

Social Policy Scrutiny Committee

Local Government Bill 2019

Supplementary Information for the Committee

The purpose of this document is to clarify answers to questions asked by the Committee during the public briefing for the Local Government Bill 2019 on Monday 23 September 2019.

Council member allowances to be determined by the Remuneration Tribunal – process for referring a matter to the Tribunal for determination

The Local Government Bill 2019 proposes amendments to the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006* (AMSO Act), to enable the Remuneration Tribunal established under the AMSO Act to determine the amounts of allowances for council members.

For the Remuneration Tribunal to make a determination of entitlements for Legislative Assembly members, the Chief Minister asks the Administrator to direct the Tribunal to make a determination. At the request of the Administrator, the Tribunal conducts its inquiry and prepares a report. The report is given to the Administrator and the Chief Minister. The Chief Minister must table a copy of the report in the Legislative Assembly within six sitting days after receiving it.

For the Remuneration Tribunal to make a determination of council member allowances, the proposed process is slightly different. The responsible Minister (the Minister for Local Government, Housing and Community Development) asks the Administrator to direct the Tribunal to make a determination. At the request of the Administrator, the Tribunal conducts its inquiry and prepares a report. The report is given to the Administrator, the responsible Minister and the CEO of the responsible Agency. The responsible Minister must table a copy of the report in the Legislative Assembly within six sitting days after receiving it. The CEO of the Agency must give a copy of the report to the relevant local government council/s as soon as practicable after receiving it.

Local authority membership rules – changes to assist some local authorities in reaching quorum at meetings

An issue sometimes faced by local authorities is achieving quorum at scheduled meetings.

Under the current rules for local authority membership, the principal member of a council and any council members from the ward in which the local authority is located are automatically members of the authority. For example, there are some local authorities where four council members for the ward and the principal member are automatically members of a 14 member local authority. If only one of these council members attends a local authority meeting, then seven of the nine appointed (non-council) members of the local authority must attend for quorum to be reached.

DEPARTMENT OF LOCAL GOVERNMENT, HOUSING AND COMMUNITY DEVELOPMENT
Supplementary Information for the Committee – Public Briefing, Monday 23 September 2019

Under the proposed new rules for local authority membership, the principal member and ward members will no longer automatically be members of local authorities. A council will have to appoint at least one council member who represents the relevant ward and other people in the community to a local authority. This will maintain a direct nexus between the local authority and council members, while providing more flexibility for membership.

Councils will be able to reduce the amount of council members on a local authority in situations where it is not expected that all ward members would regularly attend the authority's meetings. Accordingly, the proposed new rules will help some local authorities to meet the quorum requirement of a majority of members being present at a meeting.