

## Moreton Bay Regional Council

GENERAL MEETING - 559

3 August 2022

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ITEM 6.1 - 126TH ANNUAL LGAQ CONFERENCE - MBRC MOTIONS (Cont.)

### #1 Motions for 2022 LGAQ Annual Conference

#### ***Draft Motion 1 Mandatory Disclosure of flood and other natural hazard risks information for all properties***

<b>Submitting council</b>	Moreton Bay Regional Council
<b>Supporting organisation</b>	
<b>Council resolution #</b>	
<b>Date of council resolution</b>	
<b>Title of motion</b>	Mandatory disclosure of flood and other natural hazard risks information for all properties.
<b>Motion</b>	That the LGAQ advocate to the Queensland Government to investigate a pathway for mandatory disclosure of flood and other natural hazard risks in all property transactions.
<b>What is the desired outcome sought?</b>	<ul style="list-style-type: none"><li>• To increase awareness of property purchasers of the presence of natural hazards affecting the property.</li><li>• To provide mandatory disclosure of flood and other natural hazard risks as part of property conveyancing processes and due diligence searches.</li></ul>
<b>Background</b>	<p>There is currently no mandatory requirement to disclose flood or other natural hazard risks during the property conveyancing process or other due diligence searches. Changing this would benefit Queensland communities through increased awareness of risks.</p> <p>A suggested pathway to address this would be to review the standard REIQ Contracts for '<i>Houses and Residential Land</i>' and '<i>Buyers Searches List</i>' linked to Residential Contracts (and other property types) to mandate disclosure of flood risk and other natural hazard risks as a standard requirement for all property conveyancing.</p>

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### ITEM 6.1 - 126TH ANNUAL LGAQ CONFERENCE - MBRC MOTIONS (Cont.)

#### ***Draft Motion 2: Fringe Benefits Tax (FBT) concessions for Local Government employees***

<b>Submitting council</b>	Moreton Bay Regional Council
<b>Supporting organisation</b>	
<b>Council resolution #</b>	
<b>Date of council resolution</b>	
<b>Title of motion</b>	<b>FBT Concessions for Local Government employees</b>
<b>Motion</b>	The LGAQ call on the Federal Government to make Local Governments eligible Fringe Benefits Tax-rateable employers with access to the FBT rebate concessions.
<b>What is the desired outcome sought?</b>	<p>This motion is seeking support to advocate for Local Governments to be considered “rateable employers” and access the FBT rebate concessions. FBT-rebatable employers are able to offer staff (eligible) fringe benefits up to a \$30,000 cap without incurring a FBT liability.</p> <p>This is an incredibly advantageous benefit to be able include in salary packages to attract and retain staff. This would not apply to Councillors.</p>
<b>Background</b>	<p>Since the inception of the FBT in Australia in 1986, the tax system has provided exemptions and concessions for many organisations, particularly in the not-for-profit sector. These concessions provide substantial support to these entities by, amongst other things, enabling them to:</p> <ul style="list-style-type: none"><li>• attract and retain staff by offering them access to benefits that in effect increase their after-tax real wages; and</li><li>• reduce their operating costs by providing these benefits in lieu of higher pre-tax wages enabling them to compete more readily with other employers in the market.</li></ul> <p>At present FBT concessions are not available to Local Governments.</p> <p>FBT-rebatable employers can offer staff (eligible) fringe benefits up to a \$30,000 cap without incurring an FBT liability. This is an incredibly advantageous benefit to be able include in salary packages to attract and retain staff.</p> <p>The ability of Local Governments to compete for scarce labour is becoming increasingly difficult. For many Local Governments, financial sustainability is a key challenge. It is unrealistic to assume that Local Governments will be able to significantly increase salaries to compete in this tight labour market. This will mean their ability to attract and retain staff will be further eroded, ultimately</p>

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	<p>impacting services to their communities.</p> <p>Currently the FBT rebate is available to “tax exempt organisations established for community service purposes”. Apart from the fact that government entities are specifically excluded, this describes Local Government.</p> <p>The effect of this change would have a minimal budgetary impact for the Federal Government as Local Governments all seek to minimise their FBT liability and do not routinely offer benefits that attract significant FBT costs. As such there is not likely to be a notable decrease in the FBT revenue by enacting this change - but this small change could make a substantial difference to all Local Governments and their ability to continue to deliver services to their communities.</p>
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***Draft Motion 3: Infrastructure planning and the critical role of Regional Infrastructure Plans***

<b>Submitting council</b>	Moreton Bay Regional Council
<b>Supporting organisation</b>	
<b>Council resolution #</b>	
<b>Date of council resolution</b>	
<b>Title of motion</b>	Infrastructure planning and the critical role of Regional Infrastructure Plans
<b>Motion</b>	<p>The LGAQ calls on the State Government to ensure Regional Infrastructure Plans:</p> <ul style="list-style-type: none"> <li>• are developed in close consultation with Local Government;</li> <li>• are aligned with the relevant statutory regional plans; and</li> <li>• are recognised by all state agencies as the key whole-of-government driver for state infrastructure delivery in each region.</li> </ul>
<b>What is the desired outcome sought?</b>	<p>It is vital that Regional Infrastructure Plans provide a meaningful framework for integrated infrastructure delivery.</p> <p>These plans must:</p> <ul style="list-style-type: none"> <li>• be developed in consultation with individual State agencies and regional stakeholders, including Local Government, so that they meet the Government's promise of a place-based approach to help prioritise regionally significant infrastructure needs while informing and ensuring alignment with other strategies, plans and programs;</li> <li>• align with infrastructure delivery and thus provide integrated 'linkages' between the Federal Government's Infrastructure Australia's reports, Queensland Government's State Infrastructure Strategy and down to Local Government Infrastructure Plans;</li> <li>• be matched to statutory regional plans so that they provide a long- term infrastructure pipeline for delivery of the integrated infrastructure required to meet the growth targets set in regional plans; and</li> <li>• be recognised by all State agencies as the authoritative expression of each region's priorities for State infrastructure</li> </ul>

<p><b>Background</b></p>	<p>Moreton Bay Regional Council congratulates the State Government on the release of the State Infrastructure Strategy this year which presents a 20- year vision of Queensland's infrastructure. Council welcomes the Government's commitment to develop seven Regional Infrastructure Plans which will recognise the significant role infrastructure plays in catalysing regional economic recovery, growth and liveability.</p> <p>Council acknowledges funding support received from the State and Federal Government for infrastructure projects and the outcomes delivered through Council's partnership approach. The motion seeks a more strategic approach that builds on these partnerships.</p> <p>Both the 2021 Australian Infrastructure Plan and the 2022 State Infrastructure Strategy recognise the need for long term, integrated land use planning and infrastructure delivery across all tiers of governments. Alignment between land use and infrastructure planning is vital for all regions but particularly high growth councils.</p> <p>Moreton Bay is one of Australia's fastest growing regions, with a population forecast to grow from almost 500,000 currently to approximately 690,000 in 2041. A key prerequisite to achieving well-planned growth is to sustain lifestyle opportunities by delivering essential infrastructure (such as roads, public transport, hospitals, schools, universities and parks) in pace with development.</p> <p>Infrastructure delivery is also directly linked with housing affordability and affordable living. Without timely and coordinated land use and infrastructure planning and delivery of essential infrastructure, a steady pipeline of land and housing supply cannot be maintained; and economic, environmental, social and financial sustainability will not be achieved. This places upward pressure on urban development and housing prices and impacts communities and the region as a functioning whole. This situation needs to be addressed in a coordinated and collaborative approach by all levels of government with key stakeholders. The Regional Infrastructure Plan regions are:</p> <ol style="list-style-type: none"> <li>1. Far North Queensland</li> <li>2. North and Western Queensland</li> <li>3. Mackay, Isaac and Whitsunday</li> <li>4. Central Queensland</li> <li>5. Wide Bay Burnett</li> <li>6. Darling Downs and South West</li> <li>7. South East Queensland</li> </ol>
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#### ***Draft Motion 4: Protections and privilege for Councillors***

<b>Submitting council</b>	Moreton Bay Regional Council
<b>Supporting organisation</b>	
<b>Council resolution #</b>	
<b>Date of council resolution</b>	
<b>Title of motion</b>	Protections and privilege for Councillors
<b>Motion</b>	The LGAQ calls on the State Government to ensure alignment of <i>Public Interest Disclosure Act 2010</i> (Qld), <i>Defamation Act 2005</i> (Qld), <i>Parliament of Queensland Act 2001</i> (Qld) and <i>Local Government Act 2009</i> (Qld) to ensure protections for Councillors against claims when responding in good faith to requests from integrity agencies to participate in Councillor conduct complaints investigations as part of their obligations under the Local Government Act.
<b>What is the desired outcome sought?</b>	Protections against reprisal are sought to ensure Councillors are comfortable and willing participants in the process of reporting matters as part of their required participation "on request" from the Office of the Independent Assessor (OIA), Crime and Corruption Commission (CCC) and potentially other agencies in response to dealing with Councillor conduct complaints.
<b>Background</b>	<p>There have been many reports of Councillors feeling a form of decision paralysis in recent years due to the many examples of Councils and Councillors caught up in investigations with many questions raised about the quality of advice and conduct of various integrity agencies.</p> <p>Councillors have been advised that the Integrity Commissioner for example have had their education and advice powers removed. Other Councillors have seen legal action against them following interviews given to the CCC.</p> <p>There is increasing concern that Councillors and staff in Local Government may be less willing to report matters of concern, for example breaches of the <i>Local Government Act 2009</i> (Qld), due to the increasing examples of Councillors who have unfortunately on the receiving end of negative outcomes, despite fulfilling their obligations under the <i>Local Government Act 2009</i> (Qld).</p>