

# ***Guideline 2A: Council member allowances***

---

## **Contents**

1	Title.....	2
2	Commencement.....	2
3	Revocation of previous Guideline.....	2
4	Definitions.....	2
5	Relevance to Act.....	2
6	Categories.....	2
7	Maximum council member allowances.....	3
8	Base allowance.....	3
9	Electoral allowance.....	4
10	Extra meeting allowance claims.....	4
11	Professional development allowance claims.....	4
12	Acting principal member daily rate.....	5
13	Payment of allowances.....	5
	Schedule.....	6

## ***Guideline 2A: Council member allowances***

---

### **LOCAL GOVERNMENT GUIDELINE NO. 2A**

---

*Local Government Act 2008*

#### **Making of Guideline**

I, Chanston James Paech, Minister for Local Government, in accordance with section 258 of the *Local Government Act 2008*, hereby make this Guideline under section 71(2) of the Act.

  
.....  
Minister for Local Government

23/6 / 2021

# ***Guideline 2A: Council member allowances***

---

## **1 Title**

1.1 This Guideline is titled *Guideline 2A: Council member allowances*.

## **2 Commencement**

2.1 This Guideline commences on 30 June 2021.

## **3 Revocation of previous Guideline**

3.1 The previous Guideline, referred to as *Guideline 2: Allowances for Council Members*, is revoked from the commencement of this Guideline.

## **4 Definitions**

For the purposes of this Guideline:

**Act** means the *Local Government Act 2008*.

**approval** means approval of the council or the CEO according to council policy.

**daily rate** includes Saturdays, Sundays and public holidays.

**Darwin CPI figure** means the Consumer Price Index: All Groups Index Number for Darwin published by the Australian Statistician under the authority of the *Census and Statistics Act 1905* (Cth).

**full day of travel** means at least 4 hours of travel, including time in transit.

**LGANT panel** means a prescribed corporation panel, see section 127(2) of the *Local Government Act 2019*.

**member** means a council member.

**ordinary council member** is a council member other than the principal member, deputy principal member or, during the relevant period, an acting principal member.

## **5 Relevance to Act**

5.1 Section 71(1) of the Act provides that a council member is entitled to be paid an allowance by the council. Section 71(2) of the Act qualifies this by providing that the allowance is to be paid at a rate fixed by the council (subject to any guidelines that the Minister may make) for the relevant financial year.

## **6 Categories**

6.1 Council member allowances will apply differently according to the category of the council (see the tables in this clause).

6.2 Councils are to apply to the Minister if requesting to move between categories.

6.3 The Minister may make a declaration that a council is to be moved to a different category for subsequent financial years.

<b>Category 1:</b>	City of Darwin
<b>Category 2:</b>	Alice Springs Town Council
	City of Palmerston
<b>Category 3:</b>	Katherine Town Council
	Litchfield Council
	Barkly Regional Council
	Central Desert Regional Council
	East Arnhem Regional Council
	MacDonnell Regional Council

# Guideline 2A: Council member allowances

	Roper Gulf Regional Council
	Tiwi Islands Regional Council
	Victoria Daly Regional Council
	West Arnhem Regional Council
	West Daly Regional Council
<b>Category 4:</b>	Belyuen Community Government Council
	Coomalie Community Government Council
	Wagait Shire Council

## 7 Maximum council member allowances

- 7.1 Subject to this clause, the amounts listed in the tables in the Schedule are the maximum amounts payable to council members depending on the resolution of council pursuant to section 71(3) of the Act.
- 7.2 A council may resolve an amount that is less than the maximum, however, the amounts payable must be proportionate for all council members.
- 7.3 The Minister may make a declaration that the amounts in the tables in the Schedule are to be adjusted for subsequent financial years.
- 7.4 An adjustment may take the form of:
- an increase for all amounts by a set per cent between zero per cent and the annual per cent increase for the Darwin CPI figure in the December quarter for the previous financial year; or
  - a decrease for all amounts by a set per cent between zero per cent and the annual per cent decrease for the Darwin CPI figure in the December quarter for the previous financial year.
- 7.5 As soon as practicable after the Minister makes a declaration in accordance with clause 6.3 or 7.3, the Agency must publish the Minister's declaration and the updated table of maximum council member allowances applicable for the next financial year on the Agency's website.

### Notes for clause 7

- A council must resolve to fix council member allowances for the financial year when it adopts the budget for the financial year (see section 71(3) of the Act).*
- The amounts in the tables in the Schedule indicate the maximum level at which allowances may be set. A council needs to consider allowances in the overall context of its budget and a council can resolve to pay less than the maximum levels. Once the budget has been approved, a council may adopt an amendment to its budget. However, an amendment cannot have the effect of increasing allowances for the financial year.*

## 8 Base allowance

- 8.1 The base allowance covers those activities required of a council member in the performance of the member's role as a representative of the council, such as (but not limited to) the following:
- agenda study and meeting preparation;
  - attendance at ordinary council meetings;
  - attendance at social functions as a representative of the council;
  - constituency responsibilities;
  - representing the council outside the local government area, including delegations interstate and overseas (unless such representation has extra meeting approval).

## ***Guideline 2A: Council member allowances***

---

**8.2** The base allowance is automatically paid to council members each month or at such frequency as resolved by the council, in arrears.

### **9 Electoral allowance**

**9.1** The electoral allowance is an allowance provided to assist council members with electoral matters. It may be used at the discretion of the individual member.

**9.2** The electoral allowance is automatically paid to council members each month or at such frequency as resolved by the council, in arrears.

### **10 Extra meeting allowance claims**

**10.1** A council must not pay extra meeting allowance unless the council has a policy that determines which meetings will attract the allowance. Council members may only claim an extra meeting allowance for meetings referred to in the council policy.

**10.2** For a principal member, a deputy principal member and an acting principal member, the extra meeting allowance is not paid (it is provided for and included in the base allowance).

**10.3** For ordinary council members, the extra meeting allowance is paid only in accordance with council policy and after an approved claim is made.

**10.4** The extra meeting allowance must not be paid for those meetings specified as covered by the base allowance.

**10.5** A council member must have attended at least 75 per cent of the duration of the meeting to claim an extra meeting allowance.

**10.6** An extra meeting allowance may be claimed for up to a maximum of 2 meetings per day. A council member must not claim an extra meeting allowance more than once for the same meeting.

**10.7** When a council member is required to travel in order to attend an approved extra meeting, the member may claim an extra meeting allowance for each full day of travel, unless that travel falls on the same day on which the meeting is held.

**10.8** Claims must be submitted using the forms (and method) approved by the council. Forms must include the date on which the meeting was held and indicate the period of time the council member was present at the meeting.

**10.9** Claims for an extra meeting allowance must be made by the 2nd business day in the month following the meeting for which the claim is made, or as resolved by the council. Payment of the allowance is monthly, or as resolved by the council.

**10.10** Claims for an extra meeting allowance not made in accordance with clause 10.9 will be regarded as a late claim and paid with the next monthly payment. However, if the claim is not made within 3 months of the meeting for which an extra meeting allowance is claimed, the right to an allowance for that meeting is forfeited.

**10.11** The extra meeting allowance is capped for each financial year (see the Schedule).

### **11 Professional development allowance claims**

**11.1** The professional development allowance is payable to council members to attend appropriate and relevant conferences or training courses that sustain a member's professional competence by keeping the member informed of, and able to comply with, development in professional standards applicable to their role as a member.

**11.2** The professional development allowance is available to all council members.

**11.3** Subject to clauses 11.6, 11.7 and 11.8, only approved courses or conferences consistent with council policy attract professional development allowance.

## ***Guideline 2A: Council member allowances***

---

- 11.4** A professional development allowance may be claimed multiple times each year, but the total value of those claims must not exceed the maximum specified in the tables (see the Schedule).
- 11.5** The professional development allowance is to be used to cover the cost of travel to the course or conference, course or conference fees, and meals and accommodation for the duration of the course or conference.
- 11.6** A professional development allowance may be claimed for the costs (including travel, accommodation and meals) in attending any training, mediation or counselling recommended by the council, a council panel, a LGANT panel or as ordered by NTCAT as a result of a code of conduct complaint.
- 11.7** A professional development allowance may be claimed for the costs (including travel, accommodation and meals) in attending a training course approved under section 45(1) of the *Local Government Act 2019*.
- 11.8** A council may, by resolution, adopt a policy for the reimbursement of attendance at a training course in a previous financial year within the term of the council. Subject to such a policy, if a council member has been partially reimbursed for attendance at a training course in a previous financial year, the remaining cost of the course may be reimbursed by deducting from the member's unclaimed professional development allowance for the current financial year.
- 11.9** Claims must be made using the forms (and method) approved by the council.

### **12 Acting principal member daily rate**

- 12.1** When the deputy principal member carries out the functions of the principal member under section 59(2)(b) of the *Local Government Act 2019*, the deputy principal member is entitled to be paid the acting principal member daily rate.
- 12.2** However, the period for which the deputy principal member is carrying out the functions must be for at least 7 days before the deputy principal member is entitled to be paid the acting principal member daily rate (to be paid for the full period).
- 12.3** If a council member is acting as the principal member in accordance with section 59(3) of the *Local Government Act 2019*, the member is entitled to be paid the acting principal member daily rate.
- 12.4** The acting principal member is to be paid at the daily rate, as outlined in the relevant table (see the Schedule). While a council member is paid the acting principal member daily rate, the extra meeting and base allowances are suspended. In the case of base allowance, this is on a pro rata basis. The council member is still entitled to their usual electoral allowance.
- 12.5** The maximum number of days that an acting principal member may be paid the daily rate is an aggregate of 90 days in a financial year. A council member may continue to hold the position for a longer period if the council so resolves, however, the member's allowances revert to the usual arrangement for that member.

### **13 Payment of allowances**

- 13.1** Payment shall be lodged with the council's bank for transfer to council members by no later than the 5th business day in each month, or as resolved by the council.
- 13.2** Council members may choose to have some, or all, of their allowance paid into a superannuation fund according to council policy.

*Note for clause 13*

*Section 71(5) of the Act provides that allowances are not to be paid in advance.*

# Guideline 2A: Council member allowances

## Schedule

Ordinary council member				
	Category 1:	Category 2:	Category 3:	Category 4:
	Darwin	Alice Springs	Katherine	Belyuen
		Palmerston	Litchfield	Coomalie
			Barkly	Wagait
			Central Desert	
			East Arnhem	
			MacDonnell	
			Roper Gulf	
			Tiwi Islands	
			Victoria Daly	
			West Arnhem	
			West Daly	
Base allowance	\$22,515.39	\$15,761.63	\$13,509.96	\$4,503.32
Electoral allowance	\$8,238.34	\$5,767.68	\$4,943.73	\$1,647.90
Professional development allowance	\$3,753.17	\$3,753.17	\$3,753.17	\$3,753.17
Max extra meeting allowance	\$15,010.25	\$10,508.15	\$9,006.64	\$3,003.01
<b>Total claimable</b>	<b>\$49,517.15</b>	<b>\$35,790.63</b>	<b>\$31,213.50</b>	<b>\$12,907.40</b>

Acting principal member				
	Category 1:	Category 2:	Category 3:	Category 4:
	Darwin	Alice Springs	Katherine	Belyuen
		Palmerston	Litchfield	Coomalie
			Barkly	Wagait
			Central Desert	
			East Arnhem	
			MacDonnell	
			Roper Gulf	
			Tiwi Islands	
			Victoria Daly	
			West Arnhem	
			West Daly	
Daily rate	\$433.16	\$304.91	\$261.34	\$87.11
<b>Maximum claimable (90 days)</b>	<b>\$38,984.40</b>	<b>\$27,441.90</b>	<b>\$23,520.60</b>	<b>\$7,839.90</b>

## ***Guideline 2A: Council member allowances***

<b>Deputy principal member</b>				
	<b>Category 1:</b>	<b>Category 2:</b>	<b>Category 3:</b>	<b>Category 4:</b>
	Darwin	Alice Springs	Katherine	Belyuen
		Palmerston	Litchfield	Coomalie
			Barkly	Wagait
			Central Desert	
			East Arnhem	
			MacDonnell	
			Roper Gulf	
			Tiwi Islands	
			Victoria Daly	
			West Arnhem	
			West Daly	
Base allowance	\$46,292.69	\$32,405.27	\$27,776.12	\$9,259.53
Electoral allowance	\$8,238.34	\$5,767.68	\$4,943.73	\$1,647.90
Professional development allowance	\$3,753.17	\$3,753.17	\$3,753.17	\$3,753.17
<b>Total claimable</b>	<b>\$58,284.20</b>	<b>\$41,926.12</b>	<b>\$36,473.02</b>	<b>\$14,660.60</b>

<b>Principal member</b>				
	<b>Category 1:</b>	<b>Category 2:</b>	<b>Category 3:</b>	<b>Category 4:</b>
	Darwin	Alice Springs	Katherine	Belyuen
		Palmerston	Litchfield	Coomalie
			Barkly	Wagait
			Central Desert	
			East Arnhem	
			MacDonnell	
			Roper Gulf	
			Tiwi Islands	
			Victoria Daly	
			West Arnhem	
			West Daly	
Base allowance	\$125,192.75	\$87,635.66	\$75,116.61	\$25,039.28
Electoral allowance	\$32,950.94	\$23,065.90	\$19,771.29	\$6,590.44
Professional development allowance	\$3,753.17	\$3,753.17	\$3,753.17	\$3,753.17
<b>Total claimable</b>	<b>\$161,896.86</b>	<b>\$114,454.73</b>	<b>\$98,641.07</b>	<b>\$35,382.89</b>