

ITEM 5. COUNCILLORS' EXPENSES POLICY – ADOPTION

FILE NO: S048524

SUMMARY

Council is required by the Department of Local Government (DLG) to review its Councillors' Expenses Policy on an annual basis. Ordinarily, Council must submit its policy to the Director-General of the Department of Local Government within 28 days of adoption and by no later than 30 November each year. However, because of the Council elections being held on 13 September 2008, the DLG has extended the deadline for submissions.

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

In September 2006, the DLG issued *Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for Local Councils in New South Wales*.

In response to these Guidelines, Council reviewed its then policy and adopted a revised Councillors' Expenses Policy on 19 February 2007, with its implementation effective from 1 May 2007.

The draft policy (attached) is consistent with the previous policy. All additions and editorial amendments proposed to the existing Policy before placing it on public exhibition are in ***bold italics***. All deletions are noted as ~~strikethrough~~.

The draft policy was placed on exhibition on Council's website and was also available for inspection at the Neighbourhood Service Centres. No submissions were received.

RECOMMENDATION

It is resolved that Council adopt the draft Councillors' Expenses Policy 2009, shown at Attachment A to the subject report.

ATTACHMENTS

Attachment A: Draft Councillors' Expenses Policy 2009

BACKGROUND

1. The Council is required to adopt a policy for the payment of expenses incurred by, and the provision of facilities to, the Lord Mayor and Councillors.
2. Council is required on an annual basis to review the policy, exhibit the proposed policy and submit it to the DLG within 28 days of adoption and by no later than 30 November each year, even if the policy remains the same as the existing policy. However, because of the Council elections being held on 13 September last year, the DLG has extended the deadline for submissions.
3. The existing Policy has been in place since May 2007 and there is now an opportunity to make some modifications and variations.
4. Council must give public notice of its Policy and allow at least 28 days for public submissions. Council must consider any submissions received and make any appropriate changes to the Policy.
5. The draft Policy was placed on Council's website following the Council meeting of 23 February 2009. No submissions were received.

KEY IMPLICATIONS

6. Expenditure under the existing Policy has been monitored since its implementation in May 2007.
7. Minor and/or editorial amendments are proposed to the existing Policy.
8. The proposed changes are shown in ***bold italics*** (additions) and ~~striketrough~~ (deletions) on the attached copy of the revised draft Councillors' Expenses Policy (Attachment A) with the changes as follows:
 - (a) clarification of expenses covered by the policy;
 - (b) providing the amended titles of other Council policies that are referred to;
 - (c) on the advice of the Department of Local Government, clarification of the entitlement to reimbursement of legal expenses;
 - (d) clarification of postage entitlements, specifically relating to Christmas Cards;
 - (e) clarification of the classifications "Conferences Interstate" and "Conferences Intrastate";
 - (f) clarification of Councillors' administrative support overtime entitlements; and
 - (g) minor editorial changes.

BUDGET IMPLICATIONS

9. The Budget already adopted by Council includes provision for the ongoing provision of services and facilities to Councillors on a similar basis to last year. The limits applied to specific items of expenditure will be monitored to enable control of expenditure to avoid exceeding Budget limits.

RELEVANT LEGISLATION

10. The Local Government Act 1993, particularly sections 252 and 253.

CRITICAL DATES / TIME FRAMES

11. The Department of Local Government has advised that due to the local government elections held in September 2008 the timeframe for submission of the policy to the Department has been extended from November 2008. This extension was due to be announced with the release of guidelines to assist councils review their expenses policies. These guidelines have yet to be released and the recent advice received from the Department is to review our policy with regard to the current guidelines and any advice received from them specific to the City of Sydney Expenses Policy.

PUBLIC CONSULTATION

12. The draft Policy was placed on public exhibition for a period of 28 days.

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