



STRATHBOGRIE SHIRE COUNCIL

Notice is hereby given that a Special Meeting of the Strathbogrie Shire Council will be held on Tuesday 6 December 2016 at the Euroa Community Conference Centre commencing at 5.00 p.m.

Councillors:	Amanda McClaren (Chair)	(Lake Nagambie Ward)
	Malcolm Little	(Hughes Creek Ward)
	John Mason	(Seven Creeks Ward)
	Debra Swan	(Lake Nagambie Ward)
	Alistair Thomson	(Mount Wombat Ward)
	Graeme (Mick) Williams	(Seven Creeks Ward)

Officers:	Steve Crawcour - Chief Executive Officer
	Phil Howard - Director, Sustainable Development
	Roy Hetherington - Director, Asset Services
	David Roff - Acting Director, Corporate and Liveability
	Caroline Wallis - Group Manager, Corporate and Liveability

BUSINESS

1. Welcome
2. Acknowledgement of Traditional Land Owners
'I acknowledge the Traditional Owners of the land on which we are meeting. I pay my respects to their Elders, past and present, and the more recent custodians of the land'
3. Apologies

Councillor Kate Stothers (Honeysuckle Creek Ward)
4. Disclosure of Interests
5. Reports of Council Officers
 - 5.1 Climate Change
 - 5.2 Infrastructure
 - 5.3 Private Enterprise
 - 5.4 Public Institutions
 - 5.5 Housing and Recreation
 - 5.6 Tourism
 - 5.7 Organisation
6. Urgent Business
7. Closure of Meeting to the Public to consider matters listed for consideration in accordance with Section 89(2) of the Local Government Act 1989

8. Confirmation of 'Closed Portion' Decision/s

Steve Crawcour
CHIEF EXECUTIVE OFFICER

2 December 2016

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting, as per Local Law No. 1 - Meeting Procedure (2014) or as updated from time to time through Council Resolution

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7.	CLOSURE OF MEETING TO THE PUBLIC	
	To consider matters in accordance with Section 89(2) of the Local Government Act 1989 – (a) Personnel Matters (b) The personal hardship of any resident or ratepayers (c) Industrial Matters (d) Contractual Matters (e) Proposed Development (f) Legal Advice (g) Any other matter which the Council or special committee considers would prejudice the Council or any person	
8.	CONFIRMATION OF 'CLOSED PORTION' DECISION/S	

5. REPORTS

5.7 ORGANISATION

5.7.1 Mayoral and Councillor Allowances 2016/2017

Author / Department

Group Manager, Corporate and Liveability / Corporate and Liveability Directorate

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the *Local Government Act 1989* (the Act).

At the time of Council's Statutory meeting, held on 15th November 2016, advice had not been received from the Minister for Local Government in relation to the annual review of Mayoral and Councillor allowances.

The Recommendation adopted at Council's Statutory meeting determined the following -

RECOMMENDATION

1. *That, pending the outcome of the review, the Mayoral allowance remain at \$43,075 per annum, and the Councillor allowances remain at \$19,350 per annum, plus the sum equivalent to the superannuation guarantee contribution (currently 9.5%) in both instances,*
2. *That, following the outcomes of the Minister for Local Government's review, the level of allowances be adjusted as required by the Minister or an Order in Council published in the Victoria Government Gazette.*
3. *That a review of Mayoral and Councillor allowances be commenced in December 2016 with a public submission process under section 223 of the Local Government Act 1989.*

Subsequently, the Minister's review was completed and an Order of Council published in the Government Gazette on 24 November 2016, which advised of adjusted limits and ranges for allowances for Mayors and Councillors. Council must, therefore, review and determine the Mayoral and Councillor allowances for the four-year term of this Council, taking into consideration the adjusted ranges and limits set by the Minister.

Section 74(1) of the Act requires councils to review and determine the level of Mayoral and Councillor allowances within the period of six months after a general election or by next 30 June, whichever is later. As a result of the council review, a council may determine to either retain its current allowances or vary them to different amounts within the range and limit applicable to its category.

Strathbogie Shire Council is a category 1 council. The range of annual allowances for Councillors available in category 1 councils is \$8,324 to \$19,834.

5.7.1 Mayoral and Councillor Allowances 2016/2017 (cont.)

The Mayoral allowance available for category 1 councils is up to \$59,257 per annum.

The Mayoral and Councillor allowances set under Section 74(1) will remain in place for the term of the current council (four years), and can only be adjusted in accordance with future annual reviews by the Minister, which allow for increases at the Minister's discretion.

RECOMMENDATION

- 1. That Council determine the allowances to be set for the Mayor and Councillors within the gazetted range of Category 1, until the next review following the 2020 Council election.**
- 2. That Council give Public Notice in newspapers generally circulated throughout the Shire advising of the review of allowance and the proposed rates and calling for submissions under section 223 of the Local Government Act 1989.**

Background

In previous Council election years, the Minister's annual review of allowances has occurred prior to the Council election. This has meant that the newly appointed Council could set the Mayoral and Councillor allowances in accordance with section

74(1) of the Act at its statutory meeting generally held in November of the election year. This election year however, the Minister did not complete the review of allowances until after the Council elections and statutory meeting were completed. Therefore the Council must now decide on the rates to be set for the Mayoral and Councillor allowances from the available range.

The range of the Mayoral and Councillor allowances is set under the Act and these allowances are in force from 1st December 2016. Below is a copy of the Government Gazette notice, published on 24 November 2016, demonstrating the available allowance range. Strathbogie Shire Council is a Category 1 Council.

5.7.1 Mayoral and Councillor Allowances 2016/2017 (cont.)

2968 G 47 24 November 2016

Victoria Government Gazette

Local Government Act 1989

MAYORAL AND COUNCILLOR ALLOWANCES ADJUSTMENT

In accordance with section 73B(4)(a) of the **Local Government Act 1989**, notice is hereby given that an adjustment factor of 2.5% applies to Mayoral and Councillor allowances.

In accordance with section 73B(4)(b) of the **Local Government Act 1989**, the new limits and ranges of Mayoral and Councillor allowances, adjusted in accordance with the adjustment factor, are:

Category 1	Councillors: \$8,324 – \$19,834 per annum	Mayors: up to \$59,257 per annum
Category 2	Councillors: \$10,284 – \$24,730 per annum	Mayors: up to \$76,521 per annum
Category 3	Councillors: \$12,367 – \$29,630 per annum	Mayors: up to \$94,641 per annum

This notice does not apply to the Lord Mayor, Deputy Lord Mayor and Councillors of the Melbourne City Council, and the Mayor and Deputy Mayor of the Greater Geelong City Council.

The new adjusted limits and ranges take effect on 1 December 2016.

Dated 15 November 2016

NATALIE HUTCHINS MP
Minister for Local Government

Alternative Options

The author and other officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified.

Risk Management

The author of this report considers that there are no significant risk management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council policies, key strategic documents and the Council Plan.

Best Value / National Competition Policy (NCP / Competition and Consumer Act 2010 (CCA) implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements.

Financial / Budgetary Implications

The increase in Mayoral and Councillor allowances of 2.5%, the range available and the setting of the categories are governed by Ministerial action. Council decides the amount set for the Mayoral and Councillor allowances within the available range. Budget implications can arise should Council decide to significantly vary the Mayoral and Councillor allowances from their current levels. The Council can decide to reduce the allowances paid or to increase the Mayoral allowance. The Council cannot increase the Councillor allowance because it is already set at the upper limit of the available range.

Economic Implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

5.7.1 Mayoral and Councillor Allowances 2016/2017 (cont.)

Environmental / Amenity Implications

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Community Implications

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

The review of Mayoral and Councillor allowances is a legal requirement under Section 74(1) of the Act. The review must be completed by 30 June 2017.

Consultation

The minimum consultation required under the Act is by way of a Public Notice in newspapers generally circulated throughout the shire advising of the review of allowance and the proposed rates and calling for submissions under section 223 of the Local Government Act 1989.

The Council may determine additional community consultation is required to measure the community's response to the setting of the Mayoral and Councillor allowance, particularly if the Mayoral allowance is increased to the upper limit of the range available under category 1.

Attachments

Nil

- 6. URGENT BUSINESS**

- 7. CLOSURE OF MEETING TO THE PUBLIC TO CONSIDER MATTERS LISTED FOR CONSIDERATION IN ACCORDANCE WITH SECTION 89(2) OF THE LOCAL GOVERNMENT ACT 1989**

- 8. CONFIRMATION OF 'CLOSED PORTION' DECISION/S**

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT P.M.