance at Council Dinners, Functions and Events

Council will meet the cost of Councillors' attendance at Council Dinners, Functions and Events. The extent of the reimbursement in this section is limited to the cost of the function only. Refer to Appendix F.

Attendance at Non-Council Dinners, Functions and Events

Council will only meet the cost of Councillors' attendance at Non-Council Dinners, Functions and Events as detailed in Appendix F. The extent of the reimbursement in this section is limited to the cost of the function only.

A Councillor who is a member of a Council Committee and participating in a committee event is providing a direct benefit to Council.

Council will not pay expenses or provide facilities to councillors in relation to supporting and/or attending fundraising activities of political parties including political fundraising events as such events are considered to be personal interests.

20. SPOUSE, PARTNER AND ACCOMPANYING PERSONS' EXPENSES

Allowable Expenses for Accompanying Persons

Council shall meet the costs of registration and any official conference dinners of the Mayor's or Councillors' accompanying person in attending the following annual conferences:

1. Local Government NSW
2. Australian Local Government Association
3. National General Assembly of Local Government.
4. Murray Darling Basin Authority
5. Australian National Roads and Transport Congress
6. Regional Capitals Australia

All travel expenses, additional accommodation expenses, accompanying person tours and other sundry expenses incurred by the accompanying person shall be the personal responsibility of the individual Councillor.

Allowable Expenses for Person Accompanying the Mayor (or Councillor representing the Mayor) at:

- (a) Attendance at Council and Non-Council Dinners, Functions and Events within the Local Government Area

Costs incurred by a person accompanying the Mayor (or Councillor representing the Mayor) will be reimbursed for attending official Council and Non-Council Dinners, Functions and Events within the Griffith Local Government area. The extent of the reimbursement in this section is limited to the cost of the function only.

- (b) Attendance at Dinners Functions and Events outside the Local Government Area

Costs incurred by a person accompanying the Mayor (or Councillor representing the Mayor) will only be reimbursed when that person is invited to accompany the Mayor (or Councillor representing the Mayor) when the Mayor is called to attend an official function or perform a ceremonial duty on Council's behalf outside the Council area, but within the State. The extent of the reimbursement in this section is limited to the cost of the function only.

Examples could include charitable functions and other functions or award ceremonies to which the Mayor has been invited to represent the council. Expenses will be reimbursed in accordance with the Policy.

Disallowed Expenses for Accompanying Persons

Council will not meet expenses associated with the attendance of an accompanying person at:

1. Attendance at any conference or event not noted in section 1 above
2. Any event or function outside the Council area, including interstate and overseas (with the exception of attendance at annual conferences of those bodies noted above)

22. OVERSEAS TRAVEL INCLUDING SISTER CITY TRIPS

Overseas travel must be approved by a meeting of the full Council prior to a Councillor undertaking the trip. Travel must be approved on an individual trip basis.

Detailed proposals for overseas travel should be developed and included in Council business papers. These proposals shall include nomination of the Councillors undertaking the trip, the purpose of the trip and expected benefits. The duration, itinerary and approximate total costs of each proposed visit should also be provided.

After returning from overseas, Councillors will provide a detailed written report to Council on the aspects of the trip relevant to Council business and/or the local community. Councillors are also required to report back on their overseas travel to a full meeting of Council.

The Business Development and Major Projects Management Committee is the committee that oversees the Sister City Relations within Council.

Councillors Payment of Expenses and Provision of Facilities | POLICY – GC-CP-407



The Business Development and Major Projects Management Committee is to make recommendations to Council in relation to:

1. Determinations on validity of trips based on the International Relations Positioning Statement (Griffith City Council) and the application of the Guidelines for Payment of Expenses for Mayors and Councillors published by the Office of Local Government in October 2009.
2. In making any recommendation particular regard is to be given to guideline 2.3.3 Travel (Office of Local Government - Guidelines for Payment of Expenses and Provision of Facilities for Mayors and Councillors NSW - October 2009) i.e. "Council should avoid international visits unless direct and tangible benefits can be established for the council and the local community".
3. Nomination of any councillor for funding to undertake overseas travel should be based on the councillor demonstrating an ability to achieve direct and tangible outcomes for the community during the trip (expenses to be covered include economy class airfare, standard hotel rooms, meals and incidentals such as internal travel).
4. Councillors are selected by the Business Development and Major Projects Management Committee and endorsed by Council on criteria based around the trip, such as language, business credentials, authority etc. Normally it will be expected that the council will have established business contacts in the field that it is planned to benefit from the initiative, or produce evidence of a chain of business contact sufficient to encourage a reasonable expectation that a direct and tangible benefit will result from the councillor undertaking the trip.

23. CARE AND OTHER RELATED EXPENSES

Council will reimburse a Councillor's costs for care arrangements including childcare expenses and the care of elderly, disabled and/or sick immediate family members to allow the Councillor to undertake their business obligations.

Council will maintain an overall budget line item for Care Expenses. Expenses incurred by individual Councillors will be tracked against the overall budget line item. Totals for each individual Councillor will be disclosed as part of the Quarterly Financial Review of Council operations.

Payment for other related reasonable expenses associated with the special requirements of councillors such as disability and access needs to allow performance of normal civic duties and responsibilities is allowable under this section under Clause 1.6.12 of the Department of Local Government Guidelines For the Payment of Expenses and Provision of Facilities for Mayors and Councillors in NSW (the Guidelines)

Expense claims for reimbursement are to be accompanied by an itemised receipt.

LIMIT: As per Appendix D – Care and other Expenses

24. LEGAL AND INSURANCE EXPENSES FOR MAYOR AND COUNCILLORS

Subject to conditions as identified in , legal assistance will be provided to the Mayor and Councillors in the event of an enquiry, investigation or hearing, into the conduct of a Councillor by:

1. the Independent Commission Against Corruption;
2. Office of the Ombudsman;
3. Office of Local Government;
4. the Police;
5. the Director of Public Prosecutions; or
6. the Local Government Pecuniary Interest Tribunal
7. the Council Conduct Review Panel

Legal assistance will be provided to the Mayor and Councillors where the subject of the inquiry, investigation or hearing arises from the performance in good faith of a councillor's duties 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. Council, by resolution, may reimburse the Mayor and such Councillor, after the conclusion of the enquiry, investigation, hearing or proceeding, for all legal expenses properly and reasonably incurred, given the nature of the enquiry, investigation, hearing or proceeding, on a solicitor/client basis.

25. CONDITIONS FOR PROVISION OF LEGAL EXPENSES

Legal assistance and reimbursement as specified above will only be provided upon resolution of the Council and subject to the following conditions:

1. the amount of such reimbursement shall be reduced by the amount of any moneys that may be or are recouped by the Mayor or Councillor on any basis
2. the enquiry, investigation, hearing or proceeding results in a finding substantially in favour of the Mayor or Councillor
3. the amount of such reimbursement is limited to the equivalent of the fees being charged by Council's Solicitors.
4. the legal costs have not arisen from legal proceedings initiated by a councillor under any circumstance.
5. the legal costs have not arisen from a councillor seeking advice in respect of possible defamation or in seeking a non-litigious remedy for possible defamation.
6. legal costs will not be met for legal proceedings that do not involve a councillor performing their role as a councillor

26. INSURANCE EXPENSES AND OBLIGATIONS

The Mayor and Councillors will receive the benefit of insurance cover to the limit specified in Council's insurance policies.

COUNCILLORS AND OFFICER LIABILITY

Council provides indemnity to any person who was, is presently, or in the future becomes an elected member of Council, or a Committee Member of a legally constituted committee under

the Local Government Act 1993, in the event of personal litigation being instigated against them for any action arising whilst that person was exercising their duty.

(a) Professional Indemnity

Provides indemnity to an individual against litigation resulting from the exercise of their official professional duties.

(b) Statutory Liability

Provides indemnity for fines and penalties arising out of the conduct of the business of Council.

(c) Personal Accident:

Provides for the payment of non-medical expenses and the loss of wages resulting from an accident whilst on official business for Council and a capital payment if the accident resulted in death. This cover extends to Councillors and their partners whilst on official business of Council.

PART C: PROVISION OF FACILITIES

27. General Provisions

It is recognised that Councillors and the Mayor have specific needs to meet the demands of civic office. Accordingly, Council will provide facilities to Councillors, together with additional exclusive facilities for the Mayor's use, to allow all Councillors to perform their duties.

All equipment and furniture provided under this section shall always remain in the possession of the Councillor during his/her term of office, and shall remain the property of the Council and returned to the Council in good operational order and condition upon ceasing to be an elected member of the Council.

Such provision of facilities shall be subject to Section 254A of the Act and any specific resolution of the Council under Section 254A of the Act.

The Code of Conduct makes provision about the use of council resources to ensure that councillor expenses and facilities are not used inappropriately. The Code of Conduct provides that council resources must be used ethically, effectively, efficiently, and carefully. Council property including intellectual property, official services and facilities must be not misused by any person or body for private benefit or gain. Councillors must also avoid any action or situation that could create the appearance that council resources are being used inappropriately (Clauses 10.12-10.14 and 10.15).

28. Provision of Equipment and Facilities for Councillors

Council will provide the following facilities and administrative support to Councillors to assist them in the effective discharge of their civic duties. The provision of such equipment will be of a standard deemed by the General Manager as appropriate for this purpose.

29. Monetary Limits for Provision of Equipment and Facilities

Provision of equipment and facilities are allocated a monetary limit where applicable. The limit may reflect an actual limit or be an actual amount aligned to a monthly or annual limit. Refer to Appendix D for all Monetary Limits for Expenses, Equipment and Facilities. Councillors must adhere to prescribed limits unless otherwise approved by the Mayor or General Manager

The following facilities will be made available to all Councillors:

30. REFRESHMENTS

Reasonable refreshments will be provided at Council meetings and workshops, and meetings of the Mayor or Councillors with Parliamentary representatives, visiting dignitaries and other delegations. Refreshments be set as per the budget provided for Civic Receptions on an annual basis.

LIMIT: As per Appendix D – Refreshments

31. STATIONERY

Each Councillor will be provided with a reasonable amount of appropriate stationery to carry out their civic duties, including but not limited to:

1. Mayoral and Councillor Letterhead stationery and envelopes (Crest letterhead with "From the Office of the Mayor and Councillors" typed in header).
2. Name badges
3. Business cards
4. Writing pads and pens
5. Paper and consumables for printers and fax machines
6. Postage Stamp
7. Christmas and festive cards

LIMIT: As per Appendix D – Stationery

32. CORPORATE DRESS

Each Councillor will be supplied with two Griffith City Council neckties or scarves, and if requested, a corporate sports coat.

LIMIT: As per Appendix D – Corporate Dress

33. SECRETARIAL SUPPORT

Reasonable secretarial/clerical support will be provided to Councillors during normal office hours for work directly related to the duties of office.

34. COMPLIMENTARY TICKETS

No complimentary tickets will be provided to Councillors for attendance at any Council operated facility other than for official functions as detailed in Appendix F.

35. OFFICE EQUIPMENT

Councillors will be provided with reasonable access to the photocopier and facsimile machine in the Council during normal office hours for work directly related to the duties of office.

36. INFORMATION AND COMMUNICATION TECHNOLOGY

Council will maintain an overall budget line item for Information and Communication Expenses as is currently established. Expenses incurred by individual Councillors will be tracked against the overall budget line item. Totals for each individual Councillor will be disclosed as part of the Quarterly Financial Review of Council operations.

37. Communications Technology

Council will reimburse reasonable telephone calls (landline and mobile) and facsimile costs associated with the execution of Councillors' civic duties. Expense claims for reimbursement are to be accompanied by an itemised bill, with usage relating to Council business highlighted.

LIMIT: As per Appendix D – Communications Technology

Councillors will be supplied with an iPad set up to enable internet access, emailing and processing of correspondence and access to Council business papers, minutes, policies and other Council records. All requisite software will be installed on that device.

Councillors will be allocated each month, 8GB of data (3/4G). Notification to the device will be provided if the monthly allocated data limit is being reached or exceeded

Councillors will also be supplied with a printer upon request.

There is no provision for Councillors to produce and disseminate personalised pamphlets, newsletters and the like.

LIMIT: As per Appendix D – Information Technology

38. PROVISION OF ADDITIONAL FACILITIES FOR THE MAYOR

In addition to the facilities provided to all Councillors, Council will provide a number of specific facilities to the Mayor.

38.1 Vehicle

A suitable vehicle will be made available to the Mayor (at the same level as provided to the General Manager) with all associated expenses (fuel, insurance, registrations and maintenance) to be met by Council. The vehicle is for use by the Mayor for all official, executive and social duties connected with the Office of the Mayor, accounting for some private and personal use in accordance with the provisions of Clause 3.4.2.

38.2 Log Book

A log book must be kept for a 12 week period recording all private usage and submitted to Council by the Mayor within 12 months of his/her election. If private usage is greater than 25% of the vehicle use the kilometres greater than 25% will be reimbursed to Council as considered significant private use. The reimbursement will be per ATO travel guidelines.

1) Council Owned Vehicle – based on the three month log a monthly invoice will be sent to the Mayor for the estimated monthly kilometres greater than 25% of the vehicle use (significant private use).

2) Annual Amount for Private Motor Vehicle Owned by the Mayor – based on the three monthly log kept by the Mayor, the Mayor's monthly payment for the provision of the motor vehicle will be reduced every month by the estimated monthly kilometres greater than 25% of the vehicle use (significant private use).

38.3 Physical Impairment Causing Use Of Private Vehicle For Mayoral Duties

Clause 1.6.12 of the Department of Local Government Guidelines for the payment of expenses and provision of facilities for Mayors and Councillors in NSW (the Guidelines) provides that policies should take into account of and make reasonable provision for the special needs of councillors to maximise participation in the civic duties and business of council, including provision for councillors with disabilities.

With this principle in mind the following is to be provided to the Mayor in the event that the Mayor determines to utilise his/her own private disabled modified vehicle in lieu of utilising a Council provided vehicle:

Should the Mayor choose not to utilise the Mayoral vehicle, Council will pay an annual amount of \$15,000 (indexed annually to the transportation CPI index) payable monthly to the Mayor, to utilise his/her own private vehicle. This represents the cost to Council of the use and maintenance of the vehicle.

This amount is based upon on the annual cost to Council of providing a Mayoral vehicle (which is at the same level as the General Manager) as assessed by Council's Fleet Services Manager less the estimated cost of private use (assessment 2008 see Appendix E).

38.4 Refreshments

Reasonable provision of refreshments for the Mayor's Office and Civic and Mayoral Receptions.

LIMIT: As per Appendix D – Refreshments

38.5 Mobile Telephone

The Mayor will be provided with an appropriate mobile telephone and/or communications device for use in relation to official duties of the office of Mayor.

LIMIT: As per Appendix D – Communication Technology

38.6 Corporate Credit Card

Councillors Payment of Expenses and Provision of Facilities | POLICY – GC-CP-407



The Mayor will be provided with a Corporate Credit Card for Council related business pursuant to the provisions of this Policy to a maximum monthly amount.

LIMIT: As per Appendix D – Corporate Credit Card

38.7 Secretarial Support

The Mayor will be provided secretarial support, including telephone and reception duties, word processing and the organisation of receptions.

39. ACQUISITION AND RETURN OF FACILITIES AND EQUIPMENT BY COUNCILLORS

The property provided to Councillors remains the property of Council. Councillors must return all the property promptly on completion of the term of office, extended leave of absence, at any time at the request of the General Manager or at the cessation of their civic duties. Failure to return information technology items within the required timeframe will result in the items being remotely disabled and disconnected.

Councillors may purchase Council equipment previously allocated to them at the cessation of their duties or when equipment is to be replaced. The sale of such equipment should be at a fair market price or written down value, whichever is the higher.

40. GIFTS OR BENEFITS

The Council Policy “GC-CP-414 Gifts & Benefits” provides instruction for Councillors in regard to managing offers of gifts and benefits and is designed to appropriately guide whether an offer of a gift or benefit should be refused or accepted, and if accepted, how to manage that acceptance. Fundamental to this policy is the “Gifts and Benefits Declaration Form” and the “Gifts and Benefits Register” for the declaration and recording of the management of offers of gifts or benefits.

In circumstances where it is appropriate for councillors to give a gift or benefit (for example, on a council business related trip or when receiving visitors), these gifts and benefits should be of token value and in accordance with Council’s Code of Conduct (GC-CP-404). For clarification on what token gifts and benefits are see the Code of Conduct Part 5.

PART D: PROCESSES

41. TIME LIMIT FOR CLAIMING EXPENSES

Councillors are required to submit their application for reimbursement of expenses within 60 days of the date of the expense.

42. REIMBURSEMENT AND RECONCILIATION OF EXPENSES

Expenses will be reimbursed to Councillors only where they have been incurred in accordance with this policy.

A Councillors Claim for the Reimbursement of Expenses Form must be prepared and signed by the Councillor and submitted for approval within the time limit (Appendix A, B or C)

Supporting documentation must accompany each expense claim and constitutes:

1. Receipts for travel, accommodation, registration and other incidental costs
2. Conference timetables
3. Travel itineraries or booking confirmations
4. Receipts for all other expenses incurred by Councillors under this Policy

Incidental expenses may not require specific receipts provided it can be demonstrated that the expenditure was incurred and it is not general in nature. Where receipts are not required it would be appropriate for Councillors to certify that the expenditure was for the purpose intended.

The level of the supporting documentation should be commensurate with the nature of the expenditure i.e. parking, tolls, refreshments and the like may only require a signed statement listing the payments,

Completed expense claim forms are to be submitted to the General Manager through the Mayor's Executive Assistant. On approval of the expense claim, reimbursement will be processed and deposited into the Councillors nominated bank account.

43. PAYMENTS IN ADVANCE

Councillors may request payment in advance in anticipation of expenses to be incurred in attending conferences, seminars and training away from home, as well as any other service or facility covered by this policy.

A completed Expense claim form is required, including supporting relevant documentation. The expense claim form is required to be completed to account for the advance payment and any excess to be repaid or deficit to be reimbursed. Where an excess of advance over actual expenses is recorded, cash or cheque repaying the excess advance must accompany the claim when it is submitted.

44. PUBLICATION

This policy will be published on council's website.

Actual expenses incurred by Councillors will be reported through the Quarterly Financial Review Process

Councillors Payment of Expenses and Provision of Facilities | POLICY – GC-CP-407



45. REPORTING

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

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

46. DEFINITIONS

<i>accompanying person</i>	Means a spouse, partner or de facto or a person with a close personal relationship to the Councillor and/or provides carer support to the Councillor
<i>council dinners, functions and events</i>	Events, meetings, dinners, functions, or similar occasions when organised by Griffith City Council. Councillors attending a Council Dinner, Function or Event will be entitled to claim reimbursement of expenses in accordance with this policy.
<i>non-Council Dinners, Functions and Events</i>	Events, meetings, dinners, functions, or similar occasions (not being a conference) when organised outside of Griffith City Council. Payment of expenses for Councillors attending a non-Council Dinner or non-Council Event will be subject to Appendix F of this policy.
<i>The Act</i>	Means the Local Government Act 1993 (as amended)
<i>Conference</i>	Shall mean any conference, seminar, congress, forum, meeting, deputation, or event related to the industry of local government and held within Australia. A conference is generally considered residential in nature, with a programme spanning more than one day
<i>the Regulation</i>	Means the Local Government (General) Regulation 2005
<i>seminar</i>	See definition of Conference, above
<i>workshop, training course</i>	For the purpose of this policy, workshops and training courses span a single day and are non-residential in nature
<i>Mayor</i>	Means the elected mayor, or the deputy mayor acting in the position of mayor in the mayor's absence.
<i>Expenses</i>	Payments made by the council to reimburse councillors for reasonable costs or charges incurred or to be incurred for discharging their civic duties. Expenses must be outlined in a council's policy and may be either reimbursed to a councillor or paid directly by a council for something that is deemed to be a necessary expense to enable them to perform their civic duties. Expenses are separate and additional to annual fees.
<i>facilities</i>	Equipment and services that are provided by councils to councillors to enable them to perform their civic duties with relative ease and at a standard appropriate to their professional role as councillors.

Councillors Payment of Expenses and Provision of Facilities | POLICY – GC-CP-407



<i>official duties of civic office/civic duty</i>	Duties that councillors are required to undertake to fulfil their legislated role and responsibilities for the council that should result in a direct benefit for the council and/or for the local government area.
<i>role of a Councillor</i>	Refer to Section 232 of the Local Government Act

47. LEGISLATION , GUIDANCE AND OTHER RELATED POLICIES

1. Local Government Act 1993, Sections 252 and 253

S.252 *Payment of expenses and provision of facilities*

(1) *Within the first 12 months of each term of a council, the council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, 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.*

S.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) *(Repealed)*

(5) *A council must comply with this section when proposing to adopt a policy in accordance with section 252 (1) even if the council proposes to adopt a policy that is the same as its existing policy.*

2. Local Government (General) Regulation 2005, Clauses 217 and 403

3. Office of Local Government - Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2009

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

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

6. Griffith City Council Code of Conduct

Policy History

Revision Number	Date of Adoption/Amendment	Minute Number
1	17/09/02	729
2	14/01/03	25
3	24/05/05	0172
4	0260	14/08/07
5	0394	30/09/08
6	0297	22/09/09

Councillors Payment of Expenses and Provision of Facilities | POLICY – GC-CP-407



7	11/05/10	0139, 142
8	13/7/10	0239
9	23/11/10	0398
10	12/07/11	0219
11	27/03/12	0086
12	11/12/12	0356-0365
13	23/11/13	0374-0388
14	11/11/14	393
15	11/09/15	15/241 11/08/2015
16	25/11/2016	16/307 25/10/2016

Councillors Payment of Expenses and Provision of Facilities | POLICY – GC-CP-407



APPENDIX A

REIMBURSEMENT OF EXPENSES – COUNCILLORS CLAIM FORM

Councillors Name: _____

Claim for expenses incurred during a trip to

.....for

.....

between the dates

Attendance fee \$.....

Travel \$.....

Accommodation \$.....

Meals \$.....

Total Claimed \$.....

Note: All invoices / receipts are to be attached to this return)

Councillor's signature:.....

RECEIPT

I acknowledge receiving the sum of \$..... for the above claim.

Signature of Councillor: _____

Date: _____

Note: Councillors are required to submit their application for reimbursement for expenses within 60 days of the date of the expenses being incurred (Refer Clause 2.3.2 Time Limit for Claiming Expenses).

OFFICE USE ONLY

Has this event/meeting been declared by the Mayor and General Manager as an authorised event?

☐ Yes Authorised by: _____

☐ No Date: _____

APPENDIX B

TRAVEL CLAIM FORM - COUNCILLORS

Councillors Name: _____

Claim for travelling expenses for attending

_____ Event/ Meeting

held on _____

Distance travelled: _____

Vehicle & amount claimed:

(In accordance with the Local Government State Award)

☐ Under 2.5 litre @ *¢ per kilometre = \$

☐ Over 2.5 litre @ *¢ per kilometre = \$

(please tick correct vehicle)

Signature of Councillor: _____

Date: _____

* As per Local Government State Award Monetary Rates

Note: Councillors are required to submit their application for reimbursement for expenses within 60 days of the date of the expenses being incurred (Refer Clause 2.3.2 Time Limit for Claiming Expenses)

OFFICE USE ONLY

Has this event/meeting been declared by the Mayor and General Manager as an authorised event?

☐ Yes Authorised by: _____

☐ No Date: _____

APPENDIX C

COUNCILLORS CLAIM FOR THE REIMBURSEMENT OF INCIDENTAL EXPENSES

Councillors Name: _____

Claim for expenses between the dates.....and.....
for.....

Expense Description:\$.....

Expense Description:\$.....

Expense Description:\$.....

Expense Description:\$.....

Expense Description:\$.....

TOTAL CLAIMED	\$
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Signature of Councillor: _____

Note: All invoices / receipts are to be attached to this return)

RECEIPT

I acknowledge receiving the sum of \$..... for the above claim.

Signature of Councillor: _____

Note: Councillors are required to submit their application for reimbursement for expenses within 60 days of the date of the expenses being incurred (Refer Clause 2.3.2 Time Limit for Claiming Expenses)

OFFICE USE ONLY

Has this event/meeting been declared by the Mayor and General Manager as an authorised event?

☐ Yes Authorised by: _____

☐ No Date: _____

Councillors Payment of Expenses and Provision of Facilities | POLICY – GC-CP-407



APPENDIX D

MONETARY LIMITS

NB: Meal, Travelling and other Allowances are consistent with Table 1 of NSW Crown Employees (Public Service Conditions of Employment)

Doc Ref	Section Name	Expenses Type	At Cost	Limit Amount	Comment
	Refreshments	Civic Receptions			As per Civic Receptions Annual Budget
	Refreshments	Meetings			
	Stationery	Letterhead, business cards, envelopes, printer paper		Reasonable amounts	Tally maintained per Councillor for inspection
	Corporate Dress -	Council Ties/Scarves		Each Councillor supplied with 2 GCC ties or scarves	
		Blazer		Corporate Blazer up to value of \$250	To be purchased from a local retailer.
	Information and Communication Technology	iPad	Actual	Supplied	GCC IT Department to approve model for compatibility & purchase price
		Printer	Actual	Reasonable value on request	GCC IT Department to approve model for compatibility & purchase price
		Data (3/4G)		8GB per month	Device receives notification when limit about to be reached or exceeded.

Councillors Payment of Expenses and Provision of Facilities | POLICY – GC-CP-407



		Mobile Phone (Mayor)	Actual	Mayor provided for official duties	GCC IT Department to approve model for compatibility & purchase price
		Telephone Calls (include mobile and landline)	Actual up to monthly limit	\$30 per month - Mobiles \$10 per month - Landline	
	Incidental and/or Out of Pocket Expenses incurred during Conferences and Seminars and for travel outside the LGA		Actual up to daily limit of \$100	\$100 day	<p>Expenses in this category may include:</p> <ul style="list-style-type: none"> • Reasonable telephone, facsimile or internet usage related to Council business • Parking • Tolls • Laundry • Refreshments • Any optional activity in a conference program (but excluding any pre or post conference activities) <p>Expenses not reimbursed in this category</p> <ul style="list-style-type: none"> • Alcohol not consumed as part of a meal

Councillors Payment of Expenses and Provision of Facilities | POLICY – GC-CP-407



	Sustenance	Meal	Actual up to daily limit of \$120	Breakfast \$27.05 Lunch \$30.45 Dinner \$51.85	<ul style="list-style-type: none"> Reasonable lunches, dinners and other meals incurred whilst travelling to or from a Conference Other meals during a Conference but not included in registration fees Meals incurred during travel outside the LGA
	Accommodation	Accommodation	Actual up to daily limit	\$313.70 per night	Sydney
				\$296.70 per night	Canberra
				2. \$272.70 per night	2. High Cost Country (Wagga, Wollongong etc)
				3. \$252.95 per night	3. Country (Albury, Goulburn etc)
	Travel	Air Travel	Economy	Actual within reason	Travel arrangements must be approved by the Mayor
		Rail Travel		Actual within reason	
		Taxi		Actual within reason	
		Bus		Actual within reason	
		Parking		Actual within reason	
		Road Tolls, Parking	Actual up to daily limit	Up to \$100 per day	
	Use of Private Motor Vehicle	Payment	Per km allowance	Claim as per km allowance as set by LG State Award at date of travel	Only of Council vehicle not otherwise available
		Road Tolls, Parking	Actual up to daily limit	Up to \$100 per day	

Councillors Payment of Expenses and Provision of Facilities | POLICY – GC-CP-407



	Care and Other Related Expenses		Actual up to annual limit	\$2,000 per annum per Councillor	
	Legal Assistance for Mayor and Councillors		Cost of Service	As determined by Council Resolution	
	Spouse & Partner Expenses		Actual		
	Mayoral Vehicle		Actual		Same level as General Manager
	Mayoral Corporate Credit Card		Actual	\$5,000 per month	

Councillors Payment of Expenses and Provision of Facilities

POLICY – GC-CP-407



APPENDIX E:		
Expense or facility	Maximum amount (as per 2017/18 adopted Budget)	Frequency
General travel expenses	\$10,000 total for all councillors	Per year
Interstate, overseas and long distance intrastate travel expenses and Conferences and seminars	\$14,500 total for all councillors	Per year
Accommodation and meals	As per the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, adjusted annually	Per meal/night
Professional development	\$8,000 total for all councillors	Per year
ICT expenses	\$6,000 total for all councillors (IT equipment) \$8,000 total for all councillors (Phone & Data)	Per year
Carer expenses	\$ (Currently nil) total for all councillors	Per year
Home office expenses	\$1,500 total for all councillors	Per year
Access to facilities in a Councillor common room	Provided to all councillors	Not relevant
Council vehicle and fuel card	Provided to the mayor	Not relevant
Reserved parking space at Council offices	Provided to the mayor	Not relevant
Furnished office	Provided to the mayor	Not relevant
Staff supporting Mayor and Councillors	Provided to the mayor and councillors	Not relevant

(This Table as per the suggested OLG Template)

GENERAL MANAGERS COMMENT:

It is recommended that Council not allocate a budget amount per Councillor. It is understood that Councillors wish to have transparency in Councillor expenses, however, allocating a line budget per item per Councillor does nothing to achieve transparency and could in fact, hinder good governance.

Council will maintain an overall budget line item for Expenses and Facilities as is currently established. Expenses incurred by individual Councillors will be tracked against the overall budget line item. Totals for each individual Councillor will be disclosed as part of the Quarterly Financial Review of Council operations.

Councillors Payment of Expenses and Provision of Facilities

POLICY – GC-CP-407



APPENDIX F -

	Payment of Mayor attendance at Council and non-Council Dinners, Functions and Events	Payment of Councillors attendance at Council Dinners, Functions and Events	Payment of Councillors attendance at non-Council Dinners, Functions and Events	Attendance at non-Council Dinners, Functions and Events to be determined on an individual basis by the Mayor and General Manager	Attendance at non-Council Dinners, Functions and Events to be determined via report to the Ordinary Meeting of Council
Council Dinners, Functions and Events (includes Council Committee events) (Examples - FOG Italian Long Table Dinner, Australia Day, Freeman of the City Dinners, Facility Gala Events)	✓	✓			
Events which have been part-funded or part-sponsored by Council (Examples - Cycle Club Dinner, Inland Tourism Awards Dinner)	✓		✓		
Annual events organised by local Service Clubs, Not-for-Profit organisations, schools, charities (Example - Changeover Dinners, Don Mackay Churchill Fellowship, Salami Festival, Abruzzo Luncheon, School Presentations Days/Nights)	✓				
Other events organised by local Service Clubs, Not-for-Profit organisations, Schools, Charities (Examples - Charter Nights)	✓			✓	
Events Councillors are invited to outside of the Griffith LGA (Examples - Sir John Monash Dinner Jerilderie, SIRENS Fundraising Events)	✓			✓	

Councillors Payment of Expenses and Provision of Facilities

POLICY – GC-CP-407



Official openings of local landmarks and facilities (Sikh Temple, Monument Unveilings)	✓		✓		
Political Party Fundraising Events					

APPENDIX G

Assessment of Motor Vehicle amount for Mayor

An assessment of the annual cost of providing a Mayoral vehicle was conducted by the Fleet Services Manager in 2008. This assessment concluded the annual cost to Council of providing this type of vehicle is \$20,000 per annum and the initial amount of \$15,000 factors in a calculation of 75% Council use and 25% private use in accordance with Section 252(2) of the Act.

If the private use of the Mayor's vehicle exceeds 25% of the total usage of the vehicle the Mayor is required to report this to the General Manger in accordance with Clause 1.10 of this policy and the Mayor will be charged the difference accordingly.

The method of doing this will be via a log book (per Section 2.3.1B) maintained by the Mayor for a 12 week period within the first 12 months of being elected into the role of Mayor.