



# ORDINARY MEETING OF COUNCIL SUPPLEMENTARY ITEMS

To be held at 5.00pm on

**Tuesday 21 May 2024**

Council Chambers

11 Manning Street, KIAMA NSW 2533

## **Members**

Mayor

Councillor N Reilly

Deputy Mayor

Councillor I Draisma

Councillor M Brown

Councillor M Croxford

Councillor J Keast

Councillor S Larkins

Councillor K Renkema-Lang

Councillor K Rice

Councillor W Steel

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## 18 LATE ITEMS

### 18.1 First Nations People Referrals

#### Attachments

Nil

#### Enclosures

Nil

### **RECOMMENDED**

That any matter concerning First Nations people be appropriately referred to those First Nations people and organisations for consultation before any action, motion, or ideas are submitted to the Council.

### **REPORT**

Kiama's and Australia's Aboriginal heritage is invaluable. It represents the world's oldest continuous living culture. It is a priceless part of humanity's shared heritage that should be protected and respected.

Aboriginal heritage, whether trees or landscapes, hold a deep personal significance. They are not just physical entities but living connections to our past. They should never be used to further ideological positions, and certainly never used without proper consultation with First Nations' custodians.

We have recently witnessed Aboriginal heritage used to try and force Councils' hands on the re-classification of land, where ignorance met offensive behaviour and caused hurt to our Traditional Owners; the purpose of this minute is to uphold human rights and recognises Aboriginal custodianship over our sites and traditions.

Aboriginal heritage enriches our national identity and cultural diversity. Using or damaging it for personal, commercial or ideological reasons is unethical, illegal and causes upset and unhealthy outcomes.

**18.2 NSW Local Government Remuneration Tribunal - Annual fees payable to Mayors and Councillors**

CSP Objective: Outcome 13: Governance is transparent and builds trust

CSP Strategy: 13.4 Create systems of governance and oversight that are current and compliant, and offer transparency and accountable

Delivery Program: 13.4.1 Our Elected Officials are supported through good systems and records

Item 18.2

**Summary**

The Local Government Remuneration Tribunal has made determinations under Section 241 of the Local Government Act 1993 in respect of the annual fees payable to the Mayor and Councillors effective from 1 July 2024.

**Financial implication**

There are sufficient funds in the 2024-25 budget to meet the 3.75% increase as determined by the Tribunal.

**Risk implication**

The risk is failing to meet the legislative requirements of sections 248 and 249 of the Local Government Act resulting in damage to reputation and regulatory intervention.

**Policy**

Local Government Act 1993

**Internal consultation**

Chief Financial Officer

**Communication / Community engagement**

Not applicable

**Attachments**

Nil

**Enclosures**

Nil

**RECOMMENDATION**

That Council comply with the Local Government Remuneration Tribunal decision made under Section 41 of the Local Government Act 1993, that a 3.75% increase is payable on the annual fees for Mayor and Councillors for the period 1 July 2024 to 30 June 2025, resulting in the following:

1. \$22,540 for each Councillor including the Mayor, and
2. \$49,200 additional fee for the Mayor.

## Supplementary Reports

## 18.2 NSW Local Government Remuneration Tribunal - Annual fees payable to Mayors and Councillors (cont)

**Background**

The Local Government Act 1993 (the Act) provides for the establishment of a Local Government Remuneration Tribunal (Tribunal) to determine categories for councils, together with annual fees payable to mayors and councillors. The Tribunal, in accordance with Section 41 of the Act, must determine no later than by 1 May each year the minimum/maximum fees payable for councillors and mayors for each category.

The repeal of section 146C of the Industrial Relations Act 1996 (NSW) ("IR Act") allowed the Tribunal greater liberty to determine an appropriate fee increase without strict adherence to the NSW Public Sector Wages Policy. This aligns with the Tribunal's comments in its 2023 Determination, which highlighted the significant issues associated with the remuneration framework for mayors and councillors, and its proposal for reform.

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 undertook a review of the categories as part of its 2023 determination so is not required this year.

The Local Government Remuneration Tribunal has determined an increase of 3.75% to mayoral and councillor fees for the 2024-25 financial year, with effect from 1 July 2024 with the following minimum and maximum allowances:

Category: Regional Rural	2024-25	
	Minimum	Maximum
Councillor fee	10,220	22,540
Mayoral fee	21,770	49,200

Fees for 2023-24 were set at \$21,730 for the Councillor fee and \$47,420 for the Mayoral fee.

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.

**2024-25 fees**

Sections 248 and 249 of the Act require councils to fix and pay an annual fee to councillors and mayors from 1 July 2024 based on the Tribunal's determination for the 2024-25 financial year. The annual fee is to be the same for each Councillor and Council is able to pay that fee having regard to the category established by the Tribunal.

This report recommends the maximum amount (as indicated in the table above) to be paid for Councillor fees (\$22,540) and the Mayoral fee (\$49,200) for 2024-25.