



**STRATHBOGIE SHIRE COUNCIL**

**ORDINARY COUNCIL MEETING - URGENT BUSINESS**

**TUESDAY 20TH NOVEMBER 2012**

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## **12. URGENT BUSINESS REPORTS**

### **12.7 ORGANISATION**

#### **12.7.1 Fixing of the Annual Councillor Allowance and Annual Allowance for the Mayor in accordance with Section 74, 74A & 74B of the Local Government Act 1989**

##### **Author & Department**

Chief Executive Officer / Executive Services

##### **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**

At the Statutory Meeting of Council conducted on the 7th November 2012, Item 4.9 dealt with the fixing of allowances for Councillors and Mayors. We have since been advised by the Department of Planning and Community Development (DPCD) that the amount fixed for the Mayor is incorrect, as it can only be increased by 2.5% from the previous year's allowance.

The amount determined for the Councillor at the Statutory Meeting is correct at \$17,969, plus an additional allowance of 9% (the equivalent of the superannuation guarantee contribution).

In relation to the Mayoral allowance, this can only be increased by 2.5% from the previous amount of \$32,464 until a review of Mayoral and Councillors allowance and Section 223 process is complete, following which can Council fix an amount it deems suitable for the role. Therefore, the amount to be paid to the Mayor from the date of being sworn in as a Councillor and Mayor will be \$33,276, pro rata until the completion of the Section 223 process. It is anticipated that the Section 223 process will be finalised in March 2013.

##### **RECOMMENDATION**

**That Council fix an amount of \$33,376 p.a. (pro rata) for the Mayoral Allowance, as per the Local Government Act 1989, until such time as the Section 223 Review process is complete.**

12.7.1 Fixing of the Annual Councillor Allowance and Annual Allowance for the Mayor in accordance with Section 74, 74A & 74B of the Local Government Act 1989 (cont.)

**Background**

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

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.

**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 result in a small saving of what was proposed in the recommendation of 7th November 2012.

**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

12.7.1 Fixing of the Annual Councillor Allowance and Annual Allowance for the Mayor in accordance with Section 74, 74A & 74B of the Local Government Act 1989 (cont.)

**Consultation**

A community consultation process will take place, as per the requirement of Council to conduct a review under Section 74(1) of the Local Government Act 1989, and the consequent Section 223 process, whereby community members may make a submission to the Mayoral and Councillors allowances.

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

**Attachments**

Nil.