



Policy – Council Council Expenses and Support

Date created/amended: June 2022
Date of next review: 4 years from last review
Adopted by: Council
Date adopted: 16 February 2026
Responsible officer: Director Corporate and Community Services

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1. PURPOSE

The *Local Government Act 2020* (the Act) includes a specific requirement for Council to adopt and maintain an expenses policy in relation to the reimbursement of reasonable out-of-pocket expenses for Councillors and members of Delegated Committees.

The Policy intends to establish a clear framework for:

- Ensuring compliance with The Act’s principles of public transparency, achieving the best outcomes for the municipal community and ensuring the ongoing financial viability of the Council;
- Ensuring that expenses reasonably incurred by Councillors or Delegated Committee members in the performance of their role are reimbursed; and
- Providing guidance on resources and support that are necessary for Councillors, to enable the effective performance of their Council duties and functions.

2. SCOPE

This Policy applies to both Councillors and members of Delegated Committees of Council and applies to:

- The duties of Councillors that enable them to perform their role, including:
 - Attendance at meetings of Council and its committees;
 - Attendance at briefing sessions, workshops, civic events or functions convened by Council;
 - Attendance at conferences, workshops and training programs related to the role of Councillor, Mayor or Deputy Mayor;
 - Attendance at meetings, events or functions representing Council;
 - Duties in relation to constituents concern Council business.
- The reimbursement of out of pocket expenses where Council is satisfied that:
 - The claim is for bona fide expenses;
 - The expenses have been reasonably incurred in the performance of the role of Councillor or member of a delegated committee;
 - The expenses are reasonably necessary for the Councillor or Delegated Committee member to perform that role.

3. POLICY STATEMENT

Councillors and members of delegated committees are entitled, under section 40 of The Act, to be reimbursed for expenses reasonably incurred in the performance of their duties. Councillors must not obtain private or political benefit from any expense or resource provided for under this policy. As part of Council’s commitment to open and transparent

activities, details of expenses incurred by Councillors or Delegated Committee members are made public.

3.1 Mayor and Councillor resources and facilities

Appropriate resources and facilities are made available to the Mayor and Councillors, reasonably necessary to enable them to effectively perform their role. Any equipment or resources provided remain the property of Council and must be returned by Councillors immediately after ceasing to be a Councillor and within 14 days of the expiration of a delegated Committee's term in office, retirement or resignation. This includes all confidential material obtained in a person's capacity as Councillor delegated committee member, whether in electronic or hardcopy form.

These resources include, but are not limited to:

- Administrative support;
- Vehicle assigned to the Mayor during their term, for full private use
- Computer (laptop) and IT facilities
- Internet accessibility
- Mobile phone for Council business (personal calls/texts and data should be minimised and where significant personal use has occurred, costs must be reimbursed to Council)
- Workspace and facilities where required (Subject to availability)
- Stationery (Business cards, name badge, diary, planner and reasonable and required stationery)
- Access to printer and photocopier

Where required, additional considerations will be made in the provision of resources and facilities where support is needed due to reasonable adjustments or other special needs and must be approved by the Chief Executive Officer.

3.2 Communication Equipment expenses and costs

Communication equipment and services shall be provided to assist Councillors in the conduct of Council business. This may include equipment and services that support landline and mobile telephones, internet access, laptop computers, business cards, name badge and supporting equipment.

All equipment and services provided by Pyrenees Shire Council is provided for Council business. Reasonable personal use (excluding private work) is permitted provided this does not interfere with the performance of duties or adversely affect system performance. Council has the discretion to determine what constitutes excessive use. Councillors will be provided with an appropriate data plan and where usage is over this limit, an invoice will be sent to the Council who will be required to reimburse Council for these expenses.

3.2.1 Shared Resources

Where Councillors, in the course of Council business, require access to available shared resources, arrangements will be made (subject to availability) to accommodate the particular need following advance notice given by the Councillor to the CEO or a Director.

Shared resources may include:

- Office space for meetings with ratepayers, members of the community or other Council business-related contacts.

3.2.2 Return of Equipment

At the end of a Councillor's term or when they otherwise permanently cease to perform their duties as a Councillor, all devices and equipment are to be returned to Council.

3.3 Councillor Welfare

All Councillors will be entitled to counselling on a confidential basis through Council's approved Employee Assistance Program.

3.4 Carer and dependent related expenses

Council will provide reimbursement costs where the provision of childcare is reasonably required for a Councillor or member of a delegated committee to perform their role (s.41(2)(c) of the Act).

Council will provide reimbursement of costs where the provision of carer services is reasonably required for the care of a dependent when a Councillor or delegated committee member who is a carer incurs reasonable expenses in the performance of their duties and may include expenses such as hourly fees and booking charges, if applicable.

Payments for carer and childcare services will not be made to a person who resides with the Councillor delegated committee member, has any financial or pecuniary interest with the Councillor or delegated committee member, or has a relationship with the Councillor or delegated committee member.

Reimbursement of childcare is subject to the following conditions:

- The hourly rate a Councillor or member of Delegated Committee will be reimbursed for informal childcare expenses is the national minimum wage for an adult casual (minimum wage plus 25% casual loading)
- In the case of childcare provided through an approved program by a registered provider, the amount on the official tax invoices will be paid by Council

3.5 Travel Expenses

All travel should be undertaken by utilising the most direct route and the most practicable and economical mode of transport. Any expenses incurred during non-authorized Council business while travelling will not be reimbursed.

Where travel is by flight (whether interstate or international), Council will only reimburse the cost of economy class travel. Interstate travel can be approved by the Chief Executive Officer, whilst any international travel must be approved via Council resolution.

3.5.1 Private Vehicle Usage

Councillors will be reimbursed for reasonable costs relating to the use of private vehicles for the attendance of Council related meetings, functions and events as defined within the scope of this policy or via a Council resolution approving attendance at an alternative meeting, event or function. Cost reimbursement will be based on the Australian Taxation Office (ATO) per kilometre rates. A record of private vehicle use must be maintained by the Councillor.

In the case where Council business is carried out before or after travelling to the Councillor's normal place of business, the kilometres travelled to and from one workplace to another will be paid in accordance with Australian Taxation Office guidance. The minimum details required for a request for reimbursement of private vehicle usage expenses are:

- Date and time
- Starting point
- Destination
- Purpose of travel/business
- Starting and ending kilometres
- Total kilometres travelled.

3.5.2 Mayoral Vehicle

A vehicle and fuel card will be offered by Council to the Mayor for the duration of their Mayoral term. The vehicle will be provided in accordance with internal Motor Vehicle Fleet Policy and Procedures to the extent possible. Should the Mayor access the vehicle during their term, fuel and on cost services for their travel will be included within the Mayor's reportable Councillor expenses.

Should the Mayor access this arrangement, requests for kilometre reimbursement will not be accepted during the time that this remains the nominated vehicle for business unless travelling interstate or overseas where use of the mayor vehicle is not possible.

3.5.3 Remote Travel Allowance

In addition to the per kilometre rate and in accordance with the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019 (Vic)*, Part 4 – Remote Area Travel Allowance, a remote travel allowance provides compensation for the time spent travelling long distances.

This allowance is only available to Councillors who normally reside more than 50 kilometres by the shortest possible practicable road distance from the location or locations specified for the conduct of ordinary, special or committee meetings of the Council, or any municipal or community functions which have been authorised by Council resolution for the Council member to attend.

The allowance will be paid in accordance with section 10 the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019 (Vic)*, Part 4 – Remote Area Travel Allowance and will consider changes to rate and any maximum payments that may apply.

3.5.4 Car Parking and Tolls

On and off-street car parking fees may be reimbursed for attendance at Council approved functions and claims must be accompanied by receipts.

Where Councillors are attending approved functions that results in tolls, Councillors may seek reimbursement of costs associated with tolls by providing a copy of the Toll Notice or Statement. The minimum details required for a request for reimbursement of car parking or toll expenses are:

- Date and time
- Starting point
- Destination
- Purpose of travel/business.

3.5.5 Public Transport

Councillors choosing to travel by public transport will either be provided with relevant tickets or travel card upon request or be reimbursed following the provision of original receipts for approved attendance functions. The minimum details required for a request for reimbursement of public transport expenses are:

- Date and time
- Starting point
- Destination
- Purpose of travel/business.

3.6 Professional Development, Training and Conferences

Council strongly supports and encourages the enhancement of skills required by Councillors to assist in carrying out their role. This includes participating in a range of one-off or short-term training courses, seminars and activities in a variety of areas of professional and personal development.

Councillors may access programs and initiatives either collectively or individually and Councillors are encouraged to discuss their development needs with the Chief Executive Officer.

3.6.1 Mandatory Training and Development

In accordance with:

- section 32 of the Act, all Councillors must complete the mandatory induction program provided by Council upon the commencement of their term;
- section 27A of the Act, Mayoral training must be completed annually;
- section 33A of the Act, Councillors must complete annual professional development training to ensure they understand their role and responsibilities.

This training is required in addition to any professional development Councillors may choose to complete.

3.6.2 Professional Development Plans

Within the first 12 months of being elected as a Councillor, each Councillor will undertake the self assessment of their skills post formal induction programs to assist in developing their longer term professional development plans.

Councillors professional development should be relevant to the individual Councillor and their duties and be of demonstrable benefit to the enhancement and development of the Councillor's skills and abilities with regard to effective community representation.

3.6.3 Register of Training and Development

After the conclusion of the professional development opportunity, the attendance should be referenced in the Councillors monthly report and learnings of the program should be shared with other Councillors who did not participate.

3.6.4 Approval of Professional Development and Memberships

All requests for professional development and memberships require approval prior to payment/reimbursement. Payment of these expresses require the Chief Executive Officer's authorisation in consultation with the Mayor, in writing prior to attendance or taking out of membership.

3.6.5 Representing Council at Functions, Events or Meetings

From time to time, Councillors may be invited to attend community functions and events. It is usual for the Mayor to represent Council at these functions and any payment required to attend the function is paid by Council. If another Councillors attends the function, either representing the Mayor or in an official capacity as Council representative to that particular group, any attendance charge will be paid or reimbursed by the Council and recorded as a Councillor expense.

3.6.6 Attendance beyond Councillors or Delegated Committee

Councillors or Delegated Committee members may seek others (such as spouses/partners, children, etc) to accompany them to civic events/functions and all expenses must be at their own expense.

3.6.7 Accommodation and meals

Where necessary due to travel distance and the starting time of an event or professional development, appropriate accommodation selected by the Chief Executive Officer will be available for the attending Councillor.

Where Council meetings or briefings are held at times which extend through normal meal times, Councillors will be provided with suitable meals served on the premises. Where a Council meeting or briefing runs over scheduled end time and through or within one hour of normal meal time, if no meal has been arranged on the premises, Councillors are entitled to claim reimbursement for an overtime meal allowance at the Australian Taxation Officer overtime meal allowance rate.

3.7 Council Branded Clothing

Councillors may request an item or items of clothing bearing the Pyrenees Shire Council logo from the established uniform list up to the maximum value of \$250 once within their term of office. Items which bear the Council logo should be returned when the Councillor ceases to hold office.

3.8 Insurance

Council will indemnify each Councillor or member of a delegated committee against all actions or claims arising during their term of office in respect of any act or thing done or omitted to be done in good faith, in the exercise or purported exercise of any function or power conferred on the Council, Councillor or delegated committee member by or under the Act or any other Act.

In accordance with section 43A of the Act, a Council must not identify a Councillor for legal costs incurred as a result of any application made, process or proceeding, or decision or determination made, relation to an internal arbitration or Councillor Conduct Panel proceeding, that alleges misconduct or serious misconduct, unless it is determined that by the arbiter of the Councillor Conduct Panel that representation is necessary under sections 141(2)(c) or 163(2)(b) of the Act.

Council equipment provided to Councillors to assist in performing their role, is covered for damage or theft under Council's insurance policies. Councillors are expected to exercise due care in protecting the equipment from damage or theft.

3.9 Reimbursement of Expenses

All claims must be submitted to the Executive Assistant to the CEO on the prescribed form with supporting documentation to substantiate evidence of the reimbursement. All claims will be approved by the CEO prior to processing by Council's Finance: Accounts Payable team on a monthly basis.

3.10 Expenses not included

Council does not accept responsibility for reimbursement for:

- Meetings outside the Council that would not form part of a Councillors' normal role
- Any expenses arising from a breach of road, traffic parking or other regulations or laws or for the damage or loss, of a vehicle
- Any alcohol or mini bar items
- Any intentional, wilful or negligent damage to Council equipment
- Any expense or other support for attendance at political party led events.

Councillors must ensure that they do not obtain private or political benefit from any expense or resource provided under this policy. Campaigns for re-election are considered to be a political benefit and may include activities such as, but not limited to:

- the production of election material;
- use of council resources and equipment for campaigning;
- use of official council letterhead, publications, websites or services for political benefit; and
- fundraising activities of political parties or individuals, including political fundraising events.

3.11 Payment of Allowances and Expenses

In accordance with section 39 of The Act, the Mayor, Deputy Mayor (if elected) and Councillors are entitled to receive an allowance while performing their duties as elected representatives. Allowances are determined by and may be adjusted by the Victorian Independent Remuneration Tribunal.

Where the Mayor, Deputy Mayor, or a Councillor elects to receive less than or none of the allowance to which they are entitled, they must inform the CEO in writing of their decision to enable payments to be adjusted. Where no such notification is provided, the full entitlement will be paid.

Any personal taxation arrangements or implications from the receipt of allowances or expenses are the responsibility of individual Councillors or members of delegated committee members.

3.12 Disputes and Reviews

Through the CEO approval process, the CEO may deem an expense unreasonable. Where this occurs the CEO will discuss the matter with the relevant Councillor or delegated

committee member. If the Councillor disputes this determination, the Councillor should further discuss the matter with the CEO and if the matter cannot be resolved the CEO will provide a report to Council with the reasons for the decision and determination on the matter. Council decision on the matter will be final.

3.13 Reporting and Monitoring

Councillor expenses subject to section 40, 41 and 42 of The Act, will be reported in the Annual Report and will include:

- Carer and Dependent Expenses;
- Attendance at meetings and/or Conferences and Functions;
- Travel (including Mayoral Vehicle);
- Professional Development, Training and Memberships;
- Communication and/or Internet costs.

In addition to reporting within the Annual Report, in accordance with section 40(2) of the Act, at each of Council's Audit and Risk Committee meetings, reporting of the above expenses will be provided.

Council commits to monitoring processes and decision making to understand the overall success of the policy's implementation. A periodic review of the policy will be undertaken to ensure any changes required to strengthen or update the policy are made in a timely manner.

4. DEFINITIONS

Term	Definition
The Act	Means the <i>Local Government Act 2020</i>
Carer	A carer is defined under section 4 of the <i>Carers Recognition Act 2012</i>
Council	Pyrenees Shire Council
Councillors	Means the individuals holding the office of a member of Pyrenees Shire Council
Delegated Committee	A committee given delegation by Council to exercise powers, duties, or functions in accordance with that delegation. Delegated committees are defined under section 63 of the <i>Local Government Act 2020</i>
Duties	Councillor duties are those performed by a Councillor as a necessary part of their role, in achieving the objectives of Council. These duties may include, but are not limited to: <ul style="list-style-type: none"> • Attendance at meetings of Council and its committees; • Attendance at briefing sessions, workshops, civic events, or functions convened by Council; • Attendance at conferences, workshops and training programs related to the role of Councillor or Mayor; • Attendance at meetings, events or functions representing Council; • Duties in relation to constituents concerning Council business.

Mayor and or Deputy Mayor	Means the Mayor and/or Deputy Mayor of Council and any person appointed by Council to be acting as Mayor
Member of a delegated committee	A person who has been appointed to a delegated committee of Council. Many of the provisions of The Act that apply to Councillors, apply equally to members of delegated committees.
Expenses	Costs incurred by the Mayor, Councillors or members of Delegated Committee in performing their official duties.

5. ROLES AND RESPONSIBILITIES

Mayor & Councillors	Chief Executive Officer (CEO)	Executive Assistant to CEO	Director Corporate Services
<ul style="list-style-type: none"> • Ensure appropriate log and evidence of claims • Regularly report attendance and participation that aligns to claims • Seek own financial advice in relation to declaring allowances and expenses 	<ul style="list-style-type: none"> • Approve expense claims in accordance with Policy 	<ul style="list-style-type: none"> • Collate claims for submission to CEO • Maintain register of expenses for reporting 	<ul style="list-style-type: none"> • Review and monitoring effectiveness of Policy • Reporting of paid claims to Audit and Risk Committee and Council website

6. REFERENCE AND ASSOCIATED DOCUMENTS

Supporting Legislation	Council Documents
Local Government Act 2020 Charter of Human Rights and Responsibilities Act 2006 Carers Recognition Act 2012 Freedom of Information Act 1982 Privacy and Data Protection Act 2014 Equal Opportunity Act 2010 Gender Equity Act 2020	Councillor Code of Conduct Governance Framework and Rules Public Transparency Policy Information Privacy Policy Motor Vehicle Policy Gifts, Benefits and Hospitality Procedure

Document Reference	Document Description
	Reimbursement Claim Form
	Private Vehicle Claim Form
	Professional Development Plan

7. CONSULTATION & DIVERSITY AND INCLUSION IMPACT ASSESSMENT

Pyrenees Shire Council is committed to consultation and cooperation between management and its employees. This policy was developed involving the following:

Consultation / Assessment Activity	Requirement	Completed (✓ / X / NA)
Consultation with elected employee health and safety representatives.	<i>Must include consultation for any OHS related policy or any workplace change that may affect the health, safety or wellbeing of employees.</i>	N/A
Consultation with external stakeholders (e.g., community members).	<i>Must include for any policies or changes requiring deliberative or community engagement under the Local Government Act 2020 or any other Act or Regulation.</i>	N/A
Consultation with relevant staff and consultative / advisory committees.	<i>For example, Staff Consultative Committee, Risk Management Committee, ICT Steering Committee.</i>	✓
Assessment against the rights identified in the Charter of Human Rights and Responsibilities (2006)	<i>This assessment is compulsory for all policies.</i>	
Diversity & Inclusion Impact Assessment (Also known as Gender Impact Assessment) <i>Is a Gender Impact Assessment Required to be undertaken for this policy?</i>	<p><i>Consideration of this is compulsory for all policies in compliance with the Gender Equality Act 2020 (Vic)</i></p> <p>Must be undertaken when developing or reviewing any policy, program or service provided that has a direct and significant impact on the public.</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p><i>If YES, please complete the template in 'FORM – Diversity & Inclusion Impact Assessment' and</i> <i>- Include a copy with the approvals form in RecFind, and</i> <i>- Send a copy to the Manager People & Culture.</i></p>	

8. DOCUMENT CONTROL TABLE

Document Title	Council Expenses and Support		
Register #			
Responsible Officer	Director Corporate and Community Services		
Document Owner	Director Corporate and Community Services		
Version Control			
Version Number	Detail	Date modified, approved or adopted	Status
1.0	Initial Release	June 2012	
2.0	Scheduled review and revision	February 2019	
3.0	Revision following implementation of Local Government Act 2020 and alignment to Governance Rules	August 2020	

3.1	Scheduled review – no changes	June 2022	
4.0	Review, benchmark and updates as per Council report	January 2026	