

**Local Government Act 1989 and City of Melbourne Act 2001**

**LOCAL GOVERNMENT COUNCILLOR AND MAYORAL ALLOWANCES**

**ORDER IN COUNCIL**

The Governor in Council under section 74B of the **Local Government Act 1989** and section 26 of the **City of Melbourne Act 2001**, and acting under section 27 of the *Interpretation of Legislation Act 1984*, makes the following Order—

**Revocation**

1. The Order in Council of 27 March 2001 for “Fixing and Limiting Allowances under section 74 of the **Local Government Act 1989** for the Councillors and Mayors of all Councils other than Melbourne City Council” is revoked along with associated amending Orders of 28 June 2005, 20 December 2005, 20 June 2006 and 29 August 2006.
2. The Order in Council of 31 July 2001 for “Fixing Allowances under section 74A of the **Local Government Act** and section 26 of the **City of Melbourne Act 2001** for the Councillors, Deputy Lord Mayor and Lord Mayor of Melbourne City Council” is revoked.
3. The revocation takes effect upon commencement of this Order.

**Allowances in two parts.**

4. Allowances are in two Parts;

Part A -

- i. lower and upper range limits and levels of allowances applicable to Council categories (excepts Melbourne City Council);
- ii. amounts of allowances for Melbourne City Council; and

Part B - the *equivalent* of the superannuation guarantee contribution (currently 9%) to be added to the Part A allowances of Councils entitled to receive Part B.

**Councillor annual allowances and limits on Councillor allowances**

5. Part A: from 1 December 2008, the annual allowance ranges and limits specified for Councillors for the purposes of section 74B(1) of the **Local Government Act 1989** are:
  - (a) \$ 6,800-\$16,200 for Councils listed as Category 1 in the attached Schedule;
  - (b) \$ 8,400-\$20,200 for Councils listed as Category 2 in the attached Schedule; and
  - (c) \$10,100-\$24,200 for Councils listed as Category 3 in the attached Schedule.

**Mayoral Annual Allowance Limits**

6. Part A: from 1 December 2008 and payable from the time of taking the oath of office, the following ranges limits are specified for the purposes of section 74B(1) of the **Local Government Act 1989**:
  - (a) up to \$48,400 for Councils listed as Category 1 in the attached Schedule;
  - (b) up to \$62,500 for Councils listed as Category 2 in the attached Schedule; and
  - (c) up to \$77,300 for Councils listed as Category 3 in the attached Schedule.

### **Councillor allowances – Melbourne City Council**

7. Part A: the annual allowance specified for the purposes of section 26(1) of the **City of Melbourne Act 2001** from 1 December 2008 and payable from the time of a Councillor taking the oath of office is \$33,600.

### **Deputy Lord Mayor and Lord Mayoral allowance**

8. Part A: the annual allowances specified for the purposes of section 26(2) of the **City of Melbourne Act 2001** from 1 December 2008 and payable from the time of the Deputy Lord Mayor and Lord Mayor taking the oath of office are:
  - (a) \$60,500 for the Deputy Lord Mayor; and
  - (b) \$147,900 for the Lord Mayor.

### **Application of the equivalent of the superannuation guarantee contribution.**

9. Part B: under section 74B(2) of the **Local Government Act 1989** and section 26 (1) and 26 (2) of the **City of Melbourne Act 2001**, for Councils that are not receiving the Superannuation Guarantee Contribution (SGC) as a result of a unanimous resolution to be subject to tax withholding arrangements under Commonwealth taxation legislation, all of the range limits, levels and amounts of allowances in this Order are subject to the addition of the *equivalent* of the superannuation guarantee contribution (SGC) (currently 9%).
10. Under section 74B(2) of the **Local Government Act 1989** and section 26 (1) and 26 (2) of the **City of Melbourne Act 2001**, for any Council that may in the future make a unanimous resolution under Commonwealth taxation legislation to cease tax withholding arrangements, the Part A allowances will be subject to the addition of the *equivalent* of the SGC (currently 9%).

### **Commencement levels of annual allowances for Councillors and Mayors**

11. From 1 December 2008, for categorised councils, the individual annual allowance levels payable to Mayors and Councillors under section 74B of the **Local Government Act 1989** will be the amounts determined as a result of a Council's last review under section 74(1) and with these amounts subject to the addition of 34.38%, and where eligible, Part B. These amounts are payable from the time of taking oath of office and will apply until a Council performs a review under section 74(1).

### **Remote area travel allowance**

12. If a Councillor, including a Mayor normally resides more than 50kms by the shortest possible practicable road distance from the location or locations specified for the conduct of ordinary, special or committee meetings of the Council, or any municipal or community functions which have been authorised by Council resolution for the Councillor to attend he or she must be paid an additional allowance of \$40.00 in respect of each day on which one or more meetings or authorised functions actually attended by that Councillor, up to a maximum of \$5000 per annum.

**Manner of payment of allowances**

13. The payment of annual allowances is not to exceed more than quarterly (3 months) in advance.
14. This Order is effective from 1 December 2008.

Dated:

Responsible Minister:

**RICHARD WYNNE**  
**Minister for Local Government**

Clerk of the Executive Council

**Local Government Act 1989**

**LOCAL GOVERNMENT COUNCILLOR AND MAYORAL ALLOWANCES**

**SCHEDULE TO THE ORDER IN COUNCIL**

<b>CATEGORY 1</b>	<b>CATEGORY 2</b>	<b>CATEGORY 3</b>
Alpine Shire Council	Ballarat City Council	Boroondara City Council
Ararat Rural City Council	Banyule City Council	Brimbank City Council
Benalla Rural City Council	Bass Coast Shire Council	Casey City Council
Borough of Queenscliffe	Baw Baw Shire Council	Darebin City Council
Buloke Shire Council	Bayside City Council	Greater Bendigo City Council
Central Goldfields Shire Council	Campaspe Shire Council	Greater Dandenong City Council
Corangamite Shire Council	Cardinia Shire Council	Greater Geelong City Council
Gannawarra Shire Council	Colac Otway Shire Council	Hume City Council
Glenelg Shire Council	East Gippsland Shire Council	Kingston City Council
Golden Plains Shire Council	Frankston City Council	Knox City Council
Hepburn Shire Council	Glen Eira City Council	Monash City Council
Hindmarsh Shire Council	Greater Shepparton City Council	Moreland City Council
Horsham Rural City Council	Hobsons Bay City Council	Moonee Valley City Council
Indigo Shire Council	Latrobe City Council	Mornington Peninsula Shire Council
Loddon Shire Council	Macedon Ranges Shire Council	Port Phillip City Council
Mansfield Shire Council	Manningham City Council	Stonnington City Council
Mount Alexander Shire Council	Maribyrnong City Council	Whitehorse City Council
Moyne Shire Council	Maroondah City Council	Whittlesea City Council
Murrindindi Shire Council	Melton Shire Council	Wyndham City Council
Northern Grampians Shire Council	Mildura Rural City Council	Yarra Ranges Shire Council
Pyrenees Shire Council	Mitchell Shire Council	
Southern Grampians Shire Council	Moira Shire Council	
Strathbogie Shire Council	Moorabool Shire Council	
Towong Shire Council	Nillumbik Shire Council	
West Wimmera Shire Council	South Gippsland Shire Council	
Yarriambiack Shire Council	Surf Coast Shire Council	
	Swan Hill Rural City Council	
	Wangaratta Rural City Council	
	Warrnambool City Council	
	Wellington Shire Council	
	Wodonga City Council	
	Yarra City Council	