

*MID-WESTERN REGIONAL COUNCIL*

**2011/12  
ANNUAL REPORT**

## **INTRODUCTION**

It is with a great deal of pleasure that we present the Annual Report of the Mid-Western Regional Council for the financial year ending on 30 June 2012. This has been a very positive year for the Council, with a number of highlights including the opening of Glen Willow, the commencement of the Mudgee Sewer Augmentation, development of the Target building, commencement of the refurbishment of the Mudgee Town Hall and many new and exciting projects in our parks all around the region.

The State Government commissioned and finalised a Service Assessment Report in regard to the Mid Western Regional Council. With the State Significant developments in the region we are going to experience unprecedented growth over the next few years. The challenges for us are the expansion in many services, including education, pre-schools health, roads housing (including affordable housing) infrastructure and many more. We encourage you to read the Services Assessment Report on our website or obtain a copy from any of the Council Service Centres.

Roads have been a significant focus of this Council. Key works included a number of rehabilitation works and improving our unsealed road network. A lot of focus was remedial works from the December 2010 flood. These works were in excess of \$5 million... During the past two years Council has taken major strides in its capital works programs, including an increase of more than \$3 million above previous levels of service in road construction and maintenance. The five-year Strategic Plan continues to emphasis roads as a Council priority with the goal of getting all our roads to a standard that you as a community and the travelling public can be proud of and travel over with comfort and ease

A major highlight of the year was the completion of the Glen Willow Sporting Complex and the attraction to this region of major sporting fixtures including the Country/City NRL fixture and the Trans Tasman Touch Football Tests.

Council finalised the upgrade at the Mudgee Showground with the development of a new pavilion. This pavilion will expand the use of the showground and convert the facility into a truly multi-functional facility for all the community.

Council has finalised the comprehensive Land Use Strategy and the Local Environment Plan. Both documents have now been approved by State Government.

The growth and development of mining in the region still continues to consume a considerable amount of Council time and resources. The four existing coal mines have expanded and there are at least four other coal mines and one silver mine proposed in the next five years. This could lead to a population increase of up to 7,000 people in the region (28%) over the next five years. Council has very little say in the approval of these mines but is left with the continued negotiations and facilitation with Government Departments and developers to ensure the growth of services in our region matches and complements the growth of these large and significant developments.

Again this 2011/12 year was another successful year for Council. The auditors have congratulated Council for their very robust financial position and the many years of ensuring we remain financially sustainable we were able to cope with only minor disruption to existing services. We are very proud of what we achieve and place considerable emphasis in exceeding community expectations. We also welcome community feedback on our direction – after all we are here to allocate the resources available to ensure that services we provide are what the community wants.

**MID-WESTERN REGIONAL COUNCIL  
ANNUAL REPORT 2011/12**

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This Annual Report reviews the Council service to our community during the 2011/12 financial year. We live in exciting and changing times and it is important that an organisation like ours is responsive to community needs and expectations and delivers good quality services. Please enjoy the read.

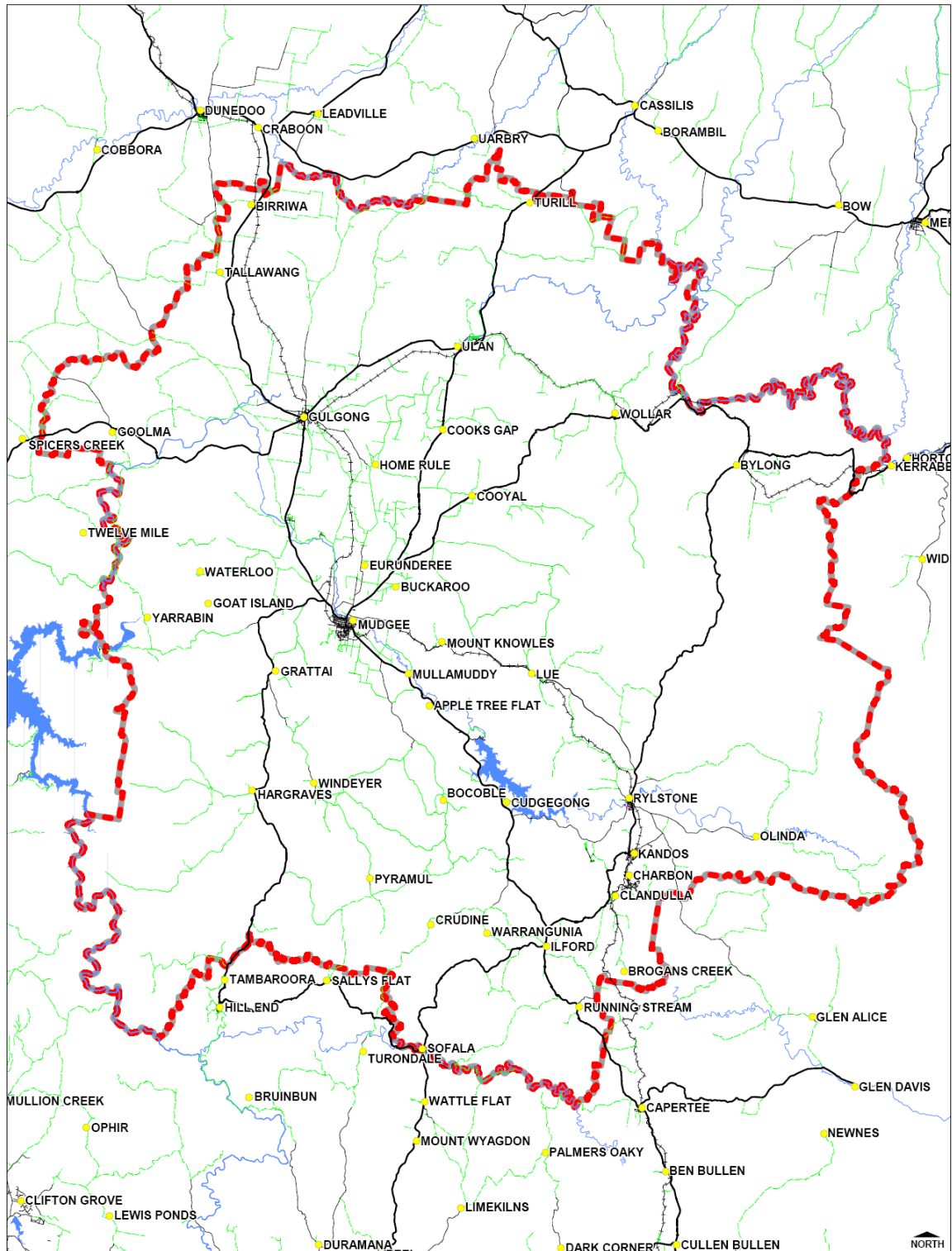


CR DES KENNEDY  
MAYOR



WARWICK L BENNETT  
GENERAL MANAGER

## Mid-Western Regional Local Government Area



# *Part A*

## **ACHIEVEMENTS**

### **ROADS AND BRIDGES**

- 2.56km of Road rehabilitation and widening was completed on the regional network and 1.2 km on the local network.
- Completion of 1km of seal extension, completing the sealing of Hill End Road (MR 216)
- 6.7km of regional road was resealed and 19.3km of local road was resealed.
- 1.05km of road was realigned on Lue Road.
- 149km of unsealed road was re-sheeted and 950km of unsealed road was maintenance graded.
- Completion of the flood damage repairs from the December 2010 flood event.
- The Carwell Creek Bridge was replaced and widened to accommodate two travel lanes.
- Emergency repairs to Worobil Creek Bridge, Yarrawonga Road undertaken.
- The intersection of Lewis and Horatio Street was upgraded.
- The construction of Pitts Lane Roundabout was completed.
- Construction of the road and stormwater infrastructure for the Airport Subdivision including the construction of the taxiway extension and refuelling hard standing.
- Two causeways were fully reconstructed.
- 1.8km of guardrail safety fence was replaced on the Cudgegong Road.
- A heavy patching programme commenced on the Bylong Valley Way
- Council maintained 206km of State Highway and Main Roads as part of the Road Maintenance Council Contract with the Roads and Maritime Services including the highway heavy patching program, reseat programs, two widening projects and smaller projects.

### **CARPARKING, CYCLEWAYS, STREETSCAPING**

- Council completed the construction of the Mortimer Street car park in Mudgee.
- Three local car parks were resealed.
- Council completed 600m of the final stage of the Bellevue to Horatio Street cycleway link.
- Footpath capital works and maintenance has continued.
- Additional bin enclosures were installed in the Mudgee CBD

### **WATER SUPPLY**

- Electricity supply and telemetry system upgrades to new water pump station at Rylstone Dam as part of the Rylstone water augmentation scheme.
- Installation of magnetic flow meters in Rylstone and Kandos as part of the water loss management works.
- Completion of the mains replacement program for aging water mains. Water mains were replaced in Market Street and Lewis Street, Mudgee.
- Replacement of 329 aging household water meters
- Installation of 7km of water mains associated with the Gulgong Irrigation Scheme. Once construction is completed in 2012, a raw water system will be commissioned to irrigate Council parks and local sporting facilities, reducing demand on Gulgong's potable water system.
- Installation of water supply sampling facilities to improve sampling procedure for system water quality monitoring.
- Attended to 100 repairs to water mains, hydrants and valves
- Attended to 312 leaking water services
- Installed 173 new water services and meter connections

## **SEWERAGE**

- Detailed design and documentation largely completed for the Rylstone/Kandos and Villages sewage augmentation scheme.
- Contracts commenced for construction of the new sewage treatment plant, upgrade of Putta Bucca sewage pump station and power supply works associated with Mudgee Sewerage Augmentation.
- Installed new sewer mains in Mortimer Street Mudgee and Gulgong Showground.
- Completed sewer main relining program with 750m of existing sewer mains relined to decrease infiltration of stormwater into the sewerage system
- Attended to 23 repairs to sewer mains and services
- Attended to 317 sewer main chokes
- Installed 21 new sewer connection
- Attended to 377 other maintenance related mains works.

## **WASTE MANAGEMENT**

- Ulan waste transfer station largely completed this year with minor works to complete to this project next financial year.
- A new lunch room and amenities building was provided for the supported works at Mudgee recycling.
- New weighbridge computer system and boom gates installed at the Mudgee waste facility weighbridge.
- Upgrading of the Ilford waste transfer station to remove the illegal dumping in the bulk waste area.
- Remote CCTV cameras installed at five rural waste transfer stations.
- New recycling collection system installed at the rural waste transfer stations.

## **STORMWATER**

- Investigation and implementation of integrated drainage system within Catchment A in Mudgee township.

## **AIRPORT**

- Completion of the new bitumen taxiway leading to the subdivision
- Construction of a concrete slab and bitumen area in front of the refuelling area to better facilitate large helicopter and aircraft refuelling
- Completion of the security and animal resistant perimeter fencing that has been in progress over the last three years

## **SALEYARDS**

- Resealing of the livestock transport truck parking and turning area

## **CEMETERIES**

- Rural Cemeteries – Additional maintenance undertaken at all rural cemeteries

## **CORPORATE BUILDING AND MAINTENANCE**

### **Corporate and Community Buildings**

- Commencement of the \$3.8 million renovation, restoration and extension of the Mudgee Town Hall building. This will provide a doubling of the floor space of the library and an upgrade of the facilities for the Town Hall Theatre and is due for completion by January 2013.
- The foyer and front counter space at the Mudgee Administration Centre was renovated to provide clearly defined planning and customer service counter spaces. These counter spaces provide improved access to the frail and disabled, and meet accessibility standards. In addition to planning counter spaces, an office space was created for the Duty Planner, providing an added level of privacy for planning enquires that may require it.
- New kitchens provided for aged care units in Mudgee St Rylstone.
- New sliding entry door to Gulgong administration building.
- New roof to the Gulgong preschool building.
- Kandos Hall works completed including new driveway, concrete works to repair footpaths and painting of the façade.
- Stables building had all the air conditioners replaced.

### **Mudgee Showground**

- The new pavilion was commissioned and sound absorption materials installed
- A weeds advisory building was constructed to assist with education of noxious weeds

## **SWIMMING POOLS**

- Works commenced at the three Olympic swimming pools to upgrade the pump and filter systems and also commenced the refitting of the amenities and canteen areas at each pool. These works will be completed during the 2012/2013 financial year.

## **PARKS AND RESERVES**

### **Public Toilets**

- New public toilet constructed at Ilford rest stop.
- Baby change room in Mudgee upgraded.

### **Playgrounds**

- New play ground installed at Victoria Park Gulgong.
- Upgrades to the park in Anzac Park Gulgong.
- New playground equipment installed in Charbon park.

### **Passive Reserves**

- Replacement of the pavers around the rotunda at Anzac Park Gulgong with a new concrete path.
- Seating installed at Flirtation Hill Gulgong.
- Completion of the works to Lawson Park West including the extension of the walking track along the river to the rear of the caravan park.



### **Active Parks / Sports Grounds**

- Upgrade of the Gulgong Skate Park
- Kandos sports ground grandstand completed.
- Completion of Glen Willow Sports Ground and hosting of Country V City.
- West End sports complex renewal of canteen facilities after fire.
- Upgrade of perimeter fence at Billy Dunn, Gulgong

### **STRATEGIC PLANNING**

- The Mid-Western Regional Local Environmental Plan was completed and published on 10 August 2012.
- Development and implementation of the Temporary Workers Accommodation Development Control Plan.
- Submission to the Department of Planning on the Planning Review, Upper Hunter Strategic Land Use Plan, Aquifer Intervention Policy, Service Assessment Report, Crudine Windfarm, Moolarben Stage 2 development, Cobbora Director General's requirements and Wilpinjong Coal Project.

### **DEVELOPMENT CONTROL**

- Council maintained an average processing time of development application below 40 days. The publication of the Department of Planning Performance Monitoring for 2010/11 has provided an opportunity to benchmark the performance of the Planning and Development Department against other Councils across the state and more particularly other Group 4 Councils within the Central West. The Report indicates that Council has performed well in minimising processing times for development applications, particularly in relation to residential applications. It also indicates a high level of productivity in relation to development assessment.

### **ENVIRONMENTAL**

- Council has established and continues to run an Aboriginal Reference Group. This group allows detailed consultation regarding proposed Council works in the Local Government Area.
- Council completed a Roadside Corridor Guidelines and Prioritisation Study. This study will require ongoing implementation and work to date has included training of road operational staff and on ground works for erosion and sediment control and weed treatment.
- Ongoing works at the Putta Pucca wetland project including the construction of a bird hide, car park, pathways and revegetation. This area is now highly utilised by the community for bird watching in a natural setting.
- Council commenced the Rylstone/ Kandos Flood study to further understand flood behaviour and flooding risk in these areas.
- Council was awarded the overall winner of the Local Government Excellence in the Environment Award for the Roadside Environmental Management Project.

### **HEALTH**

- A total of 76 food premises inspection were undertaken over the year in accordance with the State requirements.

## **LIBRARY**

- Another successful Summer Reading program. This year it was extended to adults and 660 people enrolled.
- The library hosted a number of cultural events and workshops including book launches
- Continued delivery of the Born to Read lap-sit program
- Temporary relocation of the library to the Stables Gallery and Meeting Room while the renovations to the Town Hall building are completed

## **REGULATORY CONTROL**

- Council continued with its programme of parking control activities within Mudgee and Gulgong.
- Council was active in its companion animal management programme and in responding to reports of dog attacks.
- Council also continued with its programme of inspections of properties to ensure compliance with the provisions of the Noxious Weeds Act.

## **ECONOMIC DEVELOPMENT**

- Continue to work with businesses and investors looking to expand within the region and pursue growth related business opportunities (including mining services, accommodation, housing, retail)
- Hosted a Developer Tour in co-operation with NSW Trade & Investment, for both local and outside builders and developers to understand the demand for housing in the Region and encourage future investment
- Completion of the new Country Target development on the Mortimer Street precinct
- Marketing the Region at events outside the Region including the Country & Regional Living Expo and Pymont Uncorks Mudgee Festival
- Working with NSW Government and independent consultants to undertake the Mid-Western Region Local Services Assessment project and examine the impact of mining growth on local services and infrastructure
- Official opening of the Glen Willow Regional Sports Stadium
- Hosting the AAMI Country V City Rugby League game attended by 8,621 people and broadcast live on Channel 9 to 911,000 viewers as well as internationally
- Hosting the Trans Tasman International Touch Football Series which featured the best touch football talent from Australia and New Zealand and was broadcast on Fox Sports in domestic and international markets

## **GOVERNANCE**

- Council altered its meeting structure at its meeting on 21 September 2011 from Standing Committees on the first Wednesday of each month and Council Meeting on the third Wednesday to one of generally two Council Meetings each month.
- As a consequence during the year 2 rounds of Committee Meetings were held while 19 Council Meetings were held. Additionally, 1 Extraordinary Council Meeting was held.
- During the year, 11 editions of the Community News were published
- All statutory reports were completed by the due dates

## **COMMUNITY SERVICES**

- Establishment of the Healthy Communities initiative, funded by the Federal Department of Health. This program seeks to increase the knowledge of healthy eating and exercise among those from lower socio-economic backgrounds.
- Council continued its membership of Orana Arts
- The Kandos Museum Strategic Plan was adopted by Council
- The upgrade to the exhibition area of the Kandos Museum continued due to be completed later in 2012.
- Successful Seniors Week and Youth Week programs were delivered
- In partnership with Xstrata Coal, Council delivered the final year of the three year Youth Services Officer program
- Council continues to work with the community on a number of Social and Cultural Plan initiatives – this includes cultural, community and youth programs and events.
- Council continued to provide HACC funded services detailed below:
  - Host Family Respite Care – coordination of volunteer carers to provide respite to people with a disability in our community
  - Meals on Wheels – coordination of volunteers to deliver hot and frozen nutritionally balanced meals to the frail aged and disabled in our community.
  - Home Modification & Maintenance - assisting the frail aged and younger disabled and their carers with access, safety and independence in daily living in their own home.
  - Community Transport - enabling the elderly or those with a disability to have comfortable access to medical or social appointments

## **ADMINISTRATION AND MANAGEMENT SERVICES**

- Council continued its process of protecting and storing archive material to comply with best practice and the Records Act
- Council undertook its adopted Learning & Development Plans, which were developed to align with organisational strategies and objectives. This included leadership development for people managers; skills assessments; compliance training in areas such as bullying, harassment and discrimination, behavioural expectations.
- Council implemented the new Integrated Planning & Reporting Framework, adopting the Community Plan *Towards 2030*, Resourcing Strategy (including Asset Management Strategy, Workforce Plan, and Long Term Financial Plan), Delivery Program and Operational Plan at its June 2012 meeting.
- Council continued its program of continuous policy review
- Council continued its plant replacement program, ensuring we have the right balance of plant and equipment for effective and efficient service delivery
- Council worked in conjunction with the Rural Fire Service, undertaking a number of station upgrades and changeover of plant and equipment.

# ***Part B***

## MID-WESTERN REGIONAL COUNCIL ANNUAL REPORT 2011/12

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### State of the Environment Report 2011/12

A Regional State of Environment report is being prepared in partnership with the Central West Catchment Management Authority (CMA) and 16 other Councils within the Central West and Western regions. This will be finalised by mid-November and sent by the Central West CMA to the Department of Local Government on behalf of the participating Councils.

### Legal Proceedings

Council expended \$105, 027 on legal costs during the period.

Of that amount, \$105,008 related to the cost of obtaining legal advice/opinion in relation to various matters and not in relation to legal proceedings taken by or against the Council.

In addition, Council expended \$156,275 during the period in recovering outstanding rates and charges. These costs are debited as a charge against individual rate assessments. Council recovered \$150,767 of such costs during the period.

Summarised below are details of legal proceedings in which the Council was involved, together with the results of those proceedings and the nature and amount of legal costs incurred:

MATTER	NATURE OF EXPENSE	EXPENSE AMOUNT	OUTCOME
Appeal to ADT regarding rating classification	ADT Action	\$812	Completed.

### Senior Staff

Council had four (4) senior staff position during the year, that being the General Manager, Group Manager Operations, Group Manager Development & Community Services, and Group Manager Finance & Administration.

The General Managers total remuneration inclusive of salary, fringe benefits and the associated fringe benefits taxation, and superannuation contributions was \$268,037.60.

The total remuneration (inclusive of salary, fringe benefits, and the associated fringe benefits taxation, and superannuation contributions) of all Senior Staff excluding the General Manager was \$490,996.42.

### Mayoral and Councillor Fees

The Mayoral Fee for the period was set at \$21,770 while the Councillor Fee was set at \$9,970. A total amount of \$89,730 was paid in Councillor Fees while an amount of \$21,770 was paid in Mayoral Fees.

### Overseas Visits

During the year there were no overseas visits undertaken.

### Councillor Expenses and Facilities

The Council has an adopted policy on the provision of facilities and the payment of Councillors expenses and a copy of this policy is appended.

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An amount of \$93,293 was expended on supporting the elected Council through the provision of these facilities and the payment of these expenses. This figure includes:

Council meeting expenses	\$33,233
Councillor Representational/lobbying expenses	\$10,007
Mayoral vehicle running expenses	\$2,941
Material & consumables, printing and stationary, delivery of business papers	\$6,083
Lease payments (mayoral vehicle & office equipment)	\$15,635
Provision of Office Equipment	\$18,170
Telephone Calls made by Councillors	\$5,486
Conferences and Seminars	Nil
Training and Skill Development	Nil
Interstate Visits	Nil
Overseas Visits	Nil
Spouse, partner or accompanying person	Nil
Child Care	Nil

### **Bush Fire Hazard Reduction**

Funding was received from the RFS for Council to undertake additional works within the region for hazard reduction. Areas included waste transfer stations, pump stations, sewer and water plants, additional slashing of villages and roads.

### **Private Works**

There were no resolutions passed during the year in accordance with the provisions of Section 67(2)(b) of the Local Government Act 1993 relating to Council subsidising the cost of any works carried out on private lands.

Council completed 88 private works projects ranging from grading of gravel drive ways to signage installation. The largest private works job Council undertook in 2011/2012 was the shoulder sealing of Wilpinjong's access road valued at \$22K.

### **Grants**

During the 2011/12 financial year, Council made grants of financial assistance of \$324,000 to local and regional organisations.

### **Delegated Functions**

There were no functions delegated by Council to external bodies during the period.

### **Stormwater Management Services**

Council has not levied an annual charge for stormwater management services during the year.

### **Coastal Protection Services**

Not applicable.

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**Contracts Awarded During the Year**

The following contracts worth more than \$50,000 were awarded by Council during the year:

<b>Contractor</b>	<b>Goods/Services Provided</b>	<b>Amount (Inc. GST)</b>
Downer Australia Pty Ltd	Bitumen Spray Seal	\$2,319,000
CCA Projects	Design & construct Mortimer St retail premises	\$1,274,000
Precision Civil Infrastructure	Mudgee Sewer Augmentation - Construction of a new Sewage Treatment Plant and associated works	\$15,069,225
EI Civil Engineering	Supply, Construction, Pressure testing of pipelines and associated works	\$800,433
Central West Line Marking	Ulan/Cope Road line marking	\$120,000
Rawson Constructions	Kandos Grandstand	\$792,000
Wheeler Fencing	Glen Willow boundary fencing	\$136,200
G&L Murkins	Catchment A drainage works: railway to Gladstone St	\$115,000
CCA Projects	Mudgee Town Hall - renovations and additions	\$2,535,000
ITS Trenchless	Rehabilitation of Culvert – Culvert 248768 HW18	\$159,000
Komatsu Australia Pty Ltd	Supply of 20T & 5T excavator & wheel loader	\$589,537
Conplant P/L	Supply of two rollers	\$328,821
Iveco Trucks Australia Ltd	Supply of side loading garbage truck	\$365,189
Krone Cranes Australia	Major refit or workshop overhead crane	\$52,489
Sewer Equipment Company	Supply of sewer drain cleaner	\$63,570
Liebherr Australia Pty Ltd	Supply of dozer	\$709,170
Sustainable Turf	Refurbishment of playing fields at Glen Willow	\$242,400
Swimplex Pools	Refurbishment of swimming pool plant rooms	\$2,398,000
Interflow	Sewer Relining	\$116,743
Large Industries P/L	Substation Works – Mudgee Sewerage Augmentation	\$387,360
Poonindie P/L	Upgrade Putta Bucca Pumping Station – Mudgee Sewerage Augmentation	\$2,680,381

**Access to Information and Privacy**

Council is committed to the principles of open government and makes every effort to provide access by members of the public to the Council's decision making process. Wherever possible, documents are provided to applicants without charge.

As a result of this approach, three (3) formal access applications were received during the period. This compares favourably to the 1998/99 period, during which Council only received one formal FOI application, the 1999/00 and 2000/01 periods, during which no applications were received, the 2001/02 period where only one application was received, the 2002/03 period where no applications were received, the 2003/04 period where one application was received, the 2004/05 period where three applications were received, the 2005/06 period where no applications were received, the 2006/07 period where one application was received, the 2007/08 period where two applications were received and the 2008/09 period where three applications were received, the 2009/10 period when one was received and the 2010/11 period when four were received.

Council has adopted a Privacy Management Plan and complies with the Privacy Code of Practice for Local Government and any Directions issued by the Privacy Commissioner.

## **Human Resources Activities**

There were a number of significant training and development initiatives during the 2011/2012 financial year. The introduction of a new Work Health and Safety Act in NSW necessitated the roll out of training for all employees in Council with training tailored to meet the needs of the Leadership Group, front line Supervisors and employees. Following the training nine Health and Safety Representatives were elected to represent various work groups across Council on health and safety matters and to assist Council develop a workplace culture where safety is paramount to everyone.

A new Prevention of Discrimination, Harassment and Bullying Policy was endorsed and training was rolled out to all employees. Training on the new Gifts and Benefits Policy was also covered in these training sessions.

An Excellence in Management training program commenced for the Leadership and Executive Management Teams. The program covers a number of topics including communication, innovation and change, building internal growth and capacity, enhancing personal effectiveness, continuous improvement and achieving personal goals.

Following from the introduction in 2010/2011 of a New Employee Induction Program and the introduction of a New Employee Probation Procedure, 2011/2012 saw the introduction of a structured Orientation Program designed to assist new employees. Orientation is a structured method of introducing a new employee to their role, their Department and Colleagues and to Council. An Orientation Guide was developed to assist Supervisors in welcoming and introducing a new team member to Council and providing the necessary support and information to ensure a smooth transition into the workplace.

The Employment section of council's new website was updated to provide prospective job applicants easier access to information about Council and vacant positions. Emphasis is placed on the fact that Council is an equal opportunity employer and values diversity in its people and the addition of a banner highlighting our core values of Respect, Integrity and Recognition points out that they are an important part of our working life.

In April 2012 council conducted its fifth Employee Opinion Survey. Feedback from the survey of all staff has resulted in the commencement of a consultation process with focus groups that are concentrating on communication and information sharing between managers, supervisors and employees.

### Equal Employment Opportunity Management Plan

Mid-Western Regional Council (MWRC) is an equal opportunity employer committed to providing:

- Fair practices in the workplace;
- Management decisions made without bias;
- Recognition of and respect for the social and cultural backgrounds of all employees, Councillors and customers;
- Employment practices which create employee satisfaction and commitment.

The Inspire | Encourage | Enlighten program for women continued throughout the year, designed to enhance morale and increase women's contribution and connection to council. In 2011, a new Prevention of Discrimination, Harassment and Bullying Policy was endorsed and training was rolled out to all employees. The Recruitment and Selection and Parental Leave procedures were both reviewed and updated.



### Workforce Plan 2012 - 2016

In 2011/2012, the Workforce Strategic Plan was developed an essential element of Council's Resourcing Strategy and will align to the Community Strategic Plan by ensuring that Council has the right number of people with the right skills doing the right jobs at the right time to meet the expectations outlined in the Delivery Program. The Workforce Plan sets out the issues, analysis, actions and strategies that are required over the next four years to ensure we have the workforce resources in place to facilitate the Delivery Program.

### **Services That Promoted Access for People with Diverse Cultural and Linguistic Backgrounds**

Demographic statistics from the 2011 Census indicated that 3.9% of the population state that they are from Aboriginal and Torres Strait Islander backgrounds. In Mid-Western Regional, 92.2% of people only spoke English at home. Other languages spoken at home included German 0.3%, Italian 0.2%, Spanish 0.2%, Greek 0.1% and Dutch 0.1%.

Programs undertaken or supported by Council include:

- Mid-Western Regional Council Library provides access to the collections of the State Library of New South Wales and enables members of the community to loan boxes of non-English language books.
- Mid-Western Regional Family Day Care Scheme has four Indigenous Educators in Wellington who are working with the Barnardos Brighter Futures Program that caters for Aboriginal children.
- All Council's Home and Community Care Services funded through the Department of Ageing, Disability and Home Care have special policy statements on services for people with diverse cultural and linguistic backgrounds.
- Council's Community Services Centre offers, on an annual basis, meeting room facilities for people from diverse backgrounds to meet with representatives from the Department of Immigration.

### **Services to Cater for the Needs of Children and Young People**

The following services were provided by Council for children and young people in the local government area in 2011/12:

- A full range of library services through branch libraries in Gulgong, Kandos and Mudgee
- Mobile library service to all village schools in the region, including Bylong Upper, Goolma, Hargraves, Ilford, Lue, Ulan, Windeyer and Wollar
- Bookworms story-telling and craft activities programs for pre-schoolers delivered through the Gulgong, Kandos and Mudgee branches
- A range of storytelling and craft activities for children during school holidays
- Born to Read lap-sit program for babies and toddlers
- Summer Reading Program delivered throughout the Region with 660 participants
- Visits to local schools to provide briefings on services and programs
- Family Day Care services offering quality child care for children aged 6 weeks to 12 years of age, in the private homes of registered Family Day Care Educators.
- Youth Services Officer program, in partnership with Xstrata Coal
- Youth Week program delivered with activities in Mudgee, Gulgong and Kandos
- Support for the continuation of the Mid-Western Regional Youth Council
- Youth events and programs including sporting, cultural and technology activities

## **Access and Equity**

The following provides a list of the activities that Council completed in 2011/12 that promoted services and access to services for people with diverse cultural and linguistic backgrounds, and to those with other access needs:

- Remote access to library reference services has been expanded through the provision of additional databases
- Remote access to skill based tutorials has been provided online (YourTutor and Computer School)
- The Mid-Western Regional Council Library provides access to large print books and talking books that can be of assistance to the visually impaired
- The library has expanded its collection of Navigators (hand-held devices that store talking books for the sight-impaired)
- Launch of e-audiobooks service where people can download material at home
- Mobile Library Service assists housebound library patrons to access materials as well as providing a library service to village communities
- Mid-Western Regional Council has two established Access Committees (one covering the Mudgee and Gulgong areas; the other covering the Rylstone and Kandos areas) that provide advice to Council on access issues
- Council auspices a range of HACC funded services such as Host Family Respite Care, Meals on Wheels and Home Modification & Maintenance
- Community Transport enables the elderly or those with a disability to have comfortable access to medical or social appointments
- Council's Community provides space for the transcribing of the Mudgee Guardian on to tapes for the vision impaired
- Council supports a range of special events and community services such as NAIDOC Week
- A range of working parties and groups exist in our community with support and advocacy from Council, including Interagency, Youth Network, Aged Services, Disability Services, Children and Family and People Against Violence

## **Equity in Council's Services**

Evidence of Council's commitment to equitably providing services to all residents is provided in the following programs delivered in 2011/12:

- Mid-Western Regional Council Library offers free library membership to all people living in the local government area through its branches at Gulgong, Kandos and Mudgee
- The library offers free Internet access to the Internet at its three branches at Gulgong, Kandos and Mudgee as well as the Council office in Rylstone
- The library has an online catalogue and a number of online database services available for searching over the Internet
- A Mobile Library Service travels to a number of villages in the region
- The Mobile Library also offers a housebound service to the frail-aged who are unable to visit the library branches
- Youth Week events were arranged in various locations throughout the region and transport was also available to travel to events
- Seniors Week events were celebrated throughout the Region
- Community email bulleting is distributed to recipients throughout the Council area
- HACC funded community services auspiced by Council have equity of access statements

### **Commercial Interests and Competitive Neutrality**

Council did not hold the controlling interest in any one enterprise, nor was it party to any partnerships, co-operatives or other joint ventures during the year.

Council was involved in the following organisations:

<b>Organisation/Contractor</b>	<b>Purpose</b>	<b>Amount</b>
Statecover Mutual Limited	Council holds a partly paid share in Statecover Mutual Ltd, a company providing workers compensation cover for Council. Council has a contingent liability to contribute further equity in the event of either the erosion of the capital base of the company or increases in the prudential requirements of APRA.	N/A

Council operates the following businesses:

#### Category 1:

- Water Supply
- Sewer Service

#### Category 2:

- Private Works
- Saleyards

Council has complied with the principles of competitive neutrality in relation to pricing structures, taxation equivalents, Council rates and charges, loan debt guarantees fees and corporate taxation equivalents. Council had not received any competitive neutrality complaints. Council has adopted a complaints handling policy that incorporates a mechanism for dealing with competitive neutrality complaints.

For financial information regarding Council's business activities please refer to the Special Purpose Financial Reports attached.

### **Companion Animals Act**

Council employs one officer full time to enforce the provisions of the Companion Animal legislation. This officer also attends to after-hours stock impounding.

During the year, Pound Data Collection Returns and Data relating to Dog Attacks were lodged with the Department of Local Government.

During the year, Council held Discount Dog Days as a means of encouraging persons to have their dogs and cats microchipped. In addition, staff are working with the local branch of the RSPCA regarding foster care and advertising of impounded animals.

Council has three (3) off-leash areas, located at glen Willow, Sportsfield, Pitts Lane, Mudgee, Peoples Park, Gulgong and the Rylstone Show Ground.

The Department of Local Government provided \$7,316 for Animal Management Services to Council. Additionally, \$21,082 was received from stock impounding fees, animal release fees, fines, animal sales and other revenue associated with the management of companion animals. These funds contributed to the management and control of companion animals in the area as follows:

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<b>Expenditure</b>	
Salaries, overtime, allowances, etc	\$71,616
Materials and consumables	12,357
Plant operating costs	30,438
Telephones, Electricity & Energy, Contractors, Printing & Stationary, Waste tipping expenses, Water usage	7,002
Employee and Creditors overheads	23,596
<b>Total</b>	<b>\$145,009</b>

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**Planning Agreements**

Company	Effective	Purpose	Amount	Due Date	Paid
Wilpinjong Coal Pty Ltd	March 2006	Lump Sum - Coal Shipment	\$ 450,000	Payable prior to the first shipment of coal from the land	Yes
		Annual Contribution - Community Infrastructure	\$ 800,000	\$40,000 per annum for 20 years, with the first instalment due on the anniversary of the first loading and dispatch of coal.	5 of 20
		Annual Contribution - Road Maintenance	\$30,000 per annum	\$30,000 per annum for the life of the mining operation, with the first instalment due on the anniversary of the first loading and dispatch of coal.	5 of
		Annual Contribution - Bus Routes	\$ 60,000	\$20,000 per annum for three years	Yes
Moolarben Coal Pty Ltd	February 2008	Lump Sum - Open Cut Coal	\$ 1,000,000	Payable in three equal annual instalments, with the first payment due within 7 days of first loading and dispatch of coal produced from the open cut operation.	Yes
		Lump Sum - Underground Coal	\$ 300,000	Payable in three equal annual instalments, with the first payment due within 7 days of first loading and dispatch of coal produced from the underground operation.	No
		Lump Sum - Road Maintenance	\$ 1,000,000	Payable in three equal annual instalments, with the first payment due within 7 days of the commencement of construction.	Yes
		Annual Contribution - Road Maintenance	\$ 1,250,000	\$62,500 per annum for 20 years, with the first instalment due on the anniversary of the first loading and dispatch of coal.	3 of 20
		Annual Contribution - Community Infrastructure	\$ 1,000,000	\$100,000 per annum for 10 years, with the first instalment due on the anniversary of the first loading and dispatch of coal.	3 of 10
Xstrata	March 2011	Lump Sum - Community Infrastructure	\$ 3,475,000	\$2 million to be paid within 30 days of date of agreement. Balance of \$1.475 million to be paid within a year of the date of the first contribution.	Yes
		Annual Contribution - Road Maintenance Cope Road	\$ 1,050,000	\$50,000 per annum for 21 years, with the first instalment due within 30 days of date of agreement. Subsequent annual payments due on anniversary date of first contribution.	2 of 21
Charbon Coal	September 2010	Annual Contribution - Road Maintenance	\$0.05 per tonne per kilometre	Due by 31 July each year for coal hauled in previous year	1 of
		Annual Contribution - Road Maintenance	\$0.77 per tonne	\$75,000 paid as bond. To be charged with calculated contribution on an annual basis until \$75,000 exhausted. A further \$75,000 shall then be paid to Council, with annual charges payable whilst mining continues.	Yes

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<b>Company</b>	<b>Effective</b>	<b>Purpose</b>	<b>Amount</b>	<b>Due Date</b>	<b>Paid</b>
		Lump Sum - Carwell Creek Bridge Upgrade	\$210,000	\$210,000 due within 30 days of commencement of construction works by Council	Yes
		Annual Contribution - Community Facilities	\$0.01 per Run of Mine tonnes per annum	Due by 31 July each year for coal hauled in previous year	1 of
		Lump Sum - Community Facilities	\$50,000	\$50,000 payable within one month of receipt of project approval for a community project in Rylstone, Kandos, Charbon and/or Clandulla	Yes
Wilpinjong Coal Pty Ltd	January 2011	Lump Sum - Ulan-Wollar Road	\$50,000	Non cash contribution of \$50,000 of gravel to be used for upgrading of the Ulan-Wollar Road	No
		Lump Sum - Ulan-Wollar Road Upgrade	\$600,000	\$600,000 payable in by instalments within 14 days of invoices as issued by Council at each stage of the primary road works	No

# ***Attachment***

	<b>POLICY</b>	ADOPTED C/M 15/8/12 Minute No. 364/12
	<b>Payment of Expenses and Provision of Facilities to Councillors</b>	REVIEW: July 2013  FILE No A0110001

## **PART 1: INTRODUCTION**

### **PURPOSE**

The purpose of this policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by councillors and that the facilities provided to assist Councillors to carry out their civic duties are reasonable.

### **OBJECTIVES AND COVERAGE**

The objective of this policy is to provide a guide to Councillor's expenses and facilities, and the process for paying expenses in a way that can be properly recorded, reported and audited.

The policy applies to all Councillors. The Mayor is entitled to specific additional facilities.

### **REPORTING REQUIREMENTS**

This policy will be included in the Council's Annual Report. In addition, the total amount of money spent during the relevant financial year through the application of this policy will be reported to the Council quarterly and in the Annual Report.

### **LEGISLATIVE PROVISIONS**

#### **Local Government Act 1993**

The relevant provisions of the Local Government Act 1993 are set out below:

#### **Section 252 Payment of expenses and provision of facilities**

- (1) Within 5 months after the end of each year, a 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) Within 28 days after adopting a policy or making an amendment to a policy for which public notice is required to be given under this section, a council is to forward to the Director-General:
- (a) a copy of the policy or amendment together with details of all submissions received in accordance with subsection (1), and
  - (b) a statement setting out, for each submission, the council's response to the submission and the reasons for the council's response, and
  - (c) a copy of the notice given under subsection (1).
- (5) A council must comply with this section when proposing to adopt a policy each year 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 12 (What information is publicly available)** provides that the public is able to inspect during office hours at the council, and at no charge, the current version and the immediately preceding version of the council's expenses and facilities policy. The public are also entitled to a copy of the policy either free of charge or on payment of a reasonable copying charge.

**Section 23A (Director General's guidelines)** makes provision for the Director-General of the Department of Local Government to prepare, adopt or vary guidelines that relate to the exercise by a council of any of its functions. It also requires that a council must take the relevant guidelines into consideration before exercising any of its functions.

**Section 428(2)(f) (Annual Reports)** requires a council to include in its annual report: The total amount of money expended during the year on mayoral fees and councillor fees, the council's policy on the provision of facilities for use by councillors and the payment of councillors' expenses, together with a statement of the total amount of money expended during the year on the provision of such facilities and the payment of such expenses.

In addition **Section 428(r)** requires that councils must report on any other information required by the regulations.

#### Local Government (General) Regulation 2005

The relevant provisions of the Local Government (General) Regulation 2005 are set out below:

**Clause 217 (Additional information for inclusion in annual reports)** states in part:

- (1) For the purposes of section 428(2)(r) of the Act, an annual report of a council is to include the following information:
  - (a) details (including the purpose) of overseas visits undertaken during the year by councillors, council staff or other persons representing the council (including visits sponsored by other organisations).
  - (a1) details of the total cost during the year of the payment of the expenses of, and the provision of facilities to, councillors in relation to their civic functions (as paid by the council, reimbursed to the councillor or reconciled with the councillor), including separate details on the total cost of each of the following:
    - (i) the provision during the year of dedicated office equipment allocated to councillors on a personal basis, such as laptop computers, mobile telephones and landline telephones and facsimile machines installed in councillors' homes (including equipment and line rental costs and internet access costs but not including call costs),
    - (ii) telephone calls made by councillors, including calls made from mobile telephones provided by the council and from landline telephones and facsimile services installed in councillors' homes,
    - (iii) the attendance of councillors at conferences and seminars,
    - (iv) the training of councillors and the provision of skill development for councillors,
    - (v) interstate visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,
    - (vi) overseas visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,
    - (vii) the expenses of any spouse, partner (whether of the same or the opposite sex) or other person who accompanied a councillor in the performance of his or her civic functions, being expenses payable in accordance with the *Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for Local Councils in NSW* prepared by the Director-General from time to time,
    - (viii) expenses involved in the provision of care for a child of, or an immediate family member of, a councillor, to allow the councillor to undertake his or her civic functions,

**Clause 403 (Payment of expenses and provision of facilities)** states:

A policy under section 252 of the Local Government Act 1993 must not include any provision enabling a council:

- (a) to pay any councillor an allowance in the nature of a general expense allowance, or
- (b) to make a motor vehicle owned or leased by the council available for the exclusive or primary use or disposition of a particular councillor other than a mayor.

## **OTHER GOVERNMENT POLICY PROVISIONS**

### ***DLG guidelines for payment of expenses and provision of facilities***

This policy takes into account the following Circulars:

- Circular 11-27 – Findings of Review of Councillor Expenses and Facilities Policies
- Circular 09-36 – Release of Revised Councillor Expenses and Facilities Guidelines
- Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW (Division of Local Government October 2009)
- Circular 05108 - Legal assistance for councillors and council employees.
- Circular 02134 - Unauthorised use of council resources.

### ***Model Code of Conduct***

This is consistent with the Model Code of Conduct for Local Councils in NSW, Department of Local Government, and Council's Code of Conduct which implements the Model Code.

The part of the Model Code headed 'Use of Council resources' is particularly relevant to s252 policies, and is implemented by the Council's Code of Conduct.

### ***ICAC publications***

Councillors should also be aware of and take account of the Independent Commission Against Corruption (ICAC) publication No Excuse for Misuse, preventing the misuse of council resources (Guidelines 2), November 2002.

This publication is available on the ICAC website at [www.icac.nsw.gov.au](http://www.icac.nsw.gov.au).

## **PRIVATE BENEFIT**

While Councillors should not generally obtain private benefit from the provision of equipment and facilities from the Council, it is acknowledged that Councillors may obtain some incidental private benefit from time to time. Having considered the issue, Council is of the opinion that this incidental private benefit is of such a relatively minor nature that it is not necessary for Councillors to reimburse Council for this incidental private use.

## **USE OF COUNCIL RESOURCES FOR POLITICAL PURPOSES**

Council facilities, equipment and services are not to be used to produce election material or for any other political purpose. As outlined in Council's Code of Conduct, a Councillor's re-election is considered to be a personal interest, as is fundraising activities for political parties and political events. Council will not pay expenses or provide facilities to Councillors in relation to supporting and/or attending such events and activities.

## **APPROVAL ARRANGEMENTS**

Approval for attendance at conferences, seminars and the like under this policy will, subject to other decisions of Council, where possible, be approved by Council. On those occasions where this is not possible the approval will be given jointly by the Mayor and General Manager (in cases where this relates to the Mayor, the approval will be given jointly by the Deputy Mayor and General Manager) – following which a report will be presented to the next Council Meeting to confirm the action taken.

## **PART 2: PAYMENT OF EXPENSES**

### **GENERAL PROVISIONS**

#### **Payment of expenses generally**

##### Allowances and expenses

Council does not provide general allowances to councillors.

Councillors are entitled to the expenses set out in this policy provided that they satisfy the stated requirements.

##### Reimbursement and reconciliation of expenses

Before Council will pay for an expense under this policy, Councillors must seek reimbursement in a formal written claim lodged not later than six (6) months after the expense was incurred.

Each claim must include original receipts, or tax invoices (where GST applies), to be considered for reimbursement.

Claims will generally be paid within 14 days of receipt.

##### Payment in advance

Council will not generally make advance payments to Councillors.

#### **Spouse and partner expenses**

Payment of expenses incurred by a Councillor's spouse or partner who may be accompanying the Councillor is dealt with in the respective sections of the policy.

### **SPECIFIC EXPENSES FOR MAYOR AND COUNCILLORS**

#### **Civic Business within the LGA**

##### a) Scope

Expenses will be paid for Councillors to attend:

- Meetings of the Council and Committees;
- Meetings of other committees, bodies, organisations or groups to which those Councillors are Council delegates or representatives;
- Other meetings or inspections which are authorised by the Council, the Mayor or the General Manager; and
- Training courses, seminars or conferences authorised by the Council (except in those circumstances where there is insufficient time for a Council decision and in those cases the Mayor has the authority to approve the attendance and report back at the next Council meeting for endorsement of that decision);

provided that the claim is made not later than six (6) months after the expenses were incurred.

**Note: Any claims submitted later than six (6) months after the expenses were incurred will not be eligible for reimbursement.**

b) Categories of Payment / Reimbursement

Council and Committee Meetings

(i) Travel

Councillors are entitled to be reimbursed for the use of their private vehicle for travel to and from meetings.

Payment will be based on the relevant kilometre rate in the staff award.

The allowable distance claimed will be for travel, by the most practicable route from the Councillor's usual place of residence or other place where the Councillor might be (whichever is the lesser), immediately prior to the meeting.

(ii) Meals

Arrangements will be made for a meal to be provided at the conclusion of the meeting at a venue, in proximity to where the meeting is held, of which Councillors and staff in attendance may partake.

(iii) Accommodation

In those circumstances where, in the opinion of the Mayor or General Manager, because of the timing of the meeting, it would be impractical or introduce undue risk for the Councillor to travel home after the meeting, Council will meet reasonable accommodation costs (including sustenance and telephone calls) on the evening of the meeting for the Councillor. Accommodation will generally be booked by Council staff.

(iv) Spouses/Partners

In those cases where the function is of such a nature that the Councillor's spouse/partner would normally be expected to accompany the Councillor, any costs associated with the attendance of the spouse/partner will be met by Council.

Meetings of other committees, bodies, organisations or groups to which those Councillors are Council delegates or representatives or other authorised meetings or inspections

(i) Travel

Where Council vehicles are unavailable, Councillors may use their private motor vehicle. Councillors should check with the Executive Secretary to ascertain whether a Council vehicle is available and should make arrangements to collect the vehicle (vehicles will not generally be delivered to Councillors).

Where a private motor vehicle is used, Councillors are entitled to be reimbursed for this use.

Payment will be based on the relevant kilometre rate in the staff award.

The allowable distance claimed will be for travel, by the most practicable route from the Councillor's usual place of residence or other place where the Councillor might be (whichever is the lesser), immediately prior to the meeting or inspection.

(ii) Out-of Pocket Expenses

Reasonable out-of-pocket expenses will be reimbursed for costs associated with attendance, including entertainment, but excluding expenses of a normal personal nature.

(iii) Accommodation

In those circumstances where, in the opinion of the Mayor or General Manager, because of the timing of the meeting, it would be impractical or introduce undue risk for the Councillor to travel home after the meeting, Council will meet reasonable accommodation costs (including sustenance and telephone calls) on the evening of the meeting for the Councillor. Accommodation will generally be booked by Council staff.

(iv) Spouses/Partners

In those cases where the function is of such a nature that the Councillor's spouse/partner would normally be expected to accompany the Councillor, any costs associated with the attendance of the spouse/partner will be met by Council.

Training Courses, Seminars or Conferences

(i) Registration

Includes registration fees for attendance at conferences, seminars etc as well as associated official luncheons, dinners and tours.

(ii) Travel

Where Council vehicles are unavailable Councillors may use their private motor vehicle. Councillors should check with the Executive Secretary in the first instance to ascertain whether a Council vehicle is available and should make arrangements to collect the vehicle (vehicles will not generally be delivered to Councillors).

Where a private motor vehicle is used, Councillors are entitled to be reimbursed for this use.

Payment will be based on the relevant kilometre rate in the staff award.

The allowable distance claimed will be for travel, by the most practicable route from the Councillor's usual place of residence or other place where the Councillor might be (whichever is the lesser), immediately prior to the meeting or inspection.

(iii) Out-of-Pocket Expenses

Reasonable out-of-pocket expenses will be reimbursed for costs associated with attendance, including entertainment, but excluding expenses of a normal private nature.

(iv) Accommodation

In those circumstances where, in the opinion of the Mayor or General Manager, because of the timing of the training course, seminar or conference, it would be impractical or introduce undue risk for the Councillor to travel home after the training course, seminar or conference, Council will meet reasonable accommodation costs (including sustenance and telephone calls) on the evening of the training course, seminar or conference, for the Councillor. Accommodation will generally be booked by Council staff.

(v) Spouses/Partners

In those cases where the function is of such a nature that the Councillor's spouse/partner would normally be expected to accompany the Councillor, any costs associated with the attendance of the spouse/partner will be met by Council.

### **Civic Business outside the LGA**

a) Scope

Expenses will be paid for Councillors to attend:

- Conferences, seminars and training courses at which attendance has been authorised by the Council (except in those circumstances where there is insufficient time for a Council decision and in those cases the Mayor has the authority to approve the attendance and report back at the next Council meeting for endorsement of that decision);
- Meetings of other Councils while representing and as authorised by Council or the Mayor;
- Meetings of other committees, bodies, organisations or groups to which those Councillors are Council delegates or representatives; and
- Other meetings or inspections which are authorised by the Council, the Mayor or the General Manager.

provided that the claim is made not later than six (6) months after the expenses were incurred.

**Note: Any claims submitted later than six (6) months after the expenses were incurred will not be eligible for reimbursement.**

b) Categories of Payment/Reimbursement

(i) Registration

Includes registration fees for attendance at conferences, seminars etc as well as associated official luncheons, dinners and tours.

(ii) Travel

Council will either pay or reimburse Councillors for travel by air, private motor vehicle, rail or taxi/hire car, as appropriate and as set out below: (With all travel arrangements, due consideration is to be given to the physical capacity of the Councillor and any variation to the arrangements below will be with the approval of the Mayor).

(A) Air

Where travel is undertaken by air, this will be by economy class subject to any flight longer than three (3) hours being by business class. All bookings for travel will generally be made by Council staff.

(B) Private Motor Vehicle

Where Council vehicles are unavailable Councillors may use their private motor vehicle. Councillors should check with the Executive Secretary in the first instance to ascertain whether a Council vehicle is available and make arrangements to collect the vehicle (vehicles will not generally be delivered to Councillors).

Where a private motor vehicle is used, Councillors are entitled to be reimbursed for this use.

Payment will be based on the relevant kilometre rate in the staff award.

The allowable distance claimed will be for travel, by the most practicable route from the Councillor's usual place of residence or other place where the Councillor might be (whichever is the lesser), immediately prior to the meeting, function, training course, seminar or conference.

This claim will be subject to the cost not exceeding the economy class airfare as applicable.

**Note: Sharing of travel arrangements for Councillors of any gender doing business outside the LGA be at the mutual agreement of the Councillors involved.**

(C) Rail

Where travel is undertaken by train, Council will meet the cost of first class ticket, or equivalent, including sleeping berths where necessary.

(D) Taxi/Hire Car

Where travel is undertaken by taxi/hire car, Council will reimburse fares paid upon presentation of relevant receipts.

(iii) Accommodation

Council will meet reasonable costs (including sustenance and telephone charges) including the night before and after the meeting, training course, seminar or conference where necessary. Accommodation will generally be booked by Council staff.

**Note: Sharing of accommodation for Councillors of any gender doing business outside the LGA be at the mutual agreement of the Councillors involved.**



(iv) Out-of-Pocket Expenses

Reasonable out-of-pocket expenses will be reimbursed for costs associated with attendance, including entertainment, but excluding expenses of a normal private nature.

(v) Spouses/Partners

Where a Councillor is accompanied by his/her spouse/partner, accommodation (shared basis) will be met by Council. All other costs will be the responsibility of the spouse/partner.

In exceptional circumstances Council may, by resolution, pay expenses incurred by the spouse/partner of the Councillor incurred whilst they are travelling on Council business.

### **Care and other related expenses**

Councillors can claim up to \$100 per month for reimbursement of carer expenses that were incurred while attending Council business. This may include childcare expenses and the care of immediate family members of Councillors who are elderly, have a disability and/or are sick. Reimbursement of childcare expenses will be made for children under 16 years of age only. Expenses will be paid on production of receipts.

### **Communications expenses**

#### Telephone

Subject to the wishes of individual Councillors:

- Council will install a dedicated duet/additional line at a location designated by the Councillor and will meet the installation costs of a combined Telephone/Facsimile/Answering Machine. Council will maintain the machine and will meet the cost of line rental and network charges as well as providing consumables for official purposes; or
- Alternatively, a Councillor may use his/or her own equipment (including mobile). In this instance Council will meet the line rental costs and network charges and will provide consumables for official purposes.

#### Internet

Subject to the wishes of individual Councillors:

- Council will provide Broadband internet access (with unlimited download limit) in accordance with Council's current internet plan; or
- Alternatively, a Councillor may use his/her own internet facilities and Council will reimburse an amount equivalent to Council's current internet plan.

#### Ongoing costs

Council will meet the cost of official calls and usage.

### Provision for payment and monetary limits

Council will only pay claims for reimbursement of communications expenses upon production of original receipts or tax invoices and completion of Council's claim form which is to be lodged not later than six (6) months after the expense was incurred.

In respect of official calls and usage, subject to the provision of the relevant receipts or invoices, Council will reimburse Councillors up to a maximum of \$100 per month or \$200 per month in the case of the Mayor.

Councillors will be responsible for all expenses above this amount.

### Exceptional circumstances

Should a situation arise where the strict application of this section of the policy would adversely affect and/or cause undue hardship to a Councillor, the Council may, by resolution, increase the maximum quantum available to that Councillor.

### **Administrative Expenses**

It is recognised that Councillors may, from time to time, incur expenses of an administrative nature (such as the purchase of stationary, computer and printing supplies) in carrying out their civic duties. While it is expected that Councillors would obtain such items from Council (as provided in the section of this policy entitled "Provision of Facilities", it is acknowledged that there may be occasions where this is not practicable.

Council will reimburse those administrative expenses incurred upon lodgement of an appropriate claim form accompanied by relevant receipts.

Any reimbursements (including supplies obtained from Council) will be limited to a maximum of \$600 per annum.

### **Insurance Expenses and obligations**

Councillors will receive the benefit of insurance cover for:

- Personal injury while on Council business. The cover does not include medical expenses for illness in Australia.
- Professional indemnity for matters arising out of Councillors' performance of civic duties or exercise of their functions as Councillors provided the performance or exercise of the relevant civic duty is, in the opinion of Council, in good faith or proper. This is subject to any limitations or conditions set out in the policy of insurance that is taken out from time to time.
- Public liability for matters arising out of Councillors' performance of civic duties or exercise of their functions under the Local Government Act. This is subject to any limitations or conditions set out in the policy of insurance that is taken out from time to time.
- Councillors and Officers liability. This policy provides protection in respect of actions against the individual Councillors in addition to legal costs incurred by them in defending an allegation of a wrongful act made in the course of their duties as Councillors. This is subject to any limitations or conditions set out in the policy of insurance that is taken out from time to time.

### **Legal expenses and obligations**

Council may by resolution indemnify or reimburse the reasonable legal expenses of:

- A Councillor defending an action arising from the performance in good faith of a function under the Local Government Act 1993; or
- A Councillor defending an action in defamation provided the statements complained of were made in good faith while exercising a function under the Local Government Act 1993; or
- A Councillor for proceedings before the Local Government Pecuniary Interest and Disciplinary Tribunal, or an investigative body, provided the subject of the proceedings arises from the performance in good faith or a function under the Local Government Act 1993 and the Tribunal or investigative body makes no adverse finding against the Councillor.

Council will not:

- Meet expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term of office; or
- Meet the costs of an action in defamation taken by a Councillor as plaintiff in any circumstances; or
- Meet the costs of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.

### **PART 3: PROVISION OF FACILITIES**

#### **Councillors**

The Councillors are to receive the benefit of the following Council facilities:-

- a) Meeting Meals and Refreshments - provision of meals and refreshments associated with Council, Committee and Working Parties/Special Committee meetings.
- b) Transportation - provision of Council motor vehicle transportation (when available) for travel to conferences, seminars, etc when on official Council business.

Where a Council vehicle is provided to a Councillor for use on official business, the vehicle may:

- With the consent of the Councillor, be driven by the Councillor's spouse or partner as long as that person is legally licensed to drive the Council vehicle; or
  - Provided the Councillor is in the vehicle at the time, be driven by any other fully licensed driver.
- c) Meeting Rooms - Provision of meeting facilities in the Mudgee Administration Building for the purpose of Council, Committee and Working Parties/Special Committee meetings, and for meeting with constituents.
  - d) Photocopiers - provision of photocopying facilities generally for official purposes.
  - e) Combined Telephone/Facsimile/Answering Machine – for official purposes.
  - f) At the discretion of the individual Councillor, Personal desktop or laptop computer with access to the internet and appropriate Council software to a maximum value of \$5,000 – for official purposes. Council will provide associated training and software support.

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- g) Where practicable, provision of a Councillors room, incorporating meeting facilities, computer workstation, telephone, etc.
- h) Provision of an Email address for Councillors, as requested, to facilitate access to Council's electronic mail.
- i) Business Cards for his/her role as an elected representative.
- j) A suitable name badge.
- k) Protective apparel, including (where appropriate), hard hat, safety vest, safety footwear and sunscreen for on-site inspections.
- l) Provision of administrative supplies (such as stationary, and supplies for computers and printers).

**Mayor**

In addition to those facilities provided to the Councillors, the Mayor is to receive the benefit of:

- a) Council Vehicle - (Ford Fairlane Ghia or equivalent) for official purposes. The vehicle to be used at the discretion of the Mayor for Mayoral, Councillor or Council purposes. A fuel card will be provided for use only with the Mayoral vehicle.

When the Mayor or another Councillor is using the Mayoral vehicle on official business, the vehicle may:

- With the consent of the Mayor or Councillor, be driven by the spouse or partner of the Mayor or Councillor as long as that person is legally licensed to drive the Council vehicle; or
- Provided the Mayor or Councillor is in the vehicle at the time, be driven by any other fully licensed driver.

- b) Mobile Telephone with a car kit - for official Council purposes.

Council will meet the costs of service charges and official usage costs, with the Mayor to reimburse Council in respect of any private expenses incurred.

- c) Corporate Credit Card, to facilitate payment of official Council business expenses.
- d) Official stationary incorporating Mayoral letterhead for official Council correspondence issued under the hand of the Mayor.
- e) Business Cards for his/her role as Mayor.
- f) Secretarial Services - word-processing and administrative support provided by the Executive Secretary.
- g) Administrative Support - assistance with functions, organisations, meetings, and the like.
- h) Office Refreshments - as provided in the Mayoral Office for entertainment purposes.
- i) Where practicable, provision of an appropriate office, suitable for interviews and small civic receptions.

- j) Use of ceremonial clothing including Mayoral Robes and chains of office.
- k) A suitable name badge.

### **Deputy Mayor**

In addition to those facilities provided to the Councillors, the Deputy Mayor is to receive the benefits of the Mayor when acting in the Office of Mayor.

### **COUNCILLORS WITH DISABILITIES**

In addition to other clauses on this policy regarding the provision of facilities to Councillors, in the event of a Councillor having a disability that would prevent them from performing their civic duties without the provision of additional facilities, where necessary, and with the agreement of the Mayor and General Manager, additional appropriate facilities will be made available to that Councillor.

## **PART 4: OTHER MATTERS**

### **ACQUISITION AND RETURNING OF FACILITIES AND EQUIPMENT BY COUNCILLORS**

All equipment issued to Councillors remains the property of Council and shall be returned on a Councillor ceasing to hold office.

However, on ceasing to be a Councillor or in the event of Council deciding to dispose of the equipment, a Councillor may request the purchase of such equipment. The General Manager shall consider each request and, where appropriate any leasing arrangements of such equipment. If the equipment is available to be sold, the General Manager will determine an "appropriate purchase price" based on fair market value and as suggested by the leasing company or the general market

### **CLAIMS FOR REIMBURSEMENT OF EXPENSES**

Expenses claim forms to facilitate claims for reimbursement of travel, meals, registration, accommodation and out-of-pocket expenses and the communications reimbursement claims will be provided to Councillors at each Council meeting.

Completed and signed claim forms will be processed by staff in accordance with this policy and will be submitted monthly to the General Manager for approval.