



STRATHBOGIE SHIRE COUNCIL

MINUTES OF A SPECIAL MEETING OF STRATHBOGIE SHIRE COUNCIL HELD ON TUESDAY 26 FEBRUARY 2013 AT THE EUROA COMMUNITY CONFERENCE CENTRE COMMENCING AT 5.00 P.M.

Councillors: Debra Swan (Chair)
Colleen Furlanetto
Malcolm Little
Alister Purbrick
Patrick Storer
Robin Weatherald
Graeme (Mick) Williams

Officers: Phil Howard – Acting Chief Executive Officer
Roy Hetherington - Director, Asset Services

BUSINESS

1. Welcome
2. Acknowledgement of Traditional Land Owners
'In keeping with the spirit of Reconciliation, we acknowledge the traditional custodians of the land on which we are meeting today. We recognise indigenous people, their elders past and present'.
3. Apologies

Steve Crawcour - Chief Executive Officer
David Woodhams – Director, Corporate and Community
Gary Abley – Acting Director, Sustainable Development

4. Disclosure of Interests

Nil

EXCERPT FROM MEETING PROCEDURE LOCAL LAW NO. 1

CONDUCT OF PUBLIC

52. VISITORS

- (1) Visitors must not interject or take part in debate.
- (2) Silence shall be preserved in the gallery at all times.
- (3) If any visitor is called to order by the Chairperson and again acts in breach of this Local Law, the Chairperson may order that person to be removed from the gallery.

53. CALL TO ORDER

Any person who has been called to order, including any Councillor who fails to comply with the Chairperson's direction, will be guilty of an offence.

Penalty: \$500

54. REMOVAL FOR DISRUPTION

The Chairperson has discretion to cause the removal of any person, including a Councillor, who disrupts any meeting or fails to comply with a direction under the provisions of this Local Law.

- 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

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5. REPORTS

5.7 ORGANISATION

5.7.1 Mayoral and Councillor Allowances Review

Author & Department

Acting Chief Executive Officer / Executive Services Directorate

File Reference

C70/0030/10

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

Summary

In accordance with Section 74(1) of the Local Government Act 1989, all Councils must, within six months of the 27 October 2012 Municipal Elections or by the next 30 June, whichever is later, perform a review of Mayoral and Councillor Allowances.

The amounts payable to the Mayor and Councillors are set by Order in Council by the Minister for Local Government and reviewed regularly. Advice from the Minister in October 2012 advised that the allowances were to be increased 2.5% from the previous annual allowance. The allowances are currently:-

<u>Mayor:</u>	up to \$53,684 <i>plus 9% Superannuation Guarantee</i>
<u>Councillors:</u>	between \$7,542 and \$17,969 <i>plus 9% Superannuation Guarantee</i>

Council has determined that the Mayoral allowance be \$33,376, plus the 9% Superannuation Guarantee contribution, and the Councillor allowance be \$17,969, plus the 9% Superannuation Guarantee contribution.

Following the undertaking of the review, Council can determine if there is to be a change to the Mayoral and Councillors allowances for the forthcoming year.

Background

At the Statutory Meeting of Council held on Wednesday 7 November 2012, the Council resolved to fix the Mayoral allowance at \$40,000, plus the additional allowance of 9% for the Superannuation Guarantee Contribution. The Councillor allowance was set at \$17,969, plus the 9% Superannuation Guarantee Contribution.

Subsequent to the conduct of the Statutory Meeting, Council was advised that the determination of the Mayoral allowance was, in fact, incorrect, and the amount determined for the allowance should've been the amount of the previous allowance (\$32,464), plus 2.5%, viz; \$33,376. The allowance determined for Councillors is correct.

5.7.1 Mayoral and Councillor Allowances Review (cont.)

Council considered the Mayoral Allowance as an item of Urgent Business at its Ordinary Meeting on Tuesday 20 November 2012, and determined that the Mayoral Allowance would be \$33,376, plus the 9% Superannuation Guarantee Contribution.

As per the requirement for Councils to undertake a review of the Mayor and Councillor allowances, and in accordance with Section 223 of the Local Government Act 1989, written submissions were invited in relation to the allowances provided to the Mayor and/or Councillors. Submissions closed at 5.00 p.m. on Friday 15 February 2013, at which time no submissions had been received.

RECOMMENDATION

1. That Council determines that the Councillor Allowances remain as determined at the Statutory Meeting of Council held on Wednesday 7 November 2012, viz: \$17,969, plus the 9% Superannuation Guarantee contribution.
2. That Council determines that the Mayoral Allowance remain as determined at the Ordinary Meeting of Council held on Tuesday 20 November 2012, viz: \$33,376, plus the 9% Superannuation Guarantee contribution.

CRS WILLIAMS/LITTLE –

That the Recommendation be adopted.

ON BEING PUT, THE MOTION LAPSED DUE TO THERE NOT BEING A MAJORITY VOTE

Amendment:

CRS FURLANETTO/WEATHERALD –

That the Recommendation be adopted, subject to Recommendation No. 2 being amended to be –

2. That Council determines that the Mayoral allowance be \$40,000, plus the 9% Superannuation Guarantee contribution, as originally determined at the Statutory Meeting of Council held on Wednesday 7 November 2012.

ON BEING PUT, THE AMENDMENT BECAME THE MOTION

ON BEING PUT, THE MOTION WAS CARRIED

Councillor Williams called for a division

For the Motion

Cr Furlanetto
Cr Weatherald
Cr Storer
Cr Swan

Against the Motion

Cr Williams
Cr Little
Cr Purbrick

5.7.1 Mayoral and Councillor Allowances Review (cont.)

Alternative Options

There are no alternative options as the determination of Mayoral and Councillors allowances and the requirement for a review within six months of municipal elections is legislated under the Local Government Act 1989.

Risk Management

The author of this report considers that there are no risk management implications.

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 implications

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

Financial / Budgetary Implications

The author of this report considers that the recommendation will have no further financial or budgetary implications as allowances are required to be paid and are already budgeted for.

Economic Implications

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

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 author of this report considers that the recommendation has no legal or statutory implications which require the consideration of Council

Consultation

It is considered a community consultation process has taken place, as per the requirement of Council to conduct a review under Section 74(1) of the Local Government Act 1989, and the subsequent Section 223 process, whereby community members were given the opportunity to make a submission as part of the Mayoral and Councillors allowances review.

5.7.1 Mayoral and Councillor Allowances Review (cont.)

The public notice advising of the review and subsequent process was advertised in newspapers generally circulating within Strathbogie Shire in the week commencing Monday 26 November 2012.

Attachments

Nil.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5.17 P.M.

Confirmed as being a true and accurate record of the Meeting

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Chair

.....
Date