



**NORTHERN TERRITORY OF AUSTRALIA
REMUNERATION TRIBUNAL**

*Assembly Members and Statutory Officers
(Remuneration and Other Entitlements) Act 2006*

**DETERMINATION OF ALLOWANCES FOR MEMBERS OF
LOCAL COUNCILS**

REPORT ON DETERMINATION NO. 1 OF 2024

1. INTRODUCTION

On 6 April 2023, pursuant to section 7B(1) of the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006* (AMSORE Act), His Honour Professor the Honourable Hugh Heggie PSM, Administrator of the Northern Territory, issued a request to the Remuneration Tribunal (the Tribunal) to inquire into and determine the allowance or allowances payable to a member of a local council.

The resulting Report and Determination must be tabled in the Legislative Assembly within six sitting days of receipt by the Minister.

Under section 7B(7) of the AMSORE Act, the allowances determined are effective from either:

- the next financial year if the report is made on or before 1 February; or
- from the financial year after the next financial year if the report is made after 1 February.

On 18 August 2023, individual letters were sent to each Council inviting submissions and offered to hold a discussion with each Council either in person or through a video link. On 26 August 2023, an advertisement was placed in the NT News to announce the inquiry and invite submissions.

Further correspondence invited Councils to arrange to meet with the Tribunal and 8 meetings were held with Councils and one with Local Government Association of the Northern Territory (LGANT).

The Tribunal received ten submissions from the following Councils as well as LGANT:

- City of Palmerston Council
- Alice Spring Town Council
- MacDonnell Regional Council
- Central Desert Regional Council
- Roper Gulf Regional Council
- East Arnhem Regional Council
- West Arnhem Regional Council
- Victoria Daly Regional Council
- Wagait Shire Council

2. VEHICLE ALLOWANCE FOR THE USE OF PRIVATE VEHICLES

Following the introduction of the vehicle allowances capped at \$5000 per year, the Tribunal received representations from a number of Councils indicating that the cap did not cover the real cost of travel to Council Meetings. The Tribunal accepts that allowances must be fair and equitable, and Councillors should not be out of pocket when attending meetings and activities approved by Council. However, the Tribunal has been hampered by the lack of detail of cost provided from most Regional Councils.

The Tribunal has increased the cap to \$10 000 a year, but Councils need to take into account the cap and ensure that policies and procedures are in place to avoid unnecessary meetings involving travel.

In addition to the lifting of the cap, the Tribunal has made two other changes in the Determination to assist Regional Councillor's travel costs.

Firstly, the Tribunal recognises that many Councillors are required to attend local government authority meetings in their ward. The Tribunal has determined that vehicle allowances paid to attend local authority meetings in their ward will not be included in the cap.

Secondly, the Tribunal determined travel time to and from Council Meetings should be paid and this is addressed in Clause 3 below.

3. TRAVEL TIME

The Tribunal is aware that some regional councillors travel long distances to attend Council Meetings and this travel time is not remunerated. Additionally, some councillors need to take time off work for this travel time. While the councillors are paid an annual allowance, it is not intended to cover loss of wages.

Accordingly, the Tribunal has recognised this situation and has extended the payment of extra activity allowance to cover travel time while travelling to Council Meetings and local authority meetings in the new Determination.

4. PROFESSIONAL DEVELOPMENT ALLOWANCE

The Tribunal noted that the Professional Development Allowance included in the 2023 Determination has been interpreted by many councils to limit payment to cover the registration or attendance fee only of the particular professional development activity. This has resulted in some councillors being out of pocket for associated costs including travel and travel time.

The Tribunal sees the Professional Development Allowance regard as an all-inclusive allowance covering associated costs up to \$4000 a year.

The Tribunal has also raised the Professional Development Allowance for Councillors in Shire Councils to \$4000 each year.

5. COUNCILLOR'S ALLOWANCE

The Tribunal has made two changes to the base councillor's allowance. Firstly, it has reviewed the factors that it considers when establishing the various levels of the base allowance. The Tribunal has added total assets and annual financials to these factors. Consequently, the Tribunal has created an additional level within the base so that Palmerston City Council should sit just above Alice Springs and Litchfield Councils but below Darwin Council.

The Tribunal has also increased the basic allowances paid to every Councillor by 2.5% in recognition of general wage and salary increases across the Territory over the past year.

6. EXTRA MEETING / ACTIVITY ALLOWANCE

The Tribunal has made minor changes in the Determination to ensure that the activity allowance is accessed when attending an approved function of Council.

The Tribunal has kept the Allowance at a maximum of \$10 000 following the lack of any evidence showing that this maximum is inadequate for any particular Councillor.

7. RESETTLEMENT ALLOWANCE

The Tribunal received representation from a number of Councils regarding a resettlement allowance for Mayors when they leave office.

The submissions indicated that the mayoral role was the single source of income for many mayors, therefore financial hardship was a possible outcome when the mayor departs the role.

Similar representation was made in relation to councillors including those that have been suspended without notice.

These issues may be considered in any future Remuneration Tribunal's Inquiry.

8. SUPERANNUATION

A number councils raised the issue of superannuation; however, the AMSORE Act specifically excludes the Remuneration Tribunal's consideration.

9. FUTURE INQUIRIES

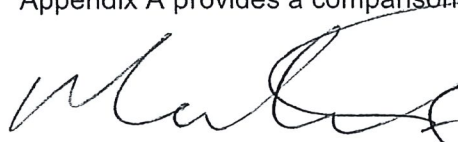
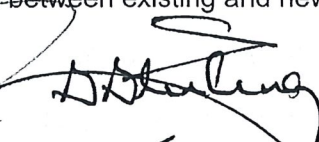

This is the second inquiry into Members of Local Government Council Allowances by the Tribunal and it has been useful for the Tribunal to address some factors that were outstanding from 2022 Inquiry.

The Tribunal believes that there are still some outstanding issues that need addressing and these would be enhanced with face-to-face meetings with some Councils outside of Darwin. An Inquiry in 2025 will also allow Councils and Councillors to raise any issues that have resulted from the first two Determinations.

The Tribunal would appreciate feedback from Councils as to the adequacy of allowances mentioned in the Determination.

10. APPENDIX A

Appendix A provides a comparison between existing and new allowances.

		
Mr Michael Martin OAM Chairperson Remuneration Tribunal	The Hon Syd Stirling AM Member Remuneration Tribunal	Mr Gary Higgins Member Remuneration Tribunal

Dated 29 January 2024

Comparison of Existing Allowances with New Allowances

Municipal and Regional Councils

ALLOWANCE COUNCIL	CURRENT	NEW
Councillors Katherine & Regional	\$20,000	\$20,500
Alice Springs	\$22,000	\$22,550
Palmerston	\$22,000	\$24,600
Litchfield	\$22,000	\$22,550
Darwin	\$31,000	\$31,775

Mayor Total Allowance

Katherine & Regional	\$102,000	\$102,500
Litchfield	\$105,000	\$105,550
Alice Springs	\$111,000	\$111,550
Palmerston	\$114,000	\$116,600
Darwin	\$158,200	\$158,975

Deputy Mayor Total allowance

Katherine & Regional	\$36,000	\$36,500
Litchfield	\$38,000	\$38,550
Alice Springs	\$38,500	\$39,050
Palmerston	\$39,200	\$41,800
Darwin	\$54,800	\$55,575

Shire Councils

Councillors	Belyuen	up to	\$5,000	\$5,125
	Coomalie		\$7,000	\$7,175
	Wagait	up to	\$5,000	\$5,125
Mayor	Belyuen		\$25,000 up to	\$25,125
	Coomalie		\$30 000	\$30 175
	Wagait		\$10,000 up to	\$25,125



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REMUNERATION TRIBUNAL**

*Assembly Members and Statutory Officers
(Remuneration and Other Entitlements) Act 2006*

**DETERMINATION OF ALLOWANCES FOR MEMBERS OF
LOCAL GOVERNMENT COUNCILS**

DETERMINATION NO. 1 OF 2024

Under section 7B of the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006*, the Tribunal determines as follows:

1. DEFINITIONS

Municipal Councils are the following:

- Alice Springs;
- Darwin;
- Katherine;
- Litchfield; and
- Palmerston.

Regional Councils are the following:

- Barkly;
- Central Desert;
- East Arnhem;
- MacDonnell;
- Roper Gulf;
- Tiwi Islands
- West Arnhem;
- West Daly; and
- Victoria Daly.

Shire Councils are the following:

- Belyuen;
- Coomalie; and
- Wagait.

New Councils: any other Councils newly constituted by the Minister for Local Government in 2024.

Financial Year is the period from 1 July to the 30 June.

Councils are defined in the *Local Government Act 2019* as an area, and means the Local Council constituted for that area under section 14(b).

The role of Mayor is defined in section 58 of the *Local Government Act 2019* and is prescribed as:

- (1) The Principal Member of a municipal council is to have the title Mayor.
- (2) However:
 - (a) in the case of the council for the City of Darwin local government area – the principal member is to have the title Lord Mayor; and
 - (b) in the case of the Litchfield Council – the council may, by resolution, decide the principal member instead has the title President.
- (3) The Council may, by resolution, decide the principal member of a regional or shire council has the title Mayor or President.

Deputy Mayor is defined in the *Local Government Act 2019*.

Councillor is a member of a Local Council:

2. ALLOWANCES

The following annual allowances will apply from 1 July 2024 and will be paid fortnightly or monthly:

COUNCILLORS' ALLOWANCE

Darwin	\$31,775
Palmerston	\$24,600
Alice Springs	\$22,550
Litchfield	\$22,550
Other Municipal and Regional	\$20,500

Shire Councils

Coomalie	\$7,175
Belyuen	\$5,125
Wagait	\$5,125

DEPUTY PRINCIPAL MEMBERS ADDITIONAL ALLOWANCE

Darwin	\$23,800
Palmerston	\$17,200
Alice Springs	\$16,500
Litchfield	\$16,000
Other Municipal and Regional	\$16,000

PRINCIPAL MEMBERS ADDITIONAL ALLOWANCE

Darwin	\$127,200
Palmerston	\$92,000
Alice Springs	\$89,000
Litchfield	\$83,000
Other Municipal and Regional	\$82,000

Shire Councils

Coomalie	\$23,000
Belyuen	up to \$20,000 as approved by Council
Wagait	up to \$20,000 as approved by Council

3. INCLUSIONS OF ALL ALLOWANCES

The Allowances are to cover:

- any cost to Councillors of attending meetings and activities of Council where these costs are not reimbursed by Council;
- contribution towards phone and internet usage;
- contribution towards any home office and supplies; and
- allowance towards costs incurred in servicing constituents in Ward or Council Area:
 - Including, but not limited to:
 - donations;
 - organization sponsorship;
 - membership fees;
 - patron expenses; and
 - constituent support.

4. EXTRA MEETING / ACTIVITY ALLOWANCE

4.1. An Extra Meeting / Activity Allowance of up to \$10,000 per financial year, may be accessed by all Councillors and Deputy Principal Members. The allowance may be accessed as follows:

- special meetings of full Council or established committees of Council;
- attendance at Local Authority Meetings within the Ward the member represents;
- attendance at any functions representing the Principal Member on official Council duties;
- attendance at functions/meetings as an invited representative of Council and with Council's approval; and
- attendance at any approved extra meetings of Council for planning, briefing or information sessions of council meetings.

The activity allowance may be paid as travel time when travelling to Council meetings and meetings of Local Authorities within the ward the Councillor represents, where the travel involves at least 50kms from home base (at least 100kms return). This activity Allowance is not to be included in the cap of \$10 000.

4.2. Allowances to be paid to eligible members (not including Principal Members) are:

- Fee for attendance at extra meetings or activities is the accumulated hours on any one day and are as follow:
 - up to 2 hours \$200
 - between 2 and 4 hours \$300
 - more than 4 hours \$500 (maximum payable for any one day)

5. PROFESSIONAL DEVELOPMENT ALLOWANCE

5.1. Professional Development Allowance is \$4000 per person, per financial year and will be paid to all Principal Members, Deputy Principal Members and Councillors.

- 5.2. The Professional Development Allowance is an inclusive allowance which covers costs associated with the Professional Development activities including registration and attendance fees, travel cost including vehicle allowance, travel allowances and travel time as specified in clause 4.2.
- 5.3. Any course or professional development activity must be specifically related to the role of the Councillor and be approved by the Council. The Australian Institute of Company Directors' Courses should be encouraged, as well as professional development activity that is arranged by the Local Government Association of Northern Territory.
- 5.4. Total amount claimable each year is the total of two years, being based on an annual allowance, plus one year drawn in advance or one year's remaining balance from a previous year. The maximum amount claimable by any Councillor is the total sum of one year for each year of the Councillor's elected term.
- 5.5. Proof of completion for each stage of the course is required before further payments can be claimed.

6. VEHICLE ALLOWANCE

- 6.1. Vehicle Allowance will be available for travel undertaken by all Councillors when the travel:
 - (a) exceeds 50kms from home base 100kms return,
 - (b) travel does not occur in a Council supplied and maintained vehicle;
 - (c) the Councillor is not in receipt of a motor vehicle allowance in Clause 7 below; and
 - (d) the vehicle allowance is capped at \$10,000.
- 6.2. Vehicle Allowance will be in the form of kilometre allowance which will be paid at rates set by the Australian Taxation Office each year and is 85 cents a kilometre in 2023-24.
- 6.3. Vehicle Allowance will be available in the following circumstances:
 - travel to and from statutory Council meetings;
 - travel to and from official Council approved meeting;
 - travel to and from approved functions representing the Principal Member;
 - travel to and from Local Authority Meetings within the ward the Councillor represents.
 - travel to and from all meetings of Council and their committees; and
 - travel to and from any additional activity where Extra Meeting/Activity Allowance has been approved.
- 6.4. When a kilometre reimbursement is paid, travel time will also be paid utilising extra meetings/activities rate. This payment is not to be included in the extra meetings/activities cap as specified in Clause 4.1.
- 6.5. The Vehicle Allowance Cap will not include:
 - travel to and from Local Authorities Meetings within the Ward that the member represents;
 - travel involved with Professional Development activities;

7. PROVISION OF MOTOR VEHICLE

- 7.1. Principal Members of Municipal and Regional Councils are entitled to a Council maintained vehicle.
- 7.2. If Principal Members of Municipal and Regional Councils choose not to be provided with a Council maintained vehicle, they are entitled to Motor Vehicle Allowance, paid fortnightly or monthly, and will be:
- \$25,000 per year for Municipal Principal Members; or
 - \$40,000 per year for Regional Principal Members.
- 7.3 The Principal members of the Shire Councils may claim reimbursement in accordance with Clause 6.1.

8. TRAVEL ALLOWANCE

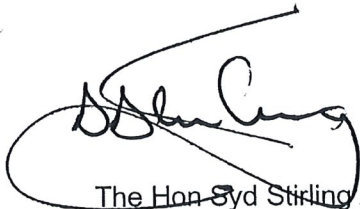
- 8.1 Principal Members, Deputy Principal Members and Councillors who are required to stay away from home overnight on approved Council business, will be entitled to Travel Allowance.
- 8.2 The applicable rates to be paid are found in Table 1 of Taxation Determination TD 2023/3 or any subsequent Taxation Determination made in substitution of that Determination.

9. GENERAL

- 9.1. Pursuant to section 7B(7) of the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006*, the allowances determined are effective from either:
- the next financial year if the report is made on or before 1 February; or
 - from the financial year after the next financial year if the report is made after 1 February.



Mr Michael Martin OAM
Chairperson
Remuneration Tribunal



The Hon Syd Stirling AM
Member
Remuneration Tribunal



Mr Gary Higgins
Member
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Dated 29 January 2024