



**I hereby give notice that an Extraordinary Meeting of Council will
be held on:**

Date: Wednesday, 9 October 2024
Time: 1:30 PM
Location: Narrabri Shire Council Chambers
46-48 Maitland Street
Narrabri

AGENDA

Extraordinary Council Meeting 9 October 2024

**Eloise Chaplain
INTERIM GENERAL MANAGER**



NARRABRI SHIRE
DISCOVER THE POTENTIAL

PUBLIC FORUM (held outside formal Council Meeting)

The Council may hold a public forum prior to each Ordinary Meeting of the Council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting (listed on the Agenda).

Public forums may also be held prior to Extraordinary Council Meetings and meetings of committees of the Council.

Public forums are to be chaired by the mayor or their nominee.

Request to Speak in the Public Forum

To speak at a public forum, a person must first make an application to the Council in the approved form. Applications to speak at the public forum must be received by 5pm on the working day before the date on which the public forum is to be held and must identify the item of business on the agenda of the Council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.

Approved speakers at the public forum are to register with the Council any written, visual or audio material to be presented in support of their address to the Council, and to identify any equipment needs at 5pm on the working day before the Public Forum.

The General Manager or their delegate may refuse to allow such material to be presented.

A person may apply to speak on no more than 2 items of business on the agenda of the Council Meeting.

Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.

The General Manager or their delegate may refuse an application to speak at a public forum.

No more than three (3) speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the Council Meeting.

If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.

Each speaker will be allowed three (3) minutes to address the Council. This time is to be strictly enforced by the Chairperson.

The Chairperson of the meeting can grant one extension of up to a maximum of two (2) minutes, should further information, be considered to be important to the Council. This is solely at the discretion of the Chair.

Speakers at public forums must not digress from their nominated item on the agenda. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a Public Forum. Questions put to a speaker must be direct, succinct and without argument. Debate will not be permitted by the speaker, Councillors or staff.

Speakers are under no obligation to answer a question. Answers by the speaker, to each question are to be limited to three (3) minutes.

Speakers at public forums cannot ask questions of the Council, Councillors or Council staff.

The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to 5 minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.

Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.

The "*Request to Speak in Public Forum*", at an Ordinary Council Meeting, can be obtained, from Council's Administration Office, or by downloading it from Council's website at:

<http://www.narrabri.nsw.gov.au/speaking-at-public-forum-1232.html>



USE OF MOBILE PHONES AND UNAUTHORISED RECORDING OF MEETINGS

Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.

(As per Council's Code of Meeting Practice)

A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the Council.

(As per Council's Code of Meeting Practice)

RECORDING NOTICE

Council advises that this Meeting will be recorded for the purpose of webcasting, and made available on the Internet. As such, all those present should refrain from making any defamatory statements. It is requested that Councillors within the duration of the Meeting, limit discussions to only the business on the agenda and what is permissible under our Code of Meeting Practice.

(As per Council's Code of Meeting Practice)

Please welcome our successful candidates and councillors for the 2024-2028 Term:

Cr Amanda Brown
Cr Brett Dickinson
Cr Navin Erathnage
Cr Jocellin Jansson
Cr Greg Lamont
Cr Brett Nolan
Cr Joshua Roberts-Garnsey
Cr Darrell Tiemens
Cr Ethan Towns

Executive



Interim General Manager
Mrs Eloise Chaplain



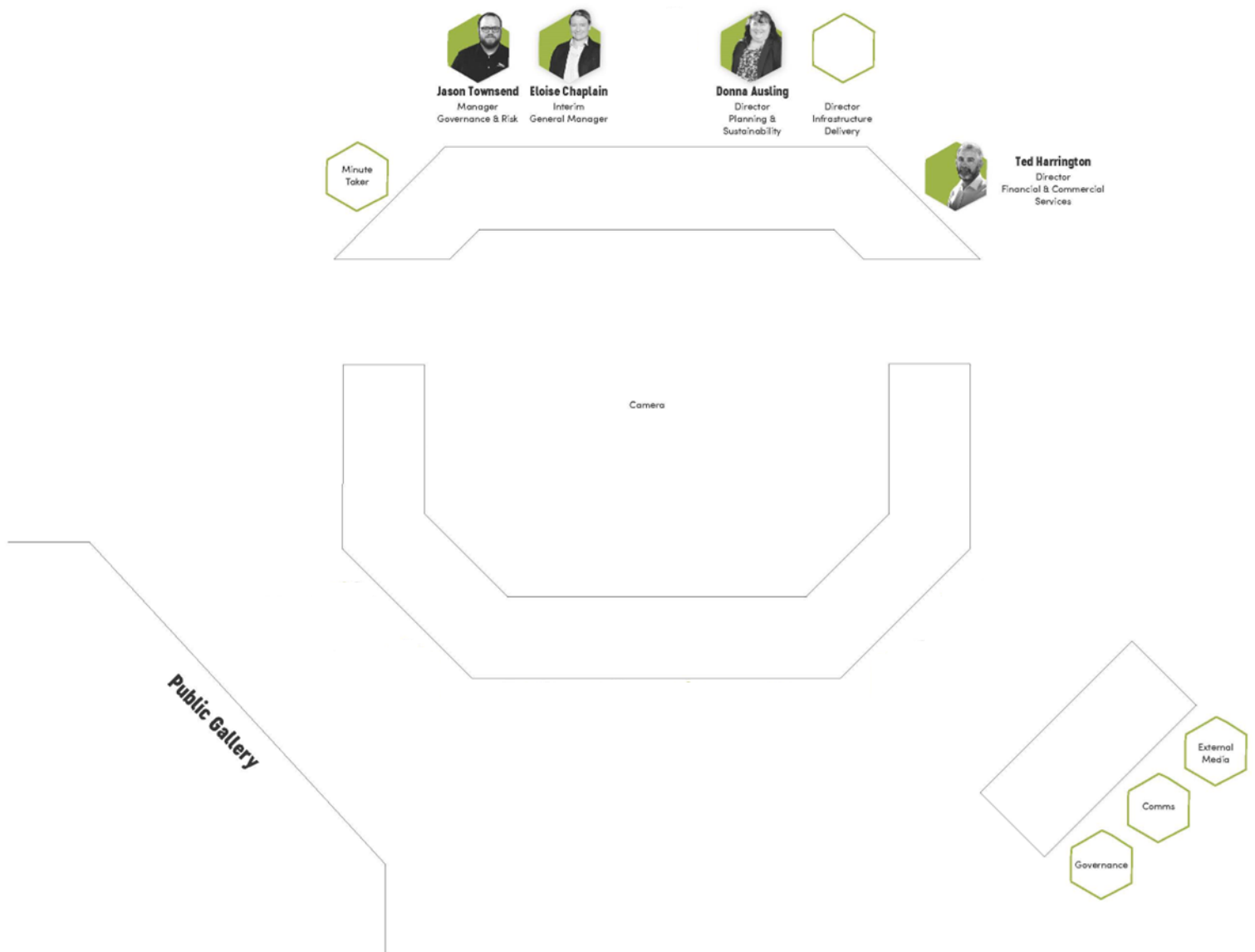
Director Financial and Commercial
Services
Mr Ted Harrington

Director Infrastructure Delivery
(Vacant)



Director Planning and Sustainability
Ms Donna Ausling

COUNCIL CHAMBERS SEATING CHART



Corporate values



Wellbeing

Recognising safety, health, and wellbeing as a priority for all, especially our staff.



Integrity

Ensuring transparency and honesty in all our activities.



Leadership

Providing guidance and direction to our community and our people.



Community Focus

Delivering prompt, courteous, collaborative, and helpful service, while empowering and responding to the community's changing needs.



Accountability

Accepting our responsibility for the provision of quality services and information to ensure transparency and honesty in all our activities.



Respect

Treating everyone with courtesy, dignity and fairness.



Excellence

Providing services, programs and information which consistently meet and exceed standards.

Vision for 2032

OUR VISION

"The Narrabri Shire will continue to be a strong and vibrant regional economic growth centre providing a quality living environment for the entire community."



Theme 1: SOCIETY

An empowered, inclusive, and connected community



Theme 2: ENVIRONMENT

A sustainable and compatible natural and built environment



Theme 3: ECONOMY

A strong, diverse, and sustainable economy



Theme 4: CIVIC LEADERSHIP

Council as strong leaders for the community

AGENDA

1. Opening Prayer

Members and officers are asked to be upstanding for the opening prayer.

2. Acknowledgement of Country

I would like to acknowledge the Traditional Owners of Country throughout Australia, in particular the Gomeroi People of the Gamilaroi Nation, and recognise their continuing connection to land, waters and culture.

We pay our respects to their Elders past, present and emerging.

3. Recognition of Service Men & Women

Council acknowledges the sacrifice made by Australian service men and women, in particular those who gave their lives in defence of the freedom we enjoy today.

4. Attendance by Audio Visual Link

Nil reports.

5. Apologies/Granting of Leave of Absence

6. Declaration of Pecuniary and Non-Pecuniary Interests

Councillors are reminded of their obligation to declare their interest in any matters listed before them.

In considering your interest, you are reminded to include pecuniary, non-pecuniary and conflicts of interest as well as any other interest you perceive or may be perceived of you.

Councillors may declare an interest at the commencement of the meeting, or alternatively at any time during the meeting should any issue progress or arise that would warrant a declaration.

Councillors must state their reasons in declaring any type of interest.

7. Items to be Considered in the Confidential (Public Excluded) Meeting

Extract from Council's Code of Meeting Practice:

14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:

- (a) personnel matters concerning particular individuals (other than councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
 - (d) commercial information of a confidential nature that would, if
-

disclosed:

- (i) prejudice the commercial position of the person who supplied it,
- or
- (ii) confer a commercial advantage on a competitor of the council, or
- (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- (i) alleged contraventions of the council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

- 14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

The Following matters will be considered in the Closed (Public Excluded) Meeting:

8. Presentations

9. Confirmation of Minutes

10. Matters of Great Urgency

11. Questions with Notice

12. Mayoral Minutes

13. Delegates Report

14. Notice of Motions

15. General Manager Reports

15.1 Oath or Affirmation of Office by Councillors

15.2 Election of the Office of Mayor

15.3 Creation of the Office of Deputy Mayor

15.4 Delegations of Authority to the Mayor

15.5 Delegations of Authority to the General Manager

15.6 Ordinary Council Meeting Schedule until October 2025

15.7 Casual Vacancies in the Office of Councillors

15.8 Councillor Expenses and Facilities Policy - For Exhibition

- 16. Financial and Commercial Services**
- 17. Infrastructure Delivery**
- 18. Planning and Sustainability**
- 19. Supplementary Items**
- 20. Confidential (Closed Council) Meeting**
- 21. Meeting Closed**

15.1 OATH OR AFFIRMATION OF OFFICE BY COUNCILLORS

Responsible Officer: Jason Townsend, Manager Governance and Risk

Author: Alice Gemmell-Smith, Senior Governance Advisor

Attachments:

1. Affirmation of Office
2. Oath of Office

STRATEGIC LINK

4 Civic Leadership - Council as a strong leader for the community

Objective 4.1 A transparent and accountable Council

Strategy 4.1.2 Enforce good governance, risk management, and statutory compliance

EXECUTIVE SUMMARY

An Oath or Affirmation of office must be taken by each Councillor at or before the first meeting of the Council after being elected. As the October 2024 Extraordinary Council Meeting is the first meeting after the 2024 Local Government Election, all Councillors present at the Meeting will be required to take an Oath or make an Affirmation of Office in accordance with the *Local Government Act 1993* (NSW) s 233A, or to present their Oaths or Affirmations.

RECOMMENDATION

1. That Councillors note the requirement to take the Oath of Office or make an Affirmation of Office, in accordance with the *Local Government Act 1993* (NSW).
2. The Oath of Office or Affirmation of Office be individually taken by each Councillor before the General Manager.

BACKGROUND

An oath or affirmation should be taken by each Councillor as the first item of business for the first meeting of the new Council term. The General Manager must ensure that Council keeps a record of Councillor Oaths and Affirmations. This can be done by way of a signed statement containing the oath or affirmation or by recording that Oaths and Affirmations were taken in the meeting's minutes. Staff propose that the oath or affirmation by each Councillor be recorded in the minutes of this meeting.

CURRENT SITUATION

A Councillor must be physically present when taking their oath or making their affirmation of office. If the Councillor is unable to attend the first Council Meeting, they may take the oath or affirmation of office at another location in front of the General Manager. The oath or affirmation of office may also be taken before an Australian legal practitioner or a Justice

of the Peace. The taking of the oath or affirmation outside a Council Meeting must be publicly recorded by the Council. Where an oath or affirmation is taken outside a Council Meeting, a Council staff member should also be present to ensure that an accurate record can be kept by the Council.

A Councillor who fails, without a reasonable excuse, to take the oath or affirmation of office, will not be entitled to attend Council Meetings until they do so and will be taken to be absent without leave. If a Councillor is absent without leave for three consecutive Ordinary Council Meetings their office is automatically declared vacant.

FINANCIAL IMPLICATIONS

Nil.

STATUTORY AND POLICY IMPLICATIONS

Local Government Act 1993 (NSW) section 233A Oath and affirmation for councillors

(1) A councillor must take an oath of office or make an affirmation of office at or before the first meeting of the council after the councillor is elected.

(2) The oath or affirmation may be taken or made before the general manager of the council, an Australian legal practitioner or a justice of the peace and is to be in the following form—

Oath

I swear that I will undertake the duties of the office of councillor in the best interests of the people of and the and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Affirmation

I solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of and the and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

(3) A councillor who fails, without a reasonable excuse, to take the oath of office or make an affirmation of office in accordance with this section is not entitled to attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected to the office or a meeting at which the councillor takes the oath or makes the affirmation) until the councillor has taken the oath or made the affirmation.

(4) Any absence of a councillor from an ordinary meeting of the council that the councillor is not entitled to attend because of this section is taken to be an absence without prior leave of the council.

(5) Failure to take an oath of office or make an affirmation of office does not affect the validity of anything done by a councillor in the exercise of the councillor's functions.

(6) The general manager must ensure that a record is to be kept of the taking of an oath or the making of an affirmation (whether in the minutes of the council meeting or otherwise).

CONSULTATION

External Consultation

Office of Local Government.

Internal Consultation

Governance Section.

Affirmation

I _____ solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Narrabri Shire and the Narrabri Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment.

Declared at: _____ on _____
[place] [date]

[signature of declarant]

in the presence of an authorised witness (Australian Legal Practitioner or Justice of the Peace), who states:

I, _____, a _____
[name of authorised witness] [qualification of authorised witness]

certify the following matters concerning the making of this statutory declaration by the person who made it:

[* please cross out any text that does not apply]

1. *I saw the face of the person OR *I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification¹ for not removing the covering, and
2. *I have known the person for at least 12 months OR *I have confirmed the person's identity using an identification document and the document I relied on was

[describe identification document relied on]

_____ on _____
[signature of authorised witness] [date]

Oath

I _____ swear that I will undertake the duties of the office of councillor in the best interests of the people of Narrabri Shire and the Narrabri Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment.

Declared at: _____ on _____
[place] [date]

[signature of declarant]

in the presence of an authorised witness (Australian Legal Practitioner or Justice of the Peace), who states:

I, _____, a _____
[name of authorised witness] [qualification of authorised witness]

certify the following matters concerning the making of this statutory declaration by the person who made it:

[* please cross out any text that does not apply]

1. *I saw the face of the person OR *I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification¹ for not removing the covering, and
2. *I have known the person for at least 12 months OR *I have confirmed the person's identity using an identification document and the document I relied on was _____

[describe identification document relied on]

[signature of authorised witness] on _____
[date]

15.2 ELECTION OF THE OFFICE OF MAYOR

Responsible Officer: Jason Townsend, Manager Governance and Risk

Author: Alice Gemmell-Smith, Senior Governance Advisor

Attachments: 1. Nomination Form

STRATEGIC LINK

4 Civic Leadership - Council as a strong leader for the community

Objective 4.1 A transparent and accountable Council

Strategy 4.1.2 Enforce good governance, risk management, and statutory compliance

EXECUTIVE SUMMARY

In the case of Narrabri Shire Council and in alignment with the requirements of the *Local Government Act 1993* (NSW) ('the Act') the Councillors from among their number elect the Mayor.

The required nomination form is an attachment to this report. Nomination papers may be delivered or sent to the General Manager either prior to or at the Council Meeting.

RECOMMENDATION

1. That Council elect the Mayor, for the period of 9 October 2024 until September 2026 by way of open voting, if more than one (1) nomination for Mayor is received.

BACKGROUND

In Narrabri Shire Council, the Councillors elect the Mayor from among the Councillors, pursuant to section 227 of the Act.

Section 230 of the Act provides that a Mayor elected by Councillors holds the office of Mayor for a period of two (2) years.

The election process is set out in Schedule 7 of the *Local Government (General) Regulation 2021* (NSW). However, staff present at the meeting will guide Councillors through the election process.

CURRENT SITUATION

Nominations

In order to stand for election, a Councillor must first be nominated.

Nomination papers must be delivered or sent to the General Manager either prior to or at the Council Meeting. The nomination is to be in writing and signed by 2 or more councillors (one of whom may

be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.

Election Process

Should there be more than one (1) Councillor nominated for the Office of Mayor, Council is to determine whether the election is to be by:

1. Preferential ballot;
2. Ordinary ballot; or
3. Open voting.

Before proceeding with the election, Council is required to resolve which method of voting is to be used.

Council staff strongly recommend election by open voting. This also aligns with objective 4.1 of the 2022/2023 Community Strategic Plan, being a transparent and accountable Council, it is recommended to conduct the voting using the open voting method.

Election Methods

Ordinary Ballot

- This method utilises ballot-papers.
- The Returning Officer decides the way votes are to be marked on the ballot-papers.
- If there are only two (2) candidates, the candidate with the higher number of votes is elected. If there are only two (2) candidates and they are tied, the one (1) elected is to be chosen by lot.
- If there are three (3) or more candidates, a vote is taken; the candidate with the lowest number of votes is excluded. If three (3) or more candidates remain further votes are taken with the candidate receiving the lowest number of votes being excluded until two (2) candidates remain.
- A further vote is taken of the two (2) remaining candidates; the candidate with the higher number of votes is elected. If there are only two (2) candidates and they are tied, the one (1) elected is to be chosen by lot.
- If at any stage during a count two (2) or more candidates are tied on the lowest number of votes, the one (1) excluded is to be chosen by lot.

Open Voting

- This method utilises a show of hands.
- The election procedure is the same as for the ordinary ballot method.

Preferential Ballot

- This method utilises ballot-papers.
- Councillors are to mark their votes by placing the numbers "1", "2" and so on, against the candidate names to indicate the order of their preference for all the candidates.
- If a candidate has an absolute majority of first preference votes, that candidate is elected.
- If an absolute majority is not achieved, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.
- If no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her

unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one (1) candidate has received an absolute majority of votes, who is then elected.

- If, on any count of votes, there are two (2) candidates in, or remaining in, the election and the numbers of votes cast for the two (2) candidates are equal, the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.
- If, on any count of votes, there are three (3) or more candidates in, or remaining in, the election and the numbers of votes cast for two (2) or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes, the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

Definitions

Term	Meaning
Absolute majority:	In relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.
Ballot:	In the context of this type of election has the meaning of a secret ballot.
Chosen by lot:	If two (2) candidates are tied (having equal numbers of votes) their names are written on similar slips of paper by the Returning Officer, the slips are folded by the Returning Officer so as to prevent the candidate names being seen, the slips are mixed and one (1) is drawn at random by the Returning Officer and the candidate whose name is on the drawn slip is chosen.

Timing of Election

The election for Office of Mayor is to take place at the Council Meeting at which the Council determines the method of voting.

FINANCIAL IMPLICATIONS

Nil.

STATUTORY AND POLICY IMPLICATIONS

Council is required to determine the method of voting for the Office of Mayor in accordance with the provisions of the *Local Government Act 1993* (NSW) and the *Local Government (General) Regulation 2021* (NSW).

CONSULTATION

External Consultation

- Office of Local Government: Post-election Guide.
- Advice circulated from the Office of Local Government (OLG) has been considered in the preparation of this report and is freely available from the Office's website.

Internal Consultation

Nil.

NOMINATION FORM

Clause 2 of Schedule 7 Local Government (General) Regulation 2021

**To: General Manager
Narrabri Shire Council**

Nomination Details

We, the undersigned, hereby nominate:

Cr _____

For the position of:
(tick appropriate box/es)



Mayor

and/or



Deputy Mayor

Nominated by:

(At least two (2) councillors, one of whom may be the nominee)

Name:

Signature:

Name:

Signature:

Certification

I hereby agree to my nomination for the above position/s:

Name:

Signature:

Date (dd/mm/yyyy):

OFFICE USE ONLY

Received By:

Returning Officer:

Date (dd/mm/yyyy):

Time:

15.3 CREATION OF THE OFFICE OF DEPUTY MAYOR

Responsible Officer: Jason Townsend, Manager Governance and Risk

Author: Alice Gemmell-Smith, Senior Governance Advisor

Attachments: 1. Nomination Form

STRATEGIC LINK

4 Civic Leadership - Council as a strong leader for the community

Objective 4.1 A transparent and accountable Council

Strategy 4.1.2 Enforce good governance, risk management, and statutory compliance

EXECUTIVE SUMMARY

Council is required to determine if it wishes to create the Office of Deputy Mayor.

On the assumption that Council will wish to elect a Deputy Mayor, a nomination paper for Office of Deputy Mayor has been provided as **Attachment 1** to this report. Nomination papers may be delivered or sent to the General Manager either prior to or at the Council Meeting.

This report is not for the election of a Deputy Mayor, simply for the creation of the office.

RECOMMENDATION

1. That Council create the Office of Deputy Mayor.
2. That Council set the term of the Office of Deputy Mayor.
3. That Council elect the Deputy Mayor, for the period of 9 October 2024 to September 202X, by way of open voting, if more than one (1) nomination for Deputy Mayor is received.

BACKGROUND

The *Local Government Act 1993* (NSW) (The Act) and the *Local Government (General) Regulation 2021* (NSW) (The Regulation) require Council to decide whether to create the office of Deputy Mayor following the Local Government Election.

Section 231 of the Act outlines the requirements for the creation and election of a Deputy Mayor. The election process is set out in Schedule 7 of the Regulation.

Historically, Council has resolved for the Office of Deputy Mayor to be elected for a period of twelve months at a time.

CURRENT SITUATION

On the assumption that Council will wish to elect a Deputy Mayor, a nomination paper for Office of Deputy Mayor is attached to this report (**Attachment 1**).

Nomination papers may be delivered or sent to the General Manager either prior to or at the Council Meeting.

The nomination is to be in writing and signed by two (2) or more councillors (one (1) of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.

Should there be more than one (1) Councillor nominated for the Office of Deputy Mayor, Council is to determine whether the election is to be by:

1. Preferential ballot;
2. Ordinary (secret) ballot; or
3. Open voting.

Before proceeding with the election, Council is required to resolve which method of voting is to be used.

Council Staff strongly recommend voting by open voting. Open voting will also align with objective 4.1 of the 2022/2032 Community Strategic Plan, being a transparent and accountable Council.

Election Methods

Ordinary Ballot

- This method utilises ballot-papers.
- The Returning Officer decides the way votes are to be marked on the ballot-papers.
- If there are only two (2) candidates, the candidate with the higher number of votes is elected. If there are only two (2) candidates and they are tied, the one (1) elected is to be chosen by lot.
- If there are three (3) or more candidates, a vote is taken; the candidate with the lowest number of votes is excluded. If three (3) or more candidates remain further votes are taken with the candidate receiving the lowest number of votes being excluded until two (2) candidates remain.
- A further vote is taken of the two (2) remaining candidates; the candidate with the higher number of votes is elected. If there are only two (2) candidates and they are tied, the one (1) elected is to be chosen by lot.
- If at any stage during a count two (2) or more candidates are tied on the lowest number of votes, the one (1) excluded is to be chosen by lot.

Open Voting

- This method utilises a show of hands.
- The election procedure is the same as for the ordinary ballot method.

Preferential Ballot

- This method utilises ballot-papers.
- Councillors are to mark their votes by placing the numbers "1", "2" and so on, against the candidate names to indicate the order of their preference for all the candidates.
- If a candidate has an absolute majority of first preference votes, that candidate is elected.

- If an absolute majority is not achieved, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.
- If no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one (1) candidate has received an absolute majority of votes, who is then elected.
- If, on any count of votes, there are two (2) candidates in, or remaining in, the election and the numbers of votes cast for the two (2) candidates are equal, the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.
- If, on any count of votes, there are three (3) or more candidates in, or remaining in, the election and the numbers of votes cast for two (2) or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes, the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

Definitions

Term	Meaning
Absolute majority:	In relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.
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Timing of Election

The election for Office of Deputy Mayor is to take place at the Council Meeting at which the Council determines the method of voting.

FINANCIAL IMPLICATIONS

Nil.

STATUTORY AND POLICY IMPLICATIONS

This report enables Council to create the Office of Deputy Mayor in line with the statutory requirements of the *Local Government Act 1993* (NSW) and the *Local Government (General) Regulation 2021* (NSW).

If Council resolves to create the Office of Deputy Mayor; Council is required to resolve:

1. The term of the Office of Deputy Mayor; and
2. The method of voting for the Office of Deputy Mayor.

CONSULTATION**External Consultation**

Advice circulated from the Office of Local Government (OLG) has been considered in the preparation of this report and is freely available from the Office's website.

Internal Consultation

Nil.

NOMINATION FORM

Clause 2 of Schedule 7 Local Government (General) Regulation 2021

**To: General Manager
Narrabri Shire Council**

Nomination Details

We, the undersigned, hereby nominate:

Cr _____

For the position of:
(tick appropriate box/es)



Mayor

and/or



Deputy Mayor

Nominated by:

(At least two (2) councillors, one of whom may be the nominee)

Name:

Signature:

Name:

Signature:

Certification

I hereby agree to my nomination for the above position/s:

Name:

Signature:

Date (dd/mm/yyyy):

OFFICE USE ONLY

Received By:

Returning Officer:

Date (dd/mm/yyyy):

Time:

15.4 DELEGATIONS OF AUTHORITY TO THE MAYOR

Responsible Officer: Jason Townsend, Manager Governance and Risk

Author: Alice Gemmell-Smith, Senior Governance Advisor

Attachments: 1. Delegations of Authority - Mayor

STRATEGIC LINK

4 Civic Leadership - Council as a strong leader for the community

Objective 4.1 A transparent and accountable Council

Strategy 4.1.4 Ensures transparent and accountable decision making for our community

EXECUTIVE SUMMARY

Section 380 of the *Local Government Act 1993* (NSW) (the Act) requires Council to review all of its delegations during the first 12 months of each term of office.

RECOMMENDATION

1. That Council delegate to the Mayor of Narrabri Shire Council, the functions in accordance with the Instrument of Delegation to the Mayor attached to this report.

BACKGROUND

Council's Authority to Delegate Functions

Section 377 of the Act provides the below.

Council may, by resolution, delegate any of the functions under the Act or any other Act, other than the following:

- (a) the appointment of a general manager,
- (b) the making of a rate,
- (c) a determination under section 549 as to the levying of a rate,
- (d) the making of a charge,
- (e) the fixing of a fee,
- (f) the borrowing of money,
- (g) the voting of money for expenditure on its works, services or operations,
- (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
- (i) the acceptance of tenders to provide services currently provided by members of staff of the council,
- (j) the adoption of an operational plan under section 405,

- (k) the adoption of a financial statement included in an annual financial report,
- (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,
- (m) the fixing of an amount or rate for the carrying out by the council of work on private land,
- (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,
- (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the *Environmental Planning and Assessment Act 1979*,
- (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
- (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,
- (r) a decision under section 234 to grant leave of absence to the holder of a civic office,
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,
- (t) this power of delegation,
- (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.

The Mayor's Legislated Functions

The Act already prescribes certain functions for the Mayor, which Council cannot modify. Similarly, Council does not need to delegate these functions.

Section 226 of the Act enshrines the role of Mayor as follows;

- (a) to be the leader of the council and a leader in the local community,
- (b) to advance community cohesion and promote civic awareness,
- (c) to be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities,
- (d) to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council,
- (e) to preside at meetings of the council,
- (f) to ensure that meetings of the council are conducted efficiently, effectively and in accordance with this Act,
- (g) to ensure the timely development and adoption of the strategic plans, programs and policies of the council,
- (h) to promote the effective and consistent implementation of the strategic plans, programs and policies of the council,
- (i) to promote partnerships between the council and key stakeholders,
- (j) to advise, consult with and provide strategic direction to the general manager in relation to the implementation of the strategic plans and policies of the council,
- (k) in conjunction with the general manager, to ensure adequate opportunities and mechanisms for engagement between the council and the local community,
- (l) to carry out the civic and ceremonial functions of the mayoral office,
- (m) to represent the council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,
- (n) in consultation with the councillors, to lead performance appraisals of the general manager,
- (o) to exercise any other functions of the council that the council determines.

CURRENT SITUATION

In accordance with Section 380 of the Act, the Council is required to review all of its delegations during the first 12 months of each term of office.

It is important when determining appropriate delegations to ensure equilibrium between responsibility and authority.

Delegations for the Mayor

Attached to this report are the proposed delegations for the Mayor. This is based on delegations given to the mayor in the past and staff's recommendation to ensure responsibility/authority equilibrium.

Delegations for the Deputy Mayor

Under the Act, section 231(3); *The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.*

In accordance with this section there is no requirement for a separate Deputy Mayor Delegation of Authority, as the Act provides explicitly for the Deputy Mayor to exercise the functions of the Mayor at the Mayor's request or in their absence.

FINANCIAL IMPLICATIONS

Nil.

STATUTORY AND POLICY IMPLICATIONS

Relevant sections of the Act:

- Section 226 *Role of the Mayor.*
- Section 231 *Deputy Mayor.*
- Section 377 *General power of the council to delegate.*

CONSULTATION**External Consultation**

Nil.

Internal Consultation

Nil.

DELEGATION OF AUTHORITY

Delegation Details

Delegation From:	Council
Delegation To (position title)	Mayor

In accordance with Sections 377 and 381 of the *Local Government Act 1993* (NSW) (The Act), Council hereby delegates to the person holding the position of Mayor from time-to-time Council's Functions under the Act as set out below. This delegation shall remain in force until specifically altered or revoked by Council resolution and/or Legislation.

Delegated Authority

1. To represent the Council with the General Manager in deputations, meetings, and other forums where it is appropriate to represent Council's position.
2. To provide civic receptions as appropriate.

Mayor's Functions unaffected

The Mayor's functions under section 226 of the Act are unaffected by this delegation.

Authorised at	Date	Resolution Number
April 2022 Ordinary Council Meeting	26 April 2022	094/2022
September 2024 Ordinary Council Meeting	24 September 2024	___/2024

15.5 DELEGATIONS OF AUTHORITY TO THE GENERAL MANAGER

Responsible Officer: Jason Townsend, Manager Governance and Risk

Author: Alice Gemmell-Smith, Senior Governance Advisor

Attachments: 1. Delegations of Authority - General Manager

STRATEGIC LINK

4 Civic Leadership - Council as a strong leader for the community

Objective 4.1 A transparent and accountable Council

Strategy 4.1.4 Ensures transparent and accountable decision making for our community

EXECUTIVE SUMMARY

Section 380 of the *Local Government Act 1993* (NSW) (the Act) requires Council to review all of its delegations within twelve months of a Local Government Election. This report aims to meet that requirement through a review of Council's delegations to the General Manager.

RECOMMENDATION

1. That Council delegate to the Interim General Manager of Narrabri Shire Council, the functions in accordance with the Instrument of Delegation to the General Manager attached to this report.

BACKGROUND

The *Local Government Act 1993* (NSW) and other Acts provide certain functions to Council. In order to ensure that those functions can be exercised in a timely, efficient, and effective manner, Councils can delegate them, and typically does.

Section 377 of the Act grants Council the power to delegate any of the functions under the Act or any other Act to the General Manager, other than the following:

- a. the appointment of a general manager,
- b. the making of a rate,
- c. a determination under section 549 as to the levying of a rate,
- d. the making of a charge,
- e. the fixing of a fee,
- f. the borrowing of money,
- g. the voting of money for expenditure on its works, services or operations,
- h. the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
- i. the acceptance of tenders to provide services currently provided by members of staff of the council,
- j. the adoption of an operational plan under section 405,

- k. the adoption of a financial statement included in an annual financial report,
- l. a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,
- m. the fixing of an amount or rate for the carrying out by the council of work on private land,
- n. the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,
- o. the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979,
- p. the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
- q. a decision under section 356 to contribute money or otherwise grant financial assistance to persons,
- r. a decision under section 234 to grant leave of absence to the holder of a civic office,
- s. the making of an application, or the giving of a notice, to the Governor or Minister,
- t. this power of delegation,
- u. any function under this or any other Act that is expressly required to be exercised by resolution of the council.

The provisions in Section 378 of the Act then enable the General Manager to sub-delegate any of the functions of the General Manager, other than the power of delegation.

Section 381 of the Act enables Council to delegate its functions under any other Act or Regulation to the General Manager.

CURRENT SITUATION

In accordance with Section 380 of the Act, the Council is required to review all of its delegations during the first 12 months of each term of office.

While the terms of the delegation and any limitations upon it are a matter for Council, the Governance and Risk Section notes the importance of the principle that the General Manager's authority should match their responsibility/accountability. Too little authority, or too highly regulated authority, risks fettering the General Manager. This in turn risks a reduction in the flexibility, agility, and efficiency of Council's operations. It is therefore recommended to delegate the functions in the attachment to this report.

FINANCIAL IMPLICATIONS

Nil.

STATUTORY AND POLICY IMPLICATIONS

Relevant sections of the Act:

- Section 377 *General power of the council to delegate.*

CONSULTATION

External Consultation

Nil.

Internal Consultation

Nil.

DELEGATIONS OF AUTHORITY

Delegation from The Council

In accordance with Section 378 and 379 of the *Local Government Act 1993* (NSW), the **Council** hereby delegates to the person holding the position of **General Manager**, from time to time, Council's Functions under the Act and all other Acts and Regulations in Force and as amended from time-to-time conferring functions on Council subject to any conditions or limitations below. This delegation shall remain in force until specifically altered or revoked by Council resolution or legislation.

Limitations

1. Limitations arising from the provisions of the Act and all other legislation relevant to this delegation of authority.
2. All resolutions from time to time of Council directing the General Manager in the exercise of any powers, authorities, duties, and functions.
3. The acceptance of tenders in excess of \$1,500,000 (not including GST).

Authorisation

Authorised at	Date	Resolution Number
October 2024 Extraordinary Council Meeting	9 October 2024	

Detailed Delegations

General Manager

Delegation to Committees of Council

Name	Description
Local Government Act 1993 (NSW) s 355 - Administer and control the operations of Section 355 Committees	To administer and control the operations and activities of a committee appointed by Council under Section 355 of the Local Government Act 1993 (NSW)

Delegations to the General Manager

Name	Description
Local Government Act 1993 (NSW) s 514 - Determine and declare the categorisation of rateable land	Determine and declare the categorisation of rateable land pursuant to Local Government Act 1993 (NSW) s 514
Local Government Act 1993 (NSW) s 525 - Authority to determine applications to change the category of rateable land	Authority to determine applications to change the category of rateable land, pursuant to Local Government Act 1993 (NSW) s 525
Delegations conferred on the General Manager	<ol style="list-style-type: none"> 1. Biodiversity Conservation Act 2016 2. Biosecurity Act 2015 3. Building Professionals Act 2005 4. Companion Animals Act 1998 5. Community Land Development Act 2021 6. Community Land Management Act 1989 7. Contaminated Land Management Act 1997 8. Conveyancing Act 1919 9. Crown Land Management Act 2016 10. Dividing Fences Act 1991 11. Environmental Planning and Assessment Act 1979 12. Fire and Rescue NSW Act 1989 13. Firearms Act 1996 14. Fluoridation of Public Water Supplies Act 1957 15. Food Act 2003 16. Heritage Act 1977 17. Library Act 1939 18. Liquor Act 2007 19. Local Government Act 1993 20. Local Land Services Act 2013 21. Major Events Act 2009 22. National Heavy Vehicle Law 2014 23. National Parks and Wildlife Act 1974 24. Pesticides Act 1999 25. Plumbing and Drainage Act 2011 26. Privacy and Personal Information Protection Act 1998 27. Protection of the Environment Operations Act 1997 28. Public Health Act 2010 29. Public Health (Tobacco) Act 2008

Name

Description

	<p>30. Public Spaces (Unattended Property) Act 2022</p> <p>31. Real Property Act 1900</p> <p>32. Recreation Vehicles Act 1983</p> <p>33. Residential (Land-Lease) Communities Act 2013</p> <p>34. Roads Act 1993</p> <p>35. Road Transport Act 2013</p> <p>36. Rural Fires Act 1997</p> <p>37. Smoke Free Environment Act 2007</p> <p>38. State Emergency and Rescue Management Act 1989</p> <p>39. State Emergency Service Act 1989</p> <p>40. Strata Schemes Development Act 2015</p> <p>41. Swimming Pools Act 1992</p> <p>42. Transport Administration Act 1988</p> <p>43. Water Management Act 2000</p> <p>44. Work Health and Safety Act 2011</p> <p>45. Unclaimed Money Act 1995</p>
Ombudsman Act 1974 (NSW) - Administer the Provisions and Functions of the Act and delegated legislation	Administer the Provisions and Functions of the Ombudsman Act 1974 (NSW) and delegated legislation
Local Government Act 1993 (NSW) ss 377, 381 - Delegations in accordance with Local Government Act 1993 (NSW) s 377 and 381	In accordance with sections 377 and 381 of the Local Government Act 1993 (NSW), Council hereby delegates to the person holding the position of General Manager, from time to time Council's functions under the Act and all other Acts and Regulations in force and as amended from time to time conferring functions on Council Subject to any conditions or limitations below (this delegation shall remain in force until specifically altered or revoked by Council resolution or Legislation)

Emergency Management

Name

Description

Act as the Continuity Management Team (CMT) Leader	Act as the CMT Leader in accordance with the Business Continuity Manual and Procedures with the Director Corporate and Commercial Services acting in this role in the event the General Manager is unable to do so
Declare an emergency event	Declare an emergency event (in consultation with the General Manager)

Financial Matters

Name

Description

Corporate Credit Card (\$20,000)	Hold a Corporate Credit Card to the value of \$20,000
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Name

Authorise the reduction for water and wastewater consumption charges up to a maximum amount of \$2,000

Authority to award tender below \$250,000

Local Government Act 1993 (NSW) - Authorise the waiver or reduction of non-business activity fees up to a maximum of \$2,000 in any one transaction

Local Government Act 1993 (NSW) - Award Tenders to a Value of \$1,500,000 (excluding GST)

Authorise Expenditure for Goods and Services pursuant to Local Government (General) Regulation 2021 (NSW)

Description

To reduce water and wastewater consumption charges in accordance with the Undetected Leak Policy for Water and Wastewater Charges up to a maximum of \$2,000

Authority to award tender below \$250,000 in accordance with Council's Procurement Policy and Procedures and execute required documentation

To waive or reduce non-business activity fees (pursuant to Local Government Act 1993 (NSW) s 610E) up to a maximum of \$2,000.00 in any one transaction in accordance with those categories described in the current adopted Operational Plan and in line with the requirements of any applicable Council policy

Award Tenders to a Value of \$1,500,000 (excluding GST) in accordance with Local Government Act 1993 (NSW) s 377(1)(i)

To commit and authorise expenditure within the area of operation and budget for which the delegate is responsible, subject to the limitations of other delegations, and in accordance with Council policies. Limit up to \$1,500,000

Governance

Name

Sign Contracts, Deeds and Agreements (including the termination of such documents) that do not require the Council Seal

Local Government Act 1993 (NSW) - Negotiate and Enter into Leases, Licences, Memorandums of Understanding and other Legal Transactions

Description

To sign Contracts, Deeds and Agreements, including Memorandums of Understanding (including the termination of such documents), that do not require the Council Seal

Authority to negotiate and enter into any form of Lease, Licence, Memorandum of Understanding or other transaction for use of land or assets, subject to compliance with the Local Government Act 1993 (NSW), and subject to the General Manager making reasonable enquiries into the appropriate payments to be made to Council and consulting with Council's solicitor to determine the appropriate format of the legal agreement.

Legal Functions

Name

Sign legally binding documents

Description

To sign legally binding agreements on Council's behalf in accordance with a resolution or policy of the Council

Name

Agency Head (for the purposes of the Public Interest Disclosures Act)

Description

Act as the Agency Head for Narrabri Shire Council and ensure compliance with the Public Interest Disclosure Act 2022 (NSW)

Operational

Name

Determine the Disposal Price and Time of Council Plant and Equipment by Auction

Determine the Fee for the Provision of Council Employees as Witnesses and Information in Court Cases

Determine the Reserve Price and Disposal of Plant, Equipment and Vehicles by Public Auction, Tender or Trade-in

Description

To determine the disposal price and time of disposal for Council's plant and equipment

To determine the fee to be charged for the provision of Council's employees as witnesses and/or the supplying of information for Court cases in accordance with Council's fees and charges adopted by Resolution of Council

Authority to:

- (a) approve a sale price for Council plant, equipment or vehicles by public auction, tender or trade-in if:
 - (i) the best offer is more than 10% below the reserve price; and/or
 - (ii) the reserve price has been set by consulting either a valuer, auctioneer, or professional book (i.e., Red Book); and / or
 - (iii) results from previous auctions for similar plant, equipment or vehicles has been considered
- (b) determine the reserve price and disposal method for IT equipment

Administer the Provisions and Functions of the Local Government (General) Regulation 2021 (NSW)

Approve Applications for Charity Collections

Local Government Act 1993 (NSW) - Administer the Provisions and Functions of the Act

Authorise One-off Variations of Working Hours on Building Work Sites where the Matter is one of Public Safety

Resolve or Authorise Settlement of Liability Claims

Administer the Provisions and Functions of the Local Government (General) Regulation 2021 (NSW)

To approve applications for charity collections in the local business district(s)

Administer the Provisions and Functions of the Local Government Act 1993 (NSW)

To authorise a one-off variation to the restricted hours of building works where:

- (a) urgent building works to be carried out;
- (b) large cranes have to stand on streets;
- (c) the loading/unloading of materials and pouring of the concrete which would otherwise cause interference to traffic; and
- (d) the erection or removal of hoarding tower cranes, awnings and the like.

To resolve claims on Council's behalf

- a) up to the excess on insurance policies
- b) above the level of the excess applicable to each

Name

Description

Sign as Owner of Council Properties for Applications for Development/Building Consent

Sign as Owner of Council Properties for Applications for Development/Building Consent

Environmental Planning and Assessment Regulation 2021 (NSW) reg 11 - Authority to enter into an agreement

Authority to enter into an agreement for the fee payable for costs and expenses of studies and other matters required in relation to a planning proposal pursuant to Environmental Planning and Assessment Regulation 2021 (NSW) reg 11

Land Acquisition (Just Terms Compensation) Act 1991 (NSW) - Administer the Provisions and Functions of the Act and delegated legislation

Administer the Provisions and Functions of the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) and delegated legislation

Authorise and Sign Notices to Quit to Tenants of Council Properties

To authorise and sign notices to quit to tenants whose rent arrears exceed four weeks, or to take such alternative action necessary to manage tenants and recover outstanding rent or payments.

Approve the Installation of Additional Street Lighting

To approve the installation of additional street lighting facilities and associated charges.

Authorise Withdrawal of Penalty Infringement - Leniency

(a) To withdraw Penalty Infringement Notices where those notices are technically flawed.
(b) To withdraw from prosecution proceedings relating to penalty infringement notices following consideration of representations.
Note - Not to be the originator or signatory to the Penalty Notice.

Children's Guardian Act 2019 (NSW) - Administer the Provisions and Functions of the Act and delegated legislation

Administer the Provisions and Functions of the Children's Guardian Act 2019 (NSW) and delegated legislation

Heavy Vehicle National Law (NSW) - Review and determine reviews of fines

Review and determine outcome of reviews of fines issued pursuant to the Heavy Vehicle National Law (NSW) when requested through Revenue NSW and/or the subject person/company. Where the Asset Manager has had previous involvement in the matter, the Director of Engineering will complete the review

Regulatory Functions

Name

Description

Environmental Planning and Assessment Act 1979 (NSW) s 10.2 - Settle disputes

Settle disputes with a public authority pursuant to Environmental Planning and Assessment Act 1979 (NSW) s 10.2

Staffing Matters

Name	Description
Approve Employment Outside of Council	To approve or refuse staff to engage, for remuneration, in private employment or contract work outside of the Council
Approve Performance Bonus Payments for Staff	Approve Performance Bonus payments for staff in accordance with the Local Government (State) Award 2023 (NSW) and Council Policies
Approve the Reclassification of Staff	To reclassify all staff in accordance with Council's Reward and Recognition Framework or equivalent policies
Local Government Act 1993 (NSW) - Recruitment of Senior Staff	Approve or refuse the appointment, engagement, or promotion of staff, subject to compliance with the Local Government Act 1993 (NSW) s 337 for Senior Staff and approve or refuse the use of a recruitment consultant
Refuse, Approve or Conditionally Approve the Use of Intellectual Property Created in the Course of Employment with Council	To refuse, approve or conditionally approve any request by an existing or previous employee of Council for the non-exclusive use of intellectual property belonging to Council created by the employee during the course of their employment with Council, providing there is no monetary or commercial benefit to the employee

15.6 ORDINARY COUNCIL MEETING SCHEDULE UNTIL OCTOBER 2025

Responsible Officer: Jason Townsend, Manager Governance and Risk

Author: Kira O'Neil, Governance Support Officer

Attachments: 1. Editable Council Meeting Calendar

STRATEGIC LINK**4 Civic Leadership - Council as a strong leader for the community**

Objective 4.1 A transparent and accountable Council

Strategy 4.1.2 Enforce good governance, risk management, and statutory compliance

EXECUTIVE SUMMARY

Council needs to set a schedule for its Ordinary Council Meetings. Conventionally, councils set Ordinary Council Meeting dates on an annual basis from September to September. As the current schedule has expired and a new Council elected, Council must resolve meeting dates to at least September 2025.

RECOMMENDATION

1. That Council set the dates and times for its Ordinary Council Meetings from October 2024 to September 2025.

BACKGROUND

Councils are required to hold at least ten Ordinary Council Meetings in any calendar year. Taking this into account, Council is required to set a schedule for its Ordinary Council Meetings. Typically, Councils set their schedule on an annual basis, from September to September.

Traditionally, Council holds its Ordinary Council Meetings on the fourth Tuesday of the month. Recently, this became the last Tuesday of the month.

There have been a few exceptions to this custom:

- Where the last Tuesday would fall on a Public Holiday or Christmas Eve;
- During Council's close down period; and
- January, when no Ordinary Council Meeting is held.

CURRENT SITUATION

The newly elected Council is free to set the meeting schedule at any day or time it wishes. The author attaches **Attachment 1** as a guide, based on past custom. However, this is a

guide, and staff have no preference as to the day or time of meetings.

That being said, there may be financial implications involved in holding meetings outside business hours or on weekends, due to the provisions of the *Local Government (State) Award 2023*.

FINANCIAL IMPLICATIONS

If during business hours on weekdays, nil.

If outside business hours or on weekends, there will be financial implications for staff costs.

STATUTORY AND POLICY IMPLICATIONS

The Council is required to meet at least 10 times each year, each time in a different month in accordance with s 365 of the *Local Government Act 1993* (NSW).

CONSULTATION**External Consultation**

Nil.

Internal Consultation

- General Manager.

2024 / 2025 COUNCIL MEETING CALENDAR

Ordinary Council Meeting (1:00pm–5:00pm)
 Public Holiday
 Notices of Motion Due (12pm)

October '24						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November '24						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December '24						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

January '25						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February '25						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

March '25						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April '25						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May '25						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June '25						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

July '25						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

August '25						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September '25						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

15.7 CASUAL VACANCIES IN THE OFFICE OF COUNCILLORS

Responsible Officer: Jason Townsend, Manager Governance and Risk

Author: Alice Gemmell-Smith, Senior Governance Advisor

Attachments: None

STRATEGIC LINK

4 Civic Leadership - Council as a strong leader for the community

Objective 4.1 A transparent and accountable Council

Strategy 4.1.2 Enforce good governance, risk management, and statutory compliance

EXECUTIVE SUMMARY

Where there is a vacancy in the office of Councillor, the standard method for filling it is through a by-election. The *Local Government Act 1993* (NSW) and its subordinate Regulation allows Council to resolve to modify this method if there is a vacancy in the first 18 months following the election, replacing a by-election with a countback. Such a resolution must be passed in the first meeting of the new Council term. This report outlines the requirements and process for utilising the countback method and recommends its endorsement as the option of undertaking a countback election reduces the cost that would be incurred if a by-election was required to fill a vacancy and reduces the time it would take to fill a vacancy.

RECOMMENDATION

1. That Council determine the methodology for filling a casual vacancy that occurs within 18 months after the 2024 Local Government Election (up until 14 March 2026), being the date of the last ordinary election of Councillors.
2. That Council declares, pursuant to Section 291A(1)(b) of the *Local Government Act 1993* (NSW) (the Act), that casual vacancies occurring in the office of a councillor within 18 months after the last ordinary election of councillors for the Council on 14 September 2024, are to be in accordance with section 291A of the Act and directs the General Manager to notify NSW Electoral Commission of the Council's resolution within 7 days of the decision.

BACKGROUND

Following the 2024 Local Government Elections Council has the option of using a countback of votes cast at the last ordinary election to fill casual vacancies occurring in the office of Councillor in the first 18 months after the election. This allows Council to use a countback to fill vacancies at a lower cost than the cost of holding a by-election. Council has previously determined fill casual vacancies occurring within the first 18 months of office be filled by the count back methodology.

CURRENT SITUATION

To exercise the option of using a countback to fill casual vacancies occurring in the first 18 months following the election, Council must resolve to use a countback to fill casual vacancies. This decision must be made at the first Council meeting following the election. If Council does not resolve this at the first meeting after the election, they will be required to fill casual vacancies through a by-election.

To use countback:

1. Councils must pass a resolution at the first council meeting following the ordinary election, declaring that casual vacancies are to be filled using the countback method.
2. The casual vacancy must occur within 18 months after the date of the last ordinary election.

Process for Countback Elections

Where a casual vacancy arises within 18 months, the Returning Officer contacts all unelected candidates from the local government ordinary election who may still qualify to be elected to the office of councillor. Where the candidate is interested, they must submit a formal application to the Returning Officer. All candidates who submit and do not withdraw their application, become eligible candidates. If there are multiple vacancies, a separate countback election is held for each vacancy.

The timeline for a countback election is as follows:

1. The Electoral Commissioner is notified of a casual vacancy, within seven days of it occurring.
2. A Returning Officer is appointed within 14 days of the notification of the vacancy.
3. Casual vacancy notices are issued within 14 days from the appointment of the Returning Officer.
4. The countback is conducted at least 14 days after the vacancy notices are issued, though it must be completed within 49 days of the casual vacancy occurring.
5. The results of the countback election are to be declared as soon as possible, although it may take up to a month for the results to be declared.

It should be noted, where a candidate is interested, they must submit a formal application to the Returning Officer and the application period closes after 10 days of the notices being issued. If there are no eligible candidates, a by-election must be held. If there is only one eligible candidate, that candidate is elected. If there are multiple eligible candidates, a countback election is conducted.

In a countback election, the Returning Officer:

- uses preference data from ballot papers from the previous local government ordinary election;
- uses the same proportional representation method used in the original election;
- effectively re-runs the election making the vacating councillor ineligible and distributing each of their ballot papers to the next preference on the ballot paper;
- if a non-eligible candidate would be elected, the election is re-run with that candidate's ballot papers also distributed to their next preference on the ballot paper; and
- re-runs the countback until an eligible candidate is elected.

Eligible candidates and Council are then notified of the result. At a countback election, a sitting councillor cannot be unelected, and non-eligible candidates cannot be elected.

Note, the Office of Local Government have confirmed Council can later on, and with notice, resolve to rescind or alter a Resolution to use a countback. This would need to follow the normal operation of clause 17.3 of Council's Code of Meeting Practice, and section 372(1) of the *Local Government Act* (NSW).

FINANCIAL IMPLICATIONS

If the Countback method is adopted and required to be utilised, costs will be minimised if there is a requirement to fill a casual vacancy by way of countback of votes, rather than a by-election.

STATUTORY AND POLICY IMPLICATIONS

It is a legislated requirement to decide, via resolution at the first Council meeting of a newly elected Council, for Council to determine how it will fill casual vacancies created in the Office of Councillor during the first 18 months of the Term.

Section 291A of the *Local Government Act 1993* (NSW) outlines the circumstances under which a countback election can be held instead of a by-election. Section 393C and Schedule 9A of the *Local Government (General) Regulation 2021* (NSW) detail the requirements and procedures for the conduct of a countback election.

Local Government Act 1993 (NSW)

Section 291A Countback to be held instead of by-election in certain circumstances

- (1) This section applies to a casual vacancy in the office of a councillor if—*
 - (a) the casual vacancy occurs within 18 months after the date of the last ordinary election of the councillors for the area, and*
 - (b) the council has at its first meeting following that ordinary election of councillors, by resolution, declared that any such casual vacancy is to be filled by a countback of votes cast at the last election for that office.*
 - (2) This section does not apply to a casual vacancy in the office of a councillor if the councillor who vacated office was elected—*
 - (a) in an election using the optional preferential voting system (including the election of a mayor elected by the electors of an area), or*

Note—

See section 285 (Voting system for election of councillors).

 - (b) in an election without a poll being required to be held.*
- Note—*
- See section 311 (Uncontested elections).*
- (3) A casual vacancy to which this section applies is to be filled by a countback election conducted in accordance with the regulations.*

(4) A countback election to fill a casual vacancy to which this section applies must be conducted—

(a) if the election at which the person whose departure created the casual vacancy was elected was administered by the Electoral Commissioner—by a returning officer appointed by the Electoral Commissioner, or

(b) if the election at which the person whose departure created the casual vacancy was elected was administered by a returning officer appointed by an electoral services provider engaged by the council—by a returning officer appointed by the electoral services provider.

(c) (Repealed)

(5) If a countback election fails or the returning officer is otherwise unable to fill the casual vacancy by a countback election—

(a) the returning officer must notify the general manager of the council concerned, and

(b) a by-election in accordance with this Part must be held to fill the casual vacancy.

(5A) If an electoral services provider engaged by the council is unable to appoint a returning officer for the purposes of subsection (4)(b), a by-election in accordance with this Part must be held to fill the casual vacancy.

(6) This section does not apply to a casual vacancy in the office of a councillor if the vacancy occurs before the day prescribed for the purposes of this section by the regulations.

Section 292 When is a by-election to be held?

A by-election to fill a casual vacancy in the office of a councillor or a mayor elected by the electors of an area is to be held on a Saturday that—

(a) falls not later than 3 months after the vacancy occurs, and

(b) is fixed by the general manager (in relation to an election administered by the general manager) or the Electoral Commissioner (in relation to an election administered by the Electoral Commissioner).

CONSULTATION

External Consultation

- Office of Local Government: Post-election Guide 2021 - "Should the Council determine to utilise the countback method for filling vacancies, such a motion can take the form of:
 1. That Council pursuant to section 291A(1)(b) of the Local Government Act 1993 declares that casual vacancies occurring in the Office of a Councillor within 18 months after the last ordinary election of Councillors for the Council on 4 December 2021 are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act.
 2. That Council request the General Manager notify the NSW Electoral Commissioner of the Council's decision."

Internal Consultation

- Governance Section.

15.8 COUNCILLOR EXPENSES AND FACILITIES POLICY - FOR EXHIBITION**Responsible Officer:** Jason Townsend, Manager Governance and Risk**Author:** Alice Gemmell-Smith, Senior Governance Advisor**Attachments:** 1. Councillor Expenses and Facilities Policy**STRATEGIC LINK****4 Civic Leadership - Council as a strong leader for the community**

Objective 4.3 A resilient and sustainable Council

Strategy 4.3.1 Ensure policies and procedures are effective and implemented in accordance with legislative requirements and best practice principles

EXECUTIVE SUMMARY

Following the Ordinary Local Government Election in September 2024, all NSW councils are required to review and re-adopt various strategic documents including their policy on the payment of expenses and provision of facilities to Councillors (section 252 of the *Local Government Act 1993* (NSW)).

The Narrabri Shire Councillor Expenses and Facilities Policy (the Policy) has been reviewed and amended to reflect the anticipated needs of Councillors and the Mayor more accurately and to closely align with best practice principles (**Attachment 1**).

RECOMMENDATION

- 1. That Council endorse the Payment of Expenses and Provision of Facilities to Councillors Policy to be placed on public exhibition for a period of at least 28 days and call for public submissions on the draft document during this time.**

BACKGROUND

Following the Ordinary Local Government Election in September 2024, all NSW councils are required to review and re-adopt various strategic documents including their policy on the payment of expenses and provision of facilities to Councillors (section 252 of the *Local Government Act 1993* (NSW)).

The draft Councillor Expenses and Facilities Policy (**Attachment 1**) was last reviewed in 2022 – with the public exhibition period taking place in July/August 2022 (Minute 234/2022), for Adoption at the September 2022 Ordinary Council Meeting (Minute 307/2022).

CURRENT SITUATION

The Narrabri Shire Payment of Expenses and Provision of Facilities to Councillors Policy (the Policy) has been reviewed and amended to reflect the anticipated needs of Councillors and the Mayor more accurately and to closely align with best practice principles. Primary amendments include establishing financial limitations of expenditure categories in line with other rural Councils and the Australian Taxation Office Guidelines; and re-titling the policy for consistency and simplicity from "Payment of Expenses and Provision of Facilities to Councillors Policy" to "Councillor Expenses and Facilities Policy".

At the Ordinary Council Meeting on 22 March 2022, Council resolved to make superannuation contributions on Councillor and Mayoral fees in accordance with section 254B of the *Local Government Act 1993* (NSW) from 1 July 2022 (MINUTE 067/2022). Clauses 7.2-7.3 of the Policy reflect this.

Once endorsed by Council, the draft Councillor Expenses and Facilities Policy (the Policy) will be placed on public exhibition for a period of at least 28 days (**Attachment 1**). During this time, Council will call for submissions from the public on the draft document.

FINANCIAL IMPLICATIONS

The Policy outlines the framework for Council's payment of expenses incurred by Councillors and the Mayor.

STATUTORY AND POLICY IMPLICATIONS

Local Government Act 1993 (NSW) ss 252-254:

Section 252 Payment of expenses and provision of facilities

- (1) Within the first 12 months of each term of a council, the council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one) and the other councillors in relation to discharging the functions of civic office.*
- (2) The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the mayor or a councillor of a facility provided by the council to the mayor or councillor.*
- (3) A council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the mayor, the deputy mayor (if there is one) or a councillor otherwise than in accordance with a policy under this section.*
- (4) A council may from time to time amend a policy under this section.*
- (5) A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.*

Section 253 Requirements before policy concerning expenses and facilities can be adopted or amended

- (1) A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.*

(2) Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.

(3) Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.

(4) (Repealed)

(5) A council must comply with this section when proposing to adopt a policy in accordance with section 252(1) even if the council proposes to adopt a policy that is the same as its existing policy.

Section 254 Decision to be made in open meeting

The council or a council committee all the members of which are councillors must not close to the public that part of its meeting at which a policy for the payment of expenses or provision of facilities is adopted or amended, or at which any proposal concerning those matters is discussed or considered.

Section 254A Circumstances in which annual fees may be withheld

(1) Despite this Division, a council may resolve that an annual fee will not be paid to a councillor or that a councillor will be paid a reduced annual fee determined by the council—

(a) for any period of not more than 3 months for which the councillor is absent, with or without leave, from an ordinary meeting or ordinary meetings of the council, or

(b) in any other circumstances prescribed by the regulations.

(2) Despite this Division, if a councillor is absent, with or without leave of the council, from ordinary meetings of the council for any period of more than 3 months, the council must not pay any annual fee, or part of an annual fee, to that councillor that relates to the period of absence that is in excess of 3 months.

Section 254B Payment for superannuation contributions for councillors

(1) A council may make a payment (a superannuation contribution payment) as a contribution to a superannuation account nominated by a councillor, starting from the financial year commencing 1 July 2022.

(2) The amount of a superannuation contribution payment is the amount the council would have been required to contribute under the Commonwealth superannuation legislation as superannuation if the councillor were an employee of the council.

(3) A superannuation contribution payment is payable with, and at the same intervals as, the annual fee is payable to the councillor.

(4) A council is not permitted to make a superannuation contribution payment—

(a) unless the council has previously passed a resolution at an open meeting to make superannuation contribution payments to its councillors, or

(b) if the councillor does not nominate a superannuation account for the payment before the end of the month to which the payment relates, or

(c) to the extent the councillor has agreed in writing to forgo or reduce the payment.

(5) The Remuneration Tribunal may not take superannuation contribution payments into account in determining annual fees or other remuneration payable to a mayor or other councillor.

(6) *A person is not, for the purposes of any Act, taken to be an employee of a council and is not disqualified from holding civic office merely because the person is paid a superannuation contribution payment.*

(7) *A superannuation contribution payment does not constitute salary for the purposes of any Act.*

(8) *Sections 248A and 254A apply in relation to a superannuation contribution payment in the same way as they apply in relation to an annual fee.*

(9) *In this section—*

Commonwealth superannuation legislation means the Superannuation Guarantee (Administration) Act 1992 of the Commonwealth.

superannuation account means an account for superannuation or retirement benefits from a scheme or fund to which the Commonwealth superannuation legislation applies.

CONSULTATION

It is proposed to publicly exhibit the Policy for a period of 28 days for community comment in accordance with the requirements of the *Local Government Act 1993* (NSW).

External Consultation

- NSW Office of Local Government.

Internal Consultation

- Executive Management.
- Governance Section.
- Councillors and the Mayor.

COUNCILLOR EXPENSES AND FACILITIES POLICY

Responsible Department:	General Manager
Responsible Section:	Governance and Risk
Responsible Officer:	Manager Governance and Risk

Objective

The Payment of Expenses and Provision of Facilities to Councillors Policy (the Policy) is to ensure that there is accountability and transparency in the reimbursement of expenses incurred by the Mayor and Councillors. The Policy establishes a framework, based on the requirements of the *Local Government Act 1993* (the Act), for the payment of expenses and provision of facilities to the Mayor and Councillors.

The Policy provides for adequate, fair, and equitable payment or reimbursement of expenses and provision of facilities to the Mayor and Councillors to enable efficient discharge of the functions of Civic Office. The Policy applies to all Narrabri Shire Council Councillors, including the Mayor.

Introduction

Pursuant to section 252 of the Act, Council is required to adopt a policy that guides the payment of expenses incurred or to be incurred and the provision of facilities to Councillors in relation to discharging the functions of Civic Office.

Expenses and facilities provided by the Policy are in addition to fees paid to Councillors as outlined by the Local Government Remuneration Tribunal pursuant to section 241 of the Act and as set through a resolution of Council.

Policy

1. Civic Duties

1.1. Civic duties are defined as:

- (a) Councillor workshops, inspections, Council and Committee Meetings.
- (b) Community meetings approved by the Mayor or General Manager.
- (c) Meetings with staff approved by the General Manager.
- (d) Conferences, seminars, professional development opportunities, formal and social functions where representing Council and approved by either the Council or the Mayor and General Manager.

2. Private Use of Equipment and Facilities

- 2.1 Clause 8.13 of the Code of Conduct provides that Council resources must be used ethically, effectively, efficiently, and carefully. Council property, including intellectual property, services and facilities must not be misused by any person or body for private benefit or gain. Councillors must also avoid any action or situation that could create the appearance that Council resources are being used inappropriately.
- 2.2. Under no circumstances will Council permit the use of Council resources, facilities and equipment for the initiation or issue of election material/letters. Such use could represent a breach of Council's Code of Conduct and may be in direct contravention of the *Electoral Act 2017* (NSW).
- 2.3. Councillors should not obtain any private benefit from any loyalty program or equivalent while on Council related business. This includes but not limited to:
- (a) Retail loyalty programs (such as Everyday Rewards and Flybuys);
 - (b) Accommodation loyalty programs (such as Best Western Rewards and IHG Rewards Club); and
 - (c) Travel loyal programs (such as Frequent Flyers)
- 2.4. Where cost to Council would be mitigated by the use of a loyalty program by Councillors, Councillors may use those loyalty programs. When this occurs, Councillors are to advise the General Manager in writing as soon as possible and reimburse Council for the market value of any benefit they receive from using the loyalty program on Council business. Reimbursements to Council must be made within 28 days of the loyalty program being used.

3. Payment of Expenses

3.1. General Provisions

- (a) Councillors and the Mayor must not exceed their allocated budget for expenditure, as defined by Schedule 1 or Council's current adopted Operational Plan and Budget.
- (b) It is expected that expenses will be incurred in the performance of Mayoral and Councillor civic duties. Accordingly, Council will provide reimbursement of approved expenses incurred in the performance of such duties. No allowances or expenses other than those explicitly contained in the Policy are payable to the Mayor or Councillors.
- (c) The Mayor and Councillors must not obtain any private benefit under the Policy.
- (d) The Mayor and Councillors must not use any Council resource for political benefit, including actions that may be defined as electioneering. Political benefit includes but is not limited to:
 - (i) Production of materials relating to campaigns for re-election;
 - (ii) Use of council resources and equipment (such as tablets and printers) for electoral campaigns;
 - (iii) Use of official council letterhead, publications, websites, or services for political benefit; or
 - (iv) Fundraising activities of political parties or individuals where a benefit is obtained by a political party or elected member and not by a charitable organisation (as defined by the *Australian Charities and Not-for-profits Commission Act 2012* (Cth)).
- (e) Where it is appropriate for the Mayor or a Councillor to give a gift or benefit (for example, on a Council related business trip or when receiving visitors), these gifts and benefits should be of a

value no greater than the quantum for acceptable gifts established by the Narrabri Shire Council Code of Conduct

- (f) Where the Mayor or a Councillor gives a gift or benefit, they are to advise the General Manager in writing as soon as reasonably practicable afterwards. The gift or benefit must be recorded on Council's gifts and benefits register in accordance with Council's Adopted Gifts and Benefits Policy.

3.2. Approval Process

- (a) Reimbursement of expenses shall only be made upon the production of tax invoices and a completed Expense Claim Form signed by both the claiming Councillor and a Certifying officer with appropriate delegation.
- (b) Claims for reimbursement of expenses are to be lodged and processed after the conclusion of each month.
- (c) A claim for reimbursement of expenses must be lodged within thirty (30) days of the end of the previous calendar month, on an Expense Claim form and lodged with the General Manager (or their delegate).
- (d) All reimbursement of expenses must be approved by the General Manager (or their delegate).

3.3. Dispute Resolution Process

- (a) Any dispute relating to the administration of the Policy must be made in writing to the General Manager detailing the grounds for the dispute. Any such disputes will be referred to the next scheduled Ordinary Meeting of Council for determination and resolution.

4. Specific Expenses for Councillors

4.1. Attendance at Conferences and Seminars

- (a) Councillors will nominate, or will be nominated by Council to attend conferences, seminars or similar functions through a resolution passed in Open Council.
- (b) If notice of a conference is brought to the attention of Council, where registration deadlines will not permit a Councillor(s) nomination to be presented in an open session of a Council Meeting, the Mayor and General Manager may approve the attendance of a Councillor to the nominated conference, seminar, or similar function.
 - (i) If the Mayor is the nominated Councillor, then the Deputy Mayor and General Manager may approve the attendance of the Mayor to the nominated conference, seminar, or similar function.
- (c) If approval is given under the above delegated authority, all Councillors will be notified that the authority has been exercised.
- (d) The Mayor shall not be precluded from nominating a substitute attendee for functions on those occasions where the Mayor is unable to be in attendance.

4.2. What May Be Attended

- (a) Any meetings or conferences of organisations or bodies on which a Councillor may be elected or appointed to attend whilst acting in their formal capacity as a Councillor.

4.3. Registration

- (a) Where the Mayor or a Councillor has been authorised to attend a conference, seminar, professional development opportunity or similar function the Council will pay all normal registration costs which are charged, including those relating to official luncheons, dinners and tours which are relevant to the interests of the Council.
- (b) Where possible, expenses should be paid via Council's procurement system.

4.4. Costs Incurred

- (a) Reimbursement of costs incurred shall be subject to the requirements:
 - (i) The travel is on Council related business being to and from the conference, seminar, or similar function.
 - (ii) Reasonable and necessary out-of-pocket expenses, on the production of receipts or tax invoices.
 - (iii) The travel is undertaken economically with all due expedition and by the most direct route.
 - (iv) Any time occupied in other than Council related business is not included in the calculation of expenses to be paid.
 - (v) A claim for reimbursement of expenses must be lodged within thirty (30) days of the end of the previous calendar month, on an *Expense Claim Form*.
 - (vi) Accommodation will be booked through the General Manager.
 - (vii) Where possible, accommodation costs will be paid in advance prior to attendance by the Mayor or Councillor through Council's procurement .
 - (viii) Actual accommodation and sustenance (ATO) Taxation Determination concerning travel allowances and incidental or on the basis of reasonableness, as determined by the Mayor and General Manager.

4.5. Attendance at Dinners and Other Non-Council Functions

- (a) Consideration will be given to meeting the cost of Councillors' attendance at dinners and other non-Council functions which provide briefings to Councillors from key members of the community, politicians, and business.
- (b) Approval to meet expenses will only be given when the function is relevant to Council's interest and attendance to the function is open to all Councillors.
- (c) The Mayor and General Manager may approve the attendance of a Councillor to a dinner or non-Council function. If the Mayor is the nominated Councillor, then the Deputy Mayor and General Manager may approve the attendance of the Mayor to the dinner or non-Council function.
- (d) No payment will be reimbursed for any component of the ticket that is additional to the service cost of the function, such as a donation to a political party or candidate electoral fund or some other private benefit.
- (e) The fundraising activities of political parties, including political fundraising events, are personal interests. Council will not pay expenses or provide facilities to Councillors in relation to supporting and/or attending such activities or events.

4.6. Attendance at Professional Development Opportunities

- (a) Council will meet expenses incurred by a Councillor in attending an approved professional development opportunity, as detailed in the Cost Incurred section of this Policy
- (b) Professional development opportunities will be afforded to Councillors that directly assists in their role as elected representatives of the Narrabri Shire.
- (c) Council will set aside an annual amount per Councillor in its budget to facilitate professional development of Councillors through programs, training, education courses and membership of professional bodies.
- (d) In the first year of a council term, Council will provide a comprehensive induction program for all Councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development for Councillors.
- (e) Professional development opportunities by Councillors will be authorised under this Policy by the General Manager.
- (f) Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the Councillor's civic duties, the Councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.
- (g) Approval for professional development activities is subject to a prior written request to the General Manager outlining the:
 - (i) Details of the proposed professional development
 - (ii) Relevance to Council priorities and business
 - (iii) Relevance to the exercise of the Councillor's civic duties.
- (h) In assessing a Councillor request for a professional development activity, the General Manager must consider the factors set out in clause 4.6.7, as well as the cost of the professional development in relation to the Councillor's remaining budget.

4.7. Reporting Requirements

- (a) Councillors will report, in writing, in an open session of a Council Meeting on the outcome of the conference, seminar or similar function attended. The report will be submitted to the General Manager (or their delegate) within one (1) month of the Councillor's attendance at the conference, seminar or similar function.
- (b) If a number of Councillors attend the same function, a single report may be submitted on behalf of all Councillors that attended, however the report must be signed by all Councillors that were in attendance.
- (c) The report to Council will be in writing and include the following:
 - (i) The purpose/subject matter of the conference, including the reason for the attendance of the delegate(s).
 - (ii) The agenda of the conference.
 - (iii) Any items of interest to Council discussed at the conference.
 - (iv) Recommendations for further areas of action or investigation (if applicable).

4.8. Travel Arrangements

- (a) Clause 4.8 applies to travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW.
- (b) All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport. This includes reimbursement:
 - (i) for public transport fares;
 - (ii) for the use of a private vehicle or hire car;
 - (iii) for parking costs for Council and other meetings;
 - (iv) for tolls; or
 - (v) for documented ride-share programs, such as Uber, where tax invoices can be issued.
- (c) Councillors and the Mayor will be entitled to be reimbursed for travel from their home whilst carrying out civic duties at the rate per kilometre as determined in the current ATO Reasonable Travel Allowances rate.
- (d) Council will not pay any traffic or parking fines or administrative charges for road toll accounts regardless of if they are incurred whilst the Mayor or a Councillor is undertaking their civic duties. Costs of traffic or parking fines incurred whilst travelling in private or Council vehicle on Council related business are the responsibility of the driver and are not eligible for reimbursement.
- (e) Each Councillor is to keep a log of all kilometres travelled to perform their civic duties and submit the log at the end of each month (with their applicable *Expense Claim Form*). The log will contain:
 - (i) the date of travel;
 - (ii) the venue/location travelled to;
 - (iii) the reason for the travel; and
 - (iv) the total kilometres travelled.
- (f) Car-pooling is to be encouraged where more than one Councillor is attending the same civic function.
- (g) Where a Councillor must use another form of transport other than their own vehicle for travel within the Local Government area, then such approval must be obtained in advance from the General Manager and the Mayor.
- (h) In circumstances where it would introduce undue risk for a Councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the general manager. This includes where a meeting or event finishes later than 9.00pm or starts earlier than 7.00am and the Councillor lives more than 50 kilometres from the location.
- (i) Where the Mayor or a Councillor is required to travel away from their primary residence to perform their civic duties, Council will reimburse costs for accommodation and meals as per Schedule 1.

4.9. Travel Outside Local Government Area, Including Interstate Travel

- (a) Councillors must obtain approval in advance from the General Manager and the Mayor for any travel outside of the Local Government area, including interstate travel.
- (b) For clarity, a Councillor appointed to a Committee, organisation or body, by Council, will have standing approval, by way of such appointment, to attend any meetings of the Committee,

organisation or body outside the local government area provided the method of transport is by road.

- (c) Councillors will be entitled to travel to official engagements at Council's expense by the most reasonable method.
- (d) Transportation provisions outlined in this policy will also assist Councillors who may be unable to drive a vehicle themselves.
- (e) Councillors when travelling by air will travel economy class unless extenuating circumstances prevent this and approval is obtained by both the General Manager and the Mayor.
- (f) Where a Councillor travels in their own vehicle, they will be reimbursed at the appropriate per kilometre rate or airfare, whichever is the lower.
- (g) Upon request by Councillors, vehicles based at Council's Administration Building will be made available to enable Councillors to attend conferences, seminars, workshops, or meetings on Council related business.

4.10. Overseas Travel

- (a) Councillors seeking approval for any overseas travel must submit a case to and obtain the approval via a resolution of Council prior to travel. The case should include:
 - (i) objectives to be achieved in travel, including an explanation of how the travel aligns with current Community Strategic Plan priorities for the Narrabri Shire and, the community benefits which will accrue as a result, and its relevance to the exercise of the Councillors' civic duties;
 - (ii) who is to take part in the travel (including those external to Council);
 - (iii) duration and itinerary of travel; and
 - (iv) a detailed budget including a statement of any amounts expected to be reimbursed by the participant(s).

4.11. Insurances

- (a) Pursuant to Section 382 of the Act, Council is insured against public liability and professional indemnity claims. Councillors are included as a named insured.
- (b) Insurance protection is only provided if a claim arises out of or in connection with the Councillor's performance of his or her civic duties, or exercise of his or her functions as a Councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- (c) Council shall pay the insurance policy excess in respect of any claim accepted by council's insurers, whether defended or not.
- (d) Appropriate travel insurances will be provided for any Councillors travelling on approved interstate and overseas travel on council business. Councillors while on Council related business shall receive the benefit of insurance cover for:
 - (i) Personal Accident (including sickness and journey/travel).;
 - (ii) Public Liability;
 - (iii) Professional Indemnity; or
 - (iv) Councillor and Officers Liability.

4.12. Legal Expenses and Assistance

- (a) Council may, if requested, indemnify, or reimburse the reasonable legal expenses of:
 - (i) a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act provided that the outcome of the legal proceedings is favourable to the Councillor
 - (ii) a Councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the Councillor
 - (iii) a Councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the Councillor.
- (b) In the case of a Code of Conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred by the General Manager to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the Councillor.
- (c) Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office.
 - (i) For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.
- (d) Legal expenses that relate to expenses incurred in the event of any enquiry, investigation or hearing by any of the following shall not be reimbursed by Council:
 - (i) Independent Commission Against Corruption (ICAC);
 - (ii) The Office of the Ombudsman;
 - (iii) The Office of Local Government;
 - (iv) The Police;
 - (v) The Director of Public Prosecutions;
 - (vi) The Local Government Pecuniary Interest and Disciplinary Tribunal into the conduct of a Councillor;
 - (vii) The Australia's Securities Commission; or
 - (viii) A combination of the above.
- (e) Council will not meet the legal costs:
 - (i) Of legal proceedings initiated by a Councillor under any circumstances;
 - (ii) Of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation; or
 - (iii) For legal proceedings that do not involve a Councillor performing their role as a Councillor.

- (f) Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a council meeting prior to costs being incurred, provided that the following criteria is met:
 - (i) Approval of the General Manager, in writing, is sought and gained prior to any legal expense being incurred.
 - (ii) The amount of such reimbursement shall be reduced by the amount of any monies that may be or are recouped by the Councillor on any basis.
 - (iii) The Councillor's performance or exercise of the civic duty or function was in the opinion of Council bona fide and/or proper, and the Councillor acted in good faith as required under section 731 of the Act.
 - (iv) The amount of such reimbursement shall be limited to the extent that only fees charged at a rate equivalent to the hourly rate then being charged by Council's Solicitors will be paid (for example, any portion of the expenses representing any hourly charge rate higher than the hourly charge rate of Council's Solicitor will not be reimbursed).
 - (v) The Council is not the plaintiff in the action.
 - (vi) Any reimbursement shall not include any action by one Councillor against another Councillor.
 - (vii) The enquiry, investigation, hearing or proceeding results in a finding that is not substantially unfavourable to the Mayor or Councillor.
- (g) Where doubt arises in relation to any of the clauses in the Policy, Council should seek its own legal advice.

4.13. Care and Other Related Expenses

- (a) Council will reimburse a Councillor's reasonable expenses to cover engagement of a babysitter or carer where required to enable the Councillor to attend any Council, Committee Meeting or Council workshop.
- (b) Other than where a carer is required by a Councillor themselves, Council will meet the reasonable expenses for the care (that is actually and necessarily incurred by a Councillor whilst attending Council and Committee Meetings, and Council workshops) of:
 - (i) A child of the Councillor; or
 - (ii) A dependent of the Councillor requiring full-time care.
- (c) Council will not meet the reasonable expenses for the care of a child or a dependent of the Councillor if the care is provided by a relative of the Councillor.
- (d) A Councillor is entitled to make a submission to the General Manager, in writing, for special consideration regarding care, for which a recommendation will be put to Council.
- (e) In addition to the provisions above, the general manager may authorise the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability to perform their civic duties.

4.14. Accompanying Person Expenses – Conference, Seminar or Similar Function

- (a) Where the Mayor or Councillor is required to attend a conference, seminar, professional development opportunity or similar function to undertake their civic duties, all costs for, or incurred by, the accompanying person, including travel, breakfast, meals, registration and/or participation in any conference programs, are to be borne by the Councillor/accompanying person and not by the Council.

4.15. Accompanying Person Expenses - Official Council Functions Within Local Government Area

- (a) Where the Mayor or a Councillor is accompanied at an official Council function within the local government area all travel and subsistence costs for, or incurred by, the accompanying person, will be met by Council.

4.16. Accompanying Person Expenses - Official Council Functions Outside Local Government Area

- (a) Where the Mayor or a Councillor representing the Mayor is accompanied at an official Council function or carrying out an official ceremonial duty outside the local government area (but within the State) the payment of all travel and subsistence costs for, or incurred by, the accompanying person, will be considered by Council.

5. Provision of Facilities (and Equipment) for Councillors

5.1. General Provisions

- (a) Council will provide reasonable facilities and equipment to each Councillor to ensure that they can undertake their civic duties in an appropriate and efficient manner.
- (b) Reasonable facilities shall include those outlined in Clauses 5 and 6 of the Policy and any other aid to support the Mayor and the Councillors in undertaking their civic duties at the discretion of the General Manager in accordance with Council's policies and the Act.
- (c) The Council Chambers and Committee Room may be utilised by elected representatives of local, state and federal levels for use to meet with the public during this time. No fees will be charged for this use. Usage will be approved subject to:
 - (i) Prior written/verbal request by the elected representative outlining the date and time of the visit; and
 - (ii) All usage of any Council facilities must relate solely to local constituency issues and must not relate to the promotion of political issues.

5.2. Councillor Corporate Dress

- (a) Each Councillor will be supplied with a Council name badge and either a necktie or scarf.
- (b) Each Councillor will be provided a uniform allowance to access branded business-wear through Council's nominated uniform provider.
- (c) Council will not reimburse Councillors who procure clothing for themselves through another provider.

5.3. Business Cards

- (a) Councillors will be issued with business cards (the amount to be determined at the discretion of the General Manager). Replacements will be provided upon written request.

5.4. Meals and Refreshments at Council Meetings

- (a) Provision of meals and refreshments associated with Councillor attendance at Council and Committee Meetings and Councillor workshops or at any other time deemed appropriate by the Mayor or General Manager whilst on Council related business is eligible for reimbursement up to the amount allocated in Schedule 1.

5.5. Councillor (Meeting) Room

- (a) Provision of meeting room facilities, including furnishings, telephone, appropriate access to the internet, printing and photocopying facilities for the purposes of Council related business.
- (b) These facilities will be made available at the Council Administration Building located in Narrabri.

5.6. Computer Facilities

- (a) Councillors will be provided with portable devices connected to the internet to assist in undertaking civic duties.
- (b) Facilities provided will consist of a portable computing device with accessories (including carry case, keyboard and mouse).
- (c) Computer facilities shall be dealt with in accordance with the relevant legislation and the Narrabri Shire Council Policy.

6. Provision of Additional Facilities (and Equipment) for the Mayor

6.1. Mayoral Office

- (a) Council will provide a furnished office at the Council Administration building located in Narrabri to enable the Mayor to undertake civic duties. The office furnishings will include:
 - (i) Provision of a computer and associated software packages (with internet connection).
 - (ii) Provision of a telephone (including all call costs).

6.2. Executive Assistant Support

- (a) Executive assistant support, from a suitably experienced and qualified resource, will be provided during normal office hours to aid and support to the Mayor in the conduct of their civic duties.

6.3. Ceremonial Clothing

- (a) Council will provide the Mayor with Mayoral robes and the Chain of Office.

6.4. **Mobile Phone**

- (b) Council will meet the cost of mobile call costs in direct relation to the conduct of Mayoral civic duties.
- (c) The Mayor must meet the cost of all non-civic duty calls.

6.5. **Provision of a Motor Vehicle**

- (a) Council will provide to the Mayor, at its cost, a registered, insured, maintained and fuelled vehicle for use by the Mayor on official duties and for private use.
- (b) The vehicle is provided on the following basis:
 - (i) The changeover of the vehicle is to occur in accordance with Council's Fleet Replacement Program.
 - (ii) The Mayor is to be provided with a suitably equipped vehicle commensurate with the requirements of the Office of Mayor in accordance with Council's Fleet Policy and related Operational Protocols that are in place at the time of purchase.
 - (iii) The Mayor is to enter into Council's standard agreement for the use of the vehicle, which is the subject of this Policy.
- (c) Conditions of Use of Motor Vehicle:
 - (i) The vehicle is to be kept in a clean and tidy condition to ensure that a professional image of the Council is presented at all times, and to retain the capital value of the vehicle.
 - (ii) The Mayor will ensure the general roadworthiness of the vehicle. This will include for example the checking of oil, fuel, coolant, brake fluid, lights, windscreen washers and wipers, water, battery and tyre tread and pressure, and taking corrective action where necessary as per vehicle specifications/manual.
 - (iii) The vehicle is to be serviced at required intervals through Council's Workshop and in accordance with the manufacturer's specifications.
 - (iv) Smoking is not permitted under any circumstances in the vehicle, at any time, by any person.
 - (v) Animals are not permitted in the vehicle at any time, unless in the event of medical emergencies or natural disasters.
 - (viii) Wherever possible, the vehicle is to be garaged off-street.
 - (ix) The Mayor and their nominated partner are entitled to drive the vehicle, provided that such a person is a fully licensed driver.
 - (x) If the Mayor is present in the vehicle, any competent and fully licenced driver may drive the vehicle. Under no circumstances is a person who does not hold a full license (such as a person who is unlicensed or holds a Learners or a Provisional Licence) is to drive the vehicle.
 - (xi) The Mayor will be strictly responsible for all parking, traffic or other fines or infringements arising from the use of the vehicle whilst the vehicle is in their custody and possession, in accordance with Council's Fleet Policy and Operational Protocols.

6.6. Car Parking Space

- (a) One (1) car parking space reserved for the Mayor will be provided at Council's Administration Building located in Narrabri for use by the Mayor.

6.7. Corporate Credit Card

- (a) The Mayor will be provided with a Corporate Credit Card to facilitate payment of incidental expenses in conjunction with discharging the functions of the Mayoral Office.
- (b) The credit card will be limited by the Mayor's current delegation as resolved by Council.
- (c) The credit card is to be used for Council-related business expenditure only.
- (d) The credit card must not be used for obtaining cash advances.
- (e) Upon completion of the Mayoral term, the credit card is to be returned to the General Manager on or prior to the date the term ceases.
- (f) On-going use of the credit card by the Mayor will be in accordance with and subject to any other Policy relating to the use of such credit facilities adopted by Council from time to time.

6.8. Photograph

- (a) The Mayor will be given an official framed photograph as a memento of their term in Office.

7. Other Matters

7.1. Acquisition and Return of Facilities and Equipment by Councillors

- (a) All equipment provided to Councillors under the Policy shall remain the property of the Council and be returned in good condition to the Council upon the Mayor or Councillor ceasing to hold Civic Office.

7.2. Annual Fees Payable to Councillors

- (a) Pursuant to section 248 of the Act, Council shall, prior to 30 June each year, set by resolution, the annual fees to be paid to the Councillors for the following year commencing on 1 July provided that:
 - (i) Such fee shall be within the range for the Council determined annually by the Local Government Remuneration Tribunal;
 - (ii) Such payment shall be subject to clause 404 of the *Local Government Regulation 2021* and as resolved by Council pursuant to section 254A of the Act.
- (b) Councillors will be paid in accordance with the Act at the commencement of each following month. Payments shall be:
 - (i) Broken down on a monthly basis;
 - (ii) Include the amount of Superannuation as determined by the *Superannuation Guarantee (Administration) Act 1992* (Cth); and
 - (iii) Processed through Council's Payroll System on the last Wednesday of the month.

7.3. Annual Fees Payable to the Mayor

- (a) Pursuant to section 249 of the Act, Council shall, prior to 30 June each year, set by resolution, the annual fee to be paid to the Mayor for the following year commencing on 1 July provided that such fee shall be within the range for the Council determined annually by the Local Government Remuneration Tribunal.
- (b) The Mayor will be paid in accordance with the Act at the commencement of each following month. Payments shall be:
 - (i) Broken down on a monthly basis;
 - (ii) Include the amount of Superannuation as determined by the *Superannuation Guarantee (Administration) Act 1992* (Cth); and
 - (iii) Processed through Council's Payroll System on the last Wednesday of the month.

7.4. No Deduction under this Policy from Annual (Mayoral or Councillor) Fees

- (a) Unless otherwise provided, the payment of, or reimbursement of expenses and the facilities that may be provided under this Policy, shall be provided without reduction from the annual fees payable to the Mayor and Councillors, as determined by the Council under sections 248 to 254 inclusive of the Act.

8. Requirement for Review

- 8.1. The Policy is to be reviewed within 12 months of an Ordinary Local Government Election, or as required pursuant to updates to the Australian Taxation Office Taxation Determination or other relevant legislation

References

- *Local Government Act 1993* (NSW).
- *Local Government (General) Regulation 2021* (NSW).
- Office of Local Government Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW (October 2009).
- 2016 Taxation Determination (TD 2021/6).
- Council's Code of Conduct.
- Expense Claim Form (Appendix A).

Definitions

Accompanying Person: Shall mean spouse, partner or a person with a close personal relationship to the Councillor and/or provides carer support to the Councillor.

The Act: *Local Government Act 1993* (NSW).

The Regulation: *Local Government (General) Regulation 2021* (NSW).

Councillors: Elected Council representatives, including the Mayor.

Expenses: Payments made by the Council to reimburse Councillors for reasonable costs or charges incurred or to be incurred for discharging their civic functions. Expenses are separate and additional to annual fees.

Facilities: Equipment and services that are provided by Council to Councillors to enable them to perform their civic functions with relative ease and at a standard appropriate to their professional role as Councillors.

Schedule 1 - Summary of Expenses for Councillors

Expense Type	Clause	Refund Basis	Limit per Councillor
Registration expenses for Conferences and Seminars or similar function (excluding professional development opportunities covered separately)	4.1-4.5	Actual	\$1,000 per annum (\$2,000 for the Mayor)
Attendance at Dinners and other Non-Council Functions	4.5	Actual	\$500 per annum
Professional development (including training and education, conferences and seminars) ¹	4.6	Actual	\$5,000 per annum. Includes registration fees, travel, accommodation, meals, refreshments and incidental expenses.
Meals and incidentals when travelling for Council related business	4.8	Actual	\$200 per day
Travel - use of private motor vehicle	4.8	Per kilometre	Cents per kilometre as set by the Australian Taxation Office (ATO) as the current Cents per Kilometre Rate
Travel – Other (rail, taxi, bus, air)	4.8-4.10-	Actual	Nil
Travel – Parking	4.8	Actual	Nil; however, valet parking prohibited.
Care and Other Related Expenses	4.13	Actual	\$30.00 per hour (up to \$2,500 per annum)
Registration expenses for Accompanying Person - Official Council Functions	4.14	Actual	\$0
Travel and Accommodation Accompanying Person Expenses - Official Council Functions Within Local Government Area	4.14	Actual	\$0

¹ Induction and internally arranged training and workshops for all Councillors are additional and subject to budget.

Expense Type	Clause	Refund Basis	Limit per Councillor
Travel and Accommodation for Accompanying Person Expenses - Official Council Functions Outside Local Government Area	4.14	Actual	As defined in the relevant ATO Taxation Determination concerning travel allowances and incidentals
Personal Computing Device	5.6	Actual	Nil – limit one device per council term, to be returned at the conclusion of the term.
Branded corporate wear	5.2	N/A	\$500 per term
Name badge	5.2	N/A	Nil – limit one badge per council term
Business cards	5.3	N/A	Nil – limit one set of business cards per council term
Mobile Phone and mobile call costs for Mayor	6.4	N/A	Nil – mobile phone provided
Mayoral Vehicle	6.5	N/A	A similar standard vehicle to that available for the General Manager, for use on official business and incidental private use.

History

Minute Number	Meeting Date	Description of Change
447/95	May 16, 1995	Adopted
413/96	May 21, 1996	Councillor Fee Amended
414/96	May 21, 1996	Mayoral Fee Amended
356/97	May 20, 1997	Councillor Fee Amended
357/97	May 20, 1997	Mayoral Fee Amended
142/98	March 18, 1998	Amended
275/98	May 19, 1998	Councillor Fee Amended
276/98	May 19, 1998	Mayoral Fee Amended
218/99	May 18, 1999	Councillor & Mayoral Fee Amended
205/2000	May 18, 2000	Councillor Fee Amended
206/2000	May 18, 2000	Mayoral Fee Amended
556/2000	December 5, 2000	Amended
70/2001	March 20, 2001	Amended
156/2001	May 15, 2001	Councillor Fee Amended
157/2001	May 15, 2001	Mayoral Fee Amended
211/2002	May 21, 2002	Councillor Fee Amended
212/2002	May 21, 2002	Mayoral Fee Amended
198/2003	May 20, 2003	Councillor Fee Amended
199/2003	May 20, 2003	Mayoral Fee Amended
256/2004	May 18, 2004	Councillor Fee Amended
257/2004	May 18, 2004	Mayoral Fee Amended
932/2004	December 14, 2004	Reviewed
334/2005	May 18, 2005	Councillor Fee Amended
335/2005	May 18, 2005	Mayoral Fee Amended
71/2006	February 21, 2006	Councillor Fee Amended
72/2006	February 21, 2006	Mayoral Fee Amended
425/2006	June 20, 2006	Councillor Fee Amended
426/2006	June 20, 2006	Mayoral Fee Amended
909/2007	December 18, 2007	Reviewed
597/2010	September 21, 2010	Reviewed
781/2011	November 15, 2011	Reviewed
18/2013	February 5, 2013	Reviewed
922/2013	December 3, 2013	Reviewed
669/2014	October 28, 2014	Reviewed
500/2015	September 15, 2015	Reviewed

Minute Number	Meeting Date	Description of Change
220/2017	October 24, 2017	Format change, change in respect to: overseas travel, expense limits in line with ATO Tax Rulings
	December 24, 2019	Rebranded
234/2022	26 July 2022	Endorsed for Public Exhibition
307/2022	27 September 2022	Adopted
	9 October 2024	Endorsed for Public Exhibition