

ATTACHMENTS TO VARIOUS REPORTS FINANCE & ADMINISTRATION COMMITTEE

MONDAY 15 OCTOBER 2012

ATTACHMENT TO FAC 6B – 10/2012

**PECUNIARY INTEREST DECLARATIONS
2011 – 2012**

To be Tabled

ATTACHMENT TO FAC 6C – 10/2012

**ANNUAL REVIEW OF COUNCILLORS PAYMENT
OF EXPENSES AND PROVISION OF FACILITIES
POLICY**

ATTACHMENT 1 – 6C

***Draft* Councillors Payment of Expenses and Provisions of Facilities Policy**

POLICY NAME	<i>Draft</i> Councillors Payment of Expenses and Provision of Facilities Policy
DIRECTORATE	Corporate Services - Governance

PURPOSE

The purpose of the policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by Councillors related to their Council duties. The policy also ensures that the facilities provided to assist Councillors to carry out their civic duties are reasonable.

SCOPE

The policy applies to Mayors and Councillors. It also applies to Administrators of Council where appropriate.

The policy does not address the setting and payment of Councillors' annual fees.

CONTENT

1. Introduction

Reporting requirements

Council must ~~review~~ **adopt** this policy annually and submit the policy to the ~~Department~~ **Division** of Local Government by 30 November each year. Council must give Public Notice of 28 days **of its intention to adopt or amend the policy to allow for the making and consideration of public submissions** prior to the adoption of the policy by Council.

Council's annual report is to include a copy of the policy.

The annual report is to include the following information:

- a. details (including the purpose) of overseas visits undertaken during the year by councillors, council staff or other persons while representing the Council (including visits sponsored by other organisations);
- b. details of the total cost during the year of the payment of the expenses of, and the provision of facilities to, councillors in relation to their civic functions (as paid by the Council, reimbursed to the Councillors or reconciled with the Councillors), including separate details on the total cost of each of the following:
 - i. the provision during the year of dedicated office equipment allocated to councillors on a personal basis, such as ~~laptop~~ **tablet** computers, mobile telephones ~~and landline telephones and facsimile machines installed in councillors' homes~~ (including equipment and ~~line rental costs and~~ internet access costs but not including call costs);

- ii. telephone calls made by Councillors, including calls made from mobile telephones provided by the Council and from landline telephones and facsimile services installed in Councillors' homes;
 - iii. the attendance of Councillors at conferences and seminars, and any spouse/partner/accompanying person expenses paid;
 - iv. the training of councillors and the provision of skill development for councillors;
 - v. interstate visits undertaken during the year by Councillors while representing the Council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses. Travel to surrounding Councils in Victoria would be considered local travel;
 - vi. overseas visits undertaken during the year by Councillors while representing the Council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses;
 - vii. the expenses of any spouse, partner or other **approved** person who accompanied a Councillor in the performance of his or her civic functions, being expenses payable in accordance with the guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for local Councils in NSW prepared by the Director-General; and
 - viii. expenses involved in the provision of care for a child of, or an immediate family member of, a Councillor, to allow the Councillor to undertake his or her civic functions; and
 - ix. any other significant expenses.
- c. Councillor attendance at Section 360 Committee meetings and Council meetings.

Legislative Provisions

This policy is made under the *Local Government Act 1993* (the Act) in accordance with sections 23A, 252 to 254A, together with clause 403 of the *Local Government (General) Regulation 2005*.

The Act includes requirements that Council must adopt or amend a policy annually for the payment of expenses and the provision of facilities for the mayor, the deputy mayor and councillors. Section 252(3) prevents a Council from paying any expenses or providing any facilities otherwise than in accordance with the provisions set out in this policy.

Provision under the Regulation includes those under Clause 403 which disallows the payment of a general expense allowance, and for a vehicle to be made available for the exclusive use of a councillor other than the mayor.

Reference Documents

- *Local Government Act 1993 – Sections 23A, 252-254.*
- *Local Government (General) Regulation 2005 – Clause 217, Clause 403.*
- *Local Government (State) Award 2010*

Relevant Government Policy

- DLG Guidelines for payment of expenses and provision of facilities to Mayor and Councillors in NSW – October 2009.
- Relevant ICAC Publications including *No Excuse for Misuse*.
- *DLG Circular 05/08 Legal Assistance for Councillors and Council Employees*.

Relevant Council Policy/Registers

- Delegations of Authority.
- Code of Conduct
- **Councillors Gift Register – all gifts with a total value greater than \$20 must be reported to Executive Services for inclusion in the Councillors Gift Register. For further information refer to *AlburyCity Code of Conduct*.**

Approval Arrangements

Councillor Attendance at all for conferences is to go before full Council for determination will be approved jointly by the Mayor and the Deputy Mayor based on the following criteria:

- benefit of conference to the Council and community;
- appropriateness of attendance by Councillors;
- costs involved in attendance at the conference, including travel; and
- the number of Councillors (if any) to attend.

If approval is sought by the Mayor, then approval may be given jointly by the Deputy Mayor and one other Councillor.

The Executive Support Team will provide information about forthcoming conferences relevant to local government to all Councillors. All Councillors are eligible to attend the annual NSW Local Government Association conference.

Councillors who attend a conference are to provide a report to Council for noting. Executive Support Staff will provide a report to Council every six months on conference attendance by Councillors. This report will include conference name, dates, Councillors attending, costs of the conference, accommodation and travel.

Travel and accommodation for Councillors for Council approved business will be arranged, and wherever possible payment made, by the Executive Support Team. Council will book accommodation at the conference/function venue where possible, or reasonably close to the venue.

Expenses incurred outside this policy will only be approved by Council resolution **(with the individual Councillor the subject of the expenses to be excluded from the vote).**

~~Where approval at a full Council Meeting is not possible, for example; due to time constraints, then approval may be given jointly by the Mayor and the Deputy Mayor.~~

Disputed reimbursements or payments are to be reviewed by a full Council Meeting.

Reimbursement of reasonable expenses to Councillors is to be approved by the Mayor or General Manager in accordance with this policy.

Reimbursement of reasonable expenses to the Mayor is to be approved by the General Manager in accordance with this policy.

Reimbursement should be sought within one month of incurring the expenses.

Refer to chart 'Monetary Limits for Expenses' – at the end of this policy.

2. Payment of Expenses

Payment of Expenses Generally

Allowances and reimbursements are for actual expenses incurred upon the presentation of official receipts and the completion of the authorised claim forms see [Reimbursement of Expenses Form](#). This policy does not include provision for general expense allowances. Consideration will be given by the Mayor to the payment of reasonable expenses associated with the special requirements of Councillors such as disability and access needs to allow performance of normal civic duties.

Travel

- a. Council will pay actual travelling expenses incurred (airfares, hire car and fuel petrol/oil costs) and accommodation expenses that are associated with travelling to and from, and during Council approved conferences, seminars, training or business of the Council.
- b. Council will pay actual costs incurred for meals and other incidental expenses when travelling to and from, and during Council approved conferences, seminars, training or business of the Council, subject to the production of satisfactory documentary evidence.
- c. Council will reimburse actual taxi fares incurred when a Councillor attends a Council approved conference or seminar, or conducts business of the Council.
- d. Council will pay to councillors, allowances for personal vehicle kilometres travelled to official Council business outside of the Albury local government area, in accordance with the rates set out in ~~Notional Agreement (NAPSA), formerly known as the Local Government (State) Award~~ **Clause 14 (ix) of the Local Government (State) Award 2010.**

Private Overseas Travel

Councillors travelling overseas at their own expense are eligible for reimbursement of internet access costs for Council related matters only, up to the maximum monthly amount as specified under *Communication Costs and Expense* section of this policy. For telephone calls, Councillors will be reimbursed for communication costs associated with Council business only.

Councillors shall seek IT advice prior to travel if it is intended to seek reimbursement. **International roaming is not available on Council supplied communications and IT equipment.**

Reimbursement and Reconciliation of Expenses

When requested by a Councillor, payment in advance can be made for the cost of service associated with their civic duty. The payment will be reconciled against the actual expense incurred. This reconciliation must be completed within two weeks of the completion of the civic duty. For Councillors, the payment in advance request is to be presented to the Mayor for approval. The Mayor's payment in advance request is to be presented to the General Manager.

Reasonable out of pocket or incidental expenses associated with attending conferences, seminars or training courses, that Councillors incur may be reimbursed upon the presentation of official receipts and the completion of the necessary claim forms to the Mayor. The Mayor's claim forms are to be presented to the General Manager.

Incidental expenses could reasonably include telephone ~~or facsimile~~ calls, refreshments, internet charges, laundry and dry cleaning, newspapers, taxi fares and parking fees. In addition, the cost of meals not included in the registration fees for conferences or similar functions may be reimbursed after reconciliation. All advanced payments are required to be reconciled with substantiating documentation.

Spouse and Partner Expenses

Partner's expenses at conferences will not be reimbursed.

However, there may be **limited** instances 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 (hence they are properly incurred by, and reimbursable to the Councillor). An example of this is an accompanying person providing carer support to the Councillor.

3. Specific Expenses for Mayors and Councillors

General Travel Arrangements

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

Overseas travel must be approved by a meeting of the full Council prior to a Councillor undertaking the trip. The report to Council should indicate the purpose of the trip and expected benefits, the duration, itinerary and approximate costs of each proposed visit.

Upon returning from the trip, Councillors or an accompanying member of staff, will provide a detailed written report to Council.

Travel Arrangements and Expenses

Arrangements for the use of a private vehicle and provisions for the use of public transport, taxis, hire cars; travel using a Council vehicle and associated other costs such as parking and road tolls can be made. Upon request, Council will provide a vehicle for councillor use on

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

Educational Expenses

Council will pay for training and short courses specifically related to the role of a Councillor. Council will not pay for any expenses related to formal education, for example; TAFE or university courses. All Councillor Requests are to be presented to the Mayor for approval, or to the General Manager for the Mayor.

Attendance at Dinners and other Non-Council Functions

Consideration may be given at a full Council Meeting to meeting the cost of Councillors' attendance at dinners and other non-Council functions which provide briefings to Councillors from key members of the community, politicians and business. Approval to meet expenses should only be given when the function is relevant to the Council's interest. Only the cost of the service provided should be met.

No payment should be reimbursed for any component of a ticket that is additional to the service cost of the function, such as a donation to a political party or candidate's electoral fund, or some other private benefit. An additional payment to a registered charity may be acceptable as part of the cost of the function.

The cost of attending fundraising activities of political parties will not be met.

Civic Duty Related to Matters of a Community or Charitable Nature

When **Councillor Partners are invited guests within the Local Government area** and the Mayor or Council is invited to host a table at a dinner or similar event, for fundraising, community or charitable purposes, attendance costs for Councillors and their spouses/partners will be paid by Council. Individual Councillor Requests for specific events must be approved by the Mayor.

Communications Costs and Expenses

Councillors will be reimbursed for communication costs associated with council business **for example; Wi-Fi connection cost incurred at accommodation when travelling.**

Council will reimburse the costs associated with a broadband internet connection to a maximum of \$60 per month. This does not include telephone line rental costs. **To be eligible for the reimbursement Councillors must have Wi-Fi access installed to minimise data costs for the Council supplied tablet computer. Council can supply an ADSL Wi-Fi modem.**

Printer Expenses

Council will reimburse costs associated with printer consumables used for Council related printing. Council will print Council related documents on request on Council's economical laser printers and forward to councillors. A printer is also provided in the Councillor Office.

Care and Other Related Expenses

Council will pay carer expenses when a councillor is required to attend meetings, seminars, training and conferences of the Council, where such attendance is in the course of the Councillor performing their civic duties. This includes childcare expenses and the care of the elderly, disabled and/or sick immediate family members of Councillors.

Consideration will be given to payment of other related expenses associated with the special requirements of Councillors, such as disability and access needs, to allow them to perform their normal civic duties and responsibilities.

Councillors' reimbursement requests for communication, printer and carer expenses are to be provided to the Mayor, or to the General Manager for the Mayor.

~~*Insurance Expenses and Obligations*~~

~~Council will arrange and pay for various insurance policies for Councillors from time to time including:~~

- ~~• Councillors' personal property lost or damaged whilst on Council business.~~
- ~~• Personal accident covers for councillors whilst engaged in, or on, any Council business, for death or bodily injury by accidental means.~~
- ~~• Liability policy covering damages, judgements, settlements, costs and defence costs by reason of any wrongful act committed in the performance of Council duties.~~
- ~~• Public liability and professional indemnity for property damage or personal injury, arising out of a negligent act or error by a councillor on Council business.~~
- ~~• Motor vehicle cover for councillors' vehicles, whilst being used on authorised, official Council business, in accordance with the prevailing policy terms, conditions and exclusions.~~
- ~~• Travel insurance for approved overseas travel on Council business.~~

Insurances and Councillor Obligations

Council maintains insurance policies which extend benefits to elected representatives of Council where the person is engaged in or on any activity directly or indirectly connected with Council including travelling to and from such activity. These insurances are;

Personal Accident Insurance

This insurance provides some conditional coverage for Councillors and their accompanying partners for:

- personal accident and sickness (including provisions for lump sum payments and weekly benefits);
- payment of medical expenses;
- payment of additional expenses such as cancellation and curtailment fees;
- travel (domestic and overseas) including general loss of personal and business property, medical expenses and other incidental travel related issues.

Motor Vehicle Insurance

This insurance provides some conditional coverage for damage to privately owned vehicles whilst being used on authorised and official council business. The cover offered is on the following basis:

- the cover applies to Councillor's and their spouses only;
- in all cases, claims for damage involving personal vehicles must first be lodged on the owner's personal motor vehicle insurance policy;
- no benefits are payable under this policy for vehicles registered to any entity other than the Councillor or their spouse, ie company registered vehicles are not covered; and
- the benefits payable under this policy are capped at not more than \$35,000 for all loss and damage resulting from the use of the privately owned vehicle.

Councillors Liability

This insurance provides some conditional coverage for Councillors against claims they have committed a wrongful act resulting in harm or damage to a third party when acting in good faith in the course of their duties for Council.

This includes personal financial loss associated with defamation proceedings, the costs of attending formal statutory inquiries (such as ICAC) and general claims or prosecutions of breach of duty or corruption, legal defence costs, the costs of properly investigating any allegations as well as the financial cost of any judgement or settlement made against the insured person.

Councillors shall notify the General Manager as soon as reasonably practicable of any intention to make a claim under council's insurance policies.

Legal Expenses and Obligations

1. ~~Council may disburse money for legal costs of Councillors only if the disbursement is authorised by the Local Government Act 1993, either expressly or because it is supplemental or incidental to or consequential upon the exercise of its functions.~~
2. ~~In the particular circumstances outlined below, Council may therefore 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 (section 731 refers); 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 and the outcome of the legal proceedings is favourable to the Councillor; or~~
 - ~~(c) a Councillor for proceedings before the Local Government Pecuniary Interest and Disciplinary Tribunal or an investigative body provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the Tribunal or investigative body makes a finding substantially favourable to the Councillor. An investigative body may include:~~
 - ~~Independent Commission Against Corruption;~~
 - ~~Office of the NSW Ombudsman;~~

- ~~Division of the Local Government,~~
- ~~Department of Premier and Cabinet;~~
- ~~NSW Police Force,~~
- ~~Director of Public Prosecutions, and~~
- ~~Council's Conduct Review Committee/Reviewer.~~

3. ~~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 that a Councillor has done during his or her term in office.~~

~~An example of the latter is expenses arising from an investigation as to whether a Councillor acted corruptly by using knowledge of a proposed rezoning for private gain. This latter type of expense does not form part of this policy adopted under section 252 of the Act.~~

The reasonable legal expenses of a councillor may only be met for legal proceedings being taken against a councillor in defending an action arising from the performance in good faith of a function under the Local Government Act (section 731 refers) or defending an action of defamation, provided that the outcome of the legal proceedings is favourable to the councillor.

Reasonable legal costs may also be available for an inquiry, investigation or hearing into a councillor's conduct by an appropriate investigative or review body including:

- i. Local Government Pecuniary Interest and Disciplinary Tribunal
- ii. Independent Commission Against Corruption
- iii. Office of the NSW Ombudsman
- iv. Division of Local Government, Department of Premier and Cabinet
- v. NSW Police Force
- vi. Director of Public Prosecutions
- vii. Council's Conduct Review Committee/Reviewer.

In addition, legal costs must only be provided where the investigative or review body makes a finding that is not substantially unfavourable to the councillor. This may include circumstances in which a matter does not proceed to a finding. In relation to a councillor's conduct, a finding by an investigative or review body that an inadvertent minor technical breach had occurred may not necessarily be considered a substantially unfavourable outcome.

In the event of any dispute as to whether specific expenses are covered by this policy, a decision will be made by Council, in its absolute discretion, by resolution of Council (with the individual Councillor the subject of the expenses to be excluded from the vote).

4. Any reimbursement of costs to a Councillor will be capped at ~~\$5,000 for non-litigious advice and assistance and \$25,000 for litigious advice, representation and assistance~~ **the amount specified in the Councillors' liability insurance policy and the claim approved by the insurer.** Should any costs be incurred in excess of these amounts Council may, in its absolute discretion, approve payment by resolution of Council (with the individual councillor the subject of the expenses to be excluded from the vote).

~~5. Council may not meet the costs of an action in defamation taken by a councillor as plaintiff in any circumstances.~~

Council will not meet the legal costs of legal proceedings initiated by a Councillor under any circumstance.

Council ~~may~~ **will** not meet the costs of a councillor or ~~Council employee~~ seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.

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

Where doubt arises in relation to any of these points of the policy, the Council may seek its own legal advice.

Councillors shall inform the Mayor and General Manager of their intention to lodge a claim for expenses relating to legal expenses.

Executive Membership

Council will pay expenses over and above the amount reimbursed as a result of a councillor being an executive member of a local government related group or association, but only when each individual matter has been dealt with on its merits by the full Council.

4. Provision of Facilities

Council facilities, equipment and services are not to be used to produce election material or for any other political purposes. Councillors should not obtain more than incidental private benefit from the provision of equipment and facilities. ~~nor from~~ Travel bonuses such as 'frequent flyer' schemes or any other loyalty programs **are not to be used** while on Council business. **Any benefits obtained whilst on Council business remain the property of AlburyCity and are not to be used in private circumstances.**

In situations where private use **of facilities** occur, Council will establish a suitable rate for the reconciliation and reimbursement by Councillors of that private use.

Provision of Equipment and Facilities for Councillors

- a. Councillors are provided with an office in the city administration building, which contains office furniture, a telephone/facsimile, a computer, printer, and photocopier.
- b. Councillors are provided with a ~~portable computer and printer~~ **tablet computer in accordance with Council's IT platform standards.**
- c. **Information Technology training if so requested.**
- d. Upon request, Council will provide a ~~Council authorised~~ **Smart phone in accordance with Council's IT standards**, with the option of personal digital assistant (PDA) functionality for Council business use only. **and Council will pay for the usage fees costs.** ~~A Council authorised wireless car kit will be made available on request.~~
- e. Business cards and councillor letterhead, if ~~they~~ **so requested.**
- f. Car parking in the basement is set aside for the use of Councillors.

- g. Meals on evenings of Council and Committee meetings, Community Forums and Councillor Workshops.
- h. Appropriate protective clothing and equipment when Councillors are required to go onto work sites as part of their civic duty.
- i. Airport lounge membership for the Deputy Mayor and Chairpersons of the Section 360 Council Committees, if so required by the Councillor.

Provision of Additional Equipment and Facilities for Mayors

The Mayor is provided with:

- a. an office in the city Council administration building;
- b. secretarial support, including telephone and reception duties, word processing, organisation of receptions including catering, preparation of speeches, media releases and correspondence;
- c. a mayoral reception suite for the purposes of conducting civic receptions for visiting dignitaries. The suite contains office furniture, a television and electronic recording media;
- d. an executive-style vehicle, if so required by the Mayor, which may be used for private use. Other Councillors may use the mayoral vehicle while on approved Council business. A dedicated car parking spot in the basement is provided for the Mayor;
- e. ceremonial clothing including mayoral robes, and chains of office;
- f. a corporate credit card; and
- g. airport lounge membership.

Council may only pay a Deputy Mayor part of the annual mayoral fee where a Deputy Mayor demonstrably acts in the role of the Mayor.

Private Use of Equipment and Facilities

In accordance with the Code of Conduct, Council equipment and facilities must not be used for private purposes unless lawfully authorised by the Mayor (for Councillors) or the Council (for the Mayor) and proper payment is made where appropriate. An appropriate commercial rate will be determined depending on the equipment being used.

It is acknowledged that incidental use of Council equipment and facilities may occur from time to time. Such incidental private use is not subject to compensatory payment.

The interest of a Councillor in their re-election is considered to be a personal interest and as such the reimbursement of travel and other expenses incurred on election matters is not appropriate. Council letterhead, Council crest and logo and other information that could give the impression it is official Council material must not be used for these purposes.

5. Other Matters

Acquisition and Returning of Facilities and Equipment by Councillors

Upon completion of their term, when on extended leave of absence or at the cessation of their civic duties, all Council provided equipment is to be returned by Councillors, and access to the councillor facilities is no longer available.

Councillors have the option to purchase Council IT equipment previously allocated to them at the cessation of their duties. This will be at a fair and independent market price.

Where the residual value on a particular piece of equipment is determined to be zero, the equipment may be retained by the Councillor for no cost at the cessation of their duties. Any ongoing costs incurred in using such equipment will be met by the Councillor.

Upon the election of a new mayor, the outgoing mayor will retain access to all the nominated equipment and facilities applicable for councillors. All mayoral equipment is to be returned to Council and access to the mayoral facilities is no longer available.

Authorisation Table on the following page.

AUTHORISATION

Status	Committee	To be advised.
	Manex	17 October 2006 Tuesday 14 August 2012
	Council	To be advised.
Owner	Corporate Services - Governance	
Compliance	Mandatory	
Review	This policy will be reviewed to cater for legislative or council changes.	
History	<p>Adopted by Council on Monday 1 December 1997 (FAC14). NB: Expenditure limits set by Council at its meeting on 9 October 1995 (FC 9) in relation to attendance at conferences, etc. Revised by Council 1 December 1997. Revised by Council on Monday 28 June 2004 to update the Facilities section. Revised by Council on 26 March 2007 in accordance with DLG Guidelines. Revised by Council on 24 November 2008, annual review in accordance with the LG Act. Further update after the Council meeting held on Monday, 24 November 2008, by <i>resolution numbers 229/2008, 230/2008 and 232/2008</i>. Revised by Council on 28 September 2009, annual review in accordance with the LG Act. Revised by Council on 28 June 2010, annual review in accordance with the LG Act. Revised after public exhibition late 2010 Adopted Council Meeting November 2010. Revised after public exhibition September 2011. Included in the AlburyCity Public Policy and Procedure Register. <u>Reimbursement of Expenses Form is an attachment to this Policy.</u></p>	
Last issued	September 2011	Review under review August 2012
TRIM REFERENCE DOC12/99030		

See attached Monetary Limits for Expenses on following page

MONETARY LIMITS FOR REIMBURSEMENT

Section Name	Expense Type	At Cost	Limit Amount	Comment
Conferences *Including Travel and accommodation	Registration Costs	Actual	Costs of conferences are detailed on Conference reports presented to Council	All conference attendance determined by Resolution of Council. Conference report to be provided to Council at the first available Council Meeting after the Conference.
Travel	Air travel Rail travel Taxi Bus Parking	Actual	Within reason	Travel arrangements must be approved by the Mayor. See Details for travel arrangements also General travel arrangements
Accommodation	Actual up to daily limit	Actual up to daily limit	1. \$300 per night 2. \$250 per night 3. \$200 per night	1. State Capital Cities and Canberra 2. Regional Cities (eg. Orange, Bathurst, Wollongong). 3. Country.
Accompanying person expenses	Carer or spouse acting as carer	Actual	Reimbursement request to be approved by the Mayor. The General Manager to approve for the Mayor.	See Care and Other Related Expenses
Attendance at dinners and other non-Council functions	Cost of service provided	Actual	None	No payment shall be reimbursed for any component of a ticket which is additional to the service cost of the function, such as a donation to a political party or candidate's electoral fund, or some other private benefit.

Section Name	Expense Type	Reimbursement	Limit Amount	Comment
Care and Other Related Expenses	Personal care or child care expenses up to four hours	Actual	\$80	See Care and Other Related Expenses To cover a four hour engagement of a babysitter or carer when a Councillor is required to attend any Council, Committee Meeting of Council.
Spouse and Partner Expenses	spouse/partner expenses		None/some limited instances	See Spouse and Partner Expenses
Out of Pocket Expenses	Offered by Council for the development of skills and provision of information appropriate to the role of Councillor	Actual up to daily limit.	\$100 per day	Expenses in this category may include: <ul style="list-style-type: none"> Reasonable telephone, facsimile or internet usage Newspapers Tolls Reasonable refreshments Meals not included in registration fees for conference.
Use of Private Motor Vehicle	Payment	Per km allowance as defined in Clause 14 (ix) of the Local Government (State) Award 2010.	Under 2.5 litre 0.65c p.km. Over 2.5 litre 0.75c p.km.	See Payment of Kilometres Clause
Phones including - mobile - Internet Access	Cost of Service provided	Council related business	Council related business. \$60 cap per month	See Communications Costs and Expenses To be eligible must have access to Wi-Fi at home residence to reduce data cost.
Legal assistance for Mayor and Councillors	Cost of Service provided	As determined by Council Resolution	Determined by Council	See Legal Expenses and Obligations

ATTACHMENT TO FAC 6D – 10/2012

***DRAFT* USE OF COUNCIL SEAL POLICY**

ATTACHMENT 1 – 6D

Draft Use of Council Seal Policy

POLICY NAME	Use of Council Seal
DIRECTORATE	Executive Services

PURPOSE

The purpose of this Policy is to specify:

- a. The conditions under which the Council Seal (Seal) must be affixed to documents;
- b. The procedure for affixing the Seal.

SCOPE

This Policy is applicable to all Councillors and Council staff, delegates, volunteers, agents and contractors in relation to the use of the Seal.

CONTENT

Definitions

In this Policy, except as otherwise provided, expressions used are defined in the Dictionary in the *Local Government Act 1993* (NSW) (Act) and have the meanings set out therein.

The Seal is the official stamp of Albury City Council, indicating Council's formal acceptance of the contractual document/s and/or obligations.

In the event of any inconsistency between this Policy and the Act or the *Local Government (General) Regulation 2005* (Regulation), the Act or the Regulation (as the case may be) shall prevail to the extent of the inconsistency.

The Electronic Document Management System (EDMS) is an information system which captures, maintains and provides access to records in various formats over time. Albury City Council's EDMS is TRIM.

Holder of the Seal

The Seal must only be held by the Mayor or the General Manager, as Council determines.

Documents that must have Council's Seal Affixed

Council must affix the Seal in relation to the following:

- (a) the execution of documents for the disposal of land;
- (b) the execution of documents for the acquisition of land;
- (c) funding agreements or contracts between Council and the NSW Government or Commonwealth Government; and
- (d) as otherwise required by law.

Council may, at its discretion, affix the Seal to a document if it relates to the "business of Council". It must not affix the Seal to a document if it does not relate to the business of Council. A document which is a reference or certificate of service for an employee of Council does not relate to the business of Council.

Procedure for Affixing Council's Seal

The Seal shall not be affixed to any document unless Council has:

1. listed the document under the Documents for Sealing section of the Ordinary Council Meeting Agenda; or
2. resolved to affix the Seal to a specific document with a specific resolution.

1. Listing of Documents for Sealing on Council Agenda

Council officers will be responsible for forwarding documents to Executive Support for listing on the Ordinary Council Meeting Agenda with the following information:

- Purpose of legal document
- Contact officer
- Date of Council Meeting when sealing is to be considered
- EDMS File No.

These details will be entered into the Documents for Sealing Register.

Executive Support staff will provide details of all documents from the register that have been requested to be sealed by Council each month for listing on the Ordinary Council Meeting Agenda under Documents for Sealing to the Governance staff.

2. Specific Documents Requiring a Council Resolution

The suggested wording for documents that require a resolution of Council is as follows:

"Council hereby authorises its Seal to be affixed to [identify the document/s and the value including GST if a contract] in the presence of two signatories authorised to affix the Seal pursuant to Regulation 400 of the Local Government (General) Regulation 2005 and the Use of the Council Seal Policy."

Council officers are responsible for ensuring that the wording of resolutions relating to the affixing of the Seal complies with this Policy.

Once a Council resolution has been made to affix the Seal, Council officers will be responsible for forwarding the documents to Executive Support for sealing with the following information:

- Purpose of legal document including the value if a contract.
- Contact officer
- Date of Council Meeting when resolution was adopted
- EDMS File No.

These details will be entered into the Documents for Sealing Register.

3. Witness to Sealing

Documents requiring the Seal to be affixed must be done only in the presence of:

- (a) the Mayor and the General Manager; or
- (b) at least one Councillor (other than the Mayor) and the General Manager; or
- (c) the Mayor and at least one other Councillor; or
- (d) at least two Councillors other than the Mayor

The affixing of the Seal will have no effect unless the persons who were present when the Seal was affixed sign and attest that the Seal was affixed in their presence.

4. Attesting to Witness of Sealing

The persons who witnessed the sealing in accordance with 3 above, must attest that the Seal was affixed in their presence and was done so in accordance with a resolution of Council. The attestation should read:

Pursuant to a resolution of Albury City Council on [insert date] to affix the Council Seal to this document, I hereby attest that the Seal was so affixed in my presence: [insert signature].

5. Execution of Documents

Once Council has approved documents to be sealed, the Mayor and the General Manager (or such other Councillors as indicated in 3 above) are responsible for executing the document to which the Seal is to be affixed.

The Mayor and the General Manager (or such other Councillors) are responsible for ensuring that they do not affix the Seal to any document for which a resolution has not been adopted relating to the affixing of the Seal.

Details of the signatories to the sealing, the date the document was signed and sealed, and the date Council resolved to affix the Seal are entered into the Documents for Sealing Register.

All executed documents are then forwarded to Records staff by the authorised Council officer where Records staff will scan the documents to the EDMS as required by the *State Records Act 1998*.

Related Policies/Legislation

The Policy should be read in conjunction with:

- (a) Management of Legal Documents Policy
- (b) Albury City Code of Meeting Practice; and
- (c) Albury City Council Delegations Manual
- (d) *Draft* Acquisition and Disposal of Property Policy (yet to be adopted)

AUTHORISATION

Status	Committee	Include date approved or not required
	Manex	9 October 2012
	Council	Date adopted or not required
Owner	Supervisor Executive Support	
Compliance	Mandatory	
History	New policy 9 October 2012	
Register	This procedure is included in the Public Policy Register.	
Last issued	Date last issued	Review Insert date four years from last issue date
TRIM REFERENCE DOC12/97020		

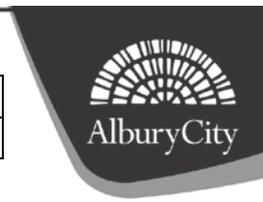
ATTACHMENT TO FAC 6E – 10/2012

***DRAFT* REVISED CUSTOMER SERVICE
CHARTER**

ATTACHMENT 1 – 6E

Draft Revised Customer Service Charter

POLICY NAME	<i>Draft Revised</i> Customer Service Charter
DIRECTORATE	Corporate Services – Customer Service



PRINCIPLE STATEMENT

AlburyCity is committed to ensuring that its customers receive efficient, responsive and friendly service.

We will treat people like valued customers every time they interact with Council staff, we will untangle red tape, streamline systems and listen to our community to respond to its needs.

ACCESSIBILITY

1. AlburyCity is contactable 24 hours per day, seven days per week:
 - **In person** at the Customer Service Centre, 553 Kiewa Street, Albury from 8:30am to 5:00pm Monday to Friday
 - *In person at the Lavington Library during opening hours (when the new facility opens in 2013)*
 - **By telephone** from 8:30am to 5:00pm Monday to Friday - 02 6023 8111
 - **By telephone** after hours, on weekends and public holidays **for emergencies** - 1300 133 391
 - **By fax** 02 6023 8190
 - **By mail** PO Box 323 Albury NSW 2640
 - **By email** info@alburycity.nsw.gov.au
 - **Via our website** www.alburycity.nsw.gov.au
2. A Community Directory containing information on community services, groups and organisations is available in booklet form and on our website.
3. Our newsletter Accent on Albury is published quarterly and delivered to every household and business in the City to inform residents of events, issues and opportunities.
4. The AlburyCity Annual Report, Council Plan, Financial Plan, 2030 Vision and information about Council services are all available to the public at the Customer Service Centre, **Council Libraries**, by mail or on the City's website.
5. All information will be provided in a clear, concise, courteous and plain English style.
6. We will respect and protect your privacy.

FEEDBACK

7. We undertake to provide opportunities for you to comment and make suggestions on our services and we welcome feedback, both positive and negative. We encourage people to call in, phone, write, and email or enter comments on **the relevant feedback forms** sections of our website.

8. All actions and requests will be logged via our Customer Request System and responded to accordingly. Where resolution or response may be delayed or planned for the future, progress and updates will be provided.
9. We undertake to listen to our customers and attempt to deliver a timely resolution or outcome to all requests for assistance or information.

CUSTOMER CARE

10. All Staff strive to:
 - Be approachable.
 - Have a helpful attitude.
 - Take responsibility for an enquiry – deal with it themselves or find the appropriate person that can.
 - Keep the **Customer** informed and tell them what they know regarding how the enquiry will be dealt with.
 - Maintain a professional manner – formal, fair and courteous.
11. For customer requests/enquiries received through the Customer Service Centre, or **Lavington Library Customer Service Centre**, AlburyCity will:
 - **Log request into the Customer Request Management (CRM) System if works or services are requested.**
 - **If CRM logged, issue the CRM identification number to the customer for future reference.**
 - Allocate **an officer** to take responsibility for the request/enquiry.
 - Respond to infrastructure related emergencies within 2 hours.
 - Schedule non-urgent tasks in accordance with routine works programs.
 - **Ensure management review outstanding CRMs on a monthly basis.**
12. For written and email requests/enquiries, AlburyCity will:
 - **Register these on the TRIM Records Management System.**
 - **Log request into the Customer Request Management System if works or services are requested.**
 - Allocate **an officer** to take responsibility for the request/enquiry.
 - Respond to the enquiry within 10 working days.
 - **Ensure management review outstanding requests on a monthly basis.**
13. AlburyCity will endeavour to answer each telephone call in person. Where this is not possible, a voice mail message will invite you to leave a message. An AlburyCity Officer will then return your call within 24 hours.
14. **Complaints will be addressed in accordance with the AlburyCity Complaints Management Policy.**

ECONOMIC DEVELOPMENT ENQUIRIES

15. Enquiries will be responded to within 24 hours.
16. Customers will be followed up within 5 days of confirming customers' needs to ensure service requirements have been met.

PLANNING AND ENVIRONMENT SERVICE GUARANTEES

17. ENVIRONMENTAL COMPLIANCE RESPONSE TIMES

Emergency situations	immediately
Roadway Hazards	6 hours
Dangerous Dog	6 hours
Noise/Nuisance Complaint (investigation)	24 hours
Stray Dog (secured)	48 hours
Erosion Control	24 hours
Illegal Rubbish Dumping	24 hours
Public swimming Pools	48 hours
Cooling Towers	48 hours
Insect control and monitoring	48 hours
Protection of public water supply	48 hours
Food premise inspection	48 hours
General Environmental Complaints or Issues	10 days

18. BUILDING SURVEYING APPROVAL TIMES (WORKING DAYS)

Complying Development Certificates	10 days
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Construction Certificates *	5 -15 days
• Major	15 days
• New Homes	10 days

Development Applications	5 -20 days
• Major	20 days
• Minor Residential	15 days

Plumbing & Drainage Approvals *	5 days
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Building Certificates #	5 days
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** where a Construction Certificate and/or Plumbing & Drainage Approval has been applied for with a Development Application then approval times of the Development Application apply.*

the timeframe for a Building Certificate applies from when access is provided to the property and can only be issued if no outstanding works are identified.

19. TOWN PLANNING APPROVAL TIMES (WORKING DAYS)

Planning Certificates	3 days
Pre-lodgement appointments are available <i>(from initial request)</i>	5 days
Development Applications <i>(from lodgement date)</i>	
• Written acknowledgment	3 days
• Requests for additional information	10 days
• Referrals to external Authorities	10 days
• Public notice (advertising)	5 days
• Determination	20 days

- Please note for Building Surveying and Town Planning approvals and applications the number of days quoted above does not include the time required for advertising and notification of applications or requests for further information regarding development proposals.

AUTHORISATION

Status	Committee	Not required.
	Manex	Review to Manex 8 October 2012
	Council	Not required.
Owner	Corporate Services – Customer Service	
Compliance	Yes	
Other	This revised policy will supercede the previous version. Included in the AlburyCity Public Policy and Procedure Register.	
Last issued: July 2006 New issue date to be included once approved.		Review: July 2012– July 2016 or as required by legislation and Council circumstances.
TRIM REFERENCE: DOC11/27977[v2]		