# Roper Gulf Regional Council Finance Committee and Infrastructure Terms of Reference

Roper Gulf Regional Council (Council) has established the Finance and Infrastructure Committee pursuant to Part 5.2 of the *Local Government Act 2019* (the Act) and Division 7 of the *Local Government (General) Regulations 2021* (the Regulations). Council is not required to hold an Ordinary Meeting at least once in each month, however Division 7 requires monthly financial reports to be presented to Council, and provides for the establishment of a Committee for the purposes of undertaking the financial obligations of Council, with applicable delegations thereof.

The fourth (4th) sitting Roper Gulf Regional Council has formally established the Finance and Infrastructure Committee at its inaugural Ordinary Meeting on 29 September 2021, with the function as prescribed at Regulation 19 of the Regulations, and additional functions and delegations as listed in this Terms of Reference.

## 1. Objective

Council holds an Ordinary Meeting of Council (OMC) every second month and has set up a Finance and Infrastructure Committee to carry out financial functions in the alternate month, thus meeting its obligations under *Local Government Act 2019* (the Act).

Furthermore, Council has, in accordance with Part 5.2 of the Act, delegated to the Committee the functions and authority to review and make decisions on infrastructure and project matters as listed in these Terms of Reference.

## 2. Functions of Finance Committee

Under the control and direction of the Council, the Finance Committee will:

- Ensure the annual budget is aligned with the Business (Regional) Plan.
- Monitor and report on financial performance against the annual budget and the Business Plan.
- Receive and review the monthly financial reports.
- Formulate strategies to improve Roper Gulf Regional Council's financial position.
- Make decisions on behalf of Council when the matter cannot be held over until the next Ordinary Meeting of Council.
- Review proposed and current RGRC investments and investment strategies, and approve commencement or amendment as necessary.
- Review administrative decisions which are prescribed by the *Local Government Act* as reviewable.
- Review infrastructure plans and projects.

## 3. Membership

Members of this Committee include the Mayor and Deputy Mayor, five (5) other Councillors appointed by Council and an Independent Member appointed by Council. The CEO, General Manager Infrastructure Services and Planning, and Finance Manager are *ex officio* members and have no voting rights.

## 4. Chairperson

The Mayor or the Deputy Mayor will chair the Finance and Infrastructure Committee.

## 5. Roles and Responsibilities

The roles and responsibilities of the Finance and Infrastructure Committee will be as follows:

a. Review the monthly income and expenditure reports, monitor progress against the budget and provide advice to Council in respect to these.
b. Review and accept or reject Program Funding Agreements or any other offers of funding.
c. Consider and make appropriate recommendations to Council on any matters having a significant financial impact on Roper Gulf Regional Council.
d. At least annually, report to Council on adequacy of Roper Gulf Regional Council's insurance coverage.
e. At least annually, review Roper Gulf Regional Council's borrowing program.
f. Review financial delegations at least annually.
**g.** To advise Council on the level of allowances to be paid to Councillors.
h. Review and determine action for any other financial documents that need to be dealt with prior to the next Ordinary Meeting of Council.
i. Work with CEO and Finance Manager to develop the annual budget, ensure it aligns with the Business Plan and present it to Council for adoption.
j. Approve the awarding of any tenders or major contracts.
k. Recommend fees and charges to be made by Roper Gulf Regional Council.
l. Review, if required, applications for community grants made to Roper Gulf Regional Council and provide recommendations to Council.
m. Contribute to the preparation of the annual financial statements.
n. Review the annual audited financial statement and auditor's report and recommend any necessary follow-up.
o. Exercise any general authority delegated by Council.
p. Deal with any tasks that have been delegated from a previous Council meeting.
q. Consider any matters referred by the CEO or the Council.
r. Deal with urgent matters that cannot wait until the next Council meeting by making a decision.
s. Review appeals against decisions of Council or council staff members which are prescribed by the *Local Government Act 2019* as reviewable.
t. Assess/consider/develop proposed and current investments and investment strategies of Council, and approve commencement and amendments as required.
u. Review infrastructure projects undertaken by Council and authorise amendments (under exigent circumstances – urgent need for Resolution that cannot be held over until Council's next Ordinary Meeting, but otherwise not justifying a Special Meeting of the Same).

## 6. Limitations

If an issue involves expenditure of $500,000 or more that is in variance to the budget the Finance and Infrastructure Committee must make a recommendation to the next Ordinary Meeting of Council.

If an issue involves expenditure of $500,000 or more, but is urgent and cannot be held over until the next Ordinary Meeting of Council, the Finance and Infrastructure Committee will make a recommendation, record how each member of the Committee votes on the recommendation and direct the Mayor/Deputy Mayor or CEO as appropriate to contact other Council members out of session for their vote on the issue.

A decision by the majority of Elected Members for or against the resolution shall be taken as a decision of Council regardless of whether or not all Elected Members were contacted.

The Committee must not be used, or otherwise be viewed as a pseudo-Council. The Committee must not make resolutions on behalf of Council other than receiving or noting items save for exigent circumstances.

For the avoidance of doubt, the Committee does not have the delegation to make, amend or rescind policy, authorise the use and application of the Common Seal, or accept or request Correspondence on behalf of Council.

**7. Quorum**

A quorum for the Finance and Infrastructure Committee is five (5) members and must include the Mayor or Deputy Mayor, and the Independent Member.

If the Independent Member is not in attendance but a quorum is otherwise attained, the Committee may only exercise its financial reporting function in accordance with Division 7 of the Regulations, but no other function.

**8. Proxies**

In order to ensure continuity and a useful level of knowledge and experience, Finance and Infrastructure Committee members are not permitted to send proxies to the meeting.

**9. Term of office**

The term of office is for the Local Government electoral term. A newly elected Council will appoint a new Finance and Infrastructure Committee. Should a Councillor be re-elected, he/she may serve multiple terms on the Finance and Infrastructure Committee if appointed by Council. A newly elected Council may choose to re-appoint a former Independent Member if they wish.

**10. Self-review**

At least once a year, the Finance Committee will devote part of the meeting to reviewing its own processes and outcomes of the preceding year.

**11. Timing and mode of meetings**

The Finance and Infrastructure Committee will meet in the months between Ordinary Meetings of Council. Meetings can be held face-to-face, by teleconference, by videoconference or by a mixture of any of these.

**12. Minutes**

Minutes must be kept of the decisions and actions of the Finance and Infrastructure Committee. Minutes will be taken by the Governance delegated staff member.

**13. Reporting**

The minutes of the Finance and Infrastructure Committee will be tabled at the next Council Meeting for confirmation.

**14. Conflict of Interest**

In accordance with Part 7.2 of the *Local Government Act 2019*, Committee members will be required to disclose conflicts of interest at the commencement of each meeting.

Where members or invitees at the Committee meetings are deemed to have a real or perceived conflict of interest, they will be excused from Committee discussions on the issue where a conflict of interest exists.

## 15. Remuneration and Allowances

Councillors who are Committee members shall be paid the Extra Meeting Allowance payment for each Committee meeting they attend.

The Mayor is not eligible for the Extra Meeting payment as it is provided for and included in the Mayoral allowance in accordance with applicable law.

Independent Members are eligible for remuneration at a rate of $900 per meeting which shall be inclusive of meeting preparation and attendance.

Council will cover Independent Members' travel costs, including accommodation and meals (within reason) for in-person attendance at Committee Meetings, strictly capped at $6,000 per annum unless otherwise (explicitly) authorised by Council by way of Resolution.

Council officers may, upon request, arrange and coordinate travel, including accommodation for Independent Members' in-person attendance at Committee meetings.

## 16. Legislation referenced in the Terms of Reference

*Local Government Act 2019*
*Local Government (General) Regulations 2021*

## 17. Document Control

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| **Document** | **Terms of Reference for Finance Committee** |
| **Endorsed by** | **Council** |
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