



Policies, Procedures and Guidelines

PAYMENT OF EXPENSES & PROVISION OF FACILITIES TO COUNCILLORS POLICY

CODE002

BACKGROUND

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

OBJECTIVE

To define, in conformity with the requirements of Section 252 of the *Local Government Act 1993*, the Council's policy on the payment of expenses and provisions of facilities for Mayor and Councillors in discharging the functions of civic office and when attending on Council business.

POLICY

Reporting Requirements

In accordance with Section 428 of the *Local Government Act 1993* and Clause 217 of the *Local Government (General) Regulation 2005* Council is required to include in its Annual Report the following information regarding the payment of expenses and provision of facilities to Mayor and Councillors:

- (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),
- () 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,
- (i) the attendance of councillors at conferences and seminars,
- (ii) the training of councillors and the provision of skill development for councillors,
- (iii) 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,
- (iv) 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,
- (v) 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

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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

In accordance with Circular 06-57 from the Office of Local Government, Council shall also provide a copy of this policy to the Office of Local Government.

Approval Arrangements

Attendance at conferences, travel on Council business and the like is to be, where possible, approved by a full meeting of the Council. If this is not possible then the approval is to be given by the Mayor.

The Mayor may attend any function, training or conference that he/she deems appropriate without seeking prior approval from the Council or another councillor. Such events are to be reported to the next meeting of Council by way of a report by the Mayor.

When travel involves overnight accommodation, an *Authority to Travel* form must be completed at least one week prior to the event and forwarded to the Executive Assistant for filing (see attached form)

PAYMENT OF EXPENSES

Annual Fees - Mayor

Council will determine annually the fee to be paid to the Mayor in accordance with Section 249 of the *Local Government Act 1993*. This fee, which is in addition to the councillor's fee, will be paid to the Mayor monthly in arrears.

Annual Fees – Deputy Mayor

Council will determine annually the fee to be paid to the Deputy Mayor in accordance with Section 249(5) of the *Local Government Act 1993*. This fee, which is to be deducted from the Mayor's fee, and is in addition to the councillor's fee. This fee will be paid to the Deputy Mayor monthly in arrears.

Annual Fees – Councillors

Council will determine annually the fee to be paid to the Councillor in accordance with Section 248 of the *Local Government Act 1993*. This fee will be paid to councillors monthly in arrears as provided by Section 250 of the Act.

Payment of Expenses and Limitation of Time

Where there is a right under this Policy to claim reimbursement of costs and expenses, reimbursement will only be made upon the production of appropriate receipts and tax invoices, and the completion of the required claim forms.

Councillors must seek reimbursement of expenses within three (3) months of incurring that expense. Claims submitted outside of this period shall NOT be paid.

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Spouse and Partner Expenses

Except as provided below, councillors are required to meet all expenses incurred by spouse/ partners in attending conferences and seminars including any additional cost supplement for accommodation.

Limited expenses of spouses, partners or accompanying persons associated with attendance at the Local Government NSW annual conference may be met by Council. The expenses will be limited to the cost of registration and the official conference dinner. Travel expenses, any additional accommodation expenses, and the cost of partner / accompanying person tours etc are the personal responsibility of individual councillors.

SPECIFIC EXPENSES FOR MAYORS AND COUNCILLORS

Attendance at Seminars and Conferences

Council will meet the costs associated with councillors attending conferences or seminars that have been authorised by Council resolution or approved under delegated authority by the Mayor and General Manager as follows:

- The payment of registration fees
- Accommodation (see page 11)
- Reasonable sustenance and incidental expenses (see page 12)
- Travel (see next page)

Where such costs are paid by Council and the Councillor does not attend the conference or seminar the Councillor shall be personally liable to repay all amounts paid to Council. Where the Councillor believes there are extenuating circumstances for non-attendance the Councillor may apply to Council to have such repayment waived

Travel Arrangements and Expenses

Transportation

Where Council Officers are attending any meeting, conference, seminar or function and are travelling by motor vehicle Councillors will, where practical, travel to and from the meeting, conference, seminar or function with the Officers.

Should travel with an Officer be impractical, then the Councillor will make a request of the Mayor or General Manager (or the General Manager's nominee) to authorise travel by the most direct route to and from the meeting, conference, seminar or function either in a 'pool' vehicle or the Councillor's private vehicle. (See below).

A travelling allowance, based on the rates applicable under the relevant State Award (or its successors), or the cost of the equivalent return first class rail fare or air fare (whichever is the lesser amount) will be paid to the Councillor upon presentation of the appropriate claim form, where the Councillors private vehicle is used.

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Where distances or practicality prevent travel by motor vehicle Council will meet the cost of either the return first class travel by rail or return economy class airfare together with taxi fares to and from the railway stations or airports for councillors attending meetings, conferences seminars or functions.

Where road travel is required over a time period greater than 3 hours each way then Council approved air travel may be utilised.

Class of Air Travel

Economy Class travel will be used for all official air travel, with the exception that Business Class travel may be used for air travel to destinations overseas.

Private chartered flights or hired planes may also be used where appropriate.

Use by Councillors of Their Private Motor Vehicle(s)

Where car pool vehicles are unavailable Council will meet the cost of councillors using their own motor vehicle for travelling by the most direct route to and from the destination (plus an allowance for incidental kilometres on overnight stays) for:

- a) meetings of the Council or the meetings of any Committee of the Council, Working Party, Taskforce, forum or the like, of which the Councillor is a member; or any briefing, community consultation, or the like, organised or authorised by the Council.
- b) business or inspections within or outside the Council area in accordance with a resolution of the Council.
- c) periodical conferences and/or meetings of organisations of which the Council is a member or other meetings specifically authorised by resolution of Council or where a Councillor has been elected as the Council's delegate to an organisation
- d) any meeting, conference or function on behalf of the Council or the Mayor when such attendance is authorised.

Councillors are to lodge claims for travelling expenses within a period of three months after which the expense was incurred and the claim is to be on the appropriate form. The Councillor will also lodge with any claims a log of the journey in the "Councillor Expense Claim" form.

The total quantum of travelling expenses paid for the use of a Councillor's motor vehicle by a Councillor for travelling on Council business is to be either:

- (i) an amount calculated according to the rates applicable under the Local Government State Award (or its successors), or;
- (ii) an amount equivalent to the cost of a return first class rail fare, or air fare whichever is the lesser amount.

Frequent Flyer Points

Councillors shall not be entitled to claim frequent flyer points relating to air travel authorised by this policy. In circumstances where the Councillor has no option but to pay for air travel and frequent

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flyer points are accrued to his/her personal account, the Councillor will surrender the points to the airline upon reimbursement of the airfare by Council.

Accommodation whilst out of the Council Area

Council will meet the cost of accommodation for councillors attending to Council business, inspections, meetings, conferences or functions outside the Council area which are authorised by the Council or Mayor.

Council will meet the cost of accommodation for each Councillor at the venue of the conference or seminar or at another suitable location providing an equivalent standard of accommodation in close proximity to the venue.

When traveling by motor vehicle to conferences or seminars that require the Councillor to break their journey the Council will meet the accommodation and meal expenses of the Councillor, provided that the accommodation is located along the most direct and practicable route when journeying to and from the conference or seminar venue.

Sustenance and Incidental Expenses

Sustenance whilst on Council Business within Australia

Where no meals are provided Council will meet the cost of reasonable sustenance for councillors attending to Council business, inspections, meetings, conferences, seminars or functions which are authorised by the Council or Mayor

Sustenance will be paid on an actual cost basis or reimbursed following the receipt of an appropriate claim and supported by receipts. Where details to support the expenditure are not available a sum of up to \$35 may be paid for each meal.

Incidental expenses whilst on Council business within Australia

Council will meet reasonable incidental expenses for councillors associated with conferences and seminars, or such other forums as the Council approves, on an actual cost basis upon the production of receipts and duly authorised claims.

Sustenance and incidental expenses whilst on Council business outside Australia

Council will, in the case of approved Overseas Travel for councillors, pay an allowance equivalent to that applicable in tax ruling TR2003/7 for federal public servants (to be paid as if the councillors received a salary in the mid range) or any other document that should replace the above tax ruling.

Functions

Official Functions

Council will meet the costs of the Mayor and councillors and their spouse / partner when they attend Council-organised functions.

Community Functions within the Lachlan Shire

In those cases where the Mayor and councillors are invited to attend any official function that is of such a nature that the councillor's spouse / partner would normally be expected to accompany the

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councillor, any reasonable costs associated with the attendance of the spouse / partner will be met by Council. This includes instances where a councillor is representing the Mayor.

The payment of expenses for attending functions as permitted above will be limited to the ticket, meal and / or the direct cost of attending the function. Peripheral expenses incurred by spouses / partners / accompanying person such as grooming, special clothing and transport are not considered reimbursable expenses.

The Council will NOT meet any costs associated with attendance at fund-raising activities or rallies held by registered political parties or groups.

Training and Educational Expenses

Councillors will be provided with any necessary training / education in the use of equipment supplied by the Council or in sessions relating to issues like probity, pecuniary interests or other issues that has been authorised by Council resolution or approved under delegated authority by the Mayor or General Manager.

Council will meet the full cost of attendance of councillors at any of these sessions in the same manner as applicable to a Councillor's attendance at Conferences, Seminars and the like.

Care and other related Expenses

Councillors who require access to childcare, in order to attend Council meetings, events and activities will be provided with child care through a registered and accredited child care provider, at Council's expense.

In addition the reimbursement of the reasonable cost of other carer arrangements is also provided for. Carer arrangements include the care of elderly, disabled and/or sick immediate family members of councillors, to allow councillors to undertake their council business obligations.

Council will also reimburse the payment of other related expenses associated with the special requirements of councillors such as disability and access needs, to allow them to perform their normal civic duties and responsibilities. The payment of expenses for attending functions as permitted above will be limited to the ticket, meal and / or the direct cost of attending of the carer to attend functions to support the councillor. Peripheral expenses incurred by carers such as grooming and special clothing are NOT considered reimbursable expenses.

Councillors seeking to claim carer expenses are to provide sufficient documentation to support their claim. Councillors claiming the carer expense should not be subject to criticism for doing so.

Council will meet councillors' reasonable medical expenses associated with travel on approved Council business.

Insurance Expenses and Obligations

Council will effect and maintain Personal Accident Insurance and Professional Indemnity cover for councillors.

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Council will also take out full travel insurance, which includes personal effects, personal accident and travel accident or sickness insurance, where appropriate, for councillors involved in overseas, interstate or intrastate travel on Council business.

Council will effect and maintain insurance to cover any loss or damage to Council property in the possession or control of councillors.

At any time during the currency of this policy, additional insurance may be taken out to cover councillors, if and when it is identified.

Legal Expenses and Obligations

If the Mayor or a Councillor incurs legal expenses in an inquiry, investigation or hearing instigated by any of the following:

- Independent Commission Against Corruption
- The Office of the Ombudsman
- The Office of Local Government
- The Police
- The Director of Public Prosecutions
- The Local Government Pecuniary Interest Tribunal
- The Australian Securities Commission
- Any other person, body or authority approved by a resolution of Council
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and the enquiry, investigation or hearing results from the Mayor or Councillor discharging their duty, or relates to the office of Mayor or Councillor, then the Council may, after considering this matter (and an estimate of the cost) resolve to pay such expenses incurred.

This assistance is on the basis that the costs do not vary substantially from the estimate considered by Council provided that:

- a) the amount of such reimbursement shall be reduced by the amount of any monies that may be or are recouped by the Councillor; and
- b) the enquiry, investigation, hearing or proceeding results in a finding substantially favourable to the Councillor; and
- c) The costs are only paid after the hearing, enquiry or investigation.

Council will not meet the legal expenses of proceedings initiated by the Councillor under any circumstance

PROVISION OF FACILITIES FOR COUNCILLORS

PROVISIONS

Each Councillor will be provided with:

- Business Cards

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- Diary
- Name badge

In addition councillors may be provided with ties/scarves and or corporate clothing for use when representing the Council up to a value of \$500 per term.

EQUIPMENT

Computers

Council will provide each Councillor with an Apple Ipad (or mobile tablet of similar quality) to assist in accessing Council information. Each device will be fitted with appropriate software to enable the Councillor to carry out his or her responsibilities.

Each device will be loaded with the current policies, plans and key documents of Council and will be able to store Council meeting reports and minutes.

Where Councillors reside outside normal mobile phone coverage areas Council will provide a suitable internet connection

Business papers will be provided by email, drop-box or similar or at Councils website.

Virus scanning processes will be set to automatically run when the machine is turned on.

All use is to be in accordance with Council's current policies on email and Ipad use. The equipment and information held on it remains the property of the Council.

Reasonable technical support and training will be provided.

Emails

Each Councillor will be provided with an email address for official use. All emails received or sent will go through Councils official records management systems and will remain the property of Council

MEALS

Ordinary Meeting

Councillors shall be provided with a light meals on the days of Ordinary Meetings.

Committee, Briefings and Working Party Meetings

Councillors shall be provided with light refreshments at committee, briefing and working party meetings, commensurate with the time of day that the meeting is to be held, and the amount of business to be conducted at the meeting.

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PROVISION OF ADDITIONAL EQUIPMENT AND FACILITIES FOR MAYOR

It is recognised that the Mayor of the day has specific needs to adequately meet the demands of civic office.

Accordingly the Mayor, in addition to the facilities outlined elsewhere in this Policy, will be provided with the following facilities:

Office Facilities and Secretarial / Clerical Support

The Mayor will be provided with a fully furnished office and telephone as well as secretarial / clerical support, during normal office hours, for work directly associated with the official functions and duties of the office of Mayor.

Council will meet the cost of postage of correspondence forwarded by the Mayor in the conduct of official duties.

Mayoral Vehicle

Council will provide to the Mayor, at its cost, a registered, insured, maintained and fuelled vehicle for use by the Mayor on official duties and for private use.

The vehicle is provided on the following basis:

- The changeover of the vehicle is to occur in accordance with Council's Motor Vehicle Policy or practices
- The Mayor is to be provided with a suitably equipped vehicle commensurate with the requirements of the Office of Mayor in accordance with Council's Motor Vehicle Procurement Policy that is in place at the time of purchase. The standard of vehicle shall be equivalent to a Toyota Prado VX model.
- The Mayor is to enter into Council's standard agreement for the use of the vehicle, which is the subject of this Policy.

Car Parking

Car parking will be available in the car park at the Council Administration Centre for use of the Mayor.

Mobile Telephone

A mobile telephone will be provided to the Mayor for use in relation to official functions and duties of the office of Mayor and the Council will meet the cost of maintenance, rental and calls. A call limit of \$1,500 per annum is to be applied.

Council's Mobile Phone Policy shall be applied.

Mayoral Robes and Chains

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Mayoral chains, robes and other insignia of office will be provided to the Mayor to be worn at civic functions.

Gifts

The Mayor undertakes a range of civic, ceremonial and promotional activities.

In recognition of this the Mayor will be provided with mementos such as ties, scarves, cuff links and books for presentation to people who have made significant contributions to the community, dignitaries or guests who visit the area.

The Mayor at his/her absolute discretion may provide councillors with mementos for presentation, by the councillors, to people visiting the area who it is considered have made significant contributions to the community, are dignitaries or are guests who visit the area.

Photographs

The Mayor will be given an official framed photograph of himself/herself as a memento of his/her term in Office.

Credit Card

- The Mayor will be provided with a Corporate Credit Card to facilitate payment of incidental expenses such as attendance at functions, parking and sustenance in conjunction with discharging the functions of the Mayoral Office.
- The credit card will have a limit of \$3,000.
- The account is to be in the name of Lachlan Shire Council, the card being personally issued to the Mayor. The application form is to be signed by the Mayor.
- The credit card is to be used for Council-related business expenditure only.
- The credit card must not be used for obtaining cash advances.
- Upon completion of the Mayoral term, the credit card is to be returned to the General Manager on or prior to the date the term ceases.
- On-going use of the credit card by the Mayor will be in accordance with and subject to any other policy relating to the use of such credit facilities adopted by Council from time to time.

Community Functions

In those cases where the Mayor is invited to attend any official function that is of such a nature that the councillor's spouse / partner would normally be expected to accompany the councillor either within or outside of the Council area, any reasonable costs associated with the attendance of the spouse / partner will be met by Council.

The payment of expenses for attending functions as permitted above will be limited to the ticket, meal and / or the direct cost of attending the function. Peripheral expenses incurred by spouses / partners / accompanying person such as grooming, special clothing and transport are NOT considered reimbursable expenses.

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The Council will NOT meet any costs associated with attendance at fund-raising activities or rallies held by registered political parties or groups.

PROVISION OF ADDITIONAL EQUIPMENT AND FACILITIES FOR DEPUTY MAYOR

It is recognised that the Deputy Mayor of the day has specific needs to adequately meet the demands of civic office and to assist the Mayor.

Accordingly the Deputy Mayor, in addition to the facilities outlined elsewhere in this Policy, may be provided with the following facilities:

Office Facilities and Secretarial / Clerical Support

The Deputy Mayor will be provided with secretarial / clerical support, during normal office hours, for work directly associated with the official functions and duties of the office of Deputy Mayor.

Council will meet the cost of postage of correspondence forwarded by the Deputy Mayor in the conduct of official duties.

Mobile Telephone

A mobile telephone will be provided to the Deputy Mayor for use in relation to official functions and duties of the office of Mayor and the Council will meet the cost of maintenance, rental and business calls. A call limit of \$1,200 per annum is to be applied.

Council's Mobile Phone Policy shall be applied

PRIVATE USE OF EQUIPMENT AND FACILITIES

Councillors should generally not obtain private benefit from the provision of equipment and facilities, nor from travel bonus or any such loyalty schemes. However, it is acknowledged that incidental use of council equipment and facilities may occur from time to time. Such incidental private use is not subject to a compensatory payment.

OTHER MATTERS

Acquisition and Returning of Facilities and Equipment by Councillors

Equipment to Remain the Property of the Council

Any equipment or office machinery provided to councillors remains the property of the Council. It is to be returned to the Council, in good working order and condition having regard to the age of the equipment, within 21 days of the Councillor ceasing to hold office unless otherwise specified in this policy.

Councillors will be responsible for meeting the cost of repairs to any damaged equipment.

Special Circumstances

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If special circumstances arise where it is impractical for the strict terms of this policy to be applied the General Manager may authorise a one-off variation to the policy to meet those special circumstances.

Status of the Policy

This policy, once adopted, is to remain in force unless it is reviewed beforehand by the Council in accordance with the provisions of Sections 253 and 254 of the *Local Government Act 1993*.

Limits

In accordance with the guidelines issued by the Office of Local Government the following table establishes the reasonable limits for all expenses and facilities covered by this policy.

Expense or Benefit	Type	Relevant clause	Per Event
Travel expenses	Air fares	10.2.2.1	Standard charge applicable at the time
	Private vehicle	10.2.2.3	Rates as described in the Local Government State Award applicable at the time
Accommodation	Shires Conference	10.2.2.5	Standard room rate charged by the conference venue
	Other conferences and	10.2.2.5	Standard room accommodation up to a maximum of \$350 per night in capital cities and \$250 elsewhere
Sustenance	Conferences and functions	10.2.3.1	The charge levied by the conference organisers for the meals included in the conference
	Conferences	10.2.3.1	Up to a maximum of \$60 per head per meal – not including alcohol
	Conferences	10.2.3.1	Where receipts are not available \$35 may be paid per meal
Incidentals	Taxi fares, parking fees	10.2.3.2	Taxi fares up to a maximum of \$100 per day and parking fees up to \$70 per day
Sustenance	Community and Council functions within the	10.2.4.1	Cost of the ticket for the Councillor and partner
Mobile Telephone	Mayor	12.4	\$1,500per annum per month
	Deputy Mayor	13.2	\$1,200 per per annum
Carer Costs	Councillors		Maximum \$2,000 per annum
Clothing	Councillors		\$500 per annum
Meal at Council Meetings	Councillors		Maximum \$40 per head

PAYMENT OF EXPENSES & PROVISION OF FACILITIES TO COUNCILLORS POLICY

CODE002

**COUNCILLOR
AUTHORITY TO TRAVEL**

DATE: _____ **COUNCILLOR:** _____

PURPOSE OF JOURNEY: _____

NB: Please attach copy of programs, registration form, agenda or relevant documentation.

DESTINATION: _____

Expected time of departure: _____ Date of departure: _____

Expected time of return: _____ Date of return: _____

TRANSPORT TO BE ORGANISED? Yes 0 No 0

(Air 0) (Bus 0) (Train 0) (Car 0)

ACCOMMODATION TO BE ORGANISED?

Check in date: _____ Motel preference: _____

Check out date: _____

Single 0 Double 0 Twin 0 _____

REGISTRATION FEE AND FORM TO BE ORGANISED? Yes 0 No 0

Please attach completed registration form

HIRE CAR AT DESTINATION? Yes 0 No 0

SPECIAL ARRANGEMENTS TO BE ORGANISED? Yes 0 No 0

Please supply details

BUDGET ALLOCATION NUMBER:

CURRENT BALANCE:

APPROVED BY:

Mayor

and

General Manager

DECLARATION: I confirm that actual details of my journey were undertaken as claimed above. (To be signed by Councillor on return)

Name

Signature

Date

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