

Policy Type

Council

Policy Purpose

The aim of this policy is:

1. To provide a clear statement of entitlements available to Elected Members under the Local Government Act 1995 (the Act) and Local Government (Administration) Regulations 1996 (the Regulations) and within the prescribed ranges established by the Salaries and Allowances Tribunal (SAT).
2. To support Elected Members to carry out their functions and responsibilities without being placed under undue financial burden.

Policy Statement

1. Introduction

- 1.1. Under the Act and Regulations, the City must pay certain allowances and expenses to Elected Members, and may pay other allowances and expenses pursuant to a Council Policy.
- 1.2. This Policy sets out the allowances and expenses that must be paid, as well as the discretionary allowances, expenses and other benefits approved by Council to be paid under this Policy.
- 1.3. The intent of providing any discretionary allowances, expense reimbursement and other benefits is to support Elected Members to fulfil their statutory duties and responsibilities.

2. Prescribed allowances

2.1. Mayoral Allowance

- 2.1.1. The annual local government allowance for the Mayor (in addition to any fees or reimbursements of expenses payable under the Act and Regulations) is to be the maximum amount determined by the Salaries and Allowances Tribunal.

2.2 Deputy Mayoral Annual Allowance

The annual local government allowance is to be paid to the Deputy Mayor and is recommended to be the maximum percentage determined by the Salaries and Allowances Tribunal of the annual allowance to which the Mayor is entitled.

2.3 Annual Meeting Attendance Allowance

- 2.3.1. In lieu of paying Elected Members a meeting attendance fee for meetings, Elected Members are to be paid the maximum amount set by the Salaries and Allowances Tribunal.

- 2.4 Information and Communication Technology (ICT) Allowance
- 2.4.1. All Elected Members will be paid the *maximum annual ICT Allowance. The allowance will be paid annually in advance.
- 2.4.2. The ICT Allowance is for costs relating to:
- 2.4.2.1. Telephone or facsimile rental at the Elected Members' private residence;
- 2.4.2.2. Council related charges for phone calls made from phones located at the Elected Members' private residence;
- 2.4.2.3. Charges associated with one (1) mobile telephone plan, including data, and 1 broadband/internet plan, or a combined plan as the case may be.
- 2.4.3. *In accordance with the SAT Determination, the value of any ICT equipment provided by the City to the Elected Member will be deducted from the ICT Allowance. This will be done on the year of provision with the amount deducted equal to the cost to the City for the supplied ICT equipment.
- 2.4.4. In the event an Elected Member expends more on ICT expenses than provided for by the ICT Allowance, the Elected Member may seek reimbursement for their reasonable 'out of pocket' expenses.
- 2.4.5. All claims for additional reimbursement pursuant to clause 2.4.4 must be supported by original receipts or other proof of expenditure, as well as evidence that the Elected Member has already incurred ICT expenses which expend the full ICT Allowance.
3. Prescribed expense reimbursements (Administration Regulation 31(1)(b)-(c))
- 3.1. Travel expenses associated with Council and Committee meetings, and mandatory training
- 3.1.1. Elected Members who attend Council and Committee meetings, and mandatory training required under section 5.126(1) of the Act, are entitled to be reimbursed travel expenses.
- 3.1.2. Travel expenses that may be claimed are:
- 3.1.2.1. Motor vehicle expenses and parking fees; or
- 3.1.2.2. Taxi, public transport or ride share transport services ('transport providers') (excluding chauffeur or private charter services).
- 3.1.3. All claims for motor vehicle expenses must be supported by a record, identifying the date, location and number of kilometres travelled.
- 3.1.4. All claims for expenses related to transport providers must be supported by original receipts or other proof of expenditure.
- 3.1.5. The amount to be reimbursed will be calculated at the same rate applicable to the reimbursement of travel costs in the same or similar circumstances under the *Local Government Officers' (Western Australia) Award 2021*.
- 3.1.6. The City will not provide reimbursement for any tips provided to transport providers.

- 3.2. Child care costs associated with Council and Committee meetings, and mandatory training
 - 3.2.1. Elected Members are entitled to be reimbursed childcare costs, while attending Council and Committee Meetings and mandatory training required by section 5.126(1) of the Act.
 - 3.2.2. In accordance with regulation 31(1)(b) of the Regulations, childcare costs will be paid to the maximum allowance as determined by the Salaries and Allowances Tribunal annual determination, or the actual cost per hour, whichever the lesser amount is.
 - 3.2.3. An Elected Member must provide the name, address and ABN (if applicable) of the childcare service provider before claiming childcare expenses. All subsequent claims are to include the name of the childcare provider.
 - 3.2.4. Childcare costs will not be paid for care provided by a family member living in the same premises as the Elected Member.
4. Discretionary expense reimbursements (Administration Regulation 32(1))
 - 4.1. Other travel expenses (motor vehicle and transport provider claims)
 - 4.1.1. Elected Members who attend the following are entitled to be reimbursed travel expenses:
 - 4.1.1.1. Council appointed Reference Groups or other formally arranged meetings, briefings or civic functions on behalf of Council;
 - 4.1.1.2. continuing professional development in relevant to or in connection with their role as an Elected Member;
 - 4.1.1.3. a pre-approved event or an event that is approved under Council Policy 'Attendance at Events';
 - 4.1.1.4. meetings arranged by City staff where an Executive is in attendance; or
 - 4.1.1.5. meetings with residents.
 - 4.1.2. Payment of travel expenses for attendance by Elected Members at continuing professional development is subject to regulation 37 of the Regulations.
 - 4.1.3. The amount that may be reimbursed and evidence required to substantiate a motor vehicle or transport provider claim is the same as outlined in clauses 3.1.3 to 3.1.4 above.
 - 4.2. Other travel expenses (flights, accommodation and sundries)
 - 4.2.1. Where an Elected Member is required to stay overnight to attend an event, function or training referenced in clauses 4.1.1.1 to 4.1.1.3 above, expenses that may be claimed include:
 - 4.2.1.1. meals and refreshments (where not provided);
 - 4.2.1.2. travel to and from the accommodation and the event, function or training location; and
 - 4.2.1.3. dry cleaning and laundry expenses.
 - 4.2.2. Where an Elected Member is required to travel via airplane intrastate, interstate or overseas to attend an event, function or training referenced in clauses 4.1.1.1 to 4.1.1.3 above, the mode and class of travel will be as per the below:

- 4.2.2.1. intrastate and interstate: economy class;
- 4.2.2.2. Overseas: business class for flights longer than 6 hours duration leaving Australia, unless otherwise approved by the CEO for medical reasons.
- 4.2.3. Where an Elected Member is required to stay overnight to attend an event, function or training referenced in clauses 4.1.1.1 to 4.1.1.3 above, the class and length of accommodation will be as per the below:
 - 4.2.3.1. All types of travel: standard room from the night before the first day of the event until the last day of the event, unless otherwise approved by the CEO.
- 4.2.4. Where an Elected Member is travelling pursuant to clauses 4.2.2 and 4.2.3 above, the City may book and pay for a partner to travel with the Elected Member on the condition that the Elected Member must reimburse the City for their partner's flights prior to departing Perth.
- 4.2.5. An Elected Member may, when travelling pursuant to clauses 4.2.2 and 4.2.3 above, extend their stay for private reasons subject to the following conditions:
 - 4.2.5.1. The City will book, but not pay for, accommodation associated with private travel. Payment must be made by the Elected Member directly to the accommodation provider.
 - 4.2.5.2. Where the Elected Member has requested an earlier or later flight to accommodate the private travel, and that flight is more expensive than if the Elected Member were to fly in accordance with clause 4.2.3.1 above, the CEO may require the Elected Member to reimburse the City for the difference.
- 4.3. Other child care costs
 - 4.3.1. Elected Members who incur child care costs while attending Council appointed Reference Groups or other formally arranged meetings, briefings or civic functions on behalf of the Council are entitled to be reimbursed child care costs, on approval of the CEO.
 - 4.3.2. The amount that may be reimbursed and evidence required to substantiate a claim is the same as outlined in clause 3.2 above.
- 4.4 Professional expenses
 - 4.4.1. Elected Members may be reimbursed for allowable professional expenses incurred as a result of:
 - 4.4.1.1. attending Council or Committee meetings;
 - 4.4.1.2. attending Council appointed Reference Groups or other formally arranged meetings, briefings or civic functions on behalf of Council;
 - 4.4.1.3. attending pre-approved events or other events approved under Council Policy 'Attendance at Events'; or
 - 4.4.1.4. undertaking any other responsibilities or functions of an Elected Member as prescribed by law,

to a maximum limit of \$1,500 per year, with the expense period being 1 November to 31 October every year.

- 4.4.2. Allowable professional expenses include:
 - 4.4.2.1. clothing, footwear and formal wear hire;
 - 4.4.2.2. dry cleaning and clothing/footwear repairs;
 - 4.4.2.3. personal grooming; and
 - 4.4.2.4. where clause 4.4.1.3 applies – registration/ticket fees (inclusive of any fees for official lunches, dinners and tours/inspections relevant to the event).
- 4.4.3. The maximum limit specified in clause 4.4.1 above will be inflated annually for 1 November, based on the Consumer Price Index (All Groups Perth) Rate at July, and rounded to the nearest \$10.
- 4.5 Minor hospitality expenses
 - 4.5.1. Elected Members may be reimbursed reasonable minor hospitality costs, up to a maximum amount of \$30 per instance, incurred while attending meetings, briefings, functions, events and other occasions on behalf of Council, or in their capacity as an Elected Member.
- 4.6 Consumable office supplies
 - 4.6.1. Elected Members may be reimbursed for consumable office supplies reasonably required to undertake the recognised functions of an Elected Member.
 - 4.6.2. Claims cannot be made for ICT peripherals, accessories, consumables or other supplies (for example printers, ink, paper, cables, docking stations and other similar items), as these costs are expected to be covered by the ICT Allowance.
- 4.7 Other approved expenses
 - 4.7.1. The City will reimburse Elected Members for the following expenses incurred in the course of performing their duties and functions:
 - 4.7.1.1. Legal costs incurred in accordance with the Act and Council Policy 'Access to Legal Services for Elected Members and Employees'.
 - 4.7.1.2. The cost of one (1) membership of a professional association per year, subject to the purpose of the association being related to the role or function of an Elected Member, up to a maximum value of \$1,000.
- 5. Other entitlements provided for in legislation
 - 5.1 Parental leave
 - 5.1.1. In accordance with section 2.25A(5B) of the Act, Elected Members are entitled to parental leave for six months beginning on which the Elected Member or their spouse or de facto partner:
 - 5.1.1.1. gives birth; or
 - 5.1.1.2. adopts, or becomes the guardian or foster parent of, a person who is under 16 years of age.

5.2 Superannuation

- 5.2.1. In accordance with section 5.99B of the Act and regulation 32A of the Regulations, the City will pay superannuation to Elected Members from 1 February 2025.
- 5.2.2. Superannuation will be paid in accordance with the *Superannuation Guarantee (Administration) Act 1992* (Cth).
- 5.2.3. An Elected Member may opt-out of receiving superannuation by providing written notice to the CEO.

6. Support and facilities available to Elected Members

6.1 Mayor

- 6.1.1. The Mayor shall, in carrying out Mayoral duties and responsibilities, be entitled to receive the benefit of the following facilities and resources without the reduction of the fees and allowances approved by Council under section 5.98, 5.98A, 5.99 and 5.99A of the Act:
 - 6.1.1.1. the use of an office;
 - 6.1.1.2. a City employee or other employee resource to the extent considered appropriate by the CEO;
 - 6.1.1.3. all items associated with the effective and efficient administration of the Mayor's office as determined from time to time by the CEO;
 - 6.1.1.4. access to the Elected Member's lounge and refreshments; and
 - 6.1.1.5. paper copies of all Council and Committee Meeting agendas, upon written request to the CEO.

6.2 Deputy Mayor and other Elected Members

- 6.2.1. The Deputy Mayor and other Councillors shall, in carrying out their civic duties and responsibilities be entitled to receive the benefit of the following facilities and resources without the reduction of the fees and allowances approved by Council under section 5.98, 5.98A, 5.99 and 5.99A of the Act:
 - 6.2.1.1. access to the Elected Member's lounge and refreshments;
 - 6.2.1.2. access to a suitably equipped shared office, meeting and conference rooms within the Administration Centre with computer, photocopying, printing, facsimile, internet and telephone facilities, to the extent deemed necessary by the CEO to fulfil their Council related functions;
 - 6.2.1.3. some secretarial support as deemed necessary by the CEO including limited word processing, photocopying, and postage; and
 - 6.2.1.4. paper copies of all Council and Committee Meetings and Briefings Agendas, as well as Reference Group Agendas, upon written request to the CEO.

7. Other supplies and benefits provided and available to Elected Members
- 7.1 ICT equipment
- 7.1.1. All Elected Members, following election to Council, are entitled to be provided with the following ICT equipment to the same standard as provided to City employees:
- 7.1.1.1. a laptop or tablet;
- 7.1.1.2. two screens;
- 7.1.1.3. docking station; and
- 7.1.1.4. mouse and keyboard (or tablet equivalent)
- 7.1.2. Computer equipment supplied to Elected Members will be replaced every four (4) years, following the Local Government Elections, or in the event there is hardware failure and this occurs prior to the scheduled replacement.
- 7.1.3. The cost of computer equipment provided will be deducted from the ICT Allowance paid to Elected Members, in accordance with clause 2.4.3.
- 7.2 Other equipment, supplies and items
- 7.2.1. All Elected Members, following election to Council, will be provided with the following equipment and supplies:
- 7.2.1.1. name badge;
- 7.2.1.2. building access card;
- 7.2.1.3. a reasonable quantity of business cards; and
- 7.2.1.4. City of Cockburn electronic letterhead template
- 7.2.2. Elected Members may also request a reasonable supply of printed letterheads and envelopes.
- 7.2.3. Additional reasonable quantities of business cards, letterheads and envelopes will also be made available to Elected Members, on request.
- 7.3 Clothing and PPE
- 7.3.1. All Elected Members, following election to Council, may request an Elected Member uniform, comprising of:
- 7.3.1.1. one (1) jacket;
- 7.3.1.2. three (3) collared/buttoned shirts or blouses; and
- 7.3.1.3. two (2) casual polo shirts.
- 7.3.2. The CEO must provide Elected Members with personal protective equipment necessary to fulfill their role.
- 7.4 Use of cab charge vouchers
- 7.4.1. In lieu of travelling by motor vehicle or other transport providers, Elected Members may request a cab charge voucher for the travel in accordance with clauses 3.1 and 4.1.
- 7.5 Wellness initiatives
- 7.5.1. The City will make available the following to Elected Members to support their individual health and wellbeing:
- 7.5.1.1. one (1) 'All Access' Cockburn ARC membership; and
- 7.5.1.2. access to the City's Employee Assistance Program (EAP), to the same extent as provided to staff.

8. Mayoral Vehicle

- 8.1. The Mayor will receive a fully maintained local government owned vehicle, to the equivalent standard as provided to the CEO, for the purpose of carrying out the recognised functions of the Mayoral office (the 'Mayoral Vehicle')
- 8.2. Details of the arrangement for the provision, use and responsibilities for the Mayoral Vehicle is as agreed between the City and the Mayor.
- 8.3. All costs associated with the private use of the Mayoral vehicle are to be reimbursed to the City by the Mayor in accordance with the 'Mayoral Motor Vehicle Agreement' detailed in clause 8.2 above.
- 8.4. The calculation of the reimbursement for the private use is by way of a Logbook in accordance with the requirements of the Australian Taxation Office.
- 8.5. If the Mayor is absent from Western Australia for more than fourteen days, the Mayoral Vehicle is to be available to the Deputy Mayor during the period of absence.
- 8.6. The Deputy Mayor must enter into an agreement as set out in clause 8.2 above before using the Mayoral Vehicle.

9. Insurance

- 9.1. The City will insure or provide insurance cover to Elected Members for the following:
 - 9.1.1 Accidental injury or death whilst engaged in the performance of the official duties of their office, including direct travel to and from activity;
 - 9.1.2 Liability for matters arising out of the performance of the official duties of their office but subject to any limitations imposed by law or as set out in the relevant insurance policy;
 - 9.1.3 Spouses/partners of Elected Members when the spouse/partner is accompanying the Elected Member in an official (non-personal) capacity; and
 - 9.1.4. Travel insurance whilst travelling on official business.

10. Return of ICT equipment and other specified items

- 10.1. All ICT equipment and/or building access card issued to an Elected Member must be returned within fourteen (14) days of that person ceasing to be an Elected Member and/or returned at the same time as the equipment is replaced.
- 10.2. In lieu of returning ICT equipment, Elected Members may elect to purchase the equipment at a depreciated value, as determined by the CEO.
- 10.3. Any deduction in an ICT allowance due to the provision of ICT equipment to an Elected Member is irrelevant in determine the depreciated value pursuant to clause 10.2

11. Approval Process and Payment

- 11.1. Elected Members applying to receive reimbursement of expenses in accordance with this Policy must submit the appropriate Reimbursement of Expenses Form to the CEO, together with acceptable supporting documentation.
- 11.2. All prescribed allowances will be paid automatically unless an Elected Member has advised the CEO in writing that they do not want to claim any or part of an allowance.
- 11.3. All prescribed allowances will be paid monthly in arrears, except for the ICT Allowance which will be paid annually in advance, calculated from each Local Government Election.

- 11.4. Any taxation liability arising from any payment made under this Policy is the individual responsibility of each Elected Member.
- 11.5. If an Elected Member has previously advised that they do not want any or part of an allowance that they are entitled to, any subsequent request for full or additional payment will not be back paid but will accrue from the date of such request.
- 11.6. If an Elected Member ceases to hold office:
- 11.6.1. payment (where made monthly) will only be made up to and including the final day of engagement; and
- 11.6.2. repayment or recovery of fees or allowances paid in advance (inclusive of superannuation) will be recovered in accordance with regulations 32B and 34AE of the Regulations.
12. Dispute Resolution
- 12.1. Any disputes regarding this policy will be referred to the CEO in the first instance. If the Elected Member and the CEO cannot reach an agreement, the matter will be referred to Council for determination.

Related policies

- Attendance at Event Policy
- Elected Member Professional Development Policy
- Access to Legal Services for Elected Members and Employees – Policy

Definitions

CEO means the Chief Executive Officer of the City of Cockburn.

Strategic Link:	Governance Framework
Category	Elected Members
Lead Business Unit:	Governance and Council Support
Public Consultation: (Yes or No)	No
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