

# Councillor Expenses and Facilities Policy

April 2025



City of  
Newcastle

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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 2005* (the Regulation), and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The policy sets out the maximum amounts City of Newcastle (CN) 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 provided at Annexure C. All monetary amounts are exclusive of GST.

## Part A – Introduction

### 1. Introduction

- 1.1. The provision of expenses and facilities enables councillors to fulfil their civic duties as the elected representatives of CN.
- 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. CN staff 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 CN's statutory responsibilities.

### 3. Principles

- 3.1. CN commits to the following principles:
  - **Proper conduct:** councillors and CN staff acting lawfully and honestly, exercising care and diligence in carrying out their functions.

- **Reasonable expenses:** providing for councillors to be reimbursed for expenses reasonably incurred as part of their role as councillor.
- **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor.
- **Equity:** there must be equitable access to expenses and facilities for all councillors.
- **Appropriate use of resources:** providing clear direction on the appropriate use of CN 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 CN 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 CN.
- 4.4. Councillors should avoid obtaining any greater private benefit from CN than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of CN facilities does occur, councillors must reimburse CN.
- 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 CN resources and equipment for campaigning
  - use of official CN letterhead, publications, websites or services for political benefit
  - fundraising activities of political parties or individuals, including political fundraising events.

## 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.
- 5.2a CN will only pay up to the Maximum Limit for expenses incurred where detailed and provided for within this Policy.
- 5.2b The Maximum Limit for which a councillor may be reimbursed for specific expenses is to be increased in line with the rate peg each year.

### 6. Specific expenses

#### General travel arrangements and expenses

- 6.1. All travel by councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.2. Each councillor and the Lord Mayor may be reimbursed up to a total amount provided at Annexure C, for travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW. This includes reimbursement:

- for public transport fares
  - for the use of a private vehicle or hire car
  - for parking costs for Council and other meetings
  - for tolls
  - by Cabcharge card or equivalent
  - for documented ride-share programs, such as Uber, where tax invoices can be issued.
- 6.2a Councillors will be provided with access to a CN fleet vehicle for travel when undertaking official business, professional development or approved conferences/ seminars subject to approval in accordance with section 11. Where a CN fleet vehicle is not available, Councillors may make a claim under clause 6.2.
- 6.3. Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the Local Government (State) Award.
- 6.4. Councillors seeking to be reimbursed for use of a private vehicle must keep a log book recording the date, distance and purpose of travel being claimed. Copies of the relevant log book contents must be provided with the claim.

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

- 6.5. [Omitted].
- 6.6. In accordance with Section 4, Council will scrutinise the value and need for councillors to undertake overseas travel. Councillors should avoid interstate, overseas and long distance intrastate trips unless direct and tangible benefits can be established for CN and the local community. This includes travel to sister and friendship cities.
- 6.7. Total interstate, overseas and long distance intrastate travel expenses for all councillors will be capped at a maximum amount per year, provided at Annexure C. This amount will be set aside in CN's annual budget.
- 6.8. Councillors seeking approval for any interstate and long distance intrastate travel must submit a case to, and obtain the approval of, the CEO prior to travel.
- 6.9. Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of the elected Council via resolution, prior to travel. Any travel expenses incurred overseas will be paid in accordance with the resolution of the elected Council and eligibility under this Policy.
- 6.10. The case should include:
- objectives to be achieved in travel, including an explanation of how the travel aligns with current CN priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the councillor's civic duties
  - who is to take part in the travel
  - duration and itinerary of travel
  - a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
- 6.11. For interstate and long distance intrastate journeys by air of less than three hours, the class of air travel is to be economy class.
- 6.12. For interstate journeys by air of more than three hours, the class of air travel may be premium economy.
- 6.13. For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 6.14. Bookings for approved air travel are to be made through the Councillor Services Team.
- 6.15. 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.

- 6.15a Subject to the approving resolution of Council, it is expected that within a reasonable period of returning from Official Business overseas, the Lord Mayor and/or Councillor will submit a report to, or briefing to, the elected Council outlining the relevance of the trip to CN and the local community. The CEO will determine the appropriate method for communicating the report to the elected Council and local community.

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

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

### **Accommodation and meals**

- 6.17. In circumstances where it would introduce undue risk for a councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the CEO. This includes where a meeting finishes later than 9.00pm or starts earlier than 7.00am and the councillor lives more than 50 kilometres from the meeting location.
- 6.18. CN will reimburse costs for accommodation and meals while councillors are undertaking prior approved travel or professional development outside Newcastle.
- 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 2009, 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 Clause 6.19.
- 6.21. Councillors will not be reimbursed for alcoholic beverages.

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

- 6.22. Appropriate refreshments will be available for council meetings, council committee meetings, councillor briefings, approved meetings and engagements, and official council functions as approved by the CEO.
- 6.23. As an indicative guide for the standard of refreshments to be provided at council related meetings, the CEO must be mindful of Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.

### **Professional development**

- 6.24. CN will set aside sufficient budget per councillor annually to facilitate professional development of councillors through programs, training, education courses and membership of professional bodies.
- 6.24a Where a councillor completes the Australian Institute of Company Directors (AICD) course this will exhaust their combined AICD and professional development expenses allocations for the financial year.
- 6.25. In the first year of a new council term, CN will provide a comprehensive induction program for all councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.
- 6.26. Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the councillor's civic duties, the councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.
- 6.27. Approval for professional development activities is subject to a prior written request to the CEO (by completing CN's Councillor Expenses and Claims Form) outlining the:

- details of the proposed professional development
- relevance to CN priorities and business
- relevance to the exercise of the councillor's civic duties.

6.28. In assessing a councillor request for a professional development activity, the CEO must consider the factors set out in Clause 6.27, as well as the cost of the professional development in relation to the councillor's remaining budget.

### **Conferences and seminars**

6.29. CN is committed to ensuring its councillors are up to date with contemporary issues facing CN and the community, and local government in NSW.

6.30. CN will set aside in the annual budget sufficient funding to facilitate councillor attendance at conferences and seminars commensurate with the limits provided at Annexure C. This allocation is for all councillors. The CEO will ensure that access to expenses relating to conferences and seminars is distributed equitably.

6.31. Approval to attend a conference or seminar is subject to:

- relevance of the topics and presenters to current CN 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.

6.32. CN will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the CEO. CN 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.

6.32a Expenses for an Accompanying Person will be paid, up to the maximum amount provided at Annexure C of this Policy, where it is considered appropriate for an Accompanying Person to attend Official Business.

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

6.33. CN will provide or reimburse Councillors for expenses associated with appropriate ICT devices and services up to the maximum amount provided at Annexure C, per annum for each councillor. This may include mobile phones and tablets, mobile phone and tablet services and data, and home internet costs.

6.34. Reimbursements for ICT expenses will be made only in accordance with CN's Bring Your Own Device (BYOD) arrangement for communications services used for councillors to undertake their civic duties up to the maximum amount provided at Annexure C, such as:

- receiving and reading council business papers
- relevant phone calls and correspondence
- diary and appointment management.

6.35. Councillors may seek reimbursement for applications on their mobile electronic communication device that are directly related to their duties as a councillor, within the maximum amount provided at Annexure C.

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

6.36. CN encourages wide participation and interest in civic office. It will seek to ensure CN premises and associated facilities are accessible, including provision for sight or hearing impaired councillors and those with other disabilities.

6.37. Transportation provisions outlined in this policy will also assist councillors who may be unable to drive a vehicle.

6.38. In addition to the provisions above, the CEO may authorise the provision of reasonable additional facilities and expenses in order to allow a councillor with a disability to perform their civic duties.

- 6.39. 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 amount provided at Annexure C per annum for attendance at official business, plus reasonable travel from the principal place of residence.
- 6.40. Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 6.41. 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.

### **Home office expenses**

- 6.42. Each councillor may be reimbursed up to the amount provided at Annexure C per year for costs associated with the maintenance of a home office, such as minor items of consumable stationery and printer ink cartridges.
- 6.42a The Lord Mayor (or designated official spokesperson) may be reimbursed up to the additional amount provided at Annexure C for costs associated with the maintenance of a home office.

### **Australian Institute of Company Directors course**

- 6.42b CN will pay expenses, up to the maximum amount provided at Annexure C to complete the Australian Institute of Company Directors (AICD) course (or equivalent type learning opportunity). Where a councillor completes AICD course this will exhaust their combined AICD and professional development expense allocations for the financial year.
- 6.42c The expenses claimed must occur within the first two years of a council term and the course must be completed by the end of the same council term. In limited circumstances applications may be submitted which fall outside the two year period. These will be assessed considering the relevant facts and circumstances giving rise to the delay.
- 6.42d Approval must be sought (by completing a Councillor Expenses and Facilities Claim Form) prior to enrolling in the AICD.
- 6.42e The Lord Mayor and Councillors are required to provide CN with evidence of successful completion of the course. CN will seek reimbursement in accordance with clause 11.13, if the Lord Mayor or Councillor does not successfully complete the course within the Council term.
- 6.42f Applications for payment of AICD annual membership fees must be submitted before the renewal date, and in accordance with AICD Membership Application, Renewal and Status Guidelines, to ensure sufficient budget is available and memberships can be paid on time. Applications cannot be backdated.

### **Attendance at the Local Government NSW Annual Conference or the Australian Local Government Association National General Assembly**

- 6.42g CN will pay the following expenses, up to the maximum amount provided at Annexure C of this Policy, for the Lord Mayor and nominated Councillors to attend the Local Government NSW Annual Conference or the Australian Local Government Association National General Assembly:
- travel and accommodation costs in accordance with this Policy;
  - registration for the delegate;
  - tickets to the official dinner for the delegate and the delegate's Accompanying Person; and
  - tickets to tours offered to Accompanying Persons.
- 6.42h A Conference Request Form will be made available to the Lord Mayor and Councillors for completion before conference registration opens. All arrangements will be made by the Councillor Services team.



## **Sitting Fees**

6.42i For Councillors (including alternate members) appointed to the Regional Planning Panel (the Hunter and Central Coast Regional Planning Panel):

- CN will pay up to the meeting rate provided at Annexure C for attendance at formal meetings.
- The meeting rate provided at Annexure C is inclusive of all work a panel member does for a meeting, including preparation, site visits, the meeting itself and any deliberation and voting by the panel on matters considered at the meeting once the meeting is closed.
- CN will pay up to the hourly rate provided at Annexure C for other business.  
The hourly rate applies to any business such as electronic determinations that the panel conducts that is not connected to a formal meeting including preliminary briefings on items that the Councillor does not then act as a panel member for.

6.42j Councillors that are panel members are also entitled to their reasonable travel expenses in accordance with clause 6.2.

## **Tributes for memorial services and events**

6.42k Councillors planning to attend a memorial service or similar event in their civic capacity may arrange for a wreath (or other tribute of a reasonable value) to lay, via the Councillor Services team or Lord Mayor's Office.

6.42l When multiple Councillors are attending the same event, they are encouraged to share laying one tribute on behalf of the city as appropriate.

## **7. Insurances**

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

## **8. Legal assistance**

- 8.1. CN may, if requested, indemnify or reimburse the reasonable legal expenses of:
  - a councillor defending an action arising from the performance in good faith of a function under the Local Government Act provided that the outcome of the legal proceedings is favourable to the councillor
  - a councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the councillor
  - a councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the councillor.

- 8.2. In the case of a code of conduct complaint made against a councillor, legal costs will only be made available where the matter has been referred by the 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. CN will not meet the legal costs:
- of legal proceedings initiated by a councillor under any circumstances
  - of a councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation
  - for legal proceedings that do not involve a councillor performing their role as a councillor.
- 8.5. Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a council meeting prior to costs being incurred.
- 8.5a The exception to clause 8.4 is that Council will indemnify or reimburse the reasonable legal expenses of a Councillor for matters arising that are associated with the performance of their duties as a Council spokesperson.

## **Part C – Facilities**

### **9. General facilities for all councillors**

#### **Facilities**

- 9.1. CN will provide the following facilities to councillors to assist them to effectively discharge their civic duties:
- access to meeting room facilities on level 1 of CN's City Administration Centre
  - access to three shared car parking spaces at CN's City Administration Centre while attending CN offices on official business
  - personal protective equipment for use during site visits
  - a name badge which may be worn at official functions, indicating that the wearer holds the office of a councillor and/or Lord Mayor.
- 9.2. Councillors may book meeting rooms for official business in a specified CN building at no cost. Rooms may be booked through Councillor Services Team or through Council's outlook calendar.
- 9.3. The provision of facilities will be of a standard deemed by the CEO as appropriate for the purpose.
- 9.3a CN will provide the Lord Mayor and Councillors with access to:
- CN's Employee Assistance Program in accordance with the Employee Assistance Program guidelines.
  - CN's Corporate Fitness Program in accordance with CN's Corporate Fitness Information Booklet.
  - Tickets to productions, exhibitions, or events presented, sponsored or hosted by CN (where these are made available to Council). Applicable events will be communicated to Councillors by way of Councillor Memo.

## **Stationery**

- 9.4. CN will provide, on request by the Councillor, stationery up to the Maximum Limited provided at Annexure C. This includes but is not limited to
- letterhead, to be used only for correspondence associated with civic duties
  - business cards
  - postage stamps
- 9.5. As per Section 4, stamps shall only be used to support a councillor's civic duties. Councillor mail will only be posted using the stamps provided. Any stamps not used will not be carried over to the next year's allocation.

## **Administrative support**

- 9.6. CN will provide administrative support to councillors to assist them with their civic duties only. Administrative support will be provided to the Lord Mayor by staff in the Lord Mayor's office and to Councillors by the Councillor Services Team as arranged by the CEO.
- 9.7. As per Section 4, CN staff are expected to assist councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

## **10. Additional facilities for the Lord Mayor**

- 10.1. CN will provide to the Lord Mayor a maintained vehicle to a similar standard of other CN vehicles, with a fuel card. The vehicle will be supplied for use on business, professional development and attendance at the Lord Mayor's office.
- 10.2. The Lord Mayor must keep a log book setting out the date, distance and purpose of all travel. This must include any travel for private benefit. The log book must be submitted to council on a monthly basis.
- 10.3. The Lord Mayoral allowance will be reduced to cover the cost of any private travel recorded in the log book, calculated on a per kilometre basis by the rate set by the Local Government (State) Award.
- 10.4. A parking space at CN offices will be reserved for the Lord Mayor's CN-issued vehicle for use on official business, professional development and attendance at the Lord Mayor's office.
- 10.5. CN will provide the Lord Mayor with a furnished office incorporating a computer configured to CN's standard operating environment, telephone and meeting space.
- 10.6. In performing their civic duties, the Lord Mayor will be assisted by a small number of staff providing administrative and secretarial support, as determined by the CEO.
- 10.7. The number of exclusive staff provided to support the Lord Mayor will not exceed 2.5 full time equivalents.
- 10.8. As per Section 4, staff in the Lord Mayor's office are expected to work on official business only, and not for matters of personal or political interest, including campaigning.
- 10.8a When deputising for the Lord Mayor, the Deputy Lord Mayor will be provided with reasonable access to, and use of the facilities provided to the Lord Mayor under this Policy. Expenses incurred during this time related to the use of facilities will be deducted from the Lord Mayor's budget. Deputising will include, consistent with section 231 of the Local Government Act 1993 (NSW), to delegate to the Deputy Lord Mayor in the first instance, including to attend any meeting, function, or event in official capacity in the event the Lord Mayor is absent or unavailable, whether on an ad hoc or periodic basis. If the Deputy Lord Mayor is unavailable, the Lord Mayor may delegate attendance to another Councillor.

## Part D – Processes

### 11. Approval, payment and reimbursement arrangements

- 11.1. Expenses should only be incurred by councillors in accordance with the provisions of this policy.
- 11.2. Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 11.3. Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred:
  - local travel relating to the conduct of official business
  - carer costs
  - ICT expenditure.
- 11.4. Final approval for payments made under this policy will be granted by the CEO or their delegate.
- 11.4a The Lord Mayor will be provided with a corporate credit card to pay for expenses incurred in accordance with this Policy up to the Maximum Limit. Expenses relating to the Lord Mayor's Office and CN Staff within the Office must be incurred in accordance with other relevant CN policies (including but not limited to the Procurement Policy). Statements must be reviewed and approved by the CEO and Executive Director Corporate Services and Chief Financial Officer.

#### Direct payment

- 11.5. CN may approve and directly pay expenses. Requests for direct payment must be submitted to the Councillor Services Team for assessment against this policy using the Councillor Expenses and Facilities Claim form, with sufficient information and time to allow for the claim to be assessed and processed.

#### Reimbursement

- 11.6. All claims for reimbursement of expenses incurred must be made on the Councillor Expenses and Facilities Claim form, supported by appropriate receipts and/or tax invoices and be submitted to the Councillor Services Team.
- 11.6a If it is not possible to attach tax invoices and/or receipts, councillors must provide a statutory declaration explaining the calculation of the claim and why it should be paid.
- 11.6b All claims for reimbursement will be assessed in accordance with this policy. If a claim is lodged after the time period, it may be refused.

#### Advance payment

- 11.7. CN may pay a cash advance for councillors attending approved conferences, seminars or professional development.
- 11.8. The maximum value of a cash advance is provided at Annexure C per day of the conference, seminar or professional development to the maximum amount provided at Annexure C.
- 11.9. Requests for advance payment must be submitted to the Councillor Services Team for assessment against this policy using the prescribed form with sufficient information and time to allow for the claim to be assessed and processed.
- 11.10. Councillors must fully reconcile all expenses against the cost of the advance within one month of incurring the cost and/or returning home. This includes providing to CN:
  - a full reconciliation of all expenses including appropriate receipts and/or tax invoices
  - reimbursement of any amount of the advance payment not spent in attending to official business or professional development.

## **Notification**

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

## **Reimbursement to CN**

- 11.13. If CN has incurred an expense on behalf of a councillor that exceeds a maximum limit, exceeds reasonable incidental private use, is not provided for in this policy or where CN has a right to reimbursement under this Policy:
- CN will invoice the councillor for the expense
  - the councillor will reimburse CN for that expense within 14 days of the invoice date.
- 11.14. If the councillor cannot reimburse CN 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**

- 11.15. Unless otherwise specified in this policy, councillors must provide all claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

# **12. Disputes**

- 12.1. If a councillor disputes a determination under this policy, the councillor should discuss the matter with the CEO.
- 12.2. 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.

# **13. Return or retention of facilities**

- 13.1. All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a councillor or Lord Mayor ceasing to hold office or at the cessation of their civic duties.
- 13.2. Should a councillor desire to keep any equipment allocated by CN, then this policy enables the councillor to make application to the CEO to purchase any such equipment. The CEO will determine an agreed fair market price or written down value for the item of equipment.
- 13.3. The prices for all equipment purchased by councillors under Clause 13.2 will be recorded in CN's annual report.
- 13.3a Where the Lord Mayor or a Councillor does not return CN equipment and facilities to CN upon ceasing to hold office as a Lord Mayor or a Councillor, CN will invoice them for the costs of those items, based on fair market value as determined by the CEO.

# **14. Publication**

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

# **15. Reporting**

- 15.1. CN will report on the provision of expenses and facilities to councillors as required in the Act and Regulations.
- 15.2. Reports on the provision of expenses and facilities to councillors are included in CN's Executive Monthly Performance Report reported at a council meeting every month and

published on CN's website. These reports will include expenditure summarised by individual councillor and as a total for all councillors.

## **16. Auditing**

- 16.1. The operation of this policy, including claims made under the policy, will be included in CN's audit program and an audit undertaken in accordance with CN's Internal Audit Program following consultation with CN's Audit, Risk and Improvement Committee.

## **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 Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

# Annexure A: Definitions

The following definitions apply throughout this policy.

Term	Definition
Accompanying Person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a councillor
Appropriate Refreshments	Means food and beverages, excluding alcohol, provided by CN to support councillors undertaking official business
Act	Means the <i>Local Government Act 1993</i> (NSW)
Clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	Means the Code of Conduct adopted by Council or the Model Code if none is adopted
Councillor	Means a person elected or appointed to civic office as a member of the governing body of council who is not suspended, including the Lord Mayor
Chief Executive Officer (CEO)	Means Chief Executive Officer of the City of Newcastle and includes their delegate or authorised representative.  References to the Chief Executive Officer are references to the General Manager appointed under the <i>Local Government Act 1993</i> (NSW).
Incidental Personal Use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
Long Distance Intrastate Travel	Means travel to other parts of NSW of more than three hours duration by private vehicle
Maximum Limit	Means the maximum limit for an expense or facility provided in the text and summarised in Annexure C
NSW	New South Wales
Official Business	Means functions that the Lord 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 CN and/or for the local government area, and includes: <ul style="list-style-type: none"> <li>meetings of council and committees of the whole</li> <li>meetings of committees facilitated by CN</li> <li>civic receptions hosted or sponsored by CN</li> <li>meetings, functions, workshops and other events to which attendance by a councillor has been requested or approved by CN</li> </ul>
Professional Development	Means a seminar, conference, training course or other development opportunity relevant to the role of a councillor or the Lord Mayor
Regulation	Means the <i>Local Government (General) Regulation 2005</i> (NSW)
Year	Means the financial year, that is the 12 month period commencing on 1 July each year

## Annexure B - Policy Authorisations

This Policy Authorisation may be updated and amended by the CEO from time to time.  
In accordance with section 378 of the *Local Government Act 1993*, the Chief Executive Officer delegates the following functions to the positions listed:

Title of authorisation	Description of authorisation	Position Title and Number
Payment of Councillor Expenses	Authority to approve payment or reimbursement of expenses in accordance with this Policy.	Any two of: P10001   CEO P20676   Executive Director Corporate Services and Chief Financial Officer P20052   Executive Manager Finance, Planning and Performance and Deputy Chief Financial Officer P30025   Executive Manager Legal and Governance

Reminder: CN Staff with policy authorisations must declare and manage any conflicts of interest via our conflict of interest process and form, available on the intranet.



## Annexure C - Table of expenses

Expense or facility	Maximum amount (ex GST)	Frequency
<p><b>Official business and associated travel arrangements</b> including interstate and long distance travel and related expenses incurred within Australia whilst on official business.</p> <p>This includes payment of:</p> <ul style="list-style-type: none"> <li>- Cost of attendance at civic receptions hosted by council</li> <li>- Meetings, functions, workshops and other events to which attendance by a Councillor has been requested or approved by council</li> <li>- Events of companies which CN holds professional memberships or who have a recognised affiliation with CN.</li> <li>- Events and functions connected to civic role</li> <li>- General travel expenses</li> <li>- Interstate and long distance travel expenses</li> <li>- Accommodation and meals while undertaking official business</li> <li>- Tributes for memorial services and events</li> </ul> <p>Refer to clauses 6.1-6.4, 6.16-6.21, 6.29-6.32 &amp; 6.42k-6.42l of this policy.</p>	<p>\$ 2,200 per councillor</p> <p>Additional \$ 2,000 for the Lord Mayor</p>	Per year
<p>Cash advances (available in limited circumstances and subject to approval)</p> <p>Refer to clauses 11.7 - 11.10 of this Policy.</p>	Up to \$120 per councillor (up to a maximum of \$1200 total based on nature of expenses)	Per day
<p><b>Overseas travel expenses</b></p> <p>Refer to clauses 6.6, 6.7, 6.9, 6.10, 6.13, 6.14 and 6.15a of this Policy.</p>	In accordance with resolution of Council	
<p><b>Professional development and associated travel arrangements</b></p> <p>This includes payment or reimbursement of:</p> <ul style="list-style-type: none"> <li>• Cost of attendance at training programs and courses that will help to acquire and maintain the knowledge and skills necessary to perform their roles.</li> </ul>	\$5,000 per councillor	Per year

Expense or facility	Maximum amount (ex GST)	Frequency
<ul style="list-style-type: none"> <li>• Tickets to attend events and functions providing the opportunity to keep up to date with contemporary issues facing CN, the community, and local government in NSW.</li> <li>• Annual memberships</li> <li>• Travel arrangements and expenses - within Australia incurred while undertaking professional development</li> </ul> <p>Note 1: Where a councillor completes AICD course this will exhaust their combined AICD and professional development expense allocations for the financial year up to a total of \$10,000.</p> <p>Note 2: overseas travel expenses will be paid in accordance with a specific resolution of Council.</p> <p>Refer to clauses 6.1-6.4, 6.7-6.8, 6.11-6.12, 6.14-6.15, 6.16-6.21 &amp; 6.24-6.28 of this policy.</p> <p>Cash advances (available in limited circumstances and subject to approval) Refer to clauses 11.7 - 11.10 of this Policy</p>	<p>Up to \$120 per councillor (up to a maximum of \$1200 total based on nature of expenses)</p>	<p>Per day</p>
<p><b>Accompanying Person</b></p> <p>This includes payment or reimbursement of a ticket for where it is appropriate for an Accompanying Person to attend Official Business, such as:</p> <ul style="list-style-type: none"> <li>- Australia Day award ceremonies</li> <li>- citizenship ceremonies</li> <li>- civic receptions</li> <li>- community functions held within or contributing to the local government areas</li> <li>- charitable functions formally supported by CN.</li> </ul> <p>Refer to clause 6.32a and 6.42g of this Policy.</p>	<p>\$500 per Councillor Additional \$500 for the Lord Mayor</p>	<p>Per year</p>
<p><b>ICT devices and expenses</b></p> <p>Devices</p> <p>This includes the issuances of:</p> <ul style="list-style-type: none"> <li>- mobile phone</li> <li>- tablet</li> </ul> <p>Expenses:</p>	<p>\$4,000 per councillor</p>	<p>Per term</p>

<b>Expense or facility</b>	<b>Maximum amount (ex GST)</b>	<b>Frequency</b>
<p>This includes the payment or reimbursement of:</p> <ul style="list-style-type: none"> <li>- mobile phone call costs</li> <li>- data package</li> <li>- IT support</li> <li>- Repairs or replacement</li> </ul> <p>Refer to clauses 6.33-6.35 of this Policy.</p>	\$3,000 per councillor	Per year
<p><b>Special requirement and carer expenses</b></p> <p>This includes payment or reimbursement of:</p> <ul style="list-style-type: none"> <li>• Accessibility provisions, including travel</li> <li>• carer's expenses.</li> </ul> <p>Refer to clauses 6.36-6.41 of this Policy.</p>	\$35,000 shared amongst elected representatives	Per year
<p><b>Home office expenses</b></p> <p>This includes payment or reimbursement of:</p> <ul style="list-style-type: none"> <li>- Stationery and office supplies</li> <li>- Postage costs</li> <li>- Newspapers/digital subscriptions</li> <li>- Business cards</li> <li>- Name badge</li> <li>- Home internet</li> </ul> <p>Refer to clauses 6.42 and 6.42a of this Policy.</p>	<p>\$ 500 per councillor</p> <p>Additional \$1,500 for the Lord Mayor</p>	Per year
<p><b>Australian Institute of Company Directors (AICD) course</b> (or equivalent type of learning opportunity subject to approval)</p> <p>This includes payment or reimbursement for:</p> <ul style="list-style-type: none"> <li>- Cost of enrolment for price commensurate with completion in Newcastle or online.</li> </ul> <p>Note: Where a councillor completes AICD course this will exhaust their combined AICD and professional development expense allocations for the financial year up to a total of \$10,000.</p> <p>Refer to clauses 6.42b-6.42f of this Policy.</p>	<p>\$10,000 per Councillor</p> <p>Note: The expenses claimed must occur within the first two years of the Term and must be completed during that same Term.</p>	Per term
<p><b>Annual Conferences</b> - Local Government NSW Conference and National General Assembly</p> <ul style="list-style-type: none"> <li>- Registration fees</li> </ul>	Limit - \$27,000	Per year

<b>Expense or facility</b>	<b>Maximum amount (ex GST)</b>	<b>Frequency</b>
<ul style="list-style-type: none"> <li>- Accommodation and travel arrangements</li> <li>- Tickets to the official dinner for Councillor and Accompanying Person</li> </ul> <p>Refer to clauses 6.29-6.32a and 6.42g-h of this Policy.</p>	<p>Shared amongst elected representatives for Council's representation</p> <p>Limit is a combined amount for both events.</p>	
<p><b>Hunter and Central Coast Regional Planning Panel membership</b></p> <p>This includes payment of:</p> <ul style="list-style-type: none"> <li>- Remuneration for Councillor membership in accordance with advice from the Department of Planning and Environment</li> <li>- Remuneration for business undertaken outside of meetings in relation to the role as a member</li> </ul> <p>Refer to clauses 6.42i-j of this Policy.</p>	<p>\$600 per Councillor member per meeting (indexed annually)</p> <p>\$71 per / hour (indexed annually)</p>	Per year
Access to facilities in a Councillor common room [where applicable Clause 9.1]	Provided to all councillors	Not relevant
Council vehicle and fuel card [where applicable Clause 10]	Provided to the Lord Mayor	Not relevant
Reserved parking space at Council offices	Provided to the Lord Mayor	Not relevant
Furnished office [where applicable Clause 10]	Provided to the Lord Mayor	Not relevant
Number of exclusive staff supporting Lord Mayor and Councillors [where applicable Clause 10]	Provided to the Lord Mayor and councillors	Not relevant

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

# Document Control

<b>Policy Title:</b>	Councillor Expenses and Facilities Policy
<b>Audience:</b>	Councillors
<b>Service Unit:</b>	Legal and Governance
<b>Policy Owner:</b>	Executive Manager Legal and Governance
<b>Policy Writer:</b>	Council Liaison Coordinator
<b>Approved by:</b>	Council
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<b>Key Words:</b>	Lord Mayor, Councillors, expenses, facilities, travel, professional development, communication

## Related Document Information, Standards & References

<b>Related Legislation:</b>	Local Government Act 1993, Sections 252 and 253 Local Government (General) Regulation 2005, Clauses 217 and 403 Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2009 Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities Local Government Circular 05-08 legal assistance for Councillors and Council Employees
<b>Related Policies (Council &amp; Internal):</b>	CN's Codes of Conduct
<b>Related Procedures, Guidelines, Forms or documents:</b>	Councillor Expenses and Facilities Request form
<b>Standards, Codes or other references:</b>	N/A

## Relevant Newcastle 2040 Theme/s

<b>Term / Abbreviation</b>
Achieving Together

## Version History

<b>Version No – Date Approved - ECM</b>
Version 1 - 21 July 2009 - ECM: 2400111, Version 2 - 7 December 2010 - ECM: Not found, Version 3 - 6 December 2011 - ECM: 3134768, Version 4 - 4 December 2012 - ECM: 3444582, Version 5 - 27 August 2013 - ECM: Not found, Version 6 - 23 September 2014 - ECM: 4290034, Version 7 - 24 November 2015 - ECM: 4769769, Version 8 - 28 August 2018 - ECM: 5689468, Version 9 - 28 June 2022 - ECM: 7432295