



No. 5 of 2022

SUPPLEMENTARY REPORT AND DETERMINATION OF THE REMUNERATION TRIBUNAL

Allowances for Members of Local Government Councils

REPORT

1. On 5 July 2022 the Remuneration Tribunal (**Tribunal**) issued a Report and Determination¹ in respect of the allowances payable to members of Local Government Councils constituted under the *Local Government Act 1999 (Act)*, and a Report and Determination² in respect of the allowances payable to members of the Adelaide City Council.
2. On 8 November 2022 the Local Government Association notified the Tribunal that one of its decisions as set out in the first of these Reports was not reflected in the accompanying Determination. The relevant decision is at paragraph 51 of Report No. 2 of 2022, where the Tribunal stated (emphasis added):

*The Adelaide Hills Council proposed that the allowance amount for deputy mayors be set at two times the annual allowance for members or for this amount to be payable at the mayor's allowance rate when the deputy is undertaking the mayoral role. The Tribunal is not satisfied that there should be an across the board increase to two times the annual allowance for members because evidence about the comparative criteria for deputy mayors has not been provided **but has concluded that, if a deputy mayor is required to undertake the duties of a mayor for a period of at least one month, the mayoral allowance rate should apply.***

3. The Tribunal's intention was for the accompanying Determination to give effect to this, and for the principle to apply to deputy chairpersons as they perform an equivalent function to deputy mayors and receive the same allowance. The Tribunal has accordingly decided to correct the above by issuing a supplementary determination, as follows.

¹ Report of the Remuneration Tribunal No. 2 of 2022 - 2022 Allowances for Members of Local Government Councils; and Determination No. 2 of 2022 - Allowances for Members of Local Government Councils.

² Report of the Remuneration Tribunal No. 3 of 2022 - 2022 Allowances for Members of Adelaide City Council; and Determination No. 3 of 2022 - Allowances for Members of Adelaide City Council.

4. The Tribunal did not receive any submissions from members of the Adelaide City Council or from anyone else in respect of its most recent review. The Tribunal also did not decide whether to apply the abovementioned principle to the circumstances of the Deputy Lord Mayor acting for one month or longer as Lord Mayor. Accordingly, there is no issue to correct in the current Determination for the Adelaide City Council. The appropriate time to consider this issue will be during the next review, in light of any submissions received on the topic.

DETERMINATION

Deputy Mayor / Deputy Chairperson

5. This Determination applies to members of Local Government Councils constituted under the Act, except for members of the Adelaide City Council. It supplements Determination No. 2 of 2022, and should be read in conjunction with that Determination.
6. A deputy mayor who undertakes the duties of a mayor for a period of one month or longer, is entitled to receive the mayor allowance for the entirety of the time they undertake those duties.
7. A deputy chairperson who undertakes the duties of a chairperson for a period of one month or longer, is entitled to receive the chairperson allowance for the entirety of the time they undertake those duties.
8. The mayor / chairperson allowance is to be paid instead of the member's usual allowance, and in proportion to the time the member performs the relevant duties.
9. In accordance with section 76(8) of the Act, this Determination will come into operation upon the conclusion of the 2022 Local Government Elections.



Matthew O'Callaghan
PRESIDENT



Deborah Black
MEMBER



Peter de Cure AM
MEMBER

Dated this 15th day of November 2022