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## **COUNCIL MEMBERS' ALLOWANCES AND BENEFITS**

### **INTRODUCTION**

The Flinders Ranges Council (the Council) will ensure that the payment of Council Member allowances, the reimbursement of expenses, and the provision of facilities and support is accountable and transparent, and in accordance with Chapter 5, Part 5 of the *Local Government Act 1999* (the Act) and the *Local Government (Members Allowances and Benefits) Regulations 2010* (the Regulations).

Council Members are paid an allowance for performing and discharging their functions and duties on Council. Section 59 of the Act provides (in part) that the role of a Council Member, as a member of the governing body of the Council, is:

- (1)(a)(v) to participate in the deliberations and civic activities of the Council;
- (vi) to keep the Council's objectives and policies under review to ensure that they are appropriate and effective; and
  - (vii) to keep the Council's resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery, under review.

This policy summarises the provisions of the Act and Regulations in respect to Council Members' allowances, the provision of facilities and support, reimbursement of the different types of expenses, the circumstances in which those expenses will be or can be reimbursed and what benefits Council Members receive that must be recorded for the purposes of maintaining the Register of Allowances and Benefits.

The Chief Executive Officer has a legislative duty to ensure that a record (the Register of Allowances and Benefits) is kept in which is entered, the reimbursement of expenses incurred in performing or discharging official functions and duties.

### **POLICY**

#### **1. Statement of Principles**


This policy is underpinned by the following principles:

- Council Members should not be out-of-pocket as a result of performing and discharging their council functions and duties;
- Any reimbursements claimed by Council Members must be for expenses actually and necessarily incurred in performing and discharging their official council functions and duties:-
  - Council Members are entitled to receive reimbursement of prescribed travelling and child / dependent care expenses associated with attendance at council/committee meetings, pursuant to Section 77(1)(a) of the Act and Regulation 5.
- Council has also agreed to:
  - Reimburse certain prescribed expenses pursuant to Section 77(1)(b) of the Act and Regulation 6
  - Provide Council Members with facilities and support to assist them in performing and discharging their functions and duties pursuant to Section 78 of the Act.

#### **2. Entitled Allowances and Reimbursements**

##### **2.1 Allowances**

Council Member allowances are determined by the Remuneration Tribunal on a four (4) yearly basis before the designated day in relation to each set of periodic elections held under the *Local Government (Elections) Act 1999*.

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An allowance determined by the Remuneration Tribunal will take effect from the first ordinary meeting of the Council held after the conclusion of the relevant periodic election.

Council Member allowances are to be adjusted on the first, second and third anniversaries of the relevant periodic elections to reflect changes in the Consumer Price Index (CPI) under a scheme prescribed by the Regulations.

Allowances for Council Members at the November 2022 elections are as follows:

Mayor	\$28,768 per annum
Deputy Mayor	\$ 8,990 per annum (includes Council Member Allowance)
Council Member	\$ 7,192 per annum

In accordance with Regulation 4 of the Regulations, (and for the purposes of s.76 of the Act), Council determined that the Allowances for the Mayor, Deputy Mayor and Council Members will be paid quarterly in arrears.

There is no requirement to provide evidence to council of actual expenses incurred in respect to the allowance.

## 2.2 Travel Time Allowance for Members


In addition Council Member allowances paid under Section 76 of the Act, Council Members are entitled to receive:

- An allowance of \$454 per annum will be payable to Council Members, excluding principal members, whose usual place of residence is within the relevant council area and is located at least 30 kms but less than 50 kms from that council's principal office, via the most direct road route:
- An allowance of \$775 per annum will be payable to Council Members, excluding principal members, whose usual place of residence is within the relevant council area and is located at least 50 kms but less than 75 kms from that council's principal office, via the most direct road route:
- An allowance of \$1162 per annum will be payable to Council Members, excluding principal members, whose usual place of residence is within the relevant council area and is located at least 75 kms but less than 100 kms from that council's principal office, via the most direct road route:
- An allowance of \$1649 per annum will be payable to Council Members, excluding principal members, whose usual place of residence is within the relevant council area and is located 100 kms more from that council's principal office, via the most direct road route:

## 2.3 Travel and Dependent Care

In addition to any allowance paid under Section 76 of the Act, Council Members are entitled to receive reimbursement for travelling within the Council area and child/dependent care expenses associated with attendance at a 'Prescribed Meeting'\*.

- Reimbursement is restricted to 'eligible journeys' (as defined in Regulation 3) by the shortest or most practicable route and to the part of the journey within the council area i.e. any travelling outside the Council area in order to attend council and committee meetings is not reimbursable under Section 77(1)(a) of the Act. For reimbursement for travel outside the Council area refer to 'Additional Reimbursement and Support' below.
- Where a Council Member travels by private motor vehicle, the rate of reimbursement is at a rate equal to the appropriate rate per kilometre (determined according to the engine capacity of the vehicle) prescribed for the purposes of calculating deductions for car expenses under section 28.25 of the *Income Tax Assessment Act 1997* of the Commonwealth.

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- Travelling by taxi or public transport is reimbursed on the basis of expenses 'actually and necessarily incurred', but is still limited to 'eligible journeys' by the shortest or most practicable route and to the part of the journey that is within the Council area.
- Reimbursement of the expenses for the care of a child of the Council Member, or a dependent requiring full-time care, actually or necessarily incurred by the Member as the consequence of the attendance at a meeting of Council or Council Committee. Expenses are not reimbursed if the care is provided by a relative of the Member who ordinarily resides with the Member. A definition of 'relative' is contained in Section 4 of the Act.

\* Note: A "Prescribed Meeting" (in relation to a Member of Council) is defined under the Regulations as being a meeting of the Council or a Council Committee, or an informal gathering, discussion, workshop, briefing, training course or similar activity which is directly or closely related to the performance or discharge of the roles or duties of the Council Member.

### 3. Additional Reimbursement and Support

Pursuant to Section 77(1)(b) of the Act, Council also approves the reimbursement of expenses and support to Council Members as described below:

#### 3.1 Travelling expenses

In addition to eligible journeys (as defined in Regulation 3), Council Members are entitled to receive reimbursement for expenses actually and necessarily incurred in travelling to a function or activity on the business of Council. The following conditions apply to these expenses –


- Travel both within and outside the Council area must be incurred by the Council Members as a consequence of attendance at a function or activity on the business of Council. A 'function or activity of Council' means official Council functions including citizenship ceremonies, official visits, attendance at meetings of community groups and organisations as a council appointed delegate (but not to attend meetings of community groups or organisations when fulfilling the role of Council Delegate, as the Council Members' allowances provide for this) etc
- Travel related to attendance at a council or committee meeting (eligible journey) as it relates to that component outside the Council area
- Reimbursement is restricted to the shortest or most practicable route
- Where a Council Member travels by private motor vehicle, the rate of reimbursement is at a rate equal to the appropriate rate per kilometre (determined according to the engine capacity of the vehicle) prescribed for the purposes of calculating deductions for car expenses under section 28.25 of the *Income Tax Assessment Act 1997* of the Commonwealth.

Note: Council maintains a small vehicle fleet which is available for Council Members' use. Wherever possible Council Members are encouraged to use Council supplied vehicles for all required travel. Arrangements can be made at the Council office.

#### 3.2 Other Expenses

Pursuant to Section 77(1)(b) of the Act, Council approves reimbursement of:

- Expenses incurred for the care of a child of the Council member or a dependent of the member requiring full-time care as a consequence of the member's attendance at a function or activity on the business of Council (other than for which the Member is reimbursed under para 2.3 above)
- Expenses incurred by the member as a consequence of the Council Members' attendance at a conference, seminar, training course or other similar activity that is directly or closely related to the performance and discharge of the roles and duties of the member. The following types of expenses will be reimbursed – registration fees, meals, car parking, etc other than for which the Member is reimbursed under para 2.3 above)

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#### 4. Facilities and Support

Pursuant to Section 78 of the Act, this policy allows Council to make available to Council Members the following facilities and support to assist them in performing or discharging their official functions and duties:

- IT support, including provision of tablets/laptops
- Stationery

#### 5. Expenses and Support Requiring Council Approval

All other expenses, reimbursements and support not detailed above will require approval by Council on a case by case basis.

#### 6. Claims for Reimbursement

Council Members are required to provide details of kilometres travelled and/or evidence of expense incurred to support all reimbursements claimed. Procedures have been established which require evidence of expenses incurred to support reimbursements claimed. Details are not required of expenses paid out of the Council Members' allowance.

All claims for reimbursement must be submitted to the Chief Executive Officer (or other delegated officer) on the forms provided for this purpose.

#### 7. Register of Allowances and Benefits

Pursuant to section 79 (1) and (2) of the Act, the Chief Executive Officer must maintain a Register in which he shall only be required:


- to enter details of any expenses reimbursed under section 77(1)(b) of the Act (in the case of section 79(1)(b)), or of other benefits paid or provided (in the case of section 79(1)(c)); or
- to make a record of the provision of a reimbursement or benefit not previously recorded in the Register (in the case of section 79(2)(b)),

on a quarterly basis (Reg 7: *Local Government (Allowances and Benefits) Regulations 2010*)

Those reimbursements paid under section 77(1)(a) of the LG Act are not required to be recorded in the Register. However, the Chief Executive Officer is required to record in the Register changes in the allowance or a benefit payable to, or provided for the benefit of, Council Members and the provision of a discretionary reimbursement [s.77(1)(b) of the Act] or a benefit not previously recorded in the Register.

The Chief Executive Officer will ensure that the Register is updated each quarter and therefore each Council Member is required to provide his or her claim form for reimbursement on a quarterly basis.

The Register of Allowances and Benefits is available for inspection by members of the public, free of charge, at the Council Office during ordinary business hours. Copies or extracts of the Register are available for purchase upon payment of the relevant fee set by Council.

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## RESPONSIBILITIES

This Policy will apply to all Council Members without exception.

The Chief Executive Officer is accountable for:

- ensuring a Register of Allowances and Benefits is maintained as prescribed in Section 79 of the Act and Regulation 7 of the Regulations
- initiate a Consumer Price Index (CPI) review of allowances paid to Council Members (to be adjusted on the first, second and third anniversaries of the relevant periodic elections to reflect changes in the CPI under the scheme prescribed by the Regulations)

Note: For the purposes of section 76(9) of the Act, an allowance is to be adjusted by multiplying the allowance by a proportion obtained by dividing the CPI for the September quarter last occurring before the date on which the allowance is to be adjusted by the CPI for the September quarter immediately before the date on which the allowance was determined under section 76 of the Act (with the amount so adjusted being rounded up to the nearest dollar)

- implementing and monitoring expense reimbursement procedures in accordance with the Act, the Regulations and this policy
- ensure copies of this policy are available for inspection and purchase (if Council so resolves to set a fee) by the public at the Council Office, and
- ensuring a copy of this policy is provided to all Council Members.

## LEGISLATION

*Local Government Act 1999*

*Local Government (Members' Allowances and Benefits) Regulations 2010*

## REFERENCES

Register of Allowances and Benefits (Council Members)  
Remuneration Tribunal Determination 2 of 2022, 5 of 2022


## REVIEW

To be reviewed within 12 months after a General Election, in line with legislation and any legislative changes or by resolution of Council.


Adopted by Council      14 August 2012  
Resolution 164/2012

## APPENDICES

Appendix 1 Council Member's Reimbursement Claim Form 1 - Prescribed Expenses  
Appendix 2 Council Member's Reimbursement Claim Form 2 - Council Approved Expenses

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Review Date	Version Number	Change	Resolution
13 August 2013	1	Nil	180/2013
17 February 2015	2	Item 2.1 amended to reflect current Council and allowance, travel time added (Reviewed by Policy Review Reference Committee – Minutes endorsed by Council; public consultation process)	038/2015
21 April 2015	2	Nil – Adopted by Council (No comments received from public consultation process)	110/2015
30 June 2015	3	Uniform use of 'council member' 2.1 payment wording amended 3.1 deletion of 'Council Liaison Representative' 3. addition of note in relation to preferred use of Council vehicles 4. inclusion of 'IT support, including provision of tablets' Review – standard policy wording  (Reviewed by Policy Review Reference Committee – Minutes endorsed by Council; public consultation process approved 21 July 2015)	229/2015
20 June 2023	4	Act and regulation updates, allowance updates and minor formatting changes	149/2023

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## Appendix 1

### Council Member's Reimbursement Claim Form 1 (Prescribed Expenses)

To be submitted to the Chief Executive Officer in November, February, May and August for reimbursement of expenses for the preceding quarter.

Name .....

Period .....

Total Reimbursement Claim Amount      \$.....

**Reimbursement of prescribed expenses** associated with attending Council and Council committee meetings that are not subject to Council approval - Refer to section 77(1)(a) of the Local Government Act, 1999 and Regulation 5 of the Local Government (Members Allowances and Benefits) Regulations, 2010.

#### 1.1 Travel Expenses and 1.2 Travel Time Payment (if applicable)

Date of Travel	Council Function or Business Attended*	Mode of Transport	Distance Travelled (km)**, if used Motor Vehicle

#### 1.1 Details of your motor vehicle (where applicable)


- ☐ Model and make of motor vehicle .....
- ☐ Engine size .....
- ☐ Total number of kilometres for reimbursement claim .....

#### 1.2 My usual place of residence is within the Council area and is more than 30km, 50km, 75km or (or) 100km from the Councils' principal office at Quorn

*(Please circle the applicable distance)*

\*NOTE: Travel claims must relate to expenses actually and necessarily incurred by the Member in travelling to or from a meeting of the Council or Council committee provided the journey is an eligible journey and is by the shortest or most practicable route. For the purposes of this Form 1 the term "**eligible journey**" means a journey between the principal place of residence, or a place of work, of a Member of the Council, and the place of a Prescribed Meeting (in either direction), in accordance with the Local Government (Members Allowances and Benefits) Regulations 2010.



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**\*\*NOTE:** Travel Time Payment shall be payable to Council Members (excluding the Mayor) whose usual place of residence is within the Council area and is located 30km, 50km, 75km or 100km or more distance from the Council's principal office via the nearest route by road: 30km-50km = \$454, 50km – 75km = \$775, 75km – 100km = \$1162, 100km plus = \$1649 per annum, per annum. (Paragraphs 9 - 12: Remuneration Tribunal Determination No. 2 of 2022)

## 2. Care Expenses

Name of Child or Dependant	Date of care	Council or Council Committee meeting attended	Hours of care provided	Name of care provider

- Reimbursement claim: \$.....

**Please attach copies of all receipts.**

If not provided previously or your details have changed please complete your details below -

BSB:

Account No:

Bank and Branch:

**Please remember to attach all paperwork supporting your claim otherwise payment will be delayed.**

I,..... confirm that the above claims for reimbursement are true and accurate and are made in accordance with s.77(1)(a) of the *Local Government Act 1999* and Regulation 5 of the *Local Government (Members Allowances and Benefits) Regulations 2010*.

..... Date: .....  
Signature of Council Member


## FOR OFFICE USE ONLY

### Council Member's Reimbursement Claim Form 1 (Prescribed Expenses)

Claim processed by: ..... Date: .....

.....  
Name and Signature of Authorised Officer (Approving payment)



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## Appendix 2

### Council Member's Reimbursement Claim Form 2 (Council Approved Expenses)

To be submitted to the Chief Executive Officer in November, February, May and August for reimbursement of expenses for the preceding quarter.

Name .....

Period .....

Total Reimbursement Claim Amount      \$ .....

**Reimbursement of Council approved expenses:** - Refer to section 77(1)(b) of the Local Government Act, 1999 and Regulation 6 of the Local Government (Members Allowances and Benefits) Regulations, 2010 and the Council Member's Allowances and Benefits Policy.

#### 1.1 Travel Expenses

Date of Travel	Council Function or Business Attended*	Mode of Transport	Distance Travelled (km)**; if used Motor Vehicle

#### 1.1 Details of your motor vehicle (where applicable)

- Model and make of motor vehicle .....
- Engine size .....
- Total number of kilometres for reimbursement claim .....



## GOVERNANCE POLICY

### COUNCIL MEMBERS' ALLOWANCES AND BENEFITS

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#### 2. Care Expenses

Name of Child or Dependant	Date of care	Council or Council Committee meeting attended	Hours of care provided	Name of care provider

- Reimbursement claim \$.....

Please attach copies of all receipts.


#### 3. Conference, Seminar or Training Course

Date	Council Function or Business Activity	Venue/Location of Function or Business Activity

- Reimbursement claim: \$.....

Please attach copies of all receipts.

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If not provided previously or your details have changed please complete your details below:

BSB:

Account No:

Bank and Branch:

**Please remember to attach all paperwork supporting your claim otherwise payment will be delayed.**

I, ..... confirm that the above claims for reimbursement are true and accurate and are made in accordance with s.77(1)(b) of the *Local Government Act 1999* and Regulation 6 of the *Local Government (Members Allowances and Benefits) Regulations 2010*.

.....  
Signature of Council Member

Date: .....

#### FOR OFFICE USE ONLY

#### **Council Member's Reimbursement Claim Form 2 (Council Approved Expenses)**

Claim processed by ..... Date .....

.....  
Name and Signature of Authorised Officer (Approving payment)