



Policy Name	Allowances and Expenses (Elected, Local Authority and Council Committee Members)	
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## 1. PURPOSE

The West Arnhem Regional Council is committed to ensuring our Elected, Local Authority and Council Committee Members are provided with the support they need to effectively carry out their roles with Council.

This policy clarifies the allowances and expenses payable to Elected, Local Authority and Council Committee Members, in accordance with the *Local Government Act* and Local Government Ministerial Guidelines.

## 2. SCOPE

This policy applies to all Elected, Local Authority and Council Committee Members of Council.

## 3. DEFINITIONS

In the context of this policy the following definitions apply:

**Allowance** means remuneration provided to Elected and Local Authority Members.

**Council Committee Member** means an individual appointed to a Committee established by resolution of Council (e.g., Audit Committee), who is not an Elected Member or employee of Council.

**Elected Members** means individuals elected to Council, including the Mayor, Deputy Mayor, and Councillors.

**Local Authority Member** means a member of a local authority as appointed by the West Arnhem Regional Council.

## 4. POLICY STATEMENT

This policy establishes the allowances which are payable to Elected Members, Local Authority Members, and Council Committee Members of the West Arnhem Regional Council. The policy clarifies the eligibility and requirements for payment of allowances and reimbursement of expenses including:



- Ordinary Allowance (Elected Members only)
- Extra Meeting Allowance (Elected Members only)
- Professional Development Allowance (Elected Members only)
- Acting Mayor or Deputy Mayor Allowance (daily rate)
- Mayoral Allowance/s
- Local Authority Allowance
- Travel and Expenses Allowance (Elected Members, Local Authority Members and Council Committee Members).



### **Allowances payable to Elected Members**

As provided by the *Local Government Act*, Elected Members are to be paid an *Ordinary Allowance*, *Extra Meeting Allowance*, and *Professional Development Allowance*. These allowances do not apply to Local Authority Members.

- Council will resolve to fix Elected Member allowances for each financial year, when Council adopts its budget for the forthcoming financial year.
- Each allowance will be determined by Council with reference to Council’s fiscal situation and the maximum amount determined by the Remuneration Tribunal.
- Once allowances for a particular financial year have been set, they cannot be increased by amendment. However, Council may by resolution of Council, lower the amount of Elected Member allowances at any time.
- If Council sets the allowances to be less than the maximum amount of the allowances determined by the Remuneration Tribunal, the allowances payable must be proportionate at that amount for all Members (i.e., If Council sets the Mayor’s allowance to be less than the maximum allowance for a Mayor, an Ordinary Member’s allowance must be less than the maximum allowance for an Ordinary Member in proportion to the lesser amount for the Mayor).
- Unless otherwise negotiated with the Chief Executive Officer (CEO) or delegate, all allowance payments will be paid at the full amount without deduction for either taxation or superannuation purposes. Elected Members are able to request that taxation be deducted and/or superannuation contributions be paid into a nominated fund.

Council will publish the amounts of the allowances payable by Council to its Elected Members, on its website.

### **Ordinary Allowance**

The Ordinary Allowance is an allowance that covers those activities required of an Elected Member in the performance of their role as an elected representative. This includes, but is not limited to:

- Preparing for meetings, including considering the agenda and business papers for a meeting.
- Attendance at Ordinary Council meetings.
- Attendance at community functions as a Council representative, including scheduled meetings of a Local Authority within the member’s ward.
- Constituency responsibilities.
- Representing the Council outside the local government area, including delegations travelling interstate and overseas.



The Ordinary Allowance will be automatically paid to Elected Members each month, or at such frequency as resolved by Council – in arrears.

### **Extra Meeting Allowance**

An Extra Meeting Allowance is an additional allowance paid to Elected Members that covers attendance at those meetings or functions that are not an Ordinary Meeting of Council, and that Council has resolved will be covered by this allowance.

The Extra Meeting Allowance will be paid at the rate determined by Council and is only payable after an approved claim has been made.

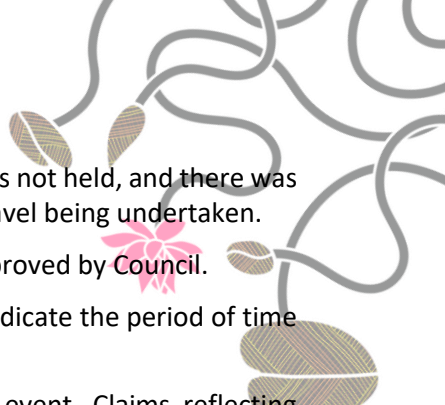
The Extra Meeting Allowance may be paid in relation to attendance at the following types of meetings:

- Special Council Meetings (additional to the eleven Ordinary Meetings scheduled annually).
- Council Committee Meetings for meetings held on days other than the days of Ordinary Council meetings.
- Special Meetings of Council Committees.
- Local Authority Meetings - if the Elected Member is a Member of the Local Authority.
- Inclusion in CEO selection meetings.
- Meetings of external agencies or organisations to which Council has formally appointed an Elected Member to represent the Council.
- Meetings of the Local Government Association of the Northern Territory (LGANT) where the Elected Member is a delegate of the Council.
- Any meeting for which the Chief Executive Officer (CEO) requests the attendance of the Elected Member, which may include but is not limited to Council workshops or briefings.
- All other meetings prior approved by Council for payment of this allowance.

One portion of the Extra Meeting Allowance is five percent (5%) of the annual maximum meeting allowance for the financial year, unless the allowance has been exhausted. Extra Meeting Allowance is not available if the annual allowance is fully spent.

- A portion of the Extra Meeting Allowance may be claimed for up to a maximum of two meetings per day.
- Elected Members must not claim a portion of Extra Meeting Allowance more than once for the same meeting.
- Extra Meeting Allowances cannot be paid for meetings unless a quorum is reached, and the meeting commences.
- The Member must have attended at least 75 percent of the duration of the meeting to claim an Extra Meeting Allowance.
- Where an Elected Member is required to travel in order to attend an approved extra meeting, the Elected Member may claim a portion of the Extra Meeting Allowance for each full day of travel, unless that travel falls on the same day on which the meeting is held. In this context, a full day of travel means at least four hours of travelling time, which may include time in transit.
  - Where an Elected Member does not meet the attendance requirements for claiming an Extra Meeting Allowance, they may still make a claim for travel to and/or from the extra meeting





if the reason for non-attendance was because the extra meeting was not held, and there was not sufficient notice that the meeting would not be held prior to travel being undertaken.

- Claims for the Extra Meeting Allowance must be made using the form/s approved by Council.
  - Forms must include the date on which the meeting was held and indicate the period of time the Member was present at the meeting.
  - Claims must be lodged within three months of the meeting or event. Claims reflecting attendance more than three months after the event or meeting will not be paid, unless by resolution of Council.
- Subject to claim, Extra Meeting Allowances will be paid automatically in arrears, during the first fortnight following the meeting.

If a Member is not paid the full allocation of the Member's Extra Meeting Allowance in a financial year, the allowance or the remainder of the allowance does not accrue for the following financial year.

Extra Meeting Allowances are not applicable to the Mayor or Deputy Mayor, or to an Elected Member acting in either position, as this allowance is incorporated into the Ordinary Allowance for these positions.

### **Professional Development Allowance**

The Professional Development Allowance is an allowance payable to Elected Members to attend conferences or training courses that enable the Member to develop the Member's capabilities in the Member's role.

Only Council approved conferences and training will attract Professional Development Allowances.

Council has determined that the types of conferences or training that may be attended or undertaken by a Member using the Professional Development Allowance include training and development in the areas of:

- Leadership
- Governance practices
- Community development and capacity building
- Risk, compliance, and financial management
- Strategic management
- Diversity and advocacy, including skills levels and understanding in the areas of diversity and inclusive practices.
- Any other course or training that is prior approved by Council and that Council considers will be of benefit to Council, Council constituents and/or the West Arnhem Region.

The Professional Development Allowance is to be used to cover the cost of travel to the course or conference, course or conference fees, meals, and accommodation for the duration of the course or conference.

- Payment of the Professional Development Allowance is subject to approval by Council. Conditions of payment include confirmation of attendance for at least 75 per cent of the duration of the event unless non-attendance is supported by a medical certificate (in the case of illness or injury).
- Council can arrange to pay costs directly to the provider, including course or conference fees, travel expenses, accommodation, and meals; or claims for reimbursement can be made using the form/s approved by Council.
- The Professional Development Allowance may be claimed multiple times each year to the maximum specified by Council for that financial year.



If a Member is not paid the Member's Professional Development Allowance in a financial year, the allowance or the remainder of the allowance does not accrue for the following financial year.

In the case of high-cost training courses, if a Member is attending a training course that exceeds the professional development allowance available in the current financial year:

- Any remaining professional development allowance in the current financial year is to be expended partially pay for the training course; and
- The outstanding cost of the training course may be expended against the professional development allowance of the Member in future financial years (only within the term of the Council).

Expenditure of the professional development allowance in future financial years will only be done on a reimbursement basis to a Member who has personally paid the remaining cost of the training course.

Access to reimbursement is subject to:

- The Member remaining a Council Member in the future financial year(s) when a claim for the reimbursement is made; and
- Any changes in the maximum amount of professional development allowance available in the future financial year(s) (which may reduce the reimbursement amount available).

A Member may claim a portion of the Member's Professional Development Allowance for the costs (including travel, accommodation and meals) in attending any training, mediation or counselling recommended by Council, a council panel, a prescribed corporation panel or as ordered by NTCAT as a result of a complaint of a contravention of the Code of Conduct.

#### **Acting Mayor or Deputy Mayor Allowance (daily rate)**

Where a casual vacancy occurs in the office of the Mayor or Deputy Mayor, the Member appointed to fill that casual vacancy will be entitled to the Ordinary Allowance applicable to the position being filled for each day that the Member is acting in that position.

The higher Ordinary Allowance will be calculated by dividing the annual Ordinary Allowance of the position being filled (i.e., Mayor or Deputy Mayor) by 365.

The acting Mayor or Deputy Mayor is not entitled to receive Extra Meeting Allowance while they are receiving the higher Ordinary Allowance.

The acting Mayor or Deputy Mayor is entitled to receive the higher Ordinary Allowance for a maximum of 90 days in a financial year.

#### **Mayoral Allowances**

The Mayor of the West Arnhem Regional Council shall also be provided with the following additional allowances:

- Mobile Phone or Phone allowance
- Computer or electronic notebook
- Mayoral vehicle.

Council must ensure sufficient allocation in the annual budget for the provision of the Mayoral allowance/s. Expenditure on these allowance/s will be reported in Council's monthly and annual financial reports.

#### *Mayoral vehicle*

The Mayor will be provided with a vehicle, in recognition of the Mayor being always on call.





- The Mayor must adhere to the provisions of Council's *Motor Vehicle Use Policy, Vehicle Management Procedures*, and any other Council policies, procedures, and instructions relevant to the operation and management of the Mayoral vehicle, including Council's *Fatigue Management Policy*.
- The type and specifications for the Mayoral vehicle will be as specified by Council's *Light Vehicle Specification and Management Guidelines*.
- The Mayor will have Unrestricted Private Use of the Mayoral Vehicle in line with Council's *Motor Vehicle Use Policy*. In the context of this policy, Unrestricted Private use means year-round access to the vehicle, which will generally be limited to locations within the Northern Territory. This includes private use during leave approved by Council.
  - Use of the vehicle for interstate travel for official Council business, may be permitted. Approval must be sought from Council prior to commencing travel.
- The Mayor's spouse/partner may also be permitted to drive the Mayoral vehicle and must also adhere to the provisions of Council's *Motor Vehicle Use Policy, Vehicle Management Procedures*, and any other Council policies, procedures, and instructions relevant to the operation and management of the Mayoral vehicle, including Council's *Fatigue Management Policy*. A copy of their current drivers licence is to be kept on the Mayor's personnel file.
- Council will cover fuel and operational costs for the Mayoral vehicle.
  - A fuel card will be provided with the Mayoral vehicle. All receipts must be kept in a safe and secure location and must be provided to Council administration at the end of each calendar month.
- For safety purposes, the Mayoral vehicle may be fitted with a GPS tracker.
- Location of the Mayoral vehicle: If the Mayor is based in an island electorate, the Mayor must choose between the Mayoral vehicle being based at the Mayor's island electorate OR at the Jabiru or Darwin office.

If the Mayor resides in their electorate of Gunbalanya or Maningrida (both communities are cut off by impassable roads during the wet season) the Mayor may choose to store their Mayoral vehicle in Jabiru or Darwin, for the duration of the wet season.

There is no capacity for the Mayor to have two vehicles (i.e., one vehicle based in their electorate and another vehicle based in Jabiru or Darwin). There is also no capacity for the Mayor to have a Council vehicle at their electorate and then seek access to Council pool vehicles upon being in Darwin or Jabiru.

- Should the Mayoral vehicle be involved in an accident rendering the vehicle unroadworthy, Council administration will endeavour to source a pool vehicle for the duration of the repairs. However, circumstances may dictate that a pool vehicle may not be available on every day that the Mayoral vehicle is out of service. Should a pool vehicle be available during the period of repair to the Mayoral vehicle, the replacement vehicle will not be shipped to a community.

The Mayor's phone and computer/electronic notebook allowances will be provided in accordance with any Ministerial guidelines and legislative requirements.

#### **Local Authority Allowances**

- The *Local Government Act* provides that Local Authority Members are to be paid allowances by the Council, in accordance with any Ministerial Guidelines. The payment amount will be in accordance with the rates set in the given financial year by the Guidelines.



- The rate of allowance must not exceed the maximum rate payable as set by the Minister.
- Council must ensure sufficient allocation in the annual budget for the provision of this allowance.
- Council will publish the amount of Local Authority Allowance payable to Local Authority Members, on its website.
- Local Authority Members who are also employees of the Council are not eligible to receive a Local Authority Allowance for attendance at a Local Authority Meeting.

### Travel and Expenses Allowance

From time to time, Elected and Local Authority Members may be required to travel away from their usual place of residence, to attend to official Council business.

Elected and Local Authority Members are entitled to claim all reasonable expenses and travel costs for attendance at:

- A meeting of the Council, Council Committee, Audit Committee, or Local Authority to which the Member belongs.
- Business of the Council where there is a prior resolution of the Council that the Member will attend.

To be eligible for Travel and Expenses the meeting or event must be held outside the Member's ward.

The Travel and Expenses Allowance will be paid at the current Australian Taxation Office (ATO) rates applicable to Council employees.

In making a claim for travel and expenses allowance, Elected and Local Authority Members are required to adhere to the *Travel and Accommodation Policy (Elected, Local Authority and Council Committee Members)*.

All travel must be pre-approved by Council. Members must provide an itemised itinerary to Council using an approved Council form. Council employees can assist with preparing a proposed itinerary. Council will only approve travel if the pre-approval process has been completed prior to travel commencing.

If an Elected Member is a member of an external organisation or board and that organisation or board pays an attendance allowance or covers expenses involved, that Elected Member will not be entitled to claim travel or expenses from the Council, even if that organisation or board is relevant to the West Arnhem Regional Council. In all instances the CEO in consultation with the Mayor will have discretion on what is an appropriate claim.

Council Committee Members may also be eligible for travel and expenses allowance, to be paid at the current ATO rates applicable to Council employees, for attendance at a Council Committee Meeting. In making a claim for travel and expenses allowance, Council Committee Members are required to adhere to the *Travel and Accommodation Policy (Elected, Local Authority and Council Committee Members)*.

### Responsibilities

- All Elected and Local Authority Members are responsible for adhering to the provisions of this policy. A breach of this policy may constitute a breach of the *Code of Conduct (Elected and Local Authority Members)* and will be handled in accordance with the provisions of the Code of Conduct policy.

The Governance Coordinator is responsible for:

- Ensuring that the amount of allowance/s payable by Council, is published on Council's website.
- Ensuring that all the reporting obligations referenced in this policy are met.



## 5. Responsibilities

The Executive Manager, Office of the CEO is the Policy Custodian for this policy and is responsible for reviewing the operation of the policy (every 3 years or more frequently as may be required), and for monitoring continuing relevance, effectiveness, and consistency with related documents and the Law.

Following approval of this policy document, the Executive Manager, Office of the CEO (or a nominated delegate) is also responsible for ensuring that the implementation and communication plan is implemented and that all Council employees have access to the policy.

## 6. Related Documents

### Legislation and References

Assembly Members and Statutory Officer (Remuneration and Other Entitlements) Act 2006 (NT)  
Local Government Act 2019 (NT)  
Local Government (General) Regulations (NT)

### Policy documents

Code of Conduct (Elected, Local Authority and Council Committee Members) Policy  
Fatigue Management Policy  
Motor Vehicle Use Policy  
Travel and Accommodation Policy (Elected, Local Authority and Council Committee Members)

### Procedures

Vehicle Management Procedure

### Instructions, tools, guidelines, forms and templates

Light Vehicle Specification and Management Guidelines  
Professional Development Allowance Reimbursement Form

