



Policy No. 2 – Councillor Expenses

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Local Government Act 1993 – Schedule 5

Local Government (General) Regulations 2025

Statutory Authority:

OBJECTIVE

To ensure Councillors are adequately reimbursed on a consistent basis for expenses incurred in discharging their duties as an elected local government member.

SCOPE

This policy applies solely to the reimbursement of expenses and the provision of facilities for Councillors that are in addition to the Councillor allowance received. The payment of Councillor allowances is determined under s340A of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulations 2025*.

POLICY

The payment of Councillor expenses and provision of facilities provided for by this policy are categorised as follows:

1. Mobile Phone and Internet Access

Council will pay the following allowances for mobile phone and internet expenses:

- a) Councillors - \$30 per month
- b) Deputy Mayor - \$60 per month
- c) Mayor – \$140 per month plan

2. Communication Equipment

- a) For each term of office, Council will provide each Councillor with a laptop or similar device. The device remains the property of the Council during the term of office and must be made available for system upgrades and maintenance as required. On completion of each four (4) year term of Council, this device will be available for Councillors to keep for personal use free of charge. The memory of each device will be fully erased and the item will be placed on the Council Gift Register at a current market value.
- b) Councillors who are provided with a laptop or similar digital device will be required to use that device in accordance with the terms contained within Council's operational Cyber Security Policy and any relevant user agreements. A copy of the Cyber Security Policy will be provided to

Councillors upon commencement of each term of office and as otherwise reviewed throughout the term.

- c) Should a Councillor resign or the term of office be terminated prior to the normal four year term, the laptop or similar device issued must be either returned to Council or purchased from Council at a current market value.

3. Travelling Expenses

3.1 Council will pay for or on behalf of Councillors, an allowance towards necessary out-of-pocket expenses for travelling during the discharge of Council duties in respect of the following:

- a) to and from Council meetings or meetings of any committee of Council, any other meetings where the Councillor has been delegated to attend;
- b) upon inspections or business within the Council area, provided such inspections are undertaken as part of Council business;
- c) to and from meetings of the Local Government Association of Tasmania (LGAT), or any other regional body of which Council sends a delegate; or
- d) upon inspections or business as arranged by the General Manager.

3.2 Any expenses relating to intrastate or interstate travel must have prior written approval from the General Manager. Any expenses relating to international travel will require a decision of Council.

3.3 Councillors will be paid, when claimed, at the rates prescribed for required users in the Tasmanian State Service Award. Reimbursements for private vehicle use (cents per kilometre) will be paid at the higher of the two rates specified in the Award regardless of the number of kilometres travelled in a financial year.

3.4 Clause 3.3 shall not apply to travel, either inside or outside the Council area, where alternative arrangements are made for travel.

3.5 A Councillor shall not claim travel or other expenses where the expense would otherwise have been incurred as a result of private business.

3.6 Councillors are required to submit a travel claim form detailing:

- a) The date of travel.
- b) Reason/type of Council related travel as per clause 3.1
- c) Kilometres and travel details or receipts as appropriate

3.7 The General Manager is to check the accuracy of travel claims. If Councillors are unsure about the eligibility of a claim, Councillors may clarify with the General Manager prior to incurring the costs.

4. Childcare

Council will reimburse a Councillor for costs incurred for care of any child or dependent while the Councillor is carrying out their duties of office.

Claims must be accompanied with receipts from the carer providing sufficient evidence of the cost (net of any reimbursements or subsidies received or due), along with the dates and times of care and the reason care was required on each occasion.

Reimbursement will not be provided where the carer is a member of the Councillor's immediate family.

5. Provision of Facilities

Council will provide the Mayor, Deputy Mayor and other Councillors secretarial support in respect of typing and postage of correspondence in relation to Council duties. In addition to this support, Council will pay an extra \$100 per annum to cover other stationery expenses incurred.

6. Insurance

Council will provide insurance cover for a Councillor against personal injury and Councillors and Officers liability, arising out of or in the course of carrying out business of Council or the performance of any function in their capacity as Councillor.

7. Professional Development

The following limits apply for Council payment of, or Council reimbursing Councillors, in respect to professional development activities:

- \$2,000 year 1 limit, \$1,500 per annum in each subsequent year, per Councillor. Year 1 has an additional loading to allow attendance at LGAT induction courses for new Councillors.
- \$5,000 limit per annum, per Mayor and Deputy Mayor. There is no year 1 professional development loading for first time Mayors and Deputy Mayors due to the higher amount allocated for all years in office.

The limit is inclusive of event registrations and out-of-pocket expenses, including travelling expenses for flights, accommodation and motor vehicles. Prior written approval is required from the General Manager.

Professional development activities must fit within the following scope:

- Local Government sector activities and conferences including
 - LGAT annual conference
 - LGAT organised seminars, briefings and forums
 - Peer programs
- Conferences must have a specific relevance to local government and the role of a councillor. For example, a conference which is clearly of more relevance to operational staff would not fit the scope.
- A Councillor may seek the approval of Council via a Council resolution where the General Manager has denied a request for an activity relating to professional development.

8. Legal Expenses

8.1 A Councillor will be reimbursed for reasonable legal expenses incurred in defending or responding to a claim, action or demand made by a third party against the Councillor, only where the matter arises directly from the Councillor's proper performance of their functions and powers under the Act.

8.2 Reimbursement is limited to an amount not exceeding the excess payable under Council's

Councillors and Officers Liability insurance policy.

8.3 Reimbursement may only be provided where all the following conditions are met:

- a) The Councillor provides a written declaration confirming that they acted in good faith and did not act unlawfully, improperly or outside the scope of their role;
- b) The matter relates to the Councillor's performance of their statutory functions and powers;
- c) The costs sought to be reimbursed are reasonable in the circumstances;
- d) The General Manager has approved the proposed costs in writing before they are incurred.

The General Manager or their delegate is authorised to obtain legal advice to confirm a Councillor's eligibility for reimbursement. The General Manager may refer a decision on reimbursement to Council if they have doubts about the validity of the claim, or if the proposed legal expenses exceed the insurance excess amount.

8.4 Council will not reimburse a Councillor for costs relating to:

- a) Legal advice;
- b) Litigation or proceedings which are initiated by the Councillor;
- c) Defending a claim, complaint or proceeding which is brought against a Councillor in a personal capacity;
- d) Defending a Code of Conduct complaint. Under Section 28ZN, costs relating to the investigation and determination of a Code of Conduct complaint are to be paid by the Councillor.

8.5 Council will not indemnify a Councillor under its relevant insurance policy for expenses incurred in the circumstances listed in clause 8.4.

Councillors may submit a personal claim under Council's relevant insurance policy where coverage is available to them as a covered person. Where a Councillor makes a successful claim and Council is not indemnifying them:

- a) The Councillor is responsible for paying any deductible; and
- b) The Councillor must bear all costs associated with the claim.

8.6 Where:

- a) A Councillor has received reimbursement under this Policy;
- b) The Councillor is successful in defending the claim, action or demand; and
- c) The Councillor is awarded costs or damages in those proceedings,

The amount reimbursed by Council will be reduced by the value of any costs or damages awarded. Where reimbursement has already been made that exceeds the Councillor's final entitlement, the Councillor must repay the difference to Council.

9. Claim for Expenses and Allowances

9.1 Claims for travelling expenses or reimbursement of out-of-pocket expenses incurred in accordance with this policy, shall be made to the General Manager no later than three months after the expense has been incurred. Claims (excluding travel) must be accompanied by a valid tax invoice.

9.2 Where, in the opinion of the General Manager, a question arises as to whether a claim for reimbursement of expenses or any part is eligible under this policy, or the claim is unreasonable or does not serve the interests of Council, the General Manager shall refer the matter to Council for decision and policy guidance.

LEGISLATION

- Local Government Act 1993
- Local Government (General) Regulations 2025
- Local Government (Code of Conduct) Order 2024

RELATED COUNCIL DOCUMENTS

- Councillor Expenses Claim Form

REVIEW

This Policy will be reviewed following every Council election or more frequently if required.