

Item 7: Office of the General Manager

7.1 Fixing of Annual Fees for Councillors and the Mayor

REPORT BY THE MANAGER, CUSTOMER SERVICES & GOVERNANCE
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, GOV400010, GOV400088

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Customer Services & Governance on the Fixing of Annual Fees for Councillors and the Mayor; and**
2. **fix fees for Councillors and the Mayor for the period of July 2022 to June 2023 at \$21,104 for Councillors and an additional \$46,043 for the Mayor;**
 - 2.1 **Council pay the Deputy Mayor a fee, to be deducted from the additional fee payable to the Mayor, for periods of 7 days or more, where the Mayor is unable to carry out the duties of Mayor, such fee to be for the period that the Deputy Mayor acts in the role of the Mayor; and**
 - 2.2 **the calculation of this fee to be determined at a pro rata rate of the Mayor's Additional fee.**

Executive summary

This report addresses the need for Council to fix the annual fees for Councillors and the Mayor for the period July 2022 to June 2023. The report recommends an increase from \$20,690 to \$21,104 for Councillors and an additional payment to the Mayor increasing from \$45,140 to \$46,043.

Disclosure of Interest

Nil

Detailed report

The Local Government Act 1993 provides that Council must pay an annual fee to each Councillor and to the Mayor. The Mayoral fee must be paid in addition to the fee paid to the Mayor as a Councillor. The Council may fix these fees and, if it decides to do so, the fees must be fixed in accordance with the determination of the Local Government Remuneration Tribunal. If Council does not fix a fee, it is required to pay the minimum fee determined by the Remuneration Tribunal.

The Act also provides that Council may pay the Deputy Mayor as fee determined by the Council for such time as the Deputy Mayor acts as in the office of the Mayor, such amount to be deducted from the Mayor's annual fee.

The Act provides that the Remuneration Tribunal must make a determination in relation to fees, not later than 1 May each year. Extracts from the 2022 determination of the Remuneration Tribunal is attached. As a consequence of that determination, this Council has been categorised as Regional Rural, the fees applicable for the period July 2022 to June 2023 being:

- Councillor Minimum \$9,560, Maximum \$21,100.
- Mayoral (additional fee) Minimum \$20,370, Maximum \$46,040.

Community Plan implications

Theme	Good Governance
Goal	Strong civic leadership
Strategy	Provide clear strategic direction through the Community Plan, Delivery Program and Operational Plans

Strategic implications

Council Strategies

Community Strategic Plan

Council Policies

Payment of Expenses and Provision of Facilities to Councillors Policy

Legislation

Local Government Act 1993

Financial implications

These fees are accounted for in Council's Operation Plan 2022/23

Associated Risks

Not applicable

RICHARD CUSHWAY
MANAGER, CUSTOMER SERVICES &
GOVERNANCE

23 May 2022

- Attachments:*
1. Council Circular - 2022/23 Determination of the Local Government Remuneration Tribunal.
 2. 2022/23 Determination of Local Government Remuneration Tribunal Report.

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER



Office of
Local Government

Circular to Councils

Circular Details	Circular No 22-14/ 22 May 2022 / A817449
Previous Circular	21-06 – 2021/22 Determination of the Local Government Remuneration Tribunal
Who should read this	Councillors / General Managers
Contact	Council Governance Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Council to Implement

2022/23 Determination of the Local Government Remuneration Tribunal

What's new or changing

- The Local Government Remuneration Tribunal has determined an increase of 2% to mayoral and councillor fees for the 2022-23 financial year, with effect from 1 July 2022.
- The Tribunal is required to determine the remuneration categories of councils and mayoral offices at least once every three years under section 239 of the *Local Government Act 1993*. The Tribunal last undertook a significant review of the categories as part of its 2020 determination and will next review these categories in 2023.
- The Tribunal found that the allocation of councils into the current categories continued to be appropriate having regard to the 2020 review, the current category model and criteria and the evidence put forward in the submissions received.

What this will mean for your council

- Sections 248 and 249 of the Act require councils to fix and pay an annual fee to councillors and mayors from 1 July 2022 based on the Tribunal's determination for the 2022-23 financial year.

Key points

- The level of fees paid will depend on the category the council is in.
- A council cannot fix a fee higher than the maximum amount determined by the Tribunal.
- If a council does not fix a fee, the council must pay the minimum fee determined by the Tribunal.

Where to go for further information

- The Tribunal's report and determination is available [here](#).
- For further information please contact the Council Governance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.

Melanie Hawyes
Deputy Secretary, Crown Lands and Local Government

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Local Government Remuneration Tribunal

Annual Report and
Determination

*Annual report and determination under sections
239 and 241 of the Local Government Act 1993*

20 April
2022

Local Government Remuneration Tribunal

Table 2: General Purpose Councils - Non-Metropolitan

Major Regional City (2)	Major Strategic Area (1)	Regional Strategic Area (1)
Newcastle	Central Coast	Lake Macquarie
Wollongong		

Regional Centre (24)		Regional Rural (13)	
Albury	Mid-Coast	Bega	
Armidale	Orange	Broken Hill	
Ballina	Port Macquarie-Hastings	Byron	
Bathurst	Port Stephens	Eurobodalla	
Blue Mountains	Queanbeyan-Palerang	Goulburn Mulwaree	
Cessnock	Shellharbour	Griffith	
Clarence Valley	Shoalhaven	Kempsey	
Coffs Harbour	Tamworth	Kiama	
Dubbo	Tweed	Lithgow	
Hawkesbury	Wagga Wagga	Mid-Western	
Lismore	Wingecarribee	Richmond Valley Council	
Maitland	Wollondilly	Singleton	
		Snowy Monaro	

Rural (57)			
Balranald	Cootamundra-Gundagai	Junee	Oberon
Bellingen	Cowra	Kyogle	Parkes
Berrigan	Dungog	Lachlan	Snowy Valleys
Bland	Edward River	Leeton	Temora
Blayney	Federation	Liverpool Plains	Tenterfield
Bogan	Forbes	Lockhart	Upper Hunter
Bourke	Gilgandra	Moree Plains	Upper Lachlan
Brewarrina	Glen Innes Severn	Murray River	Uralla
Cabonne	Greater Hume	Murrumbidgee	Walcha
Carrathool	Gunnedah	Muswellbrook	Walgett
Central Darling	Gwydir	Nambucca	Warren
Cobar	Hay	Narrabri	Warrumbungle
Coolamon	Hilltops	Narrandera	Weddin
Coonamble	Inverell	Narromine	Wentworth

Local Government Remuneration Tribunal

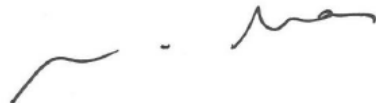
Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2022

The annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2022 as per section 241 of the *Local Government Act 1993* are determined as follows:

Table 4: Fees for General Purpose and County Councils

Category		Councillor/Member Annual Fee (\$) effective 1 July 2022		Mayor/Chairperson Additional Fee* (\$) effective 1 July 2022	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	28,750	42,170	175,930	231,500
	Major CBD	19,180	35,520	40,740	114,770
	Metropolitan Large	19,180	31,640	40,740	92,180
	Metropolitan Medium	14,380	26,840	30,550	71,300
	Metropolitan Small	9,560	21,100	20,370	46,010
General Purpose Councils - Non-Metropolitan	Major Regional City	19,180	33,330	40,740	103,840
	Major Strategic Area	19,180	33,330	40,740	103,840
	Regional Strategic Area	19,180	31,640	40,740	92,180
	Regional Centre	14,380	25,310	29,920	62,510
	Regional Rural	9,560	21,100	20,370	46,040
	Rural	9,560	12,650	10,180	27,600
County Councils	Water	1,900	10,550	4,080	17,330
	Other	1,900	6,300	4,080	11,510

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).



Viv May PSM

Local Government Remuneration Tribunal

Dated: 20 April 2021

Local Government Remuneration Tribunal

Regional Rural

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000.

Other features may include:

- a large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages
- health services, tertiary education services and regional airports which service a regional community
- a broad range of industries including agricultural, educational, health, professional, government and retail services
- large visitor numbers to established tourism ventures and events.

Councils in the category of Regional Rural provide a degree of regional servicing below that of a Regional Centre.

Rural

Councils categorised as Rural will typically have a residential population less than 20,000.

Other features may include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.

County Councils - Water

County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

County Councils - Other

County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the *Biosecurity Act 2015*.