



Ordinary Meeting of Council

25 January 2017

**UNDER SEPARATE COVER
ATTACHMENTS**

Item 8.19 Payment of Expenses and Provision of Facilities to the Mayor and Councillors Policy

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QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

25 JANUARY 2017

ITEM 8.19 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES
TO THE MAYOR AND COUNCILLORS POLICY

ATTACHMENT 1 ATTACHMENT 1: QPRC PAYMENT OF EXPENSES AND
PROVISION OF FACILITIES FOR MAYOR AND
COUNCILLORS POLICY



Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy

Date policy was adopted by Council:	
Resolution number:	
Previous Policy review date:	
Next Policy review date:	
Reference number:	

Policy
Payment of Expenses and Provision of
Facilities for Mayor and Councillors Policy
All Divisions

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PAYMENT OF EXPENSES AND PROVISION OF FACILITIES POLICY

PART 1 - INTRODUCTION

1. Preliminary

1.1 Definitions

The Act: The Local Government Act 1993

The Administrator refers to a Government appointed administrator who is responsible for performing the functions/duties of the body politic. It is noted that references to the Mayor and/or Councillors throughout this policy also apply to an Administrator if one has been appointed for the Council.

Councillor expenses and facilities policy: A policy prepared under these guidelines on the payment of expenses and the provision of facilities to mayors and councillors.

Expenses: Payments made by the council to reimburse councillors for reasonable costs or charges incurred or to be incurred for discharging their civic functions. Expenses must be outlined in a council's policy and may either be 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 functions. Expenses are separate and additional to annual fees.

Facilities: Equipment and services that are provided by councils to councillors to enable them to perform their civic functions with relative ease and at a standard appropriate to their professional role as councillors.

Functions of civic office/civic functions: Functions 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.

Local Representation Committee refers to members who have been appointed to the Council's Local Representation Committee

The Regulation: The Local Government (General) Regulation 2005.

1.2 Introduction

This policy is in accordance with the requirements of the *Local Government Act 1993* and may be cited as the "**Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy**".

1.3 Commencement

Policy revised in accordance with Department of Local Government Circular 06/57 – Guidelines.

1.4 Policy Objectives

This policy is made under the *Local Government Act 1993* including Sections 252 to 254. The Act requires that the Council must adopt a policy concerning the payment of expenses and the provision of facilities to the Mayor and other Councillors. This policy also applies to the Administrator of the Council should one be appointed and also to members of the Local Representation Committee if one is established. The term 'councillor' in the policy applies to the Administrator and members of the LRC

in respect of this policy's provisions.

The purpose of the policy is:

1. To ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by Councillors.
2. To ensure that the facilities provided to a Councillor to carry out their civic duties are reasonable.
3. To provide for the fair and equitable payment and reimbursement of certain expenses not considered to be included in the annual fees payable under Sections 248-254A of the *Local Government Act*, where such expenses are incurred by the Mayor, Deputy Mayor and Councillors in discharging the functions of civic office.
4. To fulfil the statutory responsibilities of Section 252 of the *Local Government Act* and the Local Government (General) Regulations, having regard to:
 - The Department of Local Government publication "Guidelines for the Payment of Expenses and Provision of Facilities for Mayors and Councillors for Local Councils in NSW" – September 2006
 - Department of Local Government Circular No. 05/08 – Legal Assistance for Councillors and Council Employees and No. 02/34 – Unauthorised Use of Council Resources
 - Council's Code of Conduct and ICAC Publication – No Excuse for Misuse, Preventing the Misuse of Council Resources
 - Other relevant publications.

1.5 Payment of expenses general principles

- Councillors must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out their functions under the *Local Government Act 1993* and Council's Code of Conduct .
- The annual fees for the Mayor and Councillors do not fall within the scope of this policy, as these are set by the Local Government Remuneration Tribunal.
- Council will not provide a general expense allowance.
- Council will not provide for any expenses for individual councillors or groups of councillors to produce and disseminate personalised pamphlets, newsletters and the like, at any time during their term of office.
- No private benefit, other than incidental, is allowed from expenses and facilities, except in accordance with this policy.
- Councillor expenses must not be used to support attendance by Councillors at political fundraising functions.
- Gifts and benefits given by Councillors to other persons, for example when receiving official visitors, should be of token value and in accordance with Council's adopted Code of Conduct

- All claims for reimbursement of travel expenses identified in this Policy shall be made on the prescribed form (Attachment 1).
- All claims for reimbursement of conference and other expenses identified in this Policy shall be made on the prescribed form (Attachment 2).
- All claims must be submitted with supporting documentation (invoices, receipts) to Council's Finance Section. Where such supporting documentation is not provided, no reimbursement will be made.
- Councillors may request payment in advance for expenses expected to be incurred when attending conferences, seminars and training. Such requests must be submitted on the appropriate form (Attachment 3). These payments must be fully reconciled on the appropriate form (Attachment 4) within seven days against actual expenses incurred.
- Approval, reconciliation and reimbursement for all expenses and facilities must be made in accordance with the processes outlined in this policy.

1.6 Reporting and other Legislative Requirements

Section 428(2)(f) of the Act requires a Council to include in its Annual Report:

1. Council's policy on the provision of facilities for, and the payment of expenses to Councillors, and
2. Total amount of money expended during the year on providing those facilities and paying those expenses.
3. Amendments to Clause 217 of the *Local Government (General) Regulation 2005* now require Council to include additional reporting information in the Annual Report, including:
 - Cost of phone calls including mobiles, home located landlines, facsimile and internet services,
 - Spouse/partner/accompanying person expenses,
 - Conference and seminar expenses,
 - Interstate travel expenses,
 - Overseas travel expenses,
 - Care and other related expenses, and
 - Cost of the provision, including rental, of dedicated office equipment allocated to Councillors on a personal basis such as laptop computers, mobile phones, telephones and facsimile machines and internet installed in Councillors' homes.

Section 252 of the Act states:

1. *Within five (5) months after the end of each year, a Council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Mayor, the Deputy Mayor (if there is one) and the other Councillors in relation to discharging the functions of civic office.*

2. *The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the Mayor or a Councillor of a facility provided by the Council to the Mayor or Councillors.*
3. *A Council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the Mayor, the Deputy Mayor 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.*

Section 253 states:

1. *A Council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.*
2. *Before adopting or amending the policy, the Council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.*
3. *Despite subsections (1) and (2), a Council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the Council is of the opinion that the proposed amendment is not substantial.*
4. *Within 28 days after adopting a policy or making an amendment to a policy for which public notice is required to be given under this section, a Council is to forward to the Director-General:*
 - *A copy of the policy or amendment together with details of all submissions received in accordance with subsection (1) and*
 - *A statement setting out, for each submission, the Council's response to the submission and the reasons for the Council's response, and*
 - *A copy of the notice given under subsection (1).*
5. *A Council must comply with this section when proposing to adopt a policy each year in accordance with Section 252(1) even if the Council proposes to adopt a policy that is the same as its existing policy.*

Section 428, inter alia, requires Councils to include in their Annual Report to the Minister:

1. *A report as to its achievements with respect to the objectives and performance targets set out in its management plan for that year, within five (5) months after the end of each year a Council must prepare.*

The report must include details of:

- (f). *the total amount of money expended during the year on Mayoral fees and Councillor fees, the Council's policy on the provision of facilities for use by Councillors and the payment of Councillors' expenses, together with a statement of the total amount of money expended during that year on the provision of such facilities and the payment of such expenses.*

2. *Additional information as required by clause 217 of the Local Government (General) Regulation 2005.*

This policy has been prepared under the provisions of Section 23A of the *Local Government Act 1993* ('the Act') as Director General's Guidelines.

Councillor expenses and facilities policies are made under the Act and in accordance with Sections 252 and 253 of the Act as well as Clause 403 of the Local Government (General) Regulation 2005 ('the Regulation').

Under Section 252(5) of the Act councillor expenses and facilities policies must comply with the provisions of the Act, the Regulation, these guidelines and other policies nominated in these guidelines.

Under Section 439 of the Act every councillor must act honestly and exercise a reasonable degree of care and diligence in carrying out his or her functions. Under Section 440 each council must adopt a code of conduct that incorporates the provisions of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).

Other policy documents to be considered during the development and review of councillor expenses and facilities policies include relevant Circulars to Councils the *Model Code of conduct for Local Councils in NSW* and the Independent Commission Against Corruption (ICAC) publication *No Excuse for Misuse*.

A council may disburse money only if the disbursement is authorised by the Local Government Act, either expressly or because it is supplemental, incidental to or consequential upon the exercise of its functions.

PART 2 - FACILITIES FOR MAYOR AND COUNCILLORS

2.1 Mayor

In addition to those facilities provided to the Councillors below, the Mayor is entitled to receive the benefit of:

- use of the Mayoral office,
- a Mayoral vehicle, if the Mayor chooses to request such. (See Item 2.6)
- access to a Council pool vehicle for Council business
- Parking space
- a mobile telephone for use in relation to official duties,
- secretarial services associated with the Office of the Mayor,
- cost of transport to official functions (if required),
- provision and maintenance of mayoral chain and robes,
- access to Council meeting rooms as provided by the General Manager, and
- catering services as provided by the General Manager.
- Membership of the Qantas Club
- If using private vehicle, reimbursement of travel expenses in the performance of civic duties.

2.2 Councillors

The Councillors, including the Mayor and Deputy Mayor, are to receive the benefit of:

- use of official Council stationery,
- postage of official correspondence – all mail is to be directed through the Council's own mailing system,
- meals/refreshments prior to Council and Committee Meetings, workshops and Trust meetings,
- reimbursement of travel expenses incurred in the performance of their civic duties,
- cost of transport to official functions (if required) when deputising for the Mayor,
- vehicle parking pass for the Council controlled parking areas for Lowe Street and Rutledge Street Carparks,
- access to the Councillors' meeting room, computer access and photocopier,
- minor secretarial services associated with duties of Councillors,
- Council email account,
- reimbursement of costs for attendance at a council endorsed civic function where the event is ticketed. This would also include council sponsored conferences, media events and the provision of complimentary opening night tickets for council sponsored events of 'The Q'.
- access to appropriate training programs for Councillors, and
- provision of journals and publications relevant to Councillor's duties and local government responsibilities.
- the allocation of a smart tablet to enable the Mayor and Councillors to receive council related emails and business papers and to manage their diary.

2.3 Private Use of Equipment and Facilities

Council acknowledges that incidental private use of equipment and facilities may occur from time to time and such use is not subject to compensatory payment. The General Manager shall determine the standard and quality of equipment provided.

Councillors should not obtain a private benefit from the provision of equipment and facilities and this includes travel hours that accrue from Council funded travel through “frequent flyer” schemes or any other loyalty programs. Where such benefits accrue, then free flights or other subsidised travel should benefit Council related business travel.

2.4 Return of Equipment and Facilities by Councillors

Councillors are required to return all Council issued equipment to Council after the completion of the Councillors term of office or at the cessation of their civic duties.

Councillors may choose to purchase Council equipment previously allocated to them at the cessation of their duties. Items will be offered at the written down value at the time of purchase.

2.5 Spouses, Partners and Accompanying Persons Expenses

An accompanying person is a person who provides carer support to the Councillor.

Where certain costs incurred by the Councillor on behalf of their spouse, partner or accompanying person are properly those of the Councillor in the performance of his or her functions, then those costs will be reimbursed to the Councillor:

1. Reimbursement of the reasonable costs of spouses, partners or an accompanying person for attendance at official Council functions that are of a formal and ceremonial nature, is considered appropriate when accompanying Councillors within the local government area. Examples include Australia Day award ceremonies, Citizenship ceremonies, civic receptions and charitable functions for charities formally supported by the Council.
2. Reimbursement for the payment of expenses for the spouse, partner or accompanying person of the Mayor (or a Councillor when they are representing the Mayor) for attendance at an official function of Council or an official ceremonial duty while accompanying the Mayor outside the local government area, but within the State and ACT, is considered appropriate. Examples include charitable functions to which the Mayor has been invited and award ceremonies and other functions to which the Mayor is invited to represent the Council.
3. Reimbursement of expenses, limited to the cost of registration and the official conference dinner, of spouses, partners or accompanying persons associated with attendance at the Local Government Association's annual conference is considered appropriate. Travel expenses, any additional accommodation expenses, and the cost of partner/accompanying person tours etc. would be the personal responsibility of individual Councillors. Councillors' spouse, partner or accompanying person may attend seminars, conferences or the like with Councillors (any event or function outside the Council area, including interstate and overseas), subject to any additional travel, accommodation, partner/accompanying person tours sustenance costs, and the like being met by the individual Councillor concerned by his/her partner (with the exception of attendance at Local Government Association Annual Conferences).
4. The payment of expenses for spouses, partners or accompanying persons for attending appropriate functions, as permitted above, is confined specifically to the ticket, meal and/or the direct cost of attending the function. Peripheral expenses incurred by spouses, partners or accompanying persons such as grooming, special clothing and transport are not considered reimbursable expenses.

5. In the event of a Councillor seeking an advanced payment or reimbursement of expenses for attendance at any seminar, conference or the like, a written claim using the appropriate forms is to be submitted to the General Manager providing appropriate details with official receipts for expenditure (See Attachments 3 & 4). Councillors must fully reconcile all expenses against the cost of the advance within two (2) weeks of their return.

2.6 Mayoral Vehicle

The Mayor may, if he or she so wishes, seek the provision of a Council vehicle to assist with the delivery of civic duties. If such an option is utilized a log book record must be kept of any private use travelled and the Mayor recoup to Council the cost of private travel at a kilometer rate as set by the Local Government Award. (See Table 2)

2.7 Presenting a Gift or Benefit

Where it is appropriate for councillors to give a gift or benefit for example, on a council business trip or when receiving visitors these gifts and benefits are to be of a token value and be less than \$300. For amounts in excess of this council must consider the matter formally.

PART 3 ANNUAL FEES

3.1 Mayor and Councillors

The Councillors are paid an annual fee and, in addition, the Mayor receives an annual allowance. Member's fees and the Mayoral allowance are set by resolution of Council in accordance with the determination of the Local Government Remuneration Tribunal for the category of Council each year.

PART 4 - PAYMENT OF EXPENSES FOR MAYOR AND COUNCILLORS

4.1 Transport

In addition to the payment of annual fees in accordance with Sections 248 and 249 of the Act, Councillors are entitled to claim a per kilometre allowance for use of private vehicles in performance of their civic duties. Kilometre rates will be paid at the then current rate set by the Local Government (State) Industrial Award. (See Table 2).

Other out of pocket expenses associated with travel by motor vehicle such as parking fees and road toll charges may be claimed, noting that the driver is personally liable for all traffic or parking fines while travelling in private or Council vehicle on Council business.

Reimbursement is subject to a formal claim being lodged no later than two (2) weeks after the expense was incurred.

4.2 Conferences and Seminars

4.2.1 Who May Attend Conferences and Seminars

Councillors may be nominated to attend conferences, seminars and similar functions by:

1. the Council, through resolution duly taken, or
2. the Mayor and General Manager acting under delegated authorities and subject to budget requirements being adhered to.

In addition, the Mayor may nominate the Deputy Mayor as a substitute attendee for functions within the Council area or the ACT Sub Region, or on those occasions where the Mayor is unable to be in attendance.

Council may also resolve to delegate authority to the Mayor to appoint Councillors to attend specific conferences, seminars or similar functions.

4.2.2 What Conferences and Seminars May be Attended

The conferences, seminars, workshops, courses and similar to which this policy applies shall generally be confined to:

1. Local Government NSW Annual Conferences (Federal and State),
2. Local Government and Shire Conference (State),
3. Special “one-off” conferences called by Local Government NSW on important issues,
4. NSW Country Mayors’ Association,
5. Annual conferences and congresses of the major industry associations and professions in local government, and
6. Seminars and courses which further the training and professional development efforts of the Council and within the budget framework.

4.2.3 Training and educational expenses

1. Council supports and encourages an active learning process and skills development for Councillors in addition to attending seminars and conferences related to Council functions. It is essential that, where Council is paying these expenses, the training or educational course is directly related to the Councillor's civic functions and responsibilities.
2. Council will provide induction training for new and returning councillors in accordance with the Office of Local Government's Councillor Induction and Professional Development Guide.
3. An amount will be allocated in the annual budget for the purpose of providing skills and professional development training for Councillors, including reasonable travel and sustenance costs.

4.3 Travel

Payment or reimbursement of expenses incurred or to be incurred for travel shall be subject to the requirements that:

- (a) Travel expenses relate to travel that is on Council business, being to and from the periodical conferences and seminars of local government related organisations (generally as listed above) at which attendance has been approved.
- (b) The travel is undertaken with all due expedition, and by the shortest route and the most practicable and economical transport.
- (c) Only reasonable amounts are claimed or accepted towards necessary out-of-pocket expenses.
- (d) Out-of-pocket expenses for which amounts are claimed relate only to the verified costs of meals, travel, registration fees, accommodation, stationery and the like.

4.3.1 Local Travel arrangements and expenses

- 1. All travel by Councillors should be undertaken utilising the most direct route and the most practicable and economical mode of transport, subject to any personal medical considerations.
- 2. Wherever possible, travel shall be by way of a Council vehicle.
- 3. Wherever possible, every effort should be made to minimise travel costs through sharing with other Councillors and staff where appropriate.
- 4. Travel other than by private vehicle, such as by taxi, train or other public transport, shall be reimbursed on an actual cost basis, subject to the submission of tickets or receipts for the specific journey.
- 5. The General Manager, or their delegate, is authorised to pay to Councillors, upon receipt of a claim within three months on the appropriate form, reasonable reimbursement of travelling, accommodation and subsistence expenses on the following basis:
 - a. Travelling allowance per kilometre as provided for in the current Local Government (State) Award (Table 2) in respect of:
 - b. attendance at any duly convened council or committee meeting at which the Councillor is entitled to attend
 - c. attendance at any duly convened meeting of any organisation to which the Councillor claiming reimbursement of expenses has been nominated or elected by resolution of Council, as an official Council representative
 - d. attendance at inspections or at business of Council, authorised by Council resolution

- e. attendance at inspection of any items listed in the business paper or attendance at conferences in accordance with this policy
 - f. attendance at all official Council or Council-sponsored functions
 - g. attendance at any public meeting or function where Council officers are officially in attendance or where Councillors are invited in an official capacity
 - h. attendance at any function when representing the Mayor
6. The Councillor or driver of the vehicle is personally responsible for all traffic or parking fines incurred while travelling in private or Council vehicles on Council business.
7. Reasonable reimbursement for accommodation, sustenance and incidental expenses incurred will be paid for authorised Council business in accordance with the Australian Tax Office latest Determination (see Table 1).

4.3.2 Interstate Travel

1. For the purposes of this policy, the Australian Capital Territory is regarded as being within New South Wales.
2. Where Councillors propose to travel interstate on Council business, the proposals should:
 - a. be recommended to the Mayor and General Manager for their approval, where the cost of the travel is not expected to exceed \$2000 (subject to indexation) for transport, accommodation and reimbursement of incidental expenses per person;
 - b. be considered at an open meeting of Council through a detailed report from the Mayor or General Manager, where the cost of the travel is expected to exceed \$2000 (subject to indexation from the date of commencement of the policy) for transport, accommodation and reimbursement of incidental expenses per person. Such report should outline:
 - who is to take part in the travel;
 - the objectives to be achieved in undertaking the travel, including an explanation of the community benefit which will accrue as a result; and the details of costs, including any amounts expected to be reimbursed by participants;
 - if travel is to be sponsored by private enterprise, ICAC guidelines and reporting structures should be followed;
 - where the travel takes place in accordance with this clause, a detailed report should be provided to an open meeting of Council promptly upon return, outlining how the travel's objectives were met and the community benefit which accrued from it.

- 3 Reasonable reimbursement for accommodation, subsistence and incidental expenses incurred will be paid for authorised Council business in accordance with the latest Australian Tax Office Determination (See Table 1).

4.3.3 Overseas Travel

1. The cost of overseas travel for purposes such as conferences and delegations to Council's Sister City shall not be met by Council unless Council determines otherwise for specific visits. In extenuating circumstances, any agreement to meet the costs of overseas travel either in whole or in part, shall be specifically resolved by a meeting of Council and subject to a detailed report to Council on all aspects of the trip relevant to Council business within three (3) months of the completion of the travel.
2. For overseas travel by Councillors on Council business other than for a Sister City visit, a detailed proposal should be developed prior to the travel being undertaken. All travel will be in economy class.
3. Proposals should indicate:
 - who is planned to take part in the travel;
 - duration and itinerary of the travel;
 - the objectives for undertaking the travel, including an explanation of the community benefits which will accrue as a result;
 - detailed budget including a statement of any amounts expected to be reimbursed by the participants.
4. If the travel is to be sponsored by private enterprise, ICAC guidelines and reporting structures should be followed and this should form part of the community reporting process.
5. The above proposals should be included in Council's business papers and considered by Council in an open meeting, where Council will resolve whether or not the travel is to take place.
6. After the overseas travel has been undertaken, a detailed report should be provided to an open meeting of Council promptly upon return, outlining how the objectives were met and the quantifiable benefits which will flow to the community.
7. Reasonable reimbursement for accommodation, subsistence and incidental expenses incurred will be paid for authorised Council business in accordance with the latest Australian Tax Office Determination (Attachments 1 and 2).
8. The outcomes, costs and attendances for all overseas travel are to be included in the Council's first annual report published subsequent to the travel taking place.

4.4 Registration

The Council will pay all normal registration costs which are charged by organisations, including the costs of related official luncheons, dinners and tours which are relevant to the interests of the Council or assist Councillors to discharge the functions of their civic office.

4.4.1 Payment in Advance

The Council will normally pay registration fees, accommodation deposits and airline tickets direct in advance. Where this is not appropriate or possible, a cash allowance or cheque equivalent thereto will be paid to the attendee in advance.

An allowance for estimated “out-of-pocket” expenses may be paid to an attendee in advance upon request.

Any advance payments are subject to a reconciliation statement accompanied by tax invoices/receipts, verification of expenses and the refund of any unexpended amount being submitted within two (2) weeks of the close of the conference, seminar or function.

4.5 Categories of Payment or Reimbursement

Subject to nomination in accordance with the provisions of Clause 4.4, the categories of payment or reimbursement are as follows:

4.5.1 Travel

- All reasonable travel costs will be met by the Council. Where appropriate, travel will be provided by air (economy class). Depending upon the circumstances, it may be more appropriate for travel to be undertaken by car. However, car travel should not be encouraged for long distance travel.
- Travel by motor vehicle may be undertaken by Council vehicle (where available) or by private vehicle subject to prior approval from the General Manager. Persons using private vehicles will be paid a per kilometre allowance at the then current rate set by the appropriate Local Government Industrial Award from time to time, but subject to any such payment not exceeding economy class air fares to and from the particular destination.
- Costs of vehicle hire parking and toll costs and/or taxi fares which are reasonably incurred while attending conferences or council related business will be reimbursed by Council.

4.5.2 Accommodation

Reasonable accommodation costs (including meals), including the night before and/or after the conference where this is necessary, will be met by the Council.

4.5.3 Out-of-Pocket Expenses

Reasonable out-of-pocket expenses will be reimbursed for costs associated with attending the conference, seminar, meeting or function including meals but excluding expenses of a normal private nature (See Table 1).

4.5.4 Spouse/Partner

All other costs for the spouse/partner (including travel and meals) are to be borne by the attendee.

4.5.5 Expense Allowance

Due to the nature of some travel and, where applicable, a daily allowance may be paid in accordance with the latest Australian Taxation Office determination.

4.5.6 Child Care Costs

Councillors will be reimbursed for reasonable child/dependent care costs incurred in attending Council meetings, Committee meetings, workshops, briefing sessions and official site inspections relating to Council's operations.

Councillors will be reimbursed for expenses associated with child/dependent care paid to providers other than immediate family members, spouse or partner up to 1 hour before and after such meetings (based on advertised commencement times) subject to the production of appropriate documentation/receipts.

The maximum entitlement for reimbursement for each Councillor is \$3,000 per annum (July to June).

4.6 Resolution of Disputes

If at any time a dispute arises about the provision of expenses and facilities that the matter be referred to Council's Internal Audit Committee for determination and recommendation to the General Manager.

PART 5 - INSURANCE – COUNCILLORS

Councillors are to receive the benefit of insurance cover for:

5.1 Personal Injury

Whilst ever on Council business, world-wide covering bodily injury caused by accidental, violent, external and visible means up to a sub-limit of \$500,000. Also covering permanent disablement, temporary total disability and temporary partial disability. The cover does not include medical expenses. Full details of personal accident insurance are available in Council's Insurance Manual held by the Risk Manager.

5.2 Professional Indemnity

For matters arising out of Councillors' performance of civic duties or exercise of their functions as Councillors, provided the performance or exercise of the relevant civic duty or function is *authorised under the Act, was carried out in good faith and is* in the opinion of Council, bona fide and/or proper; subject to any limitations or conditions set out in the policy of insurance which is, at the direction of Council, taken out. No such benefit, irrespective of insurance cover, shall be provided in relation to an action by one Councillor against another Councillor or a Councillor against a member of staff.

5.3 Public Liability

For matters arising out of Councillors' performance of civic duties or exercise of their functions as Councillors provided the performance or exercise of the relevant civic duty or function is *authorised under the Act, was carried out in good faith and is* in the opinion of Council bona fide and/or proper; subject to any limitations or conditions set out in the policy of insurance which is, at the direction of Council, taken out. No such benefit, irrespective of insurance cover, shall be provided in relation to an action by one Councillor against another Councillor or a Councillor against a member of staff.

5.4 Councillors and Officers Liability

For matters arising out of Councillors' performance of civic duties or exercise of their functions as Councillors provided the performance or exercise of the relevant civic duty or function is *authorised under the Act, was carried out in good faith and is* in the opinion of Council bona fide and/or proper; subject to any limitations or conditions set out in the policy of insurance which is, at the direction of Council, taken out.

PART 6 LEGAL ASSISTANCE FOR COUNCILLORS

6.1 Legal Expenses and Assistance

Council will indemnify or reimburse the reasonable legal expenses of:

- (a) A Councillor defending an action arising from the performance, in good faith, of a function under the Local Government Act, or
- (b) A Councillor defending an action in defamation provided the statements complained of were made in good faith in the course of exercising a function under the Act, or
- (c) A Councillor for proceedings before the Local Government Pecuniary Interest Tribunal or an investigative body provided the subject of the proceedings arises from the performance in good faith of a function of under the Act and the Tribunal or investigative body makes a finding substantially favourable to the Councillor. This would include also:
 - (i) Independent Commission Against Corruption
 - (ii) Office of the NSW Ombudsman
 - (iii) Office of Local Government, Department of Premier and Cabinet
 - (iv) NSW Police Force
 - (v) Director of Public Prosecutions
 - (vi) Council's Conduct Review Committee/Sole Reviewer.

Such payments are recommended for approval in accordance with Department of Local Government Circular No. 05/08 – Legal Assistance for Councillors and Council Employees.

Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act, should be distinguished from expenses incurred in relation to proceedings arising merely from something which a Councillor has done during his or her term of office.

In addition legal costs must only be provided where the investigation or review body makes a finding that is not substantially unfavourable to the councillor, this may include an inadvertent minor technical breach. Under no circumstances must a council reimburse the legal costs of legal proceedings initiated by a councillor. Also a council must not meet the legal costs of a councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.

Legal costs must not be met for legal proceedings that do not involve a councillor performing their role as a councillor.

A councillor who intends to seek legal advice must obtain the approval of the General Manager prior to any legal expenses being incurred. The General Manager may approve such a request or seek independent advice should that be necessary.

Table 1
Allowances (as at July 2015 as per TD 2015/14)

Meal Allowances	Per Day
Breakfast	\$33.25
Lunch	\$47.00
Dinner	\$65.95
Incidental Expenses	Per Day
	\$26.80

Table 2
Vehicle Allowances
NSW Local Government (State) Award 2014

Vehicle Size	Per Km
Under 2.5 litre	68c/km
Over 2.5 litre	78c/km

Attachment 1

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Councillor's Expense Claim Form

NAME:

DATE	MEETING - TYPE/LOCATION	TRAVEL FROM/TO - FROM/TO	DISTANCE	ENGINE CAPACITY

CERTIFICATION

I hereby certify that in accordance with the provisions of Section 252 of the *Local Government Act 1993* and Council's Policy for the "Payment of Expenses and Provision of Facilities for the Mayor and Councillors" these expenses were incurred in the conduct of approved Council business and are claimed for the dates shown above .

Signed

Date /...../.....

Attachment 2: Conference Expense Claim form
QUEANBEYAN-PALERANG REGIONAL COUNCIL

SUMMARY OF EXPENSES

COUNCILLORCONFERENCE

Held at.....Dates

In accordance with Council's Policy for the Payment of Expenses and Provision of Facilities to the Mayor and Councillors under s.252 of the *NSW Local Government Act 1993*, I hereby apply for reimbursement of the following expenses incurred in connection with my attendance at the above conference. All relevant invoices and receipts are attached.

	Date:/...../....	Date:/...../....	Date:/...../....	Date:/...../....
Breakfast				
Lunch				
Dinner				
Taxi fare				
Parking				
Road toll				
Refreshment				
Other (please provide details)				
TOTAL				

I accept that, if no receipts are attached for any claim, reimbursement will NOT be made.

Signature Date/...../.....

Attachment 3: Advance request form

QUEANBEYAN-PALERANG REGIONAL COUNCIL

ADVANCE PAYMENT REQUEST FORM

Councillor.....

Conference.....

To be held at.....

Dates.....

In accordance with Council's Policy for the Payment of Expenses and Provision of Facilities To Councillors under Section 252 of the Local Government Act 1993, I hereby apply for an advance payment of \$for expenses likely to be incurred in connection with my attendance at the above conference .

Date Signature

Attachment 4: Reconciliation

QUEANBEYAN-PALERANG REGIONAL COUNCIL

RECONCILIATION OF INCIDENTAL EXPENSES PAID IN ADVANCE

Amount received from Council in advance:

\$.....

Expenses as itemised below with dockets

Item	Amount

Total amount of items spent:

\$.....

Reimbursement due to Council:

\$.....

Reimbursement due to Councillor:

\$.....

Signature.....

Date.....

POLICY:-		
Policy No:		
Policy Title:		Payment of Expenses and Provision of Facilities for Mayor and Councillors
Date Policy was adopted by Council:		
Resolution Number:		
Previous Policy Review Date:		
Next Policy Review Date:		
PROCEDURES/GUIDELINES:-		
Date Procedure/Guideline (if any) was developed:		
RECORDS:-		
Container Reference in TRIM: Policy		
Container Reference in TRIM: Procedure		
Other locations of Policy:		
Other locations of Procedures/Guidelines:		
DELEGATION (if any):-		
RESPONSIBILITY:-		
Draft Policy developed by:		
Committees (if any) consulted in the development of the Draft Policy:		
Responsibility for Implementation:		
Responsibility for Review of Policy:		
INTEGRATED PLANNING FRAMEWORK:		
Community Strategic Plan:		
Delivery Program Title:		
Operational Plan:		
Senior Authorizing Officer	Position General Manager	Signature/Date

ACTION	COUNCIL MEETING DATE	RESOLUTION NUMBER	REPORT ITEM NUMBER
NEW/RECOMMENDATION/ AMENDED	19/07/91	629/91	

DATE REVIEWED	REVIEWER POSITION	REVIEWER NAME

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

25 JANUARY 2017

ITEM 8.20 DEVELOPMENT OF A STRONGER COUNCILS
FRAMEWORK FOR QPRC

ATTACHMENT 1 ATTACHMENT 1 QPRC STRONGER COUNCILS
FRAMEWORK

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Managing		Measuring	Transforming													
What are the first steps?		What is the evidence to show we're on the right path?	Where are we going?													
A strong council	10 key results <ul style="list-style-type: none">• Service continuity, with smart service improvements• Robust governance that delivers confidence to communities• Easy to do business with, in person and online• Engaged staff who understand their roles and how they contribute to the new council• Involved communities who have their say• Communities can readily identify with their new council• A shared vision and direction for the whole community• Rates maintained within existing pathways and resources used wisely to serve the entire council area• Expected benefits which are clear, measurable and on target• A newly elected council working for the whole community	Evidence of success to September 2017 <div>Measurable evidence<table><tr><th>Priority area</th><th>Evidence</th></tr><tr><td>Value for money</td><td><ul style="list-style-type: none">• Net financial savings (NPV) of \$xxxx over 10 years included in Council's long term financial forecasts• Net financial benefit of \$xxxx achieved by September 2017</td></tr><tr><td>Community satisfaction</td><td><ul style="list-style-type: none">• % of the community satisfied with Council's overall performance</td></tr><tr><td>Local infrastructure and facilities</td><td><ul style="list-style-type: none">• Number of Stronger Communities Fund applications for community grants received• % of Stronger Communities Fund projects delivered</td></tr><tr><td>Local projects</td><td><ul style="list-style-type: none">• % of priority community projects delivered on time and on budget</td></tr><tr><td>Community engagement</td><td><ul style="list-style-type: none">• % of the community satisfied with Council's community engagement increases</td></tr></table></div>	Priority area	Evidence	Value for money	<ul style="list-style-type: none">• Net financial savings (NPV) of \$xxxx over 10 years included in Council's long term financial forecasts• Net financial benefit of \$xxxx achieved by September 2017	Community satisfaction	<ul style="list-style-type: none">• % of the community satisfied with Council's overall performance	Local infrastructure and facilities	<ul style="list-style-type: none">• Number of Stronger Communities Fund applications for community grants received• % of Stronger Communities Fund projects delivered	Local projects	<ul style="list-style-type: none">• % of priority community projects delivered on time and on budget	Community engagement	<ul style="list-style-type: none">• % of the community satisfied with Council's community engagement increases	Mission <p>A strong council delivers results for its community, builds successful partnerships and has the leadership, culture, people and capacities to make this happen</p> Characteristics <ul style="list-style-type: none">• Strategic capacity• Outstanding service provision• Robust community relationships• Strong performance• Sound organisational health	
	Priority area	Evidence														
	Value for money	<ul style="list-style-type: none">• Net financial savings (NPV) of \$xxxx over 10 years included in Council's long term financial forecasts• Net financial benefit of \$xxxx achieved by September 2017														
	Community satisfaction	<ul style="list-style-type: none">• % of the community satisfied with Council's overall performance														
	Local infrastructure and facilities	<ul style="list-style-type: none">• Number of Stronger Communities Fund applications for community grants received• % of Stronger Communities Fund projects delivered														
	Local projects	<ul style="list-style-type: none">• % of priority community projects delivered on time and on budget														
	Community engagement	<ul style="list-style-type: none">• % of the community satisfied with Council's community engagement increases														
	A strong community	Local benefits – initial thoughts <p>See table below</p>	<table><tr><td>Community and cultural events</td><td><ul style="list-style-type: none">• Number of events increases• Number of people participating in events increases</td></tr><tr><td>Online services</td><td><ul style="list-style-type: none">• % of services available online</td></tr><tr><td>Partnerships</td><td><ul style="list-style-type: none">• Number of partnerships of QPRC with the NSW and ACT agencies that progress local (DP) priorities</td></tr><tr><td>Staff and culture</td><td><ul style="list-style-type: none">• % of staff who feel the organisation has a positive future and are committed to its success</td></tr><tr><td colspan="2">Other important evidence and actions</td></tr><tr><td colspan="2"><ul style="list-style-type: none">• A Community Strategic Plan is developed with extensive community involvement</td></tr></table>	Community and cultural events	<ul style="list-style-type: none">• Number of events increases• Number of people participating in events increases	Online services	<ul style="list-style-type: none">• % of services available online	Partnerships	<ul style="list-style-type: none">• Number of partnerships of QPRC with the NSW and ACT agencies that progress local (DP) priorities	Staff and culture	<ul style="list-style-type: none">• % of staff who feel the organisation has a positive future and are committed to its success	Other important evidence and actions		<ul style="list-style-type: none">• A Community Strategic Plan is developed with extensive community involvement		Vision and priorities – initial thoughts <ul style="list-style-type: none">• Delivering equitable services which meet community needs, interests and ability to pay• Building a sense of place in all communities• Strengthening economic development across the whole region• Improving infrastructure, with appropriate and well maintained assets and major projects delivered in growth areas• Working closely in partnership with the ACT Government to successfully manage cross-border challenges and deliver the best outcomes for the region• Ensuring Council is in a strong financial position
		Community and cultural events	<ul style="list-style-type: none">• Number of events increases• Number of people participating in events increases													
		Online services	<ul style="list-style-type: none">• % of services available online													
Partnerships		<ul style="list-style-type: none">• Number of partnerships of QPRC with the NSW and ACT agencies that progress local (DP) priorities														
Staff and culture		<ul style="list-style-type: none">• % of staff who feel the organisation has a positive future and are committed to its success														
Other important evidence and actions																
<ul style="list-style-type: none">• A Community Strategic Plan is developed with extensive community involvement																

• A strong community	Local benefits – initial thoughts	Measure	Target (1-5)	Means	Frequency
	• Access to, transparency of, and participation in council decision- making	• Satisfaction • Medium	70% > 3 rating	Survey Google analytics Media monitors	Annual Quarter Quarter
	• Quality, reach and range of services	• Satisfaction • Response to request	70% > 3 rating 80% > 3	Survey 1:10 client callback	Annual Monthly
	• Quality and siting of infrastructure facilities	• Satisfaction	70% > 3	Survey Survey monkey (cohort)	Annual Seasonal
	• Level of engagement and type of communications	• Satisfaction • Medium	70% > 3 Web > 40%	Survey monkey (target) Exit survey	Project/Plan Campaign
	• Building sense of community	• quality of life	80%> rate their overall quality of life 'good' or 'extremely good'	Quality of Life Survey (happiness)	Biennial
	• Confidence in quality of advice	• Satisfaction	70% > 3	Client exit survey (eg DA) 1:10 client callback	

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

25 JANUARY 2017

ITEM 8.23	PLANNING AND STRATEGY COMMITTEE OF THE WHOLE
ATTACHMENT 1	SUBMISSION FROM QUEANBEYAN RESIDENTS AND RATEPAYERS RE PLANNING AND STRATEGY COMMITTEE

Queanbeyan Ratepayers and Residents Association Inc.

20 December 2016

The General Manager,
Queanbeyan Palerang Regional Council
257 Crawford Street,
QUEANBEYAN NSW

The proposed changes to the frequency of Council meetings and the establishment of a Planning and Strategy Committee raise a number of concerns for the QRRR.

It is difficult to see any benefit from the proposed changes; according to the report presented to the Council Meeting of 23 November:

- The Committee will still be bound by the council's code of meeting practice;
- The public will still be able to make presentations prior to the Committee meeting;
- The administrator will still be able to discuss issues with staff as he does now; and
- Development matters can still be referred to an ordinary Meeting of council.

On one hand the report to Council states it will reduce unnecessary debate but on the other hand states that matters can be referred to a Council Meeting, where presumably they will be 'debated'. However, the whole notion of 'debate' during this period of administration is ludicrous given that the Council is being run by the Administrator and there are **no** Councillors with whom he can debate.

Of significant concern is that the ordinary Council meetings will be held in Bungendore, away from the main population centre of the LGA, making it difficult for community members to attend meetings that begin at 5.30 pm at a time many will be finishing their work for the day. Although not explicitly stated, although as the Committee is bound by the Code of Meeting Practice, it is assumed there will be a published agenda and the meetings will be videoed to ensure that public awareness and information disclosure is not compromised. This is particularly important because while minutes of meetings record decisions made no reasons for decisions are included.

PO Box 7002
KARABAR NSW 2620

Email: qrrasecretary@gmail.com
Mobile: 0473 024 875

Queanbeyan Ratepayers and Residents Association Inc.

The only benefit that can be seen from the proposal is the opportunity for the Administrator to ask questions as noted in Point 3 of the Report to Council. In our view, because there are no Councillors to represent the community or to put an alternative view, this practice should be extended to Ordinary Council Meetings; we note that the Administrator has in fact done this at a recent Council Meeting.

Another question that arises is whether or not the incoming council following the September 2017 elections will be bound by these proposed arrangements.

In summary there seems to be no valid reason for the establishment of this Committee; the number of meetings will not be reduced and the matters that will come before the Committee can be easily dealt with in an Ordinary Council Meeting. Furthermore, without this Committee an Ordinary Council Meeting will also be held in Queanbeyan each month.

Kim Morris



President

PO Box 7002
KARABAR NSW 2620

Email: qrrasecretary@gmail.com
Mobile: 0473 024 875

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

25 JANUARY 2017

ITEM 8.23 PLANNING AND STRATEGY COMMITTEE OF THE WHOLE

ATTACHMENT 2 PLANNING AND STRATEGY COMMITTEE MEETING -
TERMS OF REFERENCE



PLANNING AND STRATEGY COMMITTEE

TERMS of REFERENCE

Membership

The Planning and Strategy Committee is formed as a committee of the whole comprising all councillors and chaired by the Mayor.

Purpose

The Committee's purpose is to determine matters and adopt or amend policies or strategic plans primarily related to development, planning, environment and strategic land use in the Queanbeyan-Palerang Local Government Area.

Delegations

1. The Planning and Strategy Committee has delegated authority in accordance with Section 377 of the *Local Government Act 1993* to determine matters pursuant to the:
 - *Environmental Planning and Assessment Act 1979*
 - *Local Government Act 1993*
 - *Swimming Pools Act 1992*.
 - *Roads Act 1993*
 - *Public Health Act 2010*
 - *Heritage Act 1977*
 - *Protection of the Environment Operations Act 1997*
2. The delegation excludes:
 - The decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6 of the Local Government Area.
 - The review of a determination made by Council and not by a delegate of the Council, of an application for approval or an application that may be reviewed under Section 82A of the *Environmental Planning and Assessment Act 1979*.
 - Decisions relating to Development Applications carried out on Community Land except where:
 - the development involves the erection, rebuilding or replacement of a building; or
 - it involves extension to an existing building that would occupy more than 10 per cent of its existing area, or
 - the development involves intensification, by more than 10 per cent, of the use of the land

- the location of the development has not been specified in the plan of management applying to the land
 - However, the following buildings are exempt from these requirements and can be dealt with under delegation:
 - toilet facilities,
 - small refreshment kiosks,
 - shelters for persons from the sun and weather,
 - picnic facilities,
 - structures (other than accommodations for spectators) required for the playing of games or sports,
 - playground structures,
 - work sheds or storage sheds,
 - buildings of a kind prescribed by the regulations.
 - adoption of street names.
 - Any function specified in Section 377(1) of the *Local Government Act 1993* which is specifically listed in subclause (a) to (u) of that section.
3. The Committee may conduct site inspections.
 4. The Committee may nominate representatives to planning and statutory committees and panels.
 5. Committee meetings will be live streamed via Council's webcast system.