



LATE ITEMS BUSINESS PAPER

General Meeting

Wednesday 25 January 2017

Roma Administration Centre

NOTICE OF MEETING

Date: 24 January 2017

Mayor:

Councillor T D Golder

Deputy Mayor:
Councillors:

Councillor J L Chambers
Councillor R Bryant
Councillor N H Chandler
Councillor P J Flynn
Councillor C J O'Neil
Councillor G B McMullen
Councillor D J Schefe
Councillor J M Stanford

Chief Executive Officer:

Ms Julie Reitano

Senior Management:

Mr Cameron Castles (Director Infrastructure Services)
Mr Rob Hayward (Director Development, Facilities &
Environmental Services)
Ms Sharon Frank (Director Corporate, Community & Commercial
Services)

Officers:

Ms Jane Frith (Coordinator Corporate Communications)

Please find attached agenda for the **General Meeting** to be held at the Roma Administration Centre on
January 25, 2017 at 9.00AM.

Julie Reitano
Chief Executive Officer

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OFFICER REPORT

Meeting: General 25 January 2017

Date: 24 January 2017

Item Number: L.1

File Number: D17/4714

SUBJECT HEADING: Amendment of Draft Maranoa Planning Scheme

Classification: Open Access

Officer's Title: Manager - Planning & Building Development

Executive Summary:

As of 3 July 2017, the new *Planning Act 2016* (the Act) will commence, establishing a new planning system for the State, and replacing the Sustainable Planning Act 2009 (SPA).

Under the provisions of the Act, the Minister has made 'Alignment amendment rules' which enable Council to transition the draft Maranoa Planning Scheme to align with new concepts and terminology in the Act upon its commencement in mid-2017.

Officer's Recommendation:

That Council undertake to amend the draft Maranoa Planning Scheme in accordance with the Minister's Alignment amendment rules under section 293 of the *Planning Act 2016*, enacted on 25 November 2016.

Body of Report:

As of 3 July 2017, the new *Planning Act 2016* (the Act) will commence, establishing a new planning system for the State, and replacing the *Sustainable Planning Act 2009* (SPA). In broad terms, the new planning system comprises three main elements: plan making, development assessment and dispute resolution.

In terms of 'plan making', the Act contains new concepts and terminology that differ from the SPA. Additionally, the Act provides new decision rules for the assessment of code assessable applications that will impact on the function of Council's planning scheme. Unlike SPA which allowed for a broad range of matters to be considered in a code assessment (such as whether there are 'sufficient grounds' to justify a decision that is in conflict with any of the criteria), the Act restricts code assessment strictly to the content of the applicable codes.

To ensure a seamless transition to the new planning framework upon commencement of the new Act, the Minister has made rules which enable local governments to amend their planning schemes to align with the new legislation.

The Alignment amendment rules provide a process for local governments to make non-substantial changes (alignment amendments) to their planning schemes to reflect new terminology, change structure and make codes more robust and bounded for use with the new decision rules.

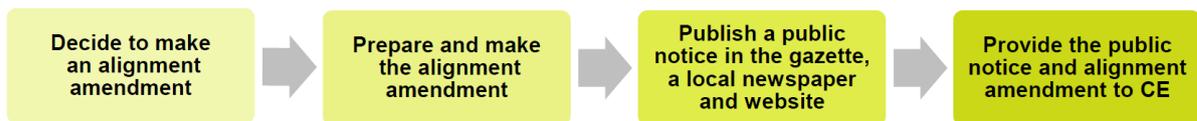
The scope of alignment amendments does not include changes to:

- Matters of state interest;
- Categories of development or assessment;
- Policy positions;
- A person's or entity's development rights; or
- Changes that result in widespread public interest or multiple public submissions.

It is recognised that local governments are at various stages of preparing and implementing their planning schemes throughout the state. The legislation therefore provides a process for Council to make alignment amendments to their planning scheme despite it currently being in draft.

While Council's draft planning scheme continues through the statutory preparation process under the provisions of the SPA, the alignment amendments can be made simultaneously, enabling the Maranoa Planning Scheme to be compliant with the new legislation upon its commencement.

The process for making an alignment amendment is shown in Figure 1 below.



Note: 'CE' = Chief Executive of the State Department of Infrastructure, Local Government and Planning

Consultation (internal/external):

Planning Officer (internal)

Director Development, Facilities and Environmental Services (internal)

Department of Infrastructure, Local Government and Planning (external)

Risk Assessment (Legal, Financial, Political etc.):

Changes to the decision rules for code assessable development (i.e. 'bounded assessment'), present a risk to Council of unintended development outcomes if the content of the planning scheme codes are not prescriptive. Although Council has gone a long way to ensuring the draft planning scheme is prescriptive in describing the development outcomes it seeks to achieve, the alignment amendment rules provide an opportunity to identify and reduce this potential risk.

Policy Implications:

The scope of the alignment amendments is limited by the Minister's rules, which do not permit changes to Council's policy position on matters contained in the draft planning scheme.

Financial Resource Implications:

The alignment amendments will be completed in-house and are accounted for within Council's budget for employee costs. Costs associated with public notifying the alignment amendments are accounted for in Council's project budget for the development of the Maranoa Planning Scheme.

Link to Corporate Plan:

Corporate Plan 2014-2019

Strategic Priority 7: Vibrant Communities, Beautiful Towns

7.1 Town Planning

7.1.1 Planning scheme

Supporting Documentation:

Nil

Report authorised by:

Director - Development, Facilities & Environmental Services

OFFICER REPORT

Meeting: General 25 January 2017

Date: 19 January 2017

Item Number: L.2

File Number: D17/3653

SUBJECT HEADING: Standing Orders Policy

Classification: Open Access

Officer's Title: Coordinator - Councillors & Community
Engagement

Executive Summary:

The Standing Orders Policy sets out the arrangements that govern the conduct of business and proceedings at Council and advisory committee meetings. This report recommends some changes/refinements to the policy.

Officer's Recommendation:

That Council adopt the Standing Orders Policy as presented.

Body of Report:

Council adopted its initial Standing Orders Policy 2016-2020 on 14 April 2016, following commencement of the new term of Council. The policy was originally developed by King and Company and incorporated refinements applicable to Maranoa Regional Council custom and practice.

The following further refinements are recommended following discussion with Councillors, and highlighted in the attached policy:

Part 3, Division 2 (12) Minutes

This is a new section of the policy which further clarifies minute recording requirements, and replicates Section 272 of the Local government Regulation 2012. It also corporates a statement in the recording of Councillor commentary when voting for and against a motion.

Section 19 (3) Speaking to motions and amendments

This amendment was discussed by Council at a Workshop earlier in 2016 and clarifies the chairperson's participation when speaking for and against a motion.

Section 20 (5) Method of taking vote

This amendment clarifies procedure when a 'division' is called. Currently, when a division is called two separate resolutions and resolution numbers for the same item are recorded in the minutes (one displaying the initial vote, and the second replicating the motion, and confirming how Councillors voted following calling for a division).

During previous terms of Council a single resolution/number was recorded in the minutes when a division was called, and it is recommended this approach be reinstated. This will simplify internal administrative procedures and meets the requirements outlined as part of Section 272 (2) (b) of the Local Government Regulation 2012 which states:

- (2) *Minutes of each meeting must include—*
(a) *the names of councillors or committee members present at the meeting; and*
(b) *if a division is called on a question—the names of all persons voting on the question and how they voted.*

Consultation (internal/external):

Councillors of Maranoa Regional Council
Chief Executive Officer

Risk Assessment (Legal, Financial, Political etc.):

Nil

Policy Implications:

The policy meets the provisions off the Local Government Act 2009 (Section 4), and the Local Government Regulation 2012 (Part 2, Division 1).

Financial Resource Implications:

Nil

Link to Corporate Plan:

Corporate Plan 2014-2019
Strategic Priority 1: Community Leadership & Accountability
1.1 Council Meetings & Workshops
1.1.1 Council Meetings

Supporting Documentation:

[1](#) Draft amended Standing Orders Policy

D17/3657

Report authorised by:

Director - Corporate, Community & Commercial Services

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Part 1 Preliminary

1 Background

Chapter 8 part 2 of the *Local Government Regulation 2012* provides core requirements for the conduct of meetings of the local government and the committees of the local government.

2 Object

These standing orders supplement the statutory requirements by providing standard processes to be observed at such meetings. In accordance with this policy, these standing orders may be suspended at any time by resolution.

3 Definitions—the dictionary

The dictionary in the schedule defines particular words used in these standing orders.

Part 2 Meetings of the local government

Division 1 Time of meetings of the local government

4 Times of ordinary meetings

- (1) The local government may, by resolution, fix dates and times for its ordinary meetings¹.
- (2) If there is no resolution fixing the date and time for an ordinary meeting, the chief executive officer must fix the date and time for the meeting.
- (3) Before the chief executive officer fixes the date and time for an ordinary meeting, the chief executive officer must, if practicable, consult with the mayor about the proposed date and time for the meeting.

5 Special meetings

- (1) The chief executive officer must call a special meeting of the local government if—
 - (a) the special meeting is required by a resolution of the local government; or
 - (b) a written request for the special meeting is lodged with the chief executive officer under subsection (2).
- (2) A request for a special meeting² of the local government must—
 - (a) be approved by the mayor or 3 or more councillors; and
 - (b) specify the business to be conducted at the special meeting; and
 - (c) propose a day and time for the holding of the special meeting.

¹ See section 257 (Frequency and place of meetings) of the *Local Government Regulation 2012* and section 175 (Post-election meetings) of the *Local Government Act 2009*.

² See section 258 (Notice of meetings) of the *Local Government Regulation 2012*.

Division 2 Agenda for meetings of the local government

6 Agenda for meeting

- (1) A list of the items to be discussed at a meeting of the local government must be available for inspection at the time the agenda for the meeting is made available to councillors.³
- (2) The agenda for a meeting must include—
 - (a) items required under the Act or a local law to be included on the agenda; and
 - (b) items required under these standing orders to be included on the agenda; and
 - (c) items that are by resolution of the local government to be included on the agenda; and
 - (d) each item whose inclusion on the agenda is requested by a councillor.
- (3) A councillor who wants an item of business included on the agenda for a particular meeting must give written notice of the nature of the business to the chief executive officer at least 2 business days before the notice of meeting is given.

Division 3 Quorum

7 Quorum

A quorum for meetings of Council is a majority of its councillors (i.e. 5 / 9)⁴.

Division 4 Not applicable/Intentionally deleted

Division 5 Not applicable/Intentionally deleted

Division 6 Standing orders

8 Standing orders

The standing orders which regulate the conduct of meetings of the local government include the provisions set out in part 3.

³ See section 277 (Public notice of meetings) of the *Local Government Regulation 2012*.

⁴ See section 259 (1) (Quorum at meetings) of the *Local Government Regulation 2012*.

Part 3 Standing orders

Division 1 Application of standing orders

9 Application

- (1) The standing orders in part 3 provide rules for the conduct of meetings of the local government (other than a post-election meeting)
- (2) The standing orders shall apply to a post-election meeting of the local government as far as practicable.
- (3) Any provision of the standing orders may be suspended by resolution of a meeting of the local government.
- (4) A separate resolution is required for a suspension of a standing order.
- (5) A resolution to suspend a standing order must specify the application and duration of the suspension.
- (6) Where a matter arises at a meeting of the local government which is not provided for in the standing orders, the matter may be determined by resolution upon a motion which may be put without notice, but otherwise in conformity with the standing orders.

Division 2 Procedures for meetings of the local government

10 Order of business

- (1) The order of business must be determined by resolution of the local government from time to time.
- (2) The order of business may be altered for a particular meeting where the councillors at the meeting pass a motion to that effect.
- (3) A motion to alter the order of business may be moved without notice.
- (4) Unless otherwise altered pursuant to subsection (2), the order of business will be—
 - (a) for ordinary meetings—
 - Attendance;
 - Apologies;
 - Confirmation of Minutes;
 - Business Arising from Previous Minutes;
 - On the Table;
 - Reception of Deputations by Appointment/Presentations/Petitions;
 - Reception and Consideration of Officers' Reports;
 - Reception and Consideration of Councillors' Reports (including Consideration of Notices of Motion);
 - Miscellaneous Business;
 - (b) for special meetings
 - Attendance;
 - Apologies;
 - Reception of Deputations by Appointment/Presentations/Petitions;
 - Reception and Consideration of Officers' Reports.

- (5) The minutes⁵ of the previous meeting (**previous minutes**) not previously confirmed may be taken into consideration as the first business of an ordinary meeting, in order that the previous minutes may be confirmed and no discussion shall be permitted with respect to the previous minutes except with respect of the accuracy of the previous minutes as a record of the proceedings.
- (6) Admission of deputations, invitees and visitors shall be at the discretion of either of—
 - (a) the mayor; or
 - (b) the local government.

11 Meeting agenda

- (1) The chief executive officer must prepare or have prepared a meeting agenda for each meeting.
- (2) The agenda must, where practicable, be made available to councillors 2 days prior to the meeting.
- (3) A meeting agenda shall include, but not be limited to—
 - (a) matters requiring attention from a previous meeting;
 - (b) officers' reports;
 - (c) councillors' reports including matters or recommendations referred to the local government by an advisory committee;
 - (d) any other business the local government determines should be included in the meeting agenda.

⁵ See section 272 (Minutes) of the *Local Government Regulation 2012*.

12 Meeting minutes

- (1) The minutes of each meeting must include—
 - (a) the names of Councillors or committee members present at the meeting;
 - (b) the names of Councillors moving and seconding a motion and the outcome of that motion;
 - (c) An indicative summary of commentary spoken by Councillors when speaking for a motion and against a motion;
 - (d) Any disclosure of material personal interest or conflict of interest
 - (e) Reasons for decisions required under section 273 of the Local Government Regulation 2012

- (2) At each meeting, the minutes of the previous meeting must be—
 - (a) confirmed by the Councillors or committee members present; and
 - (b) signed by the person presiding at the later meeting.

- (3) A copy of the minutes of each meeting—
 - (a) must be available for inspection by the public, at Council's customer service centres and on its website, within 10 days after the end of the meeting; andwhen the minutes have been confirmed—must be available for purchase at Councils customer service centres

13 Petitions

- (1) Any petition presented to a meeting of the local government must be in accordance with Petition Guidelines.

14 Deputations

- (1) A deputation wishing to attend and address a meeting must do so in writing, addressed to the chief executive officer.
- (2) The chief executive officer must notify the mayor who must determine an appropriate meeting time and place when the deputation may be heard. In some instances the deputation may be at a Council workshop or other forum; in other instances at a Council meeting.
- (3) The chief executive officer or delegate must inform the deputation of the determination.
- (4) Where it has been determined that the deputation may be heard, a convenient time and place must be arranged for that purpose, and a time period allowed.
- (5) For deputations comprising 3 or more persons, only 2 persons may be heard unless the local government determines otherwise.
- (6) A deputation must be given an adequate opportunity to explain the purpose of the deputation.
- (7) The chairperson of a meeting may terminate an address by a person in a deputation at any time if—
 - (a) the chairperson has allotted a specific period of time for a person's address

and the period of time has elapsed; or

- (b) the chairperson is satisfied that the purpose of the deputation has been sufficiently explained to the councillors at the meeting; or
- (c) the person uses insulting or offensive language.

Division 3 Motions

15 Motions

- (1) A motion brought before a meeting in accordance with the Act or the standing orders may be received and put to the meeting by the chairperson.
- (2) The chairperson may require a motion or an amendment to a motion to be stated in full or recorded in writing before permitting it to be received.
- (3) The chairperson may call the notices of motion in the order in which they appear on the meeting agenda, and where no objection is taken to a motion being taken as a formal motion, the chairperson may put the motion to the vote without discussion.
- (4) An item on the meeting agenda must not be removed from the agenda where a councillor at the meeting objects to its being removed.
- (5) When a motion has been moved and seconded, it becomes subject to the control of the local government and must not be withdrawn without the consent of both the mover and the seconder.

16 Absence of mover of motion

Where a councillor who has given notice of a motion is absent from the meeting at which the motion is to be considered, the motion may be moved by another councillor at the meeting, or deferred to the next meeting.

17 Motion to be seconded

- (1) A motion or an amendment to a motion must not be debated at a meeting of the local government unless or until the motion or the amendment is seconded, with the exception of a procedural motion.
- (2) A motion or an amendment to a motion (other than a procedural motion) that is not seconded, lapses for want of a seconder.
- (3) Notwithstanding subsection (1), a councillor who moves a motion or an amendment to a motion may, with the permission of the chairperson, speak in support of the motion or amendment before it is seconded.

18 Amendment of motion

- (1) An amendment to a motion must—
 - (a) be in terms which retain the identity of the motion; and
 - (b) not negative the motion.
- (2) Not more than 1 motion or 1 proposed amendment to a motion may be put before a meeting at any one time.
- (3) Where an amendment to a motion is before a meeting, no other amendment to the motion can be considered until after the first amendment has been put.
- (4) Where a motion (the **original motion**) is amended by another motion (the **other**

motion), the original motion must not be put as a subsequent motion to amend the other motion.

- (5) In the case of minor refinements to an **original motion** or **other motion**, the matter can proceed to a vote with the approval of the mover and seconder.

19 Speaking to motions and amendments

- (1) Subject to section 20(2), the mover of an amendment to a motion must read the amendment and state that the amendment is so moved, and—
 - (a) may only speak in support of the amendment before it is seconded with the permission of the chairperson; and
 - (b) may speak in support of the amendment after it is seconded.
- (2) A councillor may request further information from the chairperson before or after the motion or the amendment to the motion is seconded.
- (3) Following the seconding of a motion or an amendment of a motion, the first speaker must be in favour of the motion or the amendment and each subsequent speaker, **including the chairperson**, alternatively against and in favour of the motion or amendment. ~~unless the chairperson in his or her discretion rules otherwise.~~
- (4) The mover of a motion has the right of reply.
- (5) The mover of an amendment to a motion has no right of reply.
- (6) Each councillor must speak not more than once to the same motion or the same amendment except as a right of reply unless the chairperson in his or her discretion rules otherwise.
- (7) Each speaker is restricted to not more than 5 minutes unless the chairperson in his or her discretion rules otherwise.
- (8) Where 2 or more councillors attempt to speak at the same time, the chairperson is to determine who is entitled to priority.

20 Method of taking vote⁶

- (1) Before any matter is put to the vote, the chairperson may direct that the motion or amendment be read again by the chief executive officer or minutes officer.
- (2) The chairperson must, in taking the vote on a motion or an amendment, put the question, first in the affirmative and then in the negative and may do so as often as necessary to form and declare an opinion as to whether the affirmative or the negative has the majority vote.
- (3) The local government must vote by a show of hands or as otherwise directed by the chairperson.
- (4) Any councillor may call for a division or a question in relation to the taking of a vote immediately following the chairperson declaring the result of the vote.
- (5) If a division is taken, the chief executive officer or minutes officer must record—
 - (a) the names of the councillors voting in the affirmative; and
 - (b) the names of the councillors voting in the negative.

(to be clear, any second clarifying vote undertaken to confirm how Councillors voted on the motion where a 'division' is called need not be recorded as a second

⁶ See section 260 (Procedure at meetings) of the *Local Government Regulation 2012*.

resolution for the same item in minutes).

- (6) The chairperson must declare the result of a vote or a division as soon as it has been determined.
- (7) Councillors may request that their names and how they voted be recorded in the minutes for voting other than by division.

21 Repealing or amending resolutions

- (1) A resolution of the local government must not be repealed or amended unless notice of motion is given in accordance with the requirements of the Act.⁷
- (2) Where a motion (a **relevant motion**) to repeal or amend a resolution is defeated, a motion to the same, or like effect, must not be moved until at least 3 months after the date on which the relevant motion was defeated.
- (3) Councillors present at the meeting at which a relevant motion is put may defer consideration of the relevant motion, however, consideration of the relevant motion must not be deferred for more than 3 months.
- (4) Where a resolution (a **later resolution**) of the local government relates to a matter the subject of a previous resolution (a **previous resolution**) passed more than 3 months previous, the previous resolution is amended or repealed to the extent that it is inconsistent with the later resolution.

22 Procedural motions

At a meeting, a councillor may, during the debate of a matter at the meeting and without the need for a seconder, move a motion (each a **procedural motion**)—

- (a) that the question/motion be now put to the vote; or
- (b) that the motion and amendment now before the meeting be adjourned; or
- (c) that the meeting proceed to the next item of business; or
- (d) that the question/motion lie on the table; or
- (e) a point of order; or
- (f) a motion of dissent against a point of order; or
- (g) that a report or document be tabled; or
- (h) to suspend the rule requiring that ...; or
- (i) that the meeting stand adjourned.

23 Motion that the question be put

- (1) A procedural motion that the question be put about a matter before a meeting, may be moved when a councillor believes that there has been sufficient debate about the matter at the meeting.
- (2) Where a motion under subsection (1) is carried, the chairperson must immediately put the motion or amendment before the meeting to the vote.
- (3) Where a procedural motion under subsection (1) is lost, debate on the motion or amendment before the meeting must continue.

⁷ See section 262 (Repeal or amendment of resolutions) of the *Local Government Regulation 2012*.

24 Motion that debate be adjourned

- (1) A procedural motion that another motion or an amendment before a meeting be adjourned, may specify a time and date, to which the debate is to be adjourned.
- (2) A motion under subsection (1) must not adjourn debate on a matter the subject of a motion for more than 2 months after the date of the procedural motion.

25 Motion to proceed to next item of business

- (1) Where a procedural motion that the meeting proceed to the next item is carried, debate on the matter the subject of the motion must cease.
- (2) However, debate on the matter the subject of the motion may be considered again on the giving of notice in accordance with the standing orders.

26 Motion that the motion lie on the table

- (1) A procedural motion that a motion or question lie on the table can only be moved where the chairperson or a councillor requires additional information on the matter before the meeting (or the result of some other action of the local government or a person is required) before the matter may be concluded at the meeting.
- (2) Where a motion under subsection (1) is passed, the local government must proceed with the next matter on the agenda.
- (3) Where a motion under subsection (1) is passed, another procedural motion that the matter be taken from the table may be moved at the meeting at which the first procedural motion was carried or at a later meeting.

27 Points of order

- (1) A councillor may ask the chairperson to decide a point of order where it is believed that another councillor—
 - (a) has failed to comply with proper procedures; or
 - (b) is in contravention of these standing orders or the Act⁸; or
 - (c) is beyond the jurisdictional power of the local government.
- (2) A point of order cannot be used as a means of contradicting a statement made by a councillor speaking about a matter.
- (3) Where a point of order is raised, consideration of the matter about which the councillor was speaking may be suspended subject to section 13(3).
- (4) The chairperson must determine whether the point of order is upheld.
- (5) Upon a point of order arising during the process of a debate, the councillor raising the point of order may speak to the point of order.
- (6) Despite anything to the contrary in the standing orders, a point of order arising at any time must, until decided, suspend the consideration of every other motion or matter.

28 Motion of dissent

- (1) A councillor may move a motion of dissent in relation to a ruling of the chairperson on a point of order.
- (2) Where a motion is moved under subsection (1), further consideration of any

⁸ See chapter 6, part 2, division 6 (Conduct and performance of councillors) of the *Local Government Act 2009*.

matter must be suspended until after a ruling is made on the motion of dissent.

- (3) Where a motion of dissent is carried—
 - (a) the matter to which the ruling of the chairperson was made must proceed as though that ruling had not been made; and
 - (b) where, as a result of a ruling of the chairperson on a point of order, a matter was discharged as out of order — the matter must be restored to the meeting agenda and be dealt with in the normal course of business.

29 Motion that a report be tabled

A motion that a report or document be tabled may be used by a councillor to introduce a report or other document to a meeting.

30 Motion to suspend requirements of a rule

- (1) A procedural motion to suspend the requirements of a rule may be made by a councillor in order to permit some action that otherwise would be prevented by the standing orders.
- (2) A motion under subsection (1) must specify the duration of the suspension.

31 Motion that meeting stands adjourned⁹

- (1) A procedural motion that a meeting stands adjourned may be moved by a councillor at the conclusion of debate on any matter on the agenda or at the conclusion of a councillor's time for speaking to the matter, and must be put without debate.
- (2) A motion under subsection (1) must specify the time for the resumption of the meeting and on the resumption of the meeting the local government must continue with the business before the meeting at the point where it was discontinued on the adjournment.

Division 4 Mayoral minute

32 Mayoral minute

- (1) The mayor may direct the attention of the local government at a meeting of the local government to a matter or subject not on the agenda by a minute (a ***mayoral minute***) signed by the mayor.
- (2) The mayor must deliver a copy of the mayoral minute for a meeting of the local government to the chief executive officer.
- (3) The mayoral minute shall, when introduced, take precedence over all business before, or to come before, the meeting of the local government.
- (4) The motion comprising the mayoral minute may be put by the mayor—
 - (a) to the meeting of the local government without being seconded; and
 - (b) at any stage of the meeting of the local government considered appropriate by the mayor.
- (5) If the motion comprising the mayoral minute is passed by the local government, the mayoral minute becomes a resolution of the local government.

⁹ See section 261 (Adjournment of meetings) of the *Local Government Regulation 2012*.

Division 5 Conduct during meetings

33 Conduct during meetings

- (1) After a meeting of the local government has been formally constituted and the business commenced, a councillor must not enter or leave the meeting without first notifying the chairperson.
- (2) A councillor must address the chairperson while—
 - (a) moving any motion or amendment; or
 - (b) seconding any motion or amendment; or
 - (c) taking part in any discussion; or
 - (d) placing or replying to any question; or
 - (e) addressing the local government for any other purpose.
- (3) Councillors must address each other during a meeting by their respective titles, “mayor” or “councillor”, and in speaking of or addressing officers must—
 - (a) designate them by their respective official or departmental title; and
 - (b) confine their remarks to the matter then under consideration.
- (4) Councillors must remain seated and silent while a vote is being taken except when calling for a division.
- (5) A councillor must not make personal reflections on or impute improper motives to another councillor or any officer of the local government.
- (6) A councillor must not interrupt another councillor who is speaking except upon a point of order being raised either by the chairperson or the councillor.
- (7) If the chairperson intervenes during the process of a debate, any councillor then speaking or offering to speak, and each councillor present, must preserve strict silence so that the chairperson may be heard without interruption.

Division 6 Questions

34 Questions

- (1) At a meeting a councillor may ask a question for reply by another councillor or an officer of the local government regarding any matter under consideration at the meeting.
- (2) A question must be asked categorically and without argument and discussion is not permitted at the meeting in relation to the reply or the refusal to reply to the question.
- (3) A councillor or officer who is asked a question may request that the question be taken on notice for later in the meeting or the next meeting.
- (4) A councillor who asks a question at a meeting, whether or not upon notice, is deemed not to have spoken to the debate of the motion to which the question relates.
- (5) The chairperson may disallow a question which he or she considers is inconsistent with good order.
- (6) A councillor may move a motion that a ruling of the chairperson under subsection (5) be disagreed with, and if such motion is carried, the chairperson must allow the question.

Division 7 Disorder and business

35 Disorder

- (1) Where disorder arises at a meeting, the meeting may be adjourned in accordance with section 261 (Adjournment of meetings) of the *Local Government Regulation 2012*.
- (2) On resumption of the meeting, the chairperson must move a motion, which shall be put without debate, to determine whether the meeting shall proceed.
- (3) Where a motion under subsection (2) is lost, the chairperson must declare the meeting closed, and any outstanding matters must be referred to a future meeting.

36 Business of objectionable nature

At a meeting, if the chairperson or a councillor considers that a matter or motion before the meeting is of an objectionable nature or outside the powers of the local government, the chairperson or the councillor may declare on a point of order, that the matter not be considered further.

Division 8 Attendance and non-attendance

37 Attendance of public and media at meetings

- (1) An area must be made available at the place where a meeting is to take place for members of the public and representatives of the media to attend the meeting and as many people as can reasonably be accommodated in the area must be permitted to attend the meeting.
- (2) If the local government resolves that a meeting be closed to the public, the public and representatives of the media must be excluded from the meeting.
- (3) Each councillor present at a meeting of the local government must sign his or her name in a book to be kept for that purpose by the chief executive officer.

38 Public participation at meetings

- (1) The chairperson may invite a member of the public to take part in the proceedings of a meeting.
- (2) Except when invited to do so by the chairperson pursuant to subsection (1), a member of the public must not take or attempt to take part in the proceedings of a meeting.
- (3) During debate on a motion, the chairperson may invite submissions, comments or questions from members of the public.
- (4) If any submission or comment of a member of the public is irrelevant, offensive or unduly long, the chairperson may require the member of the public to cease making the submission or comment.
- (5) For any matter arising from a submission or comment from a member of the public, the local government may—
 - (a) refer the matter to an advisory committee; or

- (b) deal with the matter immediately; or
 - (c) place the matter on notice for discussion at a future meeting; or
 - (d) note the matter and take no further action.
- (6) Any person invited to address a meeting must—
- (a) stand, act and speak with decorum; and
 - (b) frame any remarks in respectful and courteous language.
- (7) If a person is considered by the local government, mayor or chairperson to be unsuitably dressed, the person may be directed to immediately withdraw from the meeting.
- (8) Failure to comply with a direction under subsection (7) may be considered an act of disorder.

Division 9 Advisory Committees

39 Minutes by advisory committees

- (1) All advisory committee minutes must be submitted to a meeting of the local government through the chief executive officer or a delegate of the chief executive officer.
- (2) If the advisory committee makes distinct recommendations, the local government may make a separate decision on each recommendation.

40 Attendance at advisory committee meetings

- (1) Any councillor may attend a meeting of an advisory committee and may address the committee in accordance with the procedures established by the chairperson of the committee.

Division 10 Procedure not provided for

41 Procedure not provided for

If an appropriate or adequate method of dealing with a matter is not provided for in the standing orders, the method of dealing with the matter may be determined by resolution of the local government upon a motion which may be put without notice in conformity with the standing orders.

Schedule A Dictionary

section 3

Act means the *Local Government Act 2009*.

chief executive officer means the chief executive officer of the local government.

committee means a committee of the local government appointed under section 264 of the *Local Government Regulation 2012*.

later resolution see section 24(4).

mayoral minute see section 35(1).

original motion see section 21(4).

other motion see section 21(4).

post-election meeting see section 175 of the Act.

previous minutes see section 14(5).

previous resolution see section 24(4).

procedural motion see section 25.

relevant motion see section 24(2).

standing orders see parts 1 to 3 inclusive.

Schedule B Material Personal Interest

Extract from Local Government Act 2009

172 Councillor's material personal interest at a meeting

(1) This section applies if—

- (a) a matter is to be discussed at a meeting of a local government, or any of its committees; and
- (b) the matter is not an ordinary business matter; and
- (c) a councillor has a material personal interest in the matter.

Note—

See the dictionary for the definition of an *ordinary business matter*.

(2) A councillor has a **material personal interest** in the matter if any of the following persons stands to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of the consideration of the matter at the meeting—

- (a) the councillor;
- (b) a spouse of the councillor;
- (c) a parent, child or sibling of the councillor;
- (d) a partner of the councillor;
- (e) an employer (other than a government entity) of the councillor;
- (f) an entity (other than a government entity) of which the councillor is a member;
- (g) another person prescribed under a regulation.

(3) However, a councillor does not have a material personal interest in the matter if the councillor has no greater personal interest in the matter than that of other persons in the local government area.

(4) Subsection (2)(c) only applies to a councillor if the councillor knows, or ought reasonably to know, that their parent, child or sibling stands to gain a benefit or suffer a loss.

(5) The councillor must—

- (a) inform the meeting of the councillor's material personal interest in the matter; and
- (b) leave the meeting room (including any area set aside for the public), and stay out of the meeting room while the matter is being discussed and voted on.

Maximum penalty—

- (a) if the councillor votes on the matter with an intention to gain a benefit, or avoid a loss, for the councillor or someone else—200 penalty units or 2 years imprisonment; or
- (b) otherwise—85 penalty units.

(6) However, a councillor does not contravene subsection (5) by taking part in the meeting, or being in the chamber where the meeting is being conducted, if—

- (a) the councillor is a person to whom approval is given under subsection (7); and
- (b) the councillor is complying with all conditions on which the approval is given.

(7) The Minister may, by signed notice, approve a councillor taking part in the meeting, or being in the chamber where the meeting is being conducted, if—

- (a) because of the number of councillors subject to the obligation under this section, conduct of the meeting would be obstructed if the approval were not given; or
- (b) it appears to the Minister to be in the interests of the local government area that the approval be given.

(8) The Minister may give the approval subject to conditions stated in the notice.

(9) The following information must be recorded in the minutes of the meeting, and on the local government's website—

- (a) the name of the councillor who has the material personal interest, or possible material personal interest, in a matter;
- (b) the nature of the material personal interest, or possible material personal interest, as described by the councillor;
- (c) whether the councillor took part in the meeting, or was in the chamber during the meeting, under an approval under subsection (7)

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Schedule C Conflict of Interest

Extract from Local Government Act 2009

173 Councillor's conflict of interest at a meeting

(1) This section applies if—

- (a) a matter is to be discussed at a meeting of a local government or any of its committees; and
- (b) the matter is not an **ordinary business matter**; and
- (c) a councillor at the meeting—
 - (i) has a conflict of interest in the matter (the **real conflict of interest**); or
 - (ii) could reasonably be taken to have a conflict of interest in the matter (the **perceived conflict of interest**).

(2) A **conflict of interest** is a conflict between—

- (a) a councillor's personal interests; and
 - (b) the public interest;
- that might lead to a decision that is contrary to the public interest.

(3) However, a councillor does not have a conflict of interest in a matter—

- (a) merely because of—
 - (i) an engagement with a community group, sporting club or similar organisation undertaken by the councillor in his or her capacity as a councillor; or
 - (ii) membership of a political party; or
 - (iii) membership of a community group, sporting club or similar organisation if the councillor is not an office holder for the group, club or organisation; or
 - (iv) the councillor's religious beliefs; or
 - (v) the councillor having been a student of a particular school or the councillor's involvement with a school as parent of a student at the school; or
- (b) if the councillor has no greater personal interest in the matter than that of other persons in the local government area.

(4) The councillor must deal with the real conflict of interest or perceived conflict of interest in a transparent and accountable way.

(5) Without limiting subsection (4), the councillor must inform the meeting of—

- (a) the councillor's personal interests in the matter; and
- (b) if the councillor participates in the meeting in relation to the matter, how the councillor intends to deal with the real or perceived conflict of interest.

(6) Subsection (7) applies if a quorum at the meeting can not be formed because the councillor proposes to exclude himself or herself from the meeting to comply with subsection (4).

(7) The councillor does not contravene subsection (4) by participating (including by voting, for example) in the meeting in relation to the matter if the attendance of the councillor, together with any other required number of councillors, forms a quorum for the meeting.

(8) The following must be recorded in the minutes of the meeting, and on the local government's website—

- (a) the name of the councillor who has the real or perceived conflict of interest;
- (b) the nature of the personal interest, as described by the councillor;
- (c) how the councillor dealt with the real or perceived conflict of interest;
- (d) if the councillor voted on the matter—how the councillor voted on the matter;
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.

(9) For subsection (2), a councillor who is nominated by a local government to be a member of a board of a corporation or other association does not have a personal interest merely because of the nomination or subsequent appointment as the member.

(10) To remove any doubt, it is declared that nonparticipation in the meeting is not the only way the councillor may appropriately deal with the real or perceived conflict of interest in a transparent and accountable way.

Schedule D Definition of Ordinary Business Matter

Extract from Local Government Act 2009

ordinary business matter means—

- (a) the remuneration of councillors or members of a local government committee; or
- (b) the provision of superannuation entitlements or accident insurance for councillors or local government employees; or
- (c) the terms on which goods, services or facilities are to be offered by the local government for use or enjoyment of the public in the local government area; or
- (d) the making or levying of rates and charges, or the fixing of a cost-recovery fee, by the local government; or
- (e) a planning scheme, or amendment of a planning scheme, for the local government area; or
- (f) a resolution required for the adoption of a budget for the local government; or
- (g) a matter that is of interest to a person merely as—
 - (i) an employee of the State or a government entity; or
 - (ii) an elector, ratepayer or resident of the local government area; or
 - (iii) a beneficiary under a policy of accident insurance, public liability or professional indemnity insurance held, or to be held, by the local government; or
 - (iv) a user of goods, services or facilities supplied, or to be supplied, by the local government (whether under a contract or otherwise) as a member of the public in common with other members of the public; or
 - (v) a candidate for election or appointment as a mayor, deputy mayor or member of a committee of the local government; or
 - (vi) a member of a non-profit, charitable or religious organisation involving no personal financial gain or loss to the person.

OFFICER REPORT

Meeting: General 25 January 2017

Date: 20 January 2017

Item Number: L.3

File Number: D17/3981

SUBJECT HEADING: Revised Expenses Reimbursement Policy
(Councillors)

Classification: Open Access

Officer's Title: Coordinator - Councillors & Community
Engagement

Executive Summary:

The report seeks adoption of the revised Expenses Reimbursement Policy (Councillors).

Officer's Recommendation:

That Council adopt the Expenses Reimbursement Policy (Councillors) as presented.

Body of Report:

Council initially adopted its Expenses Reimbursement Policy (Councillors) at the General Meeting held on 8 April 2016, following commencement of the Council term 2016 – 2020.

This report proposes an amendment to section 4.4.1 of the policy with respect to the provision of a fully serviced Council owned motor vehicle for Councillors use in the undertaking of official duties.

Neighbouring Councils such as Western Downs Regional Council and Toowoomba Regional Council have adopted a similar approach to that recommended, to allow Councillors reasonable arrangements based on running costs, with respect to private use of a Council provided vehicle from time to time.

The key aspects of this amendment proposes:

- That Councillors may enter into a private use agreement of a Council issued vehicle to the value of \$3,500 per annum (indexed annually), with this amount deducted automatically from fortnightly Councillor remuneration payments;
- Fuel purchased outside the Maranoa Regional Council area is to be covered by the Councillor if the vehicle is being used for private use;

This figure in turn allows for Councillors wishing to take this option to personally contribute funds to the operating costs of the Council vehicle of \$3,500 and over a 4 year term, this would be a Councillor contribution of \$14,000 towards the operating

cost of a Council owned vehicle. (Acknowledging that just over 3 years remain for the current term of this Council).

At the recommended reimbursement value for private use of 88c/per km, this would allow for approximately 3,900 kms of personal vehicle use annually for a Councillor.

Those Councillors who do not wish to participate in this way, and opt to use the Council owned vehicle for private use, will be required to reimburse Council at the rate of 88 cents per km (as per the current policy specifications).

No further changes outside this section are proposed for the remainder of the policy, and proposed changes are highlighted in the attached draft revised policy.

Consultation (internal/external):

Councillors of Maranoa Regional Council

Risk Assessment (Legal, Financial, Political etc.):

Council has been phasing out use of Council vehicles for private use for employees. However this proposal can be distinguished from that process from two perspectives:

- Irrespective of where Councillors go within the region (24/7) they always have the role of Councillor and are accessible by the community to attend to Council business (i.e. there are no set hours of work so it is impossible to separate business from social and community events in the region).
- The proposed amendments mean that the agreed value will be deducted from the Councillor remuneration payments – i.e. councillors will be paying for the use.

Policy Implications:

The *Local Government Regulation 2012* (the Regulation) outlines Council's obligations in relation to the reimbursement of expenses and provision of facilities as follows:

Division 2 Reimbursement of expenses and provision of facilities

249 What div 2 is about

- (1) payment of reasonable expenses incurred, or to be incurred, by councillors for discharging their duties and responsibilities as councillors;*
- (2) provision of facilities to councillors for that purpose.*

250 Requirement to adopt expenses reimbursement policy or amendment

- (1) A local government must adopt an expenses reimbursement policy.*
- (2) A local government may, by resolution, amend its expenses reimbursement policy at any time.*

Reporting of same would need to be documented in the production of Council's Annual Report.

Financial Resource Implications:

If adopted this represents an annual contribution by a Councillor of \$3,500 (indexed each year) towards the operational costs of a Council provided vehicle.

Link to Corporate Plan:

Corporate Plan 2014-2019

Strategic Priority 1: Community Leadership & Accountability

1.4 Councillor Support & Facilities

1.4.6 Expenses reimbursement policy

Supporting Documentation:

[1](#) Draft Updated Expenses Reimbursement Policy
(Councillors) 25/01/17

D17/3993

Report authorised by:

Chief Executive Officer

1. Purpose

The purpose of this policy is to:

- Provide authorisation for the payment of reasonable expenses incurred, or to be incurred, by Councillors, while carrying out their duties and responsibilities as elected representatives.
- Ensure that elected members are provided with the necessary administrative tools, support and facilities to carry out their civic duties.
- Provide accountability and transparency for expenses incurred through responsible budgeting and decision making processes in the public interest.

2. Scope

This policy applies to the Mayor, Deputy Mayor, and Councillors of Maranoa Regional Council, and is made pursuant to Sections 249, 250 and 251 of the Local Government Regulation 2012.

3. Definitions

Councillors	Includes the Mayor, Deputy Mayor and Councillors.
Council Business	<p>Activities conducted on behalf of Council where a Councillor is required to undertake certain tasks to satisfy legislative requirements, perform ceremonial activities, or achieve business objectives of the Council which will result in a benefit being achieved for the local government, and/or the community. This includes:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Attending or preparing for General or Special Meetings or Advisory Committees, workshops, deputations and inspections. <input type="checkbox"/> Community engagement activities. <input type="checkbox"/> Civic duties & community events (e.g. ceremonial openings, annual or presentation dinners, citizenship and commemorative events, where they have been formally invited as a Councillor or as delegated by the Mayor) <input type="checkbox"/> Professional development opportunities and conferences <input type="checkbox"/> Meetings for a resident of the local government area <input type="checkbox"/> Fetes and carnivals/festivals <input type="checkbox"/> Councillor Portfolio activities <input type="checkbox"/> Occasions as resolved by Council
Civic Events	As outlined under the Council Business Definition, and generally refers to Councillor attendance at an event or function to perform official duties as a Council representative.
Community Events	Events including but not limited to media launches, promotional events, workshops, dinners, receptions, Mayoral events, awards, invitations to make submissions, local fairs.
Community Engagement	Is defined as a planned process of communication, participation and relationship building by involving the community, business, State and Federal Government, and

	<p>other key stakeholders to determine priorities, make decisions or develop and adopt policies of Council. This includes:</p> <p>Town Meetings, representation on community committees, project specific engagement activities.</p>
Expenses	<p>Expenses are payments made by Council to reimburse Councillors for their reasonable expenses incurred or to be incurred when discharging their duties as Councillors. These expenses may be either reimbursed or paid directly by Council. Expenses are not included as remuneration.</p>
Facilities	<p>Facilities provided to Councillors are the “tools of trade” required to enable them to perform their duties with relative ease and at a standard appropriate to fulfil the community expectation of their role.</p>
Professional Development	<p>Encompasses all types of facilitated learning opportunities, both mandatory and discretionary.</p> <p>Mandatory Professional Development:</p> <p>Where Council resolves that all Councillors are to attend a specific course, conference, workshop or external meeting for skills development related to a Councillor’s role. E.g. Councillor Induction, Legislative obligations, Code of Conduct and meeting procedures.</p> <p>Discretionary Professional Development:</p> <p>Discretionary Professional Development is considered to be training where Councillors choose to attend at his/her discretion, and identified as relevant to their role (other than mandatory training as outlined above).</p>
Reasonable	<p>Councillors must make sound judgements and consider what is prudent, responsible and acceptable to their communities when determining reasonable levels of facilities and expenditure, and does not exceed the limits prescribed in this Policy.</p>
Term of Office	<p>For a Councillor starts on the day after the conclusion of the election (if elected) or the day on which the Councillor is appointed and ends:</p> <ul style="list-style-type: none"> <input type="checkbox"/> If elected at a quadrennial or fresh election, at the conclusion of the next quadrennial election; <input type="checkbox"/> If elected at a fresh election and a declaration is made under regulation, at the conclusion of the next quadrennial election; <input type="checkbox"/> If elected or appointed to fill a vacancy in the office of another Councillor, at the end of the other Councillor’s term; <input type="checkbox"/> When Legislative Assembly ratifies the dissolution of the local government; <input type="checkbox"/> When the Councillor’s office otherwise becomes vacant. <p><i>S123, 159, 160 of the 2009 Local Government Act</i></p>

4. Details

4.1 KEY PRINCIPLES

This policy has been written to reflect the following key principles outlined in the Local Government Act 2009:

- Transparent and effective processes, and decision-making in the public interest;
- Sustainable development and management of assets and infrastructure, and delivery of effective services;
- Democratic representation, social inclusion and meaningful community engagement;
- Good governance of, and by, local government;
- Ethical and legal behaviour of Councillors and local government employees.

4.2 EXPENSES

4.2.1 Payment of Expenses

Expenses will be paid to a Councillor through administrative processes approved by the Chief Executive Officer (CEO), and authorised by the CEO or delegate, subject to the limits outlined in the policy and Council endorsement by resolution.

Wherever practicable, under the direction of the CEO, Council Officers will manage the payment on behalf of the Councillors.

4.2.2 Council Business

Where Councillors are attending to Council business such as meetings, functions or other activities in an official capacity as outlined in the "Definitions" of this policy, Council will pay for the approved expenses associated with that activity.

4.2.3 Professional Development

Council will reimburse expenses incurred for:

- Mandatory professional development; and
- Discretionary professional development where Council resolves attendance at a specific training course, conference, workshop or external meeting for skills related to a Councillor's role.

Council will reimburse the total costs of the course, together with reasonable travel, accommodation and meal allowances for attendance when endorsed by Council.

Councillors are encouraged to submit their registrations in sufficient time to take advantage of any 'early bird' discounts.

Councillors will provide a report on the outcomes of any professional development or conference attendance.

4.2.4 Travel Costs

Councillors are entitled to be reimbursed, or Council will pay for all travel costs (including, local, and regional, intrastate, interstate and overseas) when on Council Business and approved by Council.

In general, the most cost effective and most direct form of travel must be used. Economy class is to be used where possible, although Council may approve business class in certain circumstances. Airline tickets are not transferable and can only be procured for the Councillor's travel on Council business.

All fines incurred while travelling in either Council or privately owned vehicles when attending to Council business, will be the responsibility of the Councillor incurring the fine. Toll fees will be reimbursed by Council.

Any transfer expenses associated with Councillors travelling for Council approved business will be reimbursed, (e.g. trains, taxis, buses and ferry fares).

4.2.5 Accommodation

All Councillor accommodation for official Council business will be booked and paid for by Council through the normal administrative processes approved by the CEO. Council will generally pay for the most economical deal available for bookings outside of the region of a three or four star rating.

For accommodation bookings at towns within the region, these will be booked on a rotational basis to ensure local service providers are provided business in a fair and consistent manner.

Where particular accommodation is recommended by conference organisers, Council will take advantage of the package deal that is the most economical and convenient to the event.

4.2.6 Meals

Councillors are entitled to be reimbursed for the cost of a meal when travelling or attending to Council business upon presentation of an official tax invoice, provided:

- The Councillor incurs the cost personally;
- The meal was not provided as part of registration costs of an activity, or during a funded flight;
- No alcohol will be paid for by Council.

4.2.7 Incidental Daily Allowance

On the presentation of appropriate tax invoice/s Council will reimburse up to \$20 per day to cover additional incidental costs incurred while Councillors are attending to Council business and travelling and staying away from home overnight.

4.2.8 Councillor Community Engagement

Councillors may incur expenses for the purpose of conducting community engagement activities relevant to their portfolio or other business of Council.

Each Councillor has an allocation of \$3,000 per annum (any unspent funds cannot be carried forward to the subsequent financial year)

4.2.9 Additional Expenses for Mayor Hospitality

The Mayor may have occasion to incur hospitality expenses while conducting Council business apart from official civic receptions organised by Council, in particular, when entertaining dignitaries outside of official events.

The maximum amount of hospitality expenses that may be reimbursed to the Mayor is \$4,000 per annum.

4.3 FACILITIES

Facilities provided for Councillors must be deemed necessary and required to assist Councillors in their official capacity. In accordance with statutory provisions, Council may only provide Councillors with the facilities listed below.

All facilities provided to Councillors remain the property of Council and must be accounted for during annual equipment audits. The facilities must be returned to Council when the Councillor's term expires, unless the Chief Executive Officer approves of disposal of the facility in some other manner consistent with Council's legislative obligations. The facilities provided by Council to Councillors are to be used only for Council business, unless prior approval has been granted by resolution of Council.

4.3.1 Office Space & Access to Meeting Rooms

Council provides an individual office for the Mayor, and office accommodation and access to meeting rooms for Councillors. The standard of Councillor office accommodation is as approved by the Chief Executive Officer. Furniture and fittings will be of a standard to allow Councillors to adequately undertake their roles as a Councillor. In general, rooms provided for Councillor use will be located at Council owned or controlled premises such as branch offices, community centres or libraries.

While conducting Council business from a council owned or controlled premises, Councillors will be provided access to or use of:

- Council landline telephone
- Telephone or video conference facilities (when available)
- Remote access to Council's network and internet via a Council provided wireless connection (when available)

- Councillors may be provided mobile range extender equipment at their place of residence to improve poor network coverage and reliability in remote areas
- Photocopier/scanner, and paper shredder
- Stationery, including business cards
- Publications

4.3.2 Secretarial/Administrative Support

Council will provide administrative support for the purposes of conducting Council Business as defined, and as determined appropriate by the Chief Executive Officer.

The Mayor is entitled to a full time personal assistant under Council's usual terms of employment.

4.3.3 Mobile Telephone

Councillors may incur telecommunication costs while undertaking Council business. Councillors have two options:

Option 1

The Councillors will be provided with a smart phone for Council business use only. Any personal calls made by the Councillor must be reimbursed to Council.

Council will only pay for the purchase of Software Applications or 'Apps' that are required to conduct official Council business.

Option 2

If a Councillor chooses to use their personally owned mobile device, Council will reimburse, for all Council business calls, the call costs incurred where an itemised list of call costs is available under the Councillor's plan. In the case of lump sum plans, an agreed percentage will be reimbursed as approved by the Chief Executive Officer. In determining the agreed percentage, a review of a sample month of calls may be undertaken (to determine an appropriate allocation of Council business vs personal use).

Any calls made from the personally owned mobile device will only be reimbursed if appropriate evidence, as deemed appropriate, by the Chief Executive Officer, is provided by the Councillor that the call was related to Council business.

4.3.4 Computer for Business Use

Councillors will be provided with an IPAD for Council Business.

Council will only pay for the purchase of Software Applications or 'Apps' that are required to conduct official Council business.

4.3.5 Maintenance Costs of Council Equipment

Council will cover all ongoing maintenance costs associated with Council owned equipment to ensure it is operating for optimal professional use.

4.3.6 Legal Costs and Insurance Cover

In accordance with Section 107 of the Local Government Act 2009, Council will take out professional indemnity and Workers Compensation Insurance covers for Councillors whilst carrying out their civic duties.

Council will pay the applicable excess claims made by a Councillor resulting from conducting official Council business.

4.3.7 Uniform

On an 'as needed' basis Council will provide Councillors with the following corporate uniform as supplied by Council's preferred supplier arrangement:

- Name Badge
- Corporate branded shirts
- Corporate branded jacket
- Personal Protective Equipment (PPE) as required in the discharge of official duties

4.4 VEHICLES

4.4.1 Council Owned Vehicle

Due to the vast area which the Maranoa Regional Council covers (58,884.5km²), and to ensure Councillor participate in council and community events across the region, Council has deemed it appropriate to provide a vehicle to Councillors who would like to access this option.

Councillors may be provided with a fully serviced Council owned motor vehicle, including the provision of a break down service, for use in the undertaking of official duties.

A fuel card will be provided with all Council owned vehicles for purchase of fuel while undertaking Council business.

Use of the vehicle is subject to compliance with Council's Motor Vehicle Policy.

Purchase of Limited Private Use

Councillors may enter into a private use agreement of the Council issued vehicle. The cost is determined by estimating a fair value for private use, based on the variable costs in operating a vehicle (Fuel, general and routine maintenance and tyres).

The current cost of limited private use as at 25 January 2017 is \$3,500 per annum (indexed annually)

Fuel purchased outside the Maranoa Regional Council is to be covered by the Councillor if the vehicle is being used for private use.

The set private use agreement fee will be deducted automatically from the fortnightly Councillor remuneration payments.

The Chief Executive Officer is responsible for ensuring the relevant documentation has been completed.

Councillors who do not opt to purchase limited private use of a Council issued vehicle are required to reimburse Council at the rate of 88c/km (subject to annual review), for any private use of a Council supplied vehicle.

Councillor Vehicle Fleet

The type of vehicles made available to Councillors considers the large area and distances covered within the Council area, and the fact that rural roads are predominantly gravel. Night travel is also necessary for Councillors in attending to Council business.

Councillors will be provided with a 'fit for purpose' 4WD vehicle or similar vehicles considering individual location, value for money and the context of the abovementioned considerations.

4.4.2 Mileage on Private Vehicle

A Councillor may prefer to use their private vehicles and claim an allowance per km for all Council business use.

For the purpose of this policy, Council has determined that the allowance for use of a motor vehicle will be 88c/km (subject to annual review). Any claim is to be based on log book details to substantiate the relevance of the travel for Council business.

Details of the private use should be recorded on a Councillor Expense Claim Form.

5. Related Policies and Legislation

- Local Government Act 2009
- Local Government Regulation 2012

Council Policy:

- Motor Vehicle Policy

6. Associated Documents

Nil

7. Revision History

Policy Revision	Approval Date	Internal Reference
2.00		

COUNCILLOR REPORT

Meeting: General 25 January 2017

Date: 24 January 2017

Item Number: L.4

File Number: D17/4829

SUBJECT HEADING: Queensland Government Works for Queensland Funding Program

Classification: Open Access

Author & Councillor's Title: Cr David Scheffe

Executive Summary:

The Queensland Government has announced a \$200 million Works for Queensland program to support local councils, outside of South East Queensland, to quickly deliver job-creating maintenance of community infrastructure projects.

Council has been advised that it will receive \$1.3 million dollars and I would like to put forward a key priority project for allocation of these funds.

Councillor's Recommendation:

That Council:

1. Allocate the approved program funding of \$1.3 million dollars to commence upgrades of the Roma water reticulation network.
2. That Council officers bring back a detailed work program and costings for endorsement by Council and funding application.

Background:

Council has been advised that it will receive \$1.3 million dollars under the Queensland Governments Works for Queensland Program, which will be administered by the Department of Infrastructure Local government and Planning.

The program's intention is to initiate projects that are focused on job generation and asset improvement. Projects must be completed by 30 November 2017.

The **Roma Water Supply Strategy Report** completed in December 2014 identified necessary upgrades to Roma's aging infrastructure.

These upgrades have not been completed to date due to funding shortages and more urgent works necessary in other communities within our region.

This is now the major necessary water infrastructure upgrade in our region. Cost estimates presented to Councillors at the most recent workshop suggest that upgrades in the order of approximately \$17 million are required over a period of 10 years.

This funding of \$1.3 million will certainly “get the ball rolling” as we move forward with this major infrastructure upgrade.

It is suggested that we use the funding to improve water pressure problems in the worst affected areas of the township.

This project will meet the program objectives and criteria requirements, as well as serve to begin essential works required for upgrading the Roma water network for our residents.

Consultation:

Chief Executive Officer – MRC

Councillors – MRC

Manager - Water, Sewerage & Gas

Coordinator - Grants, Local Development & Council Events

Policy Implications:

Projects must be delivered before 30 November 2017.

Financial Resource Implications:

This project is fully funded by the State Government, so a co-contribution is not required of Council. Council will need to finance ongoing maintenance of the works and meet its commitment to create, support or sustain jobs in the local community or across the region.

Supporting Documentation:

Nil.