

# Councillor Remuneration Policy

## Policy Details

<b>Policy Category</b>	Council Policy
<b>Date Adopted</b>	19 July 2023
<b>Resolution Number</b>	0723/009
<b>Approval Authority</b>	Council
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<b>Policy Version Number</b>	10
<b>Policy Owner</b>	Director Corporate Services

## Supporting documentation

<b>Legislation</b>	<ul style="list-style-type: none"> <li>• <i>Local Government Act 2009</i></li> <li>• <i>Local Government Regulation 2012</i></li> <li>• <i>Taxation Administration Act 1953</i></li> </ul>
<b>Policies</b>	<ul style="list-style-type: none"> <li>• Expenses Reimbursement Policy</li> </ul>
<b>Delegations</b>	<ul style="list-style-type: none"> <li>• Nil</li> </ul>
<b>Forms</b>	<ul style="list-style-type: none"> <li>• Nil</li> </ul>
<b>Supporting Documents</b>	<ul style="list-style-type: none"> <li>• The Local Government Remuneration Commission's Annual Report</li> </ul>

## Version History:

Version	Adopted	Comment	eDRMS #
8	07/12/2016	Council Resolution 1216/013	
9	15/07/2020	Council Resolution 0720/016	
10	19/07/2023	Council Resolution 0723/009	

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## Intent

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To define the parameters surrounding the application of Councillor remuneration and meeting attendance fees as determined by the Local Government Remuneration Commission.

## Scope

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This policy applies to all Councillors.

## Policy Statement

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On an annual basis, the Local Government Remuneration Commission reviews and establishes the level of remuneration to be paid to Mayors, Deputy Mayors and Councillors for the following financial year.

This policy establishes the processes adopted by Council to ensure compliance with the Local Government Remuneration Commission's determination on remuneration payments.

## The Local Government Remuneration Commission

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In accordance with Section 177 of the *Local Government Act 2009*, the Local Government Remuneration Commission (the Commission) is responsible for:

- a) establishing the categories of local governments;
- b) deciding in which category each local government belongs;
- c) deciding the maximum amount of remuneration that is payable to the Councillors in each of the categories; and
- d) any other function related to remuneration of councillors directed, in writing, by the Minister.

The Commission must annually decide and publish the maximum amount of remuneration payable from 1 July of the following year to a Mayor, Deputy Mayor or a Councillor of a local government in each category. Carpentaria Shire Council is a Category 1 Council.

The remuneration fixed by the Commission is all inclusive and no additional remuneration is payable for sick leave, annual leave or any other benefits otherwise applicable to employees other than superannuation.

Remuneration paid to a Councillor does not include any expenses reimbursement or facilities provided to Councillors. This information is contained in the Expenses Reimbursement Policy.

The maximum amount of remuneration payable to a Councillor, as determined by the Commission, must be paid to the Councillor unless the local government decides, by resolution, not to pay the maximum amount.

Any resolution not to pay the maximum amount must be effected prior to the 1<sup>st</sup> July of the year that the remuneration is to take effect. Apart from a resolution not to pay the maximum amount, there are no other resolutions required of Council in relation to remuneration and the schedules published by the Commission apply automatically from 1 July each year.

## **Basis of Remuneration Payment**

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The Commission has determined that remuneration payments to Councillors of Category 1 Councils, excepting the Mayor and Deputy Mayor, will be paid on the following basis:

- Mayors and deputy mayors:
  - to receive the full annual remuneration level shown Annual or base remuneration component; and
- Councillors:
  - Annual or base remuneration component (66.7%), as determined by the Commission, will be paid to Councillors regardless of attendance at council meetings; and
  - Meeting Fee, (33.3% of annual remuneration, divided into equal calendar monthly meeting fees) is payable for attendance and participation in the scheduled (ordinary) council meetings , subject to certification by the Mayor and/or Chief Executive Officer.

As the monthly meeting fee is dependent on Councillors attending and participating in schedule Council Meetings, should Councillors be absent from scheduled meetings, without prior notification and approval, they may forego this component of their remuneration.

When a Councillor becomes aware that they will be absent and temporarily unable to fulfil their Council responsibilities, which may or may not include attendance at a scheduled Council Meeting, they should immediately notify the Mayor in writing of their absence. This advice should include:

- the period of time and dates that they will be unable to fulfil their Councillor duties; and
- the reasons for their absence.

The Mayor will consider each request on its merits and without unreasonably withholding approval, will advise the Councillor of their determination. When a period of absence has been approved, the Councillor's apology will be formally submitted to any scheduled Council Meetings and will not impact on receipt of their monthly meeting fee.

For clarity should a Councillor link into the meeting by teleconference then that Councillor is deemed to have attended the meeting. Attendance by way of teleconference will be considered in extenuating circumstances and will be at Council's discretion.

## **Recording of Councillor Attendance at Meetings**

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The Chief Executive Officer will certify the attendance of a Councillor at a monthly meeting by recording the Councillor's name in a register and signing a certification statement stating that either the Councillor attended the meeting or was granted a leave of absence.

Relevant Councillors will be paid the monthly meeting fee component of the Councillor's remuneration depending on their meeting attendance or by being granted a leave of absence.

## **Eligible Local Governing Body**

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Under section 446 Schedule 1 of the *Taxation Administration Act 1953*, Council can elect to be treated as an eligible local governing body. This election can only be achieved by an unanimous resolution of Council.

Once Council has resolved to become an eligible local governing body and provided written notice to the Commissioner, the remuneration payments to Councillors can be captured within the PAYG and FBT provisions. This effectively treats Councillors in a similar way as employees for tax and superannuation purposes.

## Superannuation

With Council previously resolving to be treated as an eligible local governing body allows for the payment of superannuation to Councillors. The same principles apply to Councillor superannuation as to employees being:

- If a Councillor elects not to contribute superannuation from their remuneration, then Council will pay into their nominated fund the amount of superannuation equivalent to the Super Guarantee Percentage. This percentage in the 2020/2021 financial year is 10.50%.
- If a Councillor elects to contribute 6% of their remuneration to superannuation, then Council will contribute an amount equivalent to 12% of the Councillors remuneration.

Councillors can nominate any Australian superannuation fund for payment of their superannuation contributions. Should a nomination not be received from a Councillor then the superannuation contributions will be directed to the default superannuation fund, being LGIA Super.

## Definitions

TERM	DEFINITION
<b>Councillor</b>	Includes Mayor, Deputy Mayor and Councillors
<b>Ordinary Council Meeting</b>	refers to the regular Ordinary Council Meeting held each month under section 257 of the <i>Local Government Regulation 2012</i> . An ordinary council meeting expressly excludes Special Meetings, Committee Meetings or Portfolio meetings held by Council
<b>Remuneration</b>	means the remuneration determined by the Local Government Remuneration Commission in accordance with section 246 of the <i>Local Government Regulation 2012</i>

Adopted by Council 19 July 2023 by Resolution 0723/009.



**Mark Crawley**  
Chief Executive Officer