AGENDA

Ordinary Council Meeting
Wednesday, 19 July 2023

I hereby give notice that an Ordinary Meeting of Council will be held on:

Date:	**Wednesday, 19 July 2023**
Time:	**9am**
Location:	**Council Chambers** **23 West Street** **Mount Isa**

Tim Rose

Acting Chief Executive Officer

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1 OPENING OF THE MEETING/ACKNOWLEDGEMENT OF COUNTRY

Acknowledgement of Country

Mount Isa City Council acknowledges the Kalkadoon and the Indjilandji people, Traditional Custodians of the land on which we meet today and pay our respects to their Elders past, present and emerging.

We extend that respect to Aboriginal and Torres Strait Islander peoples here today.

Recording of Council Meeting

Please note this Ordinary Meeting of Mount Isa City Council may be live streamed and recorded in accordance with Council's 'Recording of Council Meetings Policy'.

As a visitor in the public gallery, your presence may be recorded.

By remaining in Chambers, it is assumed your consent is given if your image is inadvertently broadcast.

2 PRAYER

3 APOLOGIES/LEAVE OF ABSENCE

4 PUBLIC PARTICIPATION

5 CONFIRMATION OF PREVIOUS MEETING MINUTES

5.1 MINUTES OF THE SPECIAL MEETING HELD ON 21 JUNE 2023

Document Number: **795005**

Author: **Acting Senior Executive Assistant**

Authoriser: **Acting Chief Executive Officer**

RECOMMENDATION

THAT the Minutes of the Special Meeting held on 21 June 2023 be confirmed as a true and correct record.

ATTACHMENTS

1. Minutes of the Special Meeting held on 21 June 2023

MINUTES

Special Council Meeting
Wednesday, 21 June 2023

Order Of Business

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MINUTES OF MOUNT ISA CITY COUNCIL
SPECIAL COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 23 WEST STREET, MOUNT ISA
ON WEDNESDAY, 21 JUNE 2023 AT 8:30AM

PRESENT: Crs Slade, Barwick, Fortune, MacRae, Stretton, Tully, Coghlan

IN ATTENDANCE: Dale Dickson (CEO), Chileya Luangala (Director Corporate and Community), Stephen Jewell (Acting Director, Infrastructure Services)

1 OPENING OF THE MEETING/ACKNOWLEDGEMENT OF COUNTRY

Mayor Slade opened the meeting at 8:23am

2 APOLOGIES/LEAVE OF ABSENCE

Nil

3 DECLARATIONS OF CONFLICTS OF INTEREST

Nil

4 EXECUTIVE SERVICES REPORTS

4.1 2023-2024 OPERATIONAL PLAN

RESOLUTION SM01/06/23

Moved: Cr Phil Barwick
Seconded: Cr Paul Stretton

THAT Council adopts the 2023-2024 Operational Plan as presented.

CARRIED 7

5 CORPORATE AND COMMUNITY SERVICES REPORTS

5.1 2023/24 ANNUAL BUDGET

RESOLUTION SM02/06/23

Moved: Cr Danielle Slade
Seconded: Cr Phil Barwick

THAT Council adopts the 2023/24 Revenue Statement in accordance with sections 169(2)(b) and 172 of the *Local Government Regulation 2012* as presented in the Officer's report.

AND

THAT Council adopts the differential rating categories to apply in 2023/24 to land within the Mount Isa City Council local government area in accordance with *sections 81(1) and 81(2) of the Local Government Regulation 2012* as presented in the Officer's report.

AND

THAT Council adopts the rating categories, cents in a dollar and minimum general rates for 2023/24 financial year as presented in the Officer's report.

AND

THAT Council adopts the utility charges for 2023/24 financial year as presented in the Officer's report.

AND

THAT Council adopts a separate charge for the 2023/24 financial year on all assessments. This will be described as an Environment Charge. The amount of the Environment Charge will be **$71.00** per annum per assessment in accordance with *section 103 of the Local Government Regulation 2012 and section 94(1)(iii) of the Local Government Act 2009.*

AND

THAT Council adopts that interest is payable on overdue rates and charges from the day the rates and charges become overdue and will be calculated at **8.17%** per annum on daily balances and as compound interest in accordance with *section 133 of the Local Government Regulation* 2012.

AND

THAT Council adopts the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget in accordance with Sections 169 of the *Local Government Act 2009*, For the financial year 2023/24 the change is **3.86%**.

AND

THAT Council adopts the 2023/24 Statutory Budget Documents comprising the Statement of Income and Expenditure, Statement of Changes in Financial Position, Statement of Cash Flows, Statement of Changes in Equity, and Relevant Measures of Financial Sustainability in accordance with *section 169 of the Local Government Regulation 2012.*

AND

THAT Council adopts the 2024-2033 Long Term Financial Forecast in accordance with *Section 169* of the *Local Government Regulation 2012.*

AND

THAT Council receives and accepts the 2022/23 Significant Business Activities in accordance with *sections 18, 19, 20, and 169 of the Local Government Regulation 2012*.

AND

THAT Council resolves to not apply the Code of Competitive Conduct for its business type activities for 2023/24 in accordance with Sections 39 of the *Local Government Regulation 2012* and Section 47 of the *Local Government Act*. Given the level of expenditure in the business activities and the little or no competition for the services' provision, Council sees no public benefit in applying the Code of Competitive Conduct at this time.

AND

THAT Council receives and accepts the 2022/23 Estimated Activity Statement in accordance with *section 34 of the Local Government Regulation 2012*.

CARRIED 7

Mayor Slade gave her 2023 Budget Speech.

There being no further business the Meeting closed at 8:45am.

The minutes of this meeting were confirmed at the Council Meeting held on 19 July 2023.

.....

CHAIRPERSON

5.2 MINUTES OF THE ORDINARY MEETING HELD ON 21 JUNE 2023

Document Number: **795006**

Author: **Acting Senior Executive Assistant**

Authoriser: **Acting Chief Executive Officer**

RECOMMENDATION

THAT the Minutes of the Ordinary Meeting held on 21 June 2023 be confirmed as a true and correct record.

ATTACHMENTS

1. Minutes of the Ordinary Meeting held on 21 June 2023

MINUTES

Ordinary Council Meeting
Wednesday, 21 June 2023

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8 Mayoral Minute 5

Nil

9 Reading and Consideration of Correspondence 5

Nil

10 Executive Services Reports 5

10.1 Update of Reimbursement of Expenses and Provision of Facilities for Mayor and Councillors Policy 5

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11.1 Finance Overview Report - May 2023 5

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MINUTES OF MOUNT ISA CITY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 23 WEST STREET, MOUNT ISA
ON WEDNESDAY, 21 JUNE 2023 AT 9AM

PRESENT: Crs Slade, Barwick, Fortune, Stretton, Tully, Coghlan

IN ATTENDANCE: Dale Dickson (CEO), Chileya Luangala (Director Corporate and Community), Stephen Jewell (Acting Director, Infrastructure Services)

1 OPENING OF THE MEETING/ACKNOWLEDGEMENT OF COUNTRY

Mayor Slade opened the meeting at 9:05am.

2 PRAYER

Pastor Dave Quilty of the Isa Community Church provided a prayer.

3 APOLOGIES/LEAVE OF ABSENCE

APOLOGY

RESOLUTION OM01/ 06/23

Moved: Cr Kim Coghlan
Seconded: Cr Paul Stretton

THAT the apology received from Cr MacRae be accepted and leave of absence granted.

CARRIED 6

4 PUBLIC PARTICIPATION

Mayor Slade and Deputy Mayor Cr Barwick presented the following Council employees with service awards:

Elenita DeSagun – 10 Years of Service Award

Penelope Stevens – 30 Years of Service Award

5 CONFIRMATION OF PREVIOUS MEETING MINUTES

5.1 MINUTES OF THE ORDINARY MEETING HELD ON 24 MAY 2023

RESOLUTION OM02/ 06/23

Moved: Cr Phil Barwick
Seconded: Cr George Fortune

THAT the Minutes of the Ordinary Meeting held on 24 May 2023 be confirmed as a true and correct record.

CARRIED 6

6 ACTIONS FROM PREVIOUS COUNCIL MEETINGS

6.1 OUTSTANDING ACTIONS FROM PREVIOUS COUNCIL MEETINGS AS AT 21 JUNE 2023

RESOLUTION OM03/ 06/23

Moved: Cr Phil Barwick
Seconded: Cr George Fortune

THAT Council receives and notes the outstanding actions from previous Council Meetings as at 21 June 2023.

CARRIED 6

7 DECLARATIONS OF CONFLICTS OF INTEREST

Cr Fortune declared a conflict of interest relating to item 11.11 'Mount Isa Fish Stocking Group Grant - Request to Extend Project Completion Dates' as he is a life member of the Mount Isa Fish Stocking Group Inc. Cr Fortune advised of his intent to leave the Chamber when the item is considered.

8 MAYORAL MINUTE

Nil

9 READING AND CONSIDERATION OF CORRESPONDENCE

Nil

10 EXECUTIVE SERVICES REPORTS

10.1 UPDATE OF REIMBURSEMENT OF EXPENSES AND PROVISION OF FACILITIES FOR MAYOR AND COUNCILLORS POLICY

RESOLUTION OM04/ 06/23

Moved: Cr Phil Barwick
Seconded: Cr George Fortune

THAT Council adopt the revised Reimbursement of Expenses and Provision of Facilities for Mayor and Councillors Policy V9 as presented.

CARRIED 6

11 CORPORATE AND COMMUNITY SERVICES REPORTS

11.1 FINANCE OVERVIEW REPORT - MAY 2023

RESOLUTION OM05/ 06/23

Moved: Cr Phil Barwick
Seconded: Cr Paul Stretton

THAT Council receives and accepts the May 2023 Finance Overview Report as presented.

CARRIED 6

11.2 2022-23 ESTIMATED FINANCIAL POSITION

RESOLUTION OM06/ 06/23

Moved: Cr Danielle Slade
Seconded: Cr Paul Stretton

THAT Council receives and accepts the 2022/23 Statements of Estimated Financial Position.

CARRIED 6

11.3 2023/24 DEBT POLICY

RESOLUTION OM07/ 06/23

Moved: Cr Phil Barwick
Seconded: Cr George Fortune

THAT Council adopts the 2023/24 Debt Policy as presented.

CARRIED 6

11.4 2023/24 INVESTMENT POLICY

RESOLUTION OM08/ 06/23

Moved: Cr Phil Barwick
Seconded: Cr George Fortune

THAT Council adopts the 2023/24 Investment Policy as presented.

CARRIED 6

11.5 SPLASHEZ OVERVIEW REPORT- MAY 2023

RESOLUTION OM09/ 06/23

Moved: Cr Kim Coghlan
Seconded: Cr Paul Stretton

THAT Council receives and accepts the May 2023 Splashez Overview Report as presented.

CARRIED 6

11.6 CORPORATE SERVICES OVERVIEW REPORT - APRIL 2023 AND MAY 2023

RESOLUTION OM10/ 06/23

Moved: Cr Phil Barwick
Seconded: Cr George Fortune

THAT Council receives and accepts the April 2023 and May 2023 Corporate Services Overview Report as presented.

CARRIED 6

At 9:32 am, Cr Kim Coghlan left the meeting.

11.7 ECONOMIC DEVELOPMENT OVERVIEW REPORT - MAY 2023

RESOLUTION OM11/ 06/23

Moved: Cr Phil Barwick
Seconded: Cr George Fortune

THAT Council receives and accepts the April 2023 Economic Development Overview Report as presented.

CARRIED 5

11.8 MOUNT ISA ECONOMIC DEVELOPMENT STRATEGY 2023-2028

RESOLUTION OM12/ 06/23

Moved: Cr Phil Barwick
Seconded: Cr Paul Stretton

THAT Council accept and adopt the Mount Isa City Council Economic Development Strategy 2023-2028.

CARRIED 5

11.9 COMMUNITY DEVELOPMENT OVERVIEW REPORT - MAY 2023

RESOLUTION OM13/ 06/23

Moved: Cr George Fortune
Seconded: Cr Paul Stretton

THAT Council receives and accepts the May 2023 Community Development Overview Report as presented.

CARRIED 5

11.10 YOUTH STRATEGY 2023-2027

RESOLUTION OM14/ 06/23

Moved: Cr Phil Barwick
Seconded: Cr George Fortune

That Council receives and adopts the Youth Strategy 2023 – 2027 and Youth Action Group Charter/Structure as presented.

CARRIED 5

At 9:42 am, Cr George Fortune left the Council Chambers due to a declared conflict of interest in relation to item 11.11 ‘Mount Isa Fish Stocking Group Grant - Request to Extend Project Completion Dates’ and remained out of the Chamber whilst the item was discussed and resolved.

11.11 MOUNT ISA FISH STOCKING GROUP GRANT - REQUEST TO EXTEND PROJECT COMPLETION DATES

RESOLUTION OM15/ 06/23

Moved: Cr Phil Barwick
Seconded: Cr Paul Stretton

THAT Council approve an extension to the project completion date for the Mount Isa Fish Stocking Group project "Stocking Lake Moondarra with Sooty Grunter Fingerlings" to February 2024.

CARRIED 4

At 9:43 am, Cr George Fortune returned to the meeting.

11.12 MOUNT ISA COMMUNITY ENSEMBLE (MICE) 100 COMMUNITY EVENT

RESOLUTION OM16/ 06/23

Moved: Cr George Fortune
Seconded: Cr Paul Stretton

THAT Council approves in-kind support for the Mount Isa Community Ensemble (MICE) 100 Community Event being held 13 – 16 July 2023 at the Mount Isa Civic Centre for the value of $6,052.00.

CARRIED 5

11.13 MOUNT ISA AGRICULTURAL SHOW SOCIETY - REQUEST FOR VENUE AND FEE SUBSIDY

RESOLUTION OM17/ 06/23

Moved: Cr Phil Barwick
Seconded: Cr George Fortune

THAT Council endorses the correspondence to the Mount Isa Agricultural Show Society dated Friday 16 June 2023 (copy attached).

CARRIED 5

11.14 ISA RODEO LTD - 2023 EVENT

RESOLUTION OM18/ 06/23

Moved: Cr Phil Barwick
Seconded: Cr George Fortune

THAT Council approves a venue hire subsidy for all bump in and bump out days for Isa Rodeo Ltd.'s 2023 Mount Isa Rodeo events at Buchanan Park Event Complex, to the value of $92,620.00 (incl GST), subject to the execution of a Venue Use Agreement on terms satisfactory to the CEO.

CARRIED 5

11.15 MOUNT ISA CITY COUNCIL ENTERPRISES PTY LTD. (MICCOE) SUBSIDY

RESOLUTION OM19/ 06/23

Moved: Cr Phil Barwick
Seconded: Cr George Fortune

THAT Council approves the additional $50,000 MICCOE subsidy payment for the remainder of the 2023 financial year to cover expenses that have increased above original budget estimates.

CARRIED 5

11.16 LIBRARY OVERVIEW REPORT - APRIL 2023 AND MAY 2023

RESOLUTION OM20/ 06/23

Moved: Cr Paul Stretton
Seconded: Cr George Fortune

THAT Council receives and accepts the April 2023 and May 2023 Library Overview Report as presented.

CARRIED 5

11.17 HEALY HEIGHTS COVENANT VARIATION REQUEST FOR 10 BORN COURT, MOUNT ISA, DESCRIBED AS LOT 33 ON PLAN SP186733

RESOLUTION OM21/ 06/23

Moved: Cr George Fortune
Seconded: Cr Paul Stretton

THAT Council approves the Healy Heights Covenant Variation Request for 10 Born Court, Mount Isa, described as Lot 33 on plan SP186733 to permit the construction of a shed 900mm from the western boundary;

AND

THAT Council advises the applicant that the variation request has been approved, however, the proposed shed is to still comply with all other aspects of the Healy Heights Covenant Stages 1-2.

CARRIED 5

12 INFRASTRUCTURE SERVICES REPORTS

12.1 WORKS AND OPERATIONS OVERVIEW REPORT APRIL 2023 AND MAY 2023

RESOLUTION OM22/ 06/23

Moved: Cr Paul Stretton
Seconded: Cr George Fortune

THAT Council receives and accepts the April 2023 and May 2023 Works and Operations Report.

CARRIED 5

12.2 WATER AND SEWERAGE OVERVIEW REPORT - APRIL 2023 AND MAY 2023

RESOLUTION OM23/ 06/23

Moved: Cr Paul Stretton
Seconded: Cr George Fortune

THAT Council receives and accepts the April 2023 and May 2023 Water and Sewerage Overview Report.

CARRIED 6

12.3 MAJOR PROJECTS OVERVIEW REPORT MAY 2023

RESOLUTION OM24/ 06/23

Moved: Cr Paul Stretton
Seconded: Cr George Fortune

THAT Council receives and notes the May 2023 Major Projects Overview Report.

CARRIED 5

12.4 VARIATION FOR ADDITIONAL WORKS AT LIONS PARK BASKETBALL COURT

RESOLUTION OM25/ 06/23

Moved: Cr George Fortune
Seconded: Cr Phil Barwick

THAT Council accept and pay the variation claim by Oaka Construction Qld Pty Ltd for contract 2022-26 of $32,598.20 Incl GST for the removal of unsuitable material.

CARRIED 5

13 GENERAL BUSINESS

13.1 MOUNT ISA EDUCATION TRUST - APPOINTMENT OF CIVIC TRUSTEE

RESOLUTION OM26/ 06/23

Moved: Cr George Fortune
Seconded: Cr Paul Stretton

THAT Councillor Peta MacRae be nominated as the Council's Civic Trustee in accordance with the Mount Isa Education Trust Deed.

CARRIED 5

Mayor Slade sought and received the informal approval of the Council to suspend the Council's meeting rules, so as to allow for public participation in the meeting.
Brett Moore requested an update on the Motorsports Advisory Committee and asked if the meeting minutes were available to the public. Brett also asked if the Committee meetings were open to the public to attend.

Brett advised that committee members have left town, and queried the process on how to elect new Committee members, Brett suggested he would be interested in applying.

14 CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

14.1 AUDIT AND RISK COMMITTEE MEETING MINUTES DATED 25 MAY 2023 - UNCONFIRMED

RESOLUTION OM27/ 06/23

Moved: Cr Phil Barwick
Seconded: Cr George Fortune

THAT Council receives and accepts the unconfirmed Audit and Risk Management Committee Meeting Minutes dated 25 May 2023 as presented.

CARRIED 5

There being no further business the meeting closed at 10:28am.

The minutes of this meeting were confirmed at the Council Meeting held on 19 July 2023.

.....

CHAIRPERSON

5.3 MINUTES OF THE SPECIAL MEETING HELD ON 29 JUNE 2023

Document Number: **795007**

Author: **Acting Senior Executive Assistant**

Authoriser: **Acting Chief Executive Officer**

RECOMMENDATION

THAT the Minutes of the Special Meeting held on 29 June 2023 be confirmed as a true and correct record.

RECOMMENDATION OPTIONS

ATTACHMENTS

1. **Minutes of the Special Meeting held on 29 June 2023**

MINUTES

Special Council Meeting
Thursday, 29 June 2023

Order Of Business

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2 Apologies/Leave of Absence 3
3 Declarations of Conflicts of Interest 3
4 Corporate and Community Services Reports 3
4.1 2023/24 Revenue Policy 3
4.2 Proposed 2023-24 Fees and Charges 3

MINUTES OF MOUNT ISA CITY COUNCIL
SPECIAL COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 23 WEST STREET, MOUNT ISA
ON THURSDAY, 29 JUNE 2023 AT 9:00AM

PRESENT: Crs Slade, Barwick, Fortune, MacRae, Stretton, Tully, Coghlan

IN ATTENDANCE: Tim Rose (Acting CEO), Chileya Luangala (Director Corporate and Community),

1 OPENING OF THE MEETING/ACKNOWLEDGEMENT OF COUNTRY

Mayor Slade opened the meeting at 9:06am and advised that this meeting will not be livestreamed due to technical issues.

2 APOLOGIES/LEAVE OF ABSENCE

Nil

3 DECLARATIONS OF CONFLICTS OF INTEREST

Nil

4 CORPORATE AND COMMUNITY SERVICES REPORTS

4.1 2023/24 REVENUE POLICY

RESOLUTION SM28/06/23

Moved: Cr Phil Barwick
Seconded: Cr Mick Tully

THAT Council adopts the 2023/24 Revenue Policy as presented in the 2023/24 Annual Budget.

CARRIED 7

4.2 PROPOSED 2023-24 FEES AND CHARGES

RESOLUTION SM29/06/23

Moved: Cr Phil Barwick
Seconded: Cr Mick Tully

THAT Council adopts the 2023/24 Register of Commercial Fees and Charges as presented in the 2023/24 Annual Budget.

AND

THAT Council adopts the 2023/24 Register of Cost Recovery Fees Register as presented in the 2023/24 Annual Budget.

CARRIED 7

There being no further business the Meeting closed at 9:10am.

The minutes of this meeting were confirmed at the Council Meeting held on 19 July 2023.

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CHAIRPERSON

6 ACTIONS FROM PREVIOUS COUNCIL MEETINGS

6.1 OUTSTANDING ACTIONS FROM PREVIOUS COUNCIL MEETINGS AS AT 19 JULY 2023

Document Number: **795542**

Author: **Acting Senior Executive Assistant**

Authoriser: **Acting Chief Executive Officer**

EXECUTIVE SUMMARY

Outstanding actions from previous Council Meetings as at 19 July 2023.

RECOMMENDATION

THAT Council receives and notes the outstanding actions from previous Council Meetings as at 19 July 2023.

Meeting	Date	Officer	Title	Target
Council 25/01/2023	25/01/2023	Manager, Economic and Community Development	Country University Center - Preferred Location	31/07/2023
Council 22/02/2023	22/02/2023	Manager, Economic and Community Development	Lake Moondarra Advisory Committee Meeting Minutes	8/03/2023
Council 22/03/2023	22/03/2023	Manager, Environment, Regulatory Services and Land Use	Surrender of sub-sub lease - Mount Isa Softball Association	31/10/2023
Council 22/03/2023	22/03/2023	Land Use Coordinator	Proposed Tenure Over Vacant Lease Area B SP248022 in Lot 8 RD138 – Mount Isa Campdraft Association Inc.	31/10/2023
Council 19/04/2023	19/04/2023	Community Development Officer	RADF - Council Initiated Project - True Country	31/01/2024
Council 19/04/2023	19/04/2023	Community Development Officer	RADF - Council Initiated Project - Mural on Ergon Substation Building	31/07/2023
Council 24/05/2023	24/05/2023	Land Use Coordinator	Request Use of Vacant Lease Area C SP288786 in Lot 6 RD228 - Mount Isa Amateur Netball Association	31/07/2023
Council 21/06/2023	21/06/2023	Senior Planning Officer	Healy Heights Covenant Variation Request for 10 Born Court, Mount Isa, Described as Lot 33 on Plan SP186733	5/07/2023
Council 21/06/2023	21/06/2023	Outback at Isa Manager	Mount Isa City Council Enterprises Pty Ltd. (MICCOE) Subsidy	31/07/2023

Meeting	Date	Officer	Title	Target
Council 21/06/2023	21/06/2023	Community Development Officer	Isa Rodeo Ltd - 2023 Event	31/08/2023
Council 21/06/2023	21/06/2023	Corporate Governance Coordinator	2023-2024 Operational Plan	5/07/2023
Council 21/06/2023	21/06/2023	Executive Assistant, Executive Services	Mount Isa Education Trust - Appointment of Civic Trustee	5/07/2023
Council 21/06/2023	21/06/2023	Acting Manager, Major Projects	Variation for Additional Works at Lions Park Basketball Court	5/07/2023
Council 21/06/2023	21/06/2023	Land Use Coordinator	Mount Isa Community Ensemble (MICE) 100 Community Event	17/07/2023
Council 21/06/2023	21/06/2023	Corporate Governance Coordinator	Update of Reimbursement of Expenses and Provision of Facilities for Mayor and Councillors Policy	5/07/2023
Council 21/06/2023	21/06/2023	Community Development Officer	Mount Isa Fish Stocking Group Grant - Request to Extend Project Completion Dates	5/07/2023
Council 21/06/2023	21/06/2023	Community Development Officer	Youth Strategy 2023-2027	31/08/2023
Council 21/06/2023	21/06/2023	Economic Development Officer	Mount Isa Economic Development Strategy 2023-2028	31/07/2023

RECOMMENDATION

THAT Council receives and notes the outstanding actions from previous Council Meetings as at 19 July 2023.

ATTACHMENTS

Nil

7 DECLARATIONS OF CONFLICTS OF INTEREST

8 MAYORAL MINUTE

Nil

9 READING AND CONSIDERATION OF CORRESPONDENCE

Nil

10 EXECUTIVE SERVICES REPORTS

10.1 UPDATE OF REGISTER OF DELEGATIONS - COUNCIL TO CEO

Document Number: **794487**
Author: **Coordinator, Governance and Disaster Management**
Authoriser: **Chief Executive Officer**
Directorate: **Executive Services**
Portfolio: **Executive Services**

EXECUTIVE SUMMARY

Pursuant to s257(1)(b) of the *'Local Government Act 2009'* a local government may, by resolution, delegate a power under this Act or another Act to the Chief Executive Officer. This Register of Delegations – Council to CEO lists these specific powers.

RECOMMENDATION

THAT Council adopt the updated Register of Delegations – Council to CEO V5.

OVERVIEW

Delegation of legislation to the CEO from Council commences an ongoing process which allows further delegations to respective officers and staff. This allows the ongoing functionality of the Local Government with the legal accountability and good governance in place. These delegations ideally should be reviewed annually to allow for legislative changes.

This report is limited to the delegations from Council to the CEO and it should be noted that a recent consideration relating to section 195 of the Local Government Act 2009 removes subsection (a) from the register therefore allowing Council to be the sole decision maker.

BACKGROUND

Delegations are a two-part process being Council Delegations to the CEO (the purpose of this report) and the CEO to staff to authorise the legal conduct of their duties and allow decision making and handling of matters to occur at an operational level.

This step is the first part required to allow council to update its delegation register of all relevant legislation applicable to the effective function of the Mount Isa City Council.

The list of delegations was prepared by King and Co Solicitors on behalf of the Local Government Association of Queensland to support the function of Queensland local Government.

The list is very comprehensive and has been reviewed in detail prior to presentation to the Ordinary meeting.

BUDGET AND RESOURCE IMPLICATIONS

The cost implications are within the existing governance budget.

LINK TO CORPORATE PLAN

Theme:	5.	Ethical & Inclusive Governance
Strategy:	5.7	Promote a proactive approach to risk management, including business continuity

CONSULTATION (INTERNAL AND EXTERNAL)

Consultation has taken place with the outgoing Chief Executive Officer, the current Acting Chief Executive Officer, and the Governance Coordinator.

LEGAL CONSIDERATIONS

The new delegation register has been prepared and recommended by King and Company Solicitors through the Local Government Association of Queenslands Delegation Register Service.

Council is required to review the Register of Delegations – Council to CEO annually pursuant to s257(5) of the Local Government Act 2009.

POLICY IMPLICATIONS

Any changes to legislated decision-making powers within the organisation may affect a number of council policies which will be review following the completion of the delegation process.

RISK IMPLICATIONS

Council needs to be mindful of its legislative obligations relating to governance compliance.

HUMAN RIGHTS CONSIDERATIONS

There is no evidence of any human rights violations with the adaptation of this updated register.

RECOMMENDATION

THAT Council adopt the updated Register of Delegations – Council to CEO V5.

ATTACHMENTS

1. Council to CEO Delegations V5 - (Under Separate Cover)

10.2 AUDIT AND RISK COMMITTEE - APPOINTMENT OF CHAIRPERSON

Document Number:	**790243**
Author:	**Coordinator Corporate Governance**
Authoriser:	**Chief Executive Officer**
Directorate:	**Executive Services**
Portfolio:	**Finance, Customer Services, Economic Development, Promotion & Community Development, Arts**
	Executive Services

EXECUTIVE SUMMARY

The purpose of this report is to appoint a new independent Independent Chair of the Audit and Risk Committee.

RECOMMENDATION

THAT Council appoint Kerry Philips to the position of Independent Chair for the Audit and Risk Committee for the remainder of term of this Council and for a period of two (2) years with the option of a further two years upon satisfactory review, and

That Mr Geoff King be thanked for his service as the Independent Chair.

OVERVIEW

Mr Geoff King has been the independent Chairperson of the Mount Isa Audit and Risk Committee since February 2019 but has resigned effective from May 2023. The purpose of this report is to appoint a new Audit and Risk Committee Chair.

Expressions of interest for the position were called for and the standard of applicant was extremely high in that any candidate was well qualified to conduct the role.

The Audit and Risk Committee charter allows a broad scope for Council to appoint an external member as Chair of the Committee however this period of appointment must be in line with the term of Council.

A serving member of the committee, Kerry Phillips has served predominately on the committee and would be well suited for appointment to the Position of Chair for the Audit and Risk Committee for the remainder of term of this Council and a period of two (2) years with the option of a further two years upon satisfactory review.

This would ensure we mitigate organisational disruption risks by achieving continuity with someone familiar with the role and the organisation.

This appointment will create a vacant position for an external member on the committee which can be filled by seeking interest from the remaining applications for the chair and completing an interview and appointment process.

BUDGET AND RESOURCE IMPLICATIONS

The payment for the Independent Chair has been increased slightly to 1,650 per meeting plus expenses.

LINK TO CORPORATE PLAN

Theme:	5.	Ethical & Inclusive Governance
Strategy:	5.1	Continually monitor and evaluate all Council operations and conduct independent surveys of client/customer satisfaction levels

CONSULTATION (INTERNAL AND EXTERNAL)

The CEO and Executative Management Team were consulted.

LEGAL CONSIDERATIONS

Local Government Act 2009 and

Local Government Regulations 2012

POLICY IMPLICATIONS

The appoint is consistent with the scope of the Audit Committee Charter.

RISK IMPLICATIONS

The appointment of an Independent Chair reduces financial and reputational risk for council.

HUMAN RIGHTS CONSIDERATIONS

N/A

ATTACHMENTS

Nil

10.3 MICCOE ADOPTION OF DOCUMENTATION AND EOI - CHAIR

Document Number: **790281**

Author: **Coordinator Corporate Governance**

Authoriser: **Chief Executive Officer**

Directorate: **Executive Services**

Portfolio: **Executive Services**

EXECUTIVE SUMMARY

The Mount Isa Council Owned Enterprises Pty Ltd (MICCOE) requires the services of an independent Chair and an expression of Interest (EOI) will be called to find a suitably qualified Individual.

The MICCOE Pty Ltd is a proprietary Company that was established by council as a beneficial enterprise under the Local Government act 2009.

The purpose of this report is for council to review the Constitution and enact a policy for MICCOE and to authorise the calling for an Independent Chair.

RECOMMENDATION

THAT Council adopt the recommended changes to the Constitution of the Mount Isa City Council Owned Enterprises Pty Ltd and

THAT Council adopt the Mount Isa Council Owned Enterprises (MICCOE) Board Charter and

THAT Council call for Expression of Interest to fill the role of the (MICCOE) Independent Chair

OVERVIEW

The Mount Isa City Council as per the Constitution is the only member of the Company. The Council, as is best practice, should review the constitution and ensure that it is that is up to date with contemporary legislation. King and Company originally provided the legal advice to form the company and have reviewed the document and proposed the following changes for adoption.

The proposed amendments are as follows: -

1. Rule 1.2: definition of “Address for Notices” - correction of minor errors;
2. Rule 1.2: definition of “Business” – amended to remove previous business activities.
3. Rule 2.1: principal objects – as above.
4. Rules 1.2, 7.2, 7.5, 9.3, 7.15: changing the reference “Chairman” to “Chair”.
5. Rule 3.5: correction of minor error in heading;
6. Rule 7.6(1): changing the erroneous reference from “Company” to “Member”;
7. Rule 7.10: updating modes of attending a board meeting to include reference to audio link and video link;
8. Rules 7.12 and 7.16: making specific reference to use of email; and
9. Deletion of the “Endnotes”.

The *Corporations Act 2001* references in the Constitution remain correct. Notwithstanding, King and Company consider the inclusion of the endnotes as unnecessary.

A proposed policy for MICCOE is also attached with the primary purpose of providing a renumeration strategy for the Chair and directors. As Council is the only member the constitution provides under section 7.6 whereby *Each Director is entitled to receive from the Company funds the renumeration that the member determines.*

The MICCOE Board Charter is also attached for adoption by Council.

BACKGROUND

The MICCOE Board has been operating for a considerable period of time without an independent Chair, but best practice is for the board to be independently chaired. The revision of the Constitution and the policy adoption will allow this to be enacted. The position will be advertised on appropriate forums and websites to attract the best possible candidate.

BUDGET AND RESOURCE IMPLICATIONS

The renumeration of the chair will be contained within the MICCOE budget and the advertisement costs covered within councils advertising budget.

LINK TO CORPORATE PLAN

Theme:	5.	Ethical & Inclusive Governance
Strategy:	5.1	Continually monitor and evaluate all Council operations and conduct independent surveys of client/customer satisfaction levels

CONSULTATION (INTERNAL AND EXTERNAL)

Consultation with Council's CEO, Executive Services and the Company Secretary.

LEGAL CONSIDERATIONS

King and Company provided legal advice on minor changes to the Constituition.

POLICY IMPLICATIONS

The Constitution and Policy for MICCOE are presented.

RISK IMPLICATIONS

The appointment of an Independent Chair is Best Practise and reduces governance risk.

HUMAN RIGHTS CONSIDERATIONS

Nil

ATTACHMENTS

1. **Draft MICCOE Board Charter**
2. **Draft MICCOE Constituition**

STRATEGIC POLICY

MOUNT ISA CITY COUNCIL

Mount Isa Council Owned Enterprises (MICCOE) Board Charter

RESOLUTION NO. OM00/00/0000 VERSION V1

APPLIES TO STRATEGIC POLICIES ONLY

This an official copy of the Mount Isa Council Owned Enterprises Pty Ltd Charter, made in accordance with the provisions of Local Government Act 2009 and Local Government Regulations 2012.

Strategic policies are adopted by Council due to its desire to influence the direction of an issue or assist in the delegated decision making of Council officers. Strategic policies should follow the jurisdiction provided to Council through its Corporate Plan; the Mount Isa Council Owned Enterprises (MICCOE) Board Charter is approved by the Mount Isa City Council for the operations and procedures of Council.

.....
Dale Dickson
Chief Executive Officer

DOCUMENT VERSION CONTROL					
Governance/Policies/Strategic Doc ID# Remove for new policy				POLICY TYPE	Strategic (Council)
VERSION	DATE	RESOLUTION NO.	DETAILS		
V1	19.04.2023	OM19/04/2023	Responsible Officer – CEO		
				REVIEW DUE	04 2025

DISTRIBUTION AND DISSEMINATION			
Internal email to all employees	X	Section meetings / Toolbox talks	X
Internal email to all Councillors	X	Included in employee inductions	X
Employee noticeboards	X	Uploaded to Council website	X
Internal training to be provided	X	External training to be provided	

STRATEGIC POLICY

MOUNT ISA CITY COUNCIL

Mount Isa Council Owned Enterprises (MICCOE) Board Charter

RESOLUTION NO. OM00/00/0000 VERSION V1

Registered in magiQ	X		

1. PURPOSE

Mount Isa City Council Owned Enterprises Board ("the Board") is a beneficial enterprise controlled by Mount Isa City Council ("Council"), directed to benefiting and is reasonably expected to benefit the whole or part of the Mount Isa local government area.

This will be read in conjunction with the MICCOE Company Constitution charter sets out the Board's administrative arrangements.

2. COMMENCEMENT

This charter will commence on and from date. It replaces all other arrangements governing the MICCOE Board (whether written or not).

3. COMPOSITION, TENURE AND REMUNERATION

3.1 The Board will be comprised of at least four and no more than six members and include:

a) Three current councillors as decided by Council resolution

b) At least one and no more than three independent, external members as decided by Council resolution

c) The Chairperson shall be an external independent member, decided on by Council resolution

3.2 The mayor is an ex-officio member and is a permanent invitee with no voting rights.

3.3 The period of appointment to the Board will be a three year period, after which the Board member may be eligible for an extension at Council's discretion following a formal review. The maximum term being six years.

3.4 The Board members as a collective, should have a broad range of skills and experience including financial, commercial, tourism, marketing and promotion, asset management and company director or government board experience.

3.5 Each Board member will be entitled to a vote, in the event of a tied vote, the Chairperson may exercise a casting vote on any matter.

3.6 Independent, external Board members are entitled to be remunerated by Council on a per Board meeting basis as follows:

a) External, independent Chairperson $1000 (ex GST)
b) Other external, independent member/s $800 (Ex GST)
c) Where an external, independent Board member is required to travel to attend a Board meeting in Mount Isa, Council will meet these costs.

4. RESPONSIBILITIES

4.1 The Board oversees Outback at Isa, Mount Isa's major tourism facility includes the Mount Isa Visitor Information Centre, Hard Times Mine, Isa Experience and Outback Park, the Mount Isa Regional Art Gallery, Riversleigh Fossil Centre, and the Outback Café.

4.2 The Board should focus on the development of city and regional tourist attractions and sustainable visitor experiences by reviewing and implementing the Council approved Business Strategy.

4.3 The Board will meet at least six times per financial year or as decided by the Chairperson. A forward meeting plan, including meeting dates and agenda items will be agreed to by the Board each year.

Meetings will be held in the Council Chambers unless otherwise decided by Council.

4.4 The Board may also provide guidance to the Outback at Isa Centre Management.

5. ADMINISTRATIVE ARRANGEMENTS AND REPORTING

5.1 A quorum will consist of at least half the number of members of the Board. Where the Chairperson is absent, the members present will decide who will chair the meeting.

5.2 Council will provide a secretary to provide administrative support to the Board including:

a) Preparation of agenda
b) Recording and distribution of meeting minutes

5.3 The Board will provide, as soon as practicable, a written report to Council about the matters discussed at the meeting including any recommendations.

6. VARIATIONS

Council reserves the right to vary, replace or terminate this policy from time to time.

ASSOCIATED DOCUMENTS AND LEGISLATION

- Constitution of Mount Isa City Council Owned Enterprises Pty Ltd
- *The Corporations Act 2001*

Company Constitution

Mount Isa Council Owned Enterprises Pty Ltd

[A proprietary company limited by shares]

PART 1 INTERPRETATION

1.1 General

Unless:

(1) the context otherwise requires; or

(2) a contrary intention appears,

this Constitution is to be interpreted by reference to the definitions and subsequent provisions of this *Part 1.*

1.2 Definitions

Each of the following expressions bears the meaning shown opposite:

Address for Notices

(1) For the Company:

(a) its registered office.

(b) if it is no longer at its registered office, its principal place of business in Queensland as noted upon ASIC records for the time being.

(c) its principal facsimile number at its registered office; and

(d) its principal electronic mail address at its registered office.

(2) For a Director, including an Alternate Director:

(a) his/her residential or business address last notified to the Company;

(b) if the Secretary knows he/she is no longer at that address, and is aware of a later address, that later address;

(c) his/her principal facsimile number at the residential or business address the subject of whichever is relevant of *sub-paragraphs (2)(a)* and *(2)(b)* of this definition; and

(d) his/her principal electronic mail address at the residential or business address the subject of whichever is relevant of *sub-paragraphs (2)(a)* and *(2)(b)* of this definition.

(3) For a Member:

(a) its address shown in the register of Members, or such other address as the Member has supplied to the Company as its address for notices;

(b) its facsimile number shown in the register of Members, or such other facsimile number as the Member has supplied to the Company as its facsimile number for notices; and

(c) an electronic mail address that the Member has supplied to the Company as its electronic mail address for notices.

(4) If the relevant entity is not at:

(a) its address the subject of *sub-paragraphs (1)(a)* and *(1)(b)*, *(2)(a)* and *(2)(b)*, or *(3)(a)* and *(3)(b)* of this definition; or

(b) its facsimile number the subject of *paragraphs (1), (2)* and *(3)* of this definition,

its last principal place of business or facsimile number in Queensland known to the entity giving it a relevant notice or making a relevant payment to it.

Adoption Date	The date the Company adopts this Constitution.
Alternate Director	A person appointed under *Rule 7.17* as an alternate Director.
Appendix	An appendix to this Constitution.
ASIC	Australian Securities and Investments Commission.
Associate	An associate as that expression is defined in section 12 of the *Corporations Act*.
Auditor	The Company's Auditor.
Beneficial Enterprise	As defined in *Local Government Act 2009*, section 39(3).
Board	The Company's Board of Directors.
Business	The Company's business for the time being, including: (1) Outback at Isa; and (2) other Beneficial Enterprises as determined by the Member from time to time.
Business Day	(1) For giving notice under this Constitution: a day other than a Saturday, Sunday, or public holiday in the locality to which the notice is to be sent. (2) For making a payment under the Constitution: a day, other than a Saturday, Sunday or public holiday, upon which banks (as that expression is defined in the *Banking Act 1959 (Cwlth)*) are open for business in the locality of the recipient's Address for Notices. (3) For conducting a meeting pursuant to the Constitution: a day other than a Saturday, Sunday or public holiday in the locality of the venue at which a meeting or adjourned meeting is to be held.
Business Strategy	A plan of action approved by the Member for conduct of the Business, addressing particularly: (1) product and service strategy; (2) pricing policy; (3) personnel policy; (4) investments; (5) financing requirements for operating capital, investment and expansion; (6) profit objectives and distribution; (7) marketing;

	(8) budgeting; (9) business policies; (10) financial and non-financial performance targets; (11) assets management; (12) key performance indicators as determined by the Board from time to time; and (13) such other matters as determined from time to time by the Member and notified to the Board.
Chair	The chair of the Board.[1]
Company	Mount Isa City Council Owned Enterprises Pty Ltd.
Confidential Information	(1) Information regarding: (a) the Business; and (b) the assets or affairs of the Company and any Related Corporation. (2) Information that the Board lawfully declares by resolution to be confidential. (3) Information that the Company is contractually bound to keep confidential.
Confirmation Report	In relation to a facsimile transmission: a transmission confirmation report produced by the sender's facsimile machine, which report: (1) contains the identification code of the intended recipient's facsimile machine; and (2) indicates that the transmission was received without error.
Constitution	This document, being the constitution adopted by the Company.
Control	"Control" as defined in sections 9 and 50AA of the *Corporations Act*.
Corporations Act	*Corporations Act 2001 (Cwlth)*.
Director	A director of the Company.
Financial Year	Each 12-month period ending on a 30th June.
Government Entity	(1) A government. (2) A government department or government-owned corporation. (3) Any other government or semi-government administrative or judicial body, commission, authority, tribunal, agency or entity.
include	Comprise or encompass, without being limited to what is stated to be included. *Example:*

[1] *Refer to Rule 7.2.*

	In the definition of "Act", subordinate legislation is stated to include a local law. However, the expression is not limited to a local law. It also encompasses a Regulation, a Standard Law and any other type of subordinate legislation.
Indemnifiable Liability	A liability, loss or expense the subject of *Rule 11.2(1)*.
Income Tax Acts	The *Income Tax Assessment Act 1936 (Cwlth)* and the *Income Tax Assessment Act 1997 (Cwlth)*.
Issued Capital	The aggregate of the Shares (that is to say, the aggregate of issued shares in the capital of the Company).
Local Government	Mount Isa City Council
Managing Director	A managing director of the Company.
Member	Mount Isa City Council as sole shareholder of the Company.
Members Agreement	A formal agreement between Members relating to the exercise of their entitlements as the holders of Shares.
Member Class	The Members who hold Shares of a specific class.[2]
Part	A numbered part or division of this Constitution, other than an Appendix, containing 1 or more Rules.
Primary Director	A Director for whom an Alternate Director is appointed.
Protected Person	A person entitled to indemnity under *Rule 11.1*.
Related Corporation	A "related body corporate" as defined in sections 9 and 50 of the *Corporations Act*, including a corporation that ceases to be a related body corporate through amendment, consolidation or replacement of the *Corporations Act*.
Representative	A person appointed, under section 250D of the *Corporations Act*, as the representative of a corporation.
Rule	A clause, sub-clause or paragraph in this Constitution.
Secretary	A secretary of the Company.
Security Interest	(1) An interest or power granted in or over property, or an interest in property,[3] to secure: (a) the payment or repayment of money; or (b) the discharge of an obligation. (2) The expression includes: (a) a power of attorney; (b) a reservation of title upon sale; (c) a bill of sale, mortgage or charge; (d) a lien or pledge;

[2] *For instance: the Members who hold preference Shares. Members who hold, for example, ordinary Shares but no preference Shares are not included in the Member Class of preference Shareholders.*

[3] *This includes a Share.*

	(e) a trust and a trust power, and an agreement to grant or create any such interest or security.
Share	An issued share in the capital of the Company.
Share-Ratably	In the proportion that the aggregate of the Member's Shares bears to the Issued Capital.
Subscriber	A person who applies to the Directors for the issue of a new Share in the capital of the Company.
Subsidiary	(1) A "subsidiary" as defined in section 9 and Part 1.2, Division 6 in of the *Corporations Act*. (2) The expression includes, for the purposes of this Constitution, a corporation that: (a) becomes a subsidiary of the Company after the Adoption Date; but (b) later ceases to be a subsidiary because of an amendment to, or a consolidation or replacement of, the *Corporations Act*.
Super Guarantee Scheme	The scheme governed by the: (1) *Superannuation Guarantee (Administration) Act 1992 (Cwlth)*; and (2) *Superannuation Guarantee Charge Act 1992 (Cwlth)*, requiring employers to provide a prescribed minimum level of superannuation support for employees.
Voting Power	"Voting power" as defined in sections 9 and 610 of the *Corporations Act*.

1.3 Grammatical Similarities

Where a word or phrase is specifically defined, other parts of speech and grammatical forms of that word or phrase bear meanings corresponding to and consistent with that definition.

1.4 References to Statutory & Other Bodies

Reference to:

(1) the ASIC; and

(2) any other relevant body (statutory, professional or other),

includes:

(3) any body established or constituted successively in lieu of that body; or

(4) if no body is constituted in lieu, any body succeeding (as nearly as may be) to its powers or functions.

1.5 Block References

(1) Reference to the period between two specified dates, times or periods includes each of those two dates, times or periods.

Example: A reference to the period "from 1 January to 31 December" or "between 1 January and 31 December" is a reference to the period comprising each of those two dates and all of the days between them.

(2) Reference to the numbers, provisions, or items, in this or another document, between two specified numbers, numbered provisions, or numbered items, includes each of those two numbers, numbered provisions or items.

Example: A reference to Rules 1.1 to 1.5", or "from Rule 1.1 to Rule 1.5", or "between Rule 1.1 and Rule 1.5" is a collective reference to those two rules and the rules between them.

1.6 Miscellaneous References

(1) Reference to the singular includes the plural, and vice-versa.

(2) Reference to a gender includes each other gender.

(3) Reference to a person includes a corporation, a firm, and a voluntary association.

(4) Reference to an Act includes an Act that amends, consolidates, or replaces an Act.

(5) Reference to a section or other provision of an Act includes a section or provision that amends, consolidates, or replaces the section or provision.

(6) Reference to an agreement or other instrument is to that agreement or instrument as amended, supplemented, replaced, or novated.

(7) Reference to money is a reference to Australian dollars and cents.

(8) Reference to a time of day is a reference to Australian Eastern Standard Time.

(9) Reference to writing is a reference to reproduction of words, figures, symbols, and shapes in visible form, in English.

1.7 *Corporations Act* Provisions

(1) To the extent that it is inconsistent with a provision of the Constitution, a rule that applies under the *Corporations Act* as a replaceable rule does not apply to the Company.

(2) Where an expression used in this Constitution is defined in the *Corporations Act*, it bears in the Constitution the meaning the *Corporations Act* ascribes to it if it is not defined in *Rule 1.2* or elsewhere in the Constitution.

1.8 Headings and Notes

The table of contents, the headings, and any footnotes and endnotes:

(1) exist for convenience only; and

(2) are to be disregarded when interpreting the Agreement.

1.9 Severance

A provision is to be treated as omitted from the Constitution if:

(1) the provision is void, unenforceable, or incomprehensible; or

(2) retaining the provision would render the Constitution or part of the Constitution void, unenforceable, or incomprehensible.

PART 2 OBJECTS

2.1 Principal object

The Company is incorporated principally to exercise the power of the Local Government under the *Local Government Act 2009* to conduct Beneficial Enterprises including:

(1) Outback at Isa; and

(2) such other Beneficial Enterprises as the Local Government may from time to time determine.

2.2 Additional objects

The Company's further objects are:

(1) to manage and promote commercial and community-focused projects identified by the Local Government for conduct as Beneficial Enterprises;

(2) to provide managerial expertise and support for the efficient and effective conduct of Beneficial Enterprises;

(3) to provide the Local Government with expert advice and reporting on the operations of Beneficial Enterprises.

PART 3 POWERS AND DUTIES

3.1 Company's General Power

The Company may do anything that the *Corporations Act* permits a proprietary company limited by shares to do, other than an act that this Constitution prohibits.

3.2 General Ambit of Specified Powers

Where the Constitution confers a power:

(1) the power includes the power, exercisable in the like manner and subject to the like conditions (if any), to repeal, rescind, revoke, amend or vary what is done in exercising the power;

(2) the power may be exercised from time to time as the occasion requires.

3.3 Discretions

Where the Constitution provides that a person "may" do something, that thing may be done at the person's discretion.

3.4 Specific Power/Specified Matters

Where the Constitution confers a power to do something specific with respect to specified matters, included in that power is the power to do that thing with respect to:

(1) some only of those matters; or

(2) a particular class or particular classes of those matters,

and to make differing provisions with respect to individual matters or different classes of matter.

3.5 Power to Make Appointment

Where the Constitution confers a power to make appointments to an office or position, that power includes power:

(1) to appoint a person to act in the office or position pending an appointment to the office or position;

(2) subject to any contract between the Company and the relevant person, to remove or suspend the appointee, with or without cause; and

(3) to appoint a temporary replacement for a person removed or suspended, or for a sick or absent appointee.

3.6 Discharge of Duty

Where this Constitution imposes a duty, the duty must be discharged from time to time as the occasion requires.

3.7 Power/Duty Attaching to Office

Where the Constitution confers a power or imposes a duty upon the holder of an office, the holder:

(1) may exercise the power; but

(2) must discharge the duty.

3.8 Delegation

Where the Constitution empowers a person or body to delegate a function or power:

(1) the delegation may be made upon terms permitting the delegate to perform the function or exercise the power in addition to, or to the exclusion of, the person or body making the delegation;

(2) the delegation may be made subject to limitations;

(3) the delegation need not be to a specified person but may be to the occupant or holder for the time being of a specified office or position;

(4) the delegation may include the power to on-delegate;

(5) if performance or exercise of the delegable function or power entails the formation of an opinion or the exercise of discretion by the person or body holding the power of delegation, that function or power may be performed or exercised by the delegate similarly by the formation of an opinion or the exercise of discretion; and

(6) the function or power delegated, as performed or exercised by the delegate, will be deemed performed or exercised by the person or body that made the delegation.

PART 4 SHARE CAPITAL

4.1 Allotment of Shares

(1) The Local Government is to be the sole Member of the Company.

(2) Without prejudice to special entitlements conferred upon the Member or a Member Class, the Directors may issue Shares as directed from time to time by the Local Government.

4.2 Share Classes

(1) The Company may issue only:

(a) ordinary shares; and

(b) preference shares.

4.3 Entitlements Attaching to Shares

Each Share entitles the Member in whose name the Share is registered with the Company:

(1) to receive, upon each Share the Member holds, every dividend declared by the Company;

(2) upon a winding up of the Company, to participate in any distribution of surplus capital or property in accordance with *Rule 14.1*; and

(3) to any other right conferred upon the Member by:

(a) this Constitution;

(b) the *Corporations Act*; or

(c) the Company.

PART 5 PROFITS

5.1 Distribution Pre-requisite

In determining the amount of profit to distribute to the Member as dividend or capitalized profit, the Directors must ensure that:

(1) sufficient money has been reserved for working capital, taxation planning, loan repayments, investment and expansion; and

(2) a distribution does not exceed the amount that it is lawful to distribute.[4]

5.2 Dividends

(1) Subject to *Rule 5.1*, the Directors may pay:

[4] *Corporations Act section 254T, for example, prohibits payment of a dividend unless specified criteria are satisfied. Refer to Endnotes.*

(a) the interim and final Share dividends they consider merited by the financial position of the Company; and

(b) a dividend that must be paid under the terms upon which a Share has been issued.

(2) Subject to any direction by the Member, in determining to pay a dividend, the Directors may fix:

(a) the amount of the dividend;

(b) the time at which entitlements to the dividend are determined;

(c) whether the dividend is franked; and, if so, the franking percentage and class;

(d) the time for the payment; and

(e) the method of payment.

(3) The payment of a dividend need not be confirmed by the Member.

(4) All dividends must be paid Share-Ratably.

(5) However, where a Share is partly paid, dividends upon the Share must be apportioned and paid in the proportion that the amount paid or credited bears to the full amount payable upon the Share.

(6) A dividend apportionment under *Rule 5.2(5)* must be calculated at daily rests with respect to the period for which the dividend is paid.

(7) For the purposes of *Rules 5.2(4)* to *5.2(6)*, the Directors must ignore an amount paid, or credited as paid, upon a Share in advance of a call.

(8) The Company is not liable for interest upon a dividend.

(9) Rules *5.2(4)* to *5.2(8)* apply subject to any entitlements or restrictions attached to a Share or class of Share.

(10) A Share dividend must be paid to the person recorded in the register of Members, as the holder of the Share:

(a) on the date the Directors have fixed as the record date for the dividend; or

(b) where the Directors have not fixed a record date, on the date they have fixed for payment of the dividend.

(11) When declaring a dividend payable, the Directors may determine that the dividend be paid wholly or partly, by the distribution of specific assets including fully-paid Shares or other securities of the Company, or of another corporation.

(12) Further, the Directors may determine that a dividend be paid to the Member, wholly or partly from a particular fund or reserve, or from profits derived from a particular source.

(13) The Directors may:

(a) deduct from any dividend payable to the Member the equivalent of all money presently payable by the Member to the Company; and

(b) apply the money deducted in satisfaction or reduction of what the Member owes the Company.

(14) Without limiting the options available to them with respect to method of payment, the Directors may pay by cheque any dividend, interest or other money payable in cash to the Member:

5.3 Capitalization

(1) Subject to the entitlements or restrictions attaching to Shares or classes of Share, the Directors may capitalize and distribute to the Member, any amount:

(a) forming part of the undistributed profits of the Company;

(b) representing profits arising from an ascertained accretion to capital, or from a revaluation of Company assets;

(c) arising from the realization of Company assets; or

(d) otherwise available for distribution as a dividend.

(2) The directors may apply all or any part of a capitalized amount:

(a) to pay in full the price for Shares in or other securities of the Company to be issued to the Member;

(b) to pay amounts unpaid on Shares in or other securities of the Company held by the the Member; or

(c) partly as permitted under *Rule 5.3*(2)(a) and partly as permitted under *Rule 5.3*(2)(b),

and the Member must accept in full satisfaction of its interests in the capitalized amount the application/s made by the Director.

(3) *Rules 5.2(10)* and *5.2(11)* apply:

(a) to the extent that they can apply; and

(b) with the changes rendered necessary by the context,

to the capitalization of an amount under this *Rule 5.3* as if references in those *Rules* to:

(c) a dividend; and

(d) the date a dividend is declared,

were references, respectively, to:

(e) the capitalization of an amount; and

(f) the date the Directors resolve to capitalize the amount under this *Rule 5.3*.

5.4 Incidental Powers

(1) The Directors may exercise the powers contained in this *Rule 5.4* to give effect to a resolution to pay a dividend:

(a) by distribution of assets in specie under *Rule 5.2(11)*; or

(b) by capitalizing a profit under *Rule 5.3*.

(2) The Directors may:

(a) settle as they consider appropriate any difficulty that arises in making the distribution or capitalization;

(b) fix the value of specific assets for the purposes of distribution;

(c) pay cash or issue shares or other securities to the Member, to adjust the entitlements of all parties;

(d) vest in a trustee cash, specific assets, shares or other securities, upon such trusts for the persons entitled to the dividend or capitalized amount as the Directors consider appropriate.

(3) Further, where the Member is entitled, pursuant to the distribution or capitalization, to receive further shares or other securities in:

(a) the Company;

(b) a corporation other than the Company; or

(c) a trust,

the Directors may appoint a person to make on the Member's behalf an agreement with the Company, the other corporation or the trustee, as the case requires, to ensure that:

(d) those shares or other securities are issued to those Members;

(e) the Company applies in payment of the amounts, or any portion of the amounts, remaining unpaid on the Member's existing shares or other securities in the Company, the other corporation or the trust, the proportions to which they are entitled of the amount resolved to be capitalized.

(4) An agreement made under *Rule 5.4(3)* by the person appointed for that purpose is effective and binding on all of the Member.

(5) If the Company distributes to the Member, shares or securities in the Company, another corporation or a trust:

(a) whether as a dividend or otherwise; and

(b) whether for value or not,

the Member appoints the Company its agent to do anything necessary to give effect to the distribution, including agreeing to become:

(c) a Member of the other corporation; or

(d) a beneficiary under the trust.

5.5 Reserve Funds

(1) Subject to the requirements of this Constitution, the Directors may retain from the Company profits the reserve funds or provisions they consider appropriate.

(2) The directors may appropriate into the Company profits any amount previously retained as a reserve or provision.

(3) Retention of money as a reserve or provision does not oblige the Directors:

(a) to keep the money separate from the other Company assets; or

(b) not to use the money in the business of the Company, or not to invest it, as they consider appropriate.

5.6 Carriage of Profits

The Directors may carry forward undistributed profits that they consider ought not to be:

(1) distributed as dividends; or

(2) capitalized,

without transferring those profits to a reserve fund or provision.

5.7 Dividend Reinvestment Plans

The Directors may:

(1) implement, on whatever terms they consider appropriate, a dividend reinvestment plan under which all or part of a dividend due to the Member, on Shares or a class of Shares, will be applied in subscribing for securities in the Company or in a Related Corporation; and

(2) amend, suspend or terminate a dividend reinvestment plan.

5.8 Dividend Selection Plans

(1) The directors may implement, on whatever terms they consider appropriate, a dividend selection plan under which participants may elect:

(a) to receive a dividend paid wholly or partly from a specific fund or reserve, or from profits derived from a specific source; or

(b) to forego a dividend from the Company in favour of receiving another form of distribution, another corporation, or a trust.

(2) The Directors may amend, suspend, or terminate a dividend selection plan.

PART 6 RESOLUTIONS

6.1 Determination by resolution

(1) As sole Member of the Company the Local Government must determine by resolution or by its delegate all matters for which a general meeting would be required to be called if the Company had more than one member.

(2) The resolution of the Member must be recorded in minutes and signed so as to comply with the *Corporations Act*, section 249B.

PART 7 DIRECTORS

7.1 Appointment and Removal

(1) The Member may appoint any number of Directors from 1 up to a maximum of 9.

(2) The Member may at any time:

(a) remove from the Board a Director;

(b) appoint another person to replace the Director it has removed; or

(c) appoint a person to act as an Alternate Director to a nominated Director; and

(d) remove the Alternate Director it has appointed.

7.2 Chair of the Board

(1) The Member:

(a) must appoint a Director as Chair; and

(b) may terminate a Director's appointment as Chair.

(2) Once appointed, the Chair must appoint a proxy, being another Director, before the next Board meeting.

(3) If the Chair is:

(a) absent from a Board meeting; or

(b) unwilling to chair the meeting,

the proxy appointed under *Rule 7.2(2)*:

(c) must chair the meeting; and

(d) will possess for that meeting, in addition to the proxy's existing entitlements as a Director, all of the Chair's entitlements.

(4) If the Chair's proxy is required to chair a Board meeting, but is:

(a) absent from the meeting; or

(b) unwilling to chair the meeting,

the meeting will be adjourned to a time agreed by the Directors present at the meeting.

(5) A Director may resign as Chair by giving notice of resignation to the other Directors.

(6) If a Director:

(a) resigns as Chair;

(b) is unable to continue discharging the responsibilities of Chair[5],

the Member must appoint a new Chair in accordance with Rule 7.2.

7.3 Duration of Office

A Director holds office until he/she dies, resigns, or is removed from office under this Constitution.

7.4 Termination of Employment

If a Director is also employed by the Company, and the Company terminates the employment:

(1) the Director's appointment as a Director also terminates; and

(2) the Member may not re-appoint that person as a Director.

7.5 Written Appointment and Removal

(1) Once appointed:

[5] *Examples: Death, loss of capacity, removal as a director.*

(a) a Director must give the Company prompt notice of his/her appointment as Director; and

(b) the Chair must give the Company prompt notice of his/her appointment as Chair.

(2) If a Director:

(a) resigns or is removed from office as a Director;

(b) resigns, is removed from office or is unable to continue as Chair,

the remaining Directors must give the Company prompt notice of the resignation, removal or cessation.

(3) Notice to the Company under Rules 7.5(1) and 7.5(2) will be properly given if the relevant notice is given to the Secretary.

7.6 Remuneration of Directors

(1) For the purposes of this Constitution, the amount fixed by the Member as a Director's remuneration will not include an amount paid by the Company:

(a) to a superannuation, retirement or pension fund for the Director pursuant to the Super Guarantee Scheme; or

(b) pursuant to *Rule 11.3* for an insurance policy or premium.

(2) Each Director is entitled to receive from Company funds the remuneration that the Member determines.

(3) The Member may determine that the Directors will receive no remuneration from the Company.

(4) If the Member fixes a limit on the aggregate remuneration payable to the Directors, the aggregate remuneration paid to them under *Rule 7.6(2)* must not exceed that limit.

(5) A Director's remuneration may be:

(a) a specified salary;

(b) a fixed sum per Board meeting attended;

(c) a specified salary and a fixed sum per Board meeting attended; or

(d) a share of a fixed sum determined by the Member as the aggregate remuneration to be paid to the Directors via a pool of money to be divided between them in the proportions they agree, or, failing agreement, equally.

(6) A specified salary under *Rule 7.6(5)(a)* or a share of a fixed sum under *Rule 7.6(5)(b)* will accrue from day to day.

(7) If a Director provides extra services or expends special efforts in connection with the Company's affairs, the Board may arrange for special remuneration of that Director.

(8) Nothing in *Rules 7.6(2)* to *7.6(7)* restricts the remuneration a Director may receive as an officer of the Company in a capacity other than Director.

(9) A Director may be paid:

(a) the special remuneration the subject of *Rule 7.6(7)* or

(b) the other-capacity remuneration the subject of *Rule 7.6(8)*,

in addition to or in substitution for the Director's remuneration (if any) under *Rule 7.6(2)*.

(10) At any time after a Director ceases to be a Director (through death or any other occurrence), the Board may pay:

(a) that Director; or

(b) a legal personal representative, spouse, relative or dependant of the Director,

in addition to the remuneration due to the Director under *Rule 7.6(2)*:

(c) a pension; or

(d) a lump sum,

for services previously rendered by that Director.

(11) The Board may cause the Company to enter a contract with a Director, to secure payment of the benefits the subject of *Rule 7.6(10)*.

(12) The Directors may:

(a) establish or support; or

(b) assist in establishing or supporting,

funds and trusts to provide pension, retirement, superannuation or similar benefits to or for a Director or former Director.

7.7 Reimbursement of Expenses

In addition to his/her remuneration (if any) under *Rule 7.6(2)*, a Director is entitled to be reimbursed all reasonable expenses he/she properly incurs in connection with the Company's affairs, including the cost of travelling to and from:

(1) meetings of the Member or its officers;

(2) meetings of the Board; or

(3) meetings of Directors committees.

7.8 Interested Directors

(1) A Director may hold, in conjunction with his/her directorship, another office or position of profit (other than Auditor) in the Company or a Related Corporation including the Member.

(2) The Director may be appointed to that office or position upon the terms, particularly concerning remuneration and tenure of office, the Directors consider appropriate.

(3) A Director may be or become a director or other officer of, or be interested otherwise in, any corporation other than the Company, including:

(a) a corporation promoted by the Company;

(b) a Related Corporation; and

(c) a corporation with which the Company deals,

without being accountable to the Company for remuneration or other benefits received by the Director from, or from his/her interest in, that corporation.

(4) The Directors may exercise, in whatever manner they consider appropriate, the voting rights conferred by shares held or owned by the Company in any corporation.

(5) In particular, the Directors may exercise the voting rights the subject of *Rule 7.8(4)* by voting in favour of a resolution for the payment of remuneration to the directors or other officers of that corporation.

(6) If permitted by law, a Director may vote in the manner detailed in *Rule 7.8(5)* despite the fact that he/she:

(a) is, or may be, about to be appointed a director or other officer of the relevant corporation; and

(b) thus, is personally interested in the votes.

(7) A Director is not disqualified from:

(a) selling property to the Company or purchasing property from it;

(b) lending money to the Company or borrowing money from it, with or without interest or security;

(c) guaranteeing, for commission or profit, the repayment of money borrowed by the Company;

(d) underwriting or guaranteeing, for commission or profit, a subscription for securities in the Company, any Related Corporation, any corporation promoted by the Company, or any corporation in which the Company may be interested;

(e) being employed by the Company or acting on behalf of the Company in any professional capacity (other than Auditor); or

(f) otherwise contracting with the Company,

merely because he/she is a Director.

(8) The fact that a Director:

(a) holds office as a Director; or

(b) is bound by fiduciary obligations arising from his/her position as a Director,

is not sufficient, considered alone, to:

(c) render void or voidable; or

(d) render the Director liable to account to the Company for a profit realized from,

a contract or arrangement:

(e) by the Director with the Company; or

(f) by the Company with another person, and in which the Director is interested.

(9) A Director interested in a contract or arrangement, or a proposed contract or arrangement, involving the Company must declare the interest to the Directors unless the interest is obvious.

(10) Despite possessing, and having declared, an interest the subject of *Rule 7.8(9)*, a Director:

(a) may be counted in determining whether or not a quorum is present at a Board meeting to consider the contract or arrangement, or the proposed contract or arrangement;

(b) may vote with respect to, or with respect to any matter arising from, the contract or arrangement, or proposed contract or arrangement;

(c) may sign any document relating to the contract or arrangement, or the proposed contract or arrangement, that the Company may execute.

7.9 Directors Powers and Duties

(1) The Directors:

(a) are responsible for managing the Business; and

(b) may exercise to the exclusion of the Company in general meeting all Company powers not required, by the *Corporations Act* or this Constitution, to be exercised by the Company in general meeting.

(2) Before the end of each Financial Year, the Directors must adopt a Business Strategy for the Company and submit it for approval by the Member.

(3) The Managing Director (if any) is responsible for day-to-day management of the Company, subject to the Board's instructions.

(4) Decisions that are not items of day-to-day management must be made at Board meetings.

(5) Unless otherwise determined by the Board, the Directors must ensure that the Company:

(a) maintains its property in good working condition (reasonable fair wear and tear, and damage from unforeseen circumstances, excepted), and repairs and replaces that property where necessary;

(b) complies with all contracts to which it is a party;

(c) in particular, pays its debts as and when they fall due;

(d) adequately insures its insurable assets, to full replacement value and on a reinstatement or replacement basis, against damage or loss from any cause against which it is prudent to insure;

(e) maintains adequate public risk insurance with respect to any property that it occupies or at which it conducts its Business, and with respect to any activity it undertakes;

(f) holds workers compensation insurance for all of its employees;

(g) (generally) maintains adequate insurance with respect to risks against which a prudent person, holding assets and conducting a business similar to the Company's, would insure;

(h) complies with the requirements of all Acts relating to conduct of its affairs;

(i) maintains its corporate existence; and

(j) conducts the Business in accordance with the Business Strategy current from time to time.

(6) The Directors also must ensure that the Company maintains accounts and other records, including minutes of Directors and Members meetings, in compliance with:

(a) all applicable rules of general law;

(b) all applicable Acts, including the *Corporations Act* and the *Income Tax Acts*; and

(c) generally-accepted accounting principles and accounting best practices.

(7) Further, the Directors must ensure that the Company provides in its accounts for all tax to be paid when due, after deducting any credits arising from losses and adjustments in previous years.

(8) The object of *Rule 7.9(7)* is to ensure that no provision is required in the Company accounts for losses to be carried forward to, or to be set off against profits in, future years.

(9) Without limiting the effect of *Rule 7.9(1)*, the Directors may exercise all of the Company's powers:

(a) to raise money;

(b) to charge Company assets; or

(c) to give other security for a debt, liability or obligation of the Company or another person.

(10) The Directors may determine how negotiable instruments are signed, drawn, accepted, endorsed or otherwise processed on behalf of the Company.

(11) The Directors may pay from Company funds all of the expenses of:

(a) promoting, forming and registering the Company; and

(b) vesting in it the assets it acquires.

(12) The Directors may:

(a) appoint or employ any person as an officer, agent, attorney or Representative of the Company, for such purposes, and with such powers, discretions and duties (including those vested in or exercisable by the Directors), upon such terms as they consider appropriate;

(b) authorize an officer, agent, attorney or Representative to delegate any of the powers, discretions and duties vested in that officer, agent, attorney or Representative; and

(c) (subject to any Act or rule of general law, and to any contract between the Company and that person) remove or dismiss an officer, agent, attorney or Representative at any time, with or without cause.

(13) A power of attorney granted by the Company may contain whatever provisions the Directors consider appropriate for the protection and convenience of the attorney and persons dealing with the attorney.

7.10 Proceedings of Directors

(1) The Directors may:

(a) meet for the despatch of Company business; and

(b) adjourn and otherwise regulate their meetings,

as they consider appropriate.

(2) Contemporaneous linkage, by telephone, audio link, audio visual link or other electronic medium, of a number of Directors sufficient to constitute a quorum, constitutes a meeting of the Board.

(3) The *Rules* relating to Directors meetings apply to the extent that they can do so, and with such alterations as are necessary, to Directors meetings by telephone, audio link, audio visual link or other electronic media.

(4) A Director participating in a meeting by telephone, audio link, audio visual link or other electronic medium is to be regarded as present in person at the meeting.

(5) A meeting by telephone, audio link, audio visual link or other electronic medium is to be regarded as held at the place determined by the chair of the meeting if at least 1 of the participating Directors is at that place throughout the meeting.

7.11 Convening Board Meeting

(1) A Director may convene a meeting of the Board whenever he/she considers it appropriate.

(2) A Secretary must convene a meeting of the Board if requested to do so by a Director.

7.12 Notice of Board Meeting

(1) Subject to the requirements of this Constitution, unless all Directors agree otherwise, notice of a Directors meeting must be given at least 2 Business Days before the day of the proposed meeting, to each person who is:

(a) a Director, other than a Director on leave of absence approved by the Directors; or

(b) an Alternate Director appointed under *Rule 7.17* by a Director on leave of absence that has been approved by the Directors.

(2) The notice of a Directors meeting:

(a) must specify the time and place of the meeting;

(b) must state the nature of the business to be transacted at the meeting, and include any applicable explanatory and supporting documents;

(c) (despite *Rule 7.12(1)*) may be given immediately before the meeting if the Directors agree;

(d) may be given by personal delivery, post, telephone, facsimile transmission, email transmission or other electronic means; and

(e) will be regarded as having been given to an Alternate Director if it is given to the Director who appointed that Alternate Director.

(3) Unless all Directors present at the meeting agree otherwise, they must not pass a resolution unless:

(a) notice of the subject-matter of that resolution; and

(b) the applicable explanatory and supporting documentation (if any) was included in the notice of meeting.

(4) A Director or Alternate Director may waive notice of a Directors meeting by notifying the Secretary to that effect in person, by post, telephone, facsimile transmission, email transmission or other electronic means.

(5) Where a Director or Alternate Director does not receive a notice of a Directors meeting to which he/she is entitled under *Rule 7.12*, the non-receipt will not invalidate what is done at the meeting, including any resolution passed, if:

(a) non-receipt is the result of an accident or error (including an accident or error resulting in the notice of meeting not having been sent);

(b) he/she waives under *Rule 7.12(4)*, before or after the meeting, the entitlement to receive notice of that meeting;

(c) he/she agrees to what is done (though this will validate what is done only to the extent of that agreement); or

(d) he/she attends the meeting.

(6) If:

(a) a Director or Alternate Director does not receive a notice of a Directors meeting to which he/she is entitled under *Rule 7.12*; and

(b) before or after that Directors meeting he/she notifies the Secretary in person, or by post, telephone, facsimile transmission, email transmission or other electronic means, that he/she agrees to a specified action being or having been taken at the meeting (including a resolution being or having been passed),

the fact that he/she does not receive notice of the meeting does not invalidate the relevant action.

(7) Attendance at a Directors meeting waives any objection to non-receipt of a notice of the meeting by:

(a) the Director who attends;

(b) any Alternate Director appointed by that person; and

(c) if the person who attends is an Alternate Director, the Director who appointed that person an Alternate Director, and any other Alternate Director appointed by that Director.

7.13 Director Presence at Meetings

A Director is present at a Board meeting or a general meeting if the Director is:

(1) present in person; or

(2) represented by an Alternate Director.

7.14 Quorum at Board Meetings

(1) No business may be transacted at a Board meeting unless a quorum of Directors is present at the time the business is transacted.

(2) Subject to *Rule 7.13(3)*, the quorum for a Board meeting is half the number of Directors plus 1 further Director.

(3) If a quorum is not present within 30 minutes after the appointed starting time of a Board meeting, the meeting is adjourned to the same time and place on the next Business Day.

(4) If a quorum is not present within 30 minutes after the appointed starting time of an adjourned Board meeting, the meeting may proceed with those Directors who were present at the initial meeting; otherwise the meeting is dissolved.

(5) Subject to *Rule 7.13(6)*, if there is a vacancy in an office of Director, the remaining Directors may transact Company business.

(6) If the number of Directors in office at any time is:

(a) insufficient to constitute a quorum at a Board meeting; or

(b) less than the minimum number of Directors fixed under this Constitution,

the Members must appoint further Directors in accordance with this Constitution as soon as possible.

(7) Pending appointment of the further Director/s, the existing Directors must act only if and to the extent that an emergency requires.

7.15 Board Decisions

(1) A Board meeting at which a quorum is present may exercise any of the authorities, powers and discretions vested in or exercisable by the Board under this Constitution.

(2) However, if the Company has only 1 Director:

(a) the Director may pass a resolution and make a declaration by recording it and signing the record; and

(b) such a decision is a determination of the Board for all purposes.

(3) The Board may make decisions by majority vote.

(4) Subject to *Rule 7.15(5)*, each Director entitled to vote at a Board meeting has 1 deliberative vote.

(5) If there is an equality of votes upon a motion at a Board meeting, the chair of the meeting has a second (casting) vote in addition to his/her deliberative vote.

7.16 Written Board Resolutions

(1) Subject to *Rule 7.12(5)*, if:

(a) a document containing a statement that something has been done (including a resolution having been passed) bears the signed assents of sufficient of the Directors to constitute a quorum and pass a resolution at a Board meeting; and

(b) the assenting Directors would have constituted a quorum at a Board meeting held to consider what has been done,

that thing is to be regarded as having been done at a Board meeting.

(2) For the purposes of *Rule 7.16(1)*:

(a) if the Directors endorsed their assents on the same day, the meeting will be regarded as having been held on that day, at the time at which the last assent was endorsed upon document;

(b) if the Directors endorsed their assents on different days, the meeting will be regarded as having been held on the day upon which, and at the time at which, the last assent was endorsed upon document;

(c) 2 or more counterparts in identical terms, each of which bears the assent of 1 or more Directors, will be regarded as constituting an assent document; and

(d) a Director may assent to the thing done by signing the assent document, or by notifying the Secretary of his/her assent to the contents of the document in person, or by post, telephone, facsimile transmission, email transmission or other electronic means.

(3) Where, for the purposes of *Rule 7.16(1)*, a Director signifies assent to the contents of a document otherwise than by signing the document:

(a) he/she must sign the document by way of confirmation at the next Board meeting he/she attends; and

(b) however, failure to sign the document does not invalidate the act to which the document relates.

7.17 Alternate Directors

(1) The Member may appoint a person as an alternate Director, to act in place of the Member's nominated Director.

(2) An Alternate Director need not be a Director.

(3) One person may be an A Director to more than 1 Director.

(4) If the Primary Director does not attend a Board meeting, an Alternate Director may attend and vote in the Primary Director's stead and on his/her behalf.

(5) In addition to any vote to which he/she is entitled as a Director in his/her own right, an Alternate Director is entitled also to a separate vote for each Primary Director the Alternate Director represents.

(6) If the Primary Director:

(a) does not attend a Board meeting; or

(b) is not available to participate in a resolution process under *Rule 7.16*,

an Alternate Director may attend and vote in the Primary Directors stead and on his/her behalf.

(7) The office of an Alternate Director is vacated when the Primary Director vacates office as a Director.

(8) The appointment of an Alternate Director may be terminated at any time by the appointer despite the period of the Alternate Director's appointment not having expired.

(9) The appointment of an Alternate Director, and the termination of that appointment:

(a) must be in writing, dated and signed by the appointer; and

(b) is not effective until the Secretary receives notice of the appointment or termination.

(10) Alternate Directors will not be considered in determining the minimum or maximum number of Directors permitted under this Constitution.

(11) In determining whether a quorum is present at a Board meeting, an Alternate Director who attends the meeting is to be counted as a Director for each Primary Director on whose behalf the Alternate Director attends the meeting.

(12) An Alternate Director is entitled to such remuneration as the Board considers appropriate, either in addition to or in reduction of the remuneration payable to the Primary Director for whom the Alternate Director substitutes.

(13) An Alternate Director is not entitled to remuneration for his/her service in that capacity other than in accordance with *Rule 7.17(12)*.

(14) While acting as a Director, an Alternate Director:

(a) will be responsible to the Company for his/her own acts; and

(b) will not be regarded as the Primary Director's agent.

7.18 Committees of Directors

(1) The Board may delegate any of its powers to a committee consisting of such Directors as it considers appropriate.

(2) A committee to which the Board delegates powers must exercise those powers according to any directions from the Board.

(3) The Rules that apply to Directors meetings and resolutions apply, to the extent that they can do so, and with such alterations as are necessary, to meetings and resolutions of a committee of Directors.

(4) The Board may resolve to treat membership of a committee of Directors as extra service provided or special effort expended for the purposes of *Rule 7.6(7)*.

7.19 Delegation to Individual Director

(1) The Board may delegate any of its powers to 1 Director.

(2) A Director to whom the Board delegates a power must exercise the power according to any directions from the Board.

(3) The Board may resolve to treat the acceptance of its delegation of power as extra service provided or special effort expended by the delegate for the purposes of *Rule 7.6(7)*.

7.20 Validity of Acts

An act done:

(1) by a person as a Director; or

(2) in or pursuant to a meeting of the Board or a committee of Directors. attended by a person acting as a Director,

is not invalid merely because:

(3) the person's appointment as a Director is defective;

(4) the person is disqualified from holding office as a Director, or has vacated the office; or

(5) the person is not entitled to vote, at the meeting of the Board or committee of Directors,

if the Directors or committee (as the case may be) know of that circumstance when the act is done.

PART 8 EXECUTIVE OFFICERS

8.1 Managing Director

(1) The Member may appoint 1 or more of the Directors to the office of Managing Director.

(2) An appointment as Managing Director automatically terminates if the appointee ceases to be a Director.

8.2 Secretaries

The Member:

(1) must appoint at least 1 Secretary; and

(2) may appoint more than 1 Secretary.

8.3 Provisions Applicable to all Executive Officers

(1) Reference to an executive officer in this *Rule 8.3*, is a reference to a Managing Director or a Secretary appointed under this *Part 8*.

(2) An executive officer may be appointed upon the terms the Member considers appropriate.

(3) Subject to any contract between the Company and the executive officer, the Member may remove or dismiss the executive officer at any time, with or without cause.

(4) The Directors may:

(a) confer upon an executive officer the powers, discretions, and duties (including powers, discretions, and duties vested in or exercisable by the Directors) they consider appropriate;

(b) withdraw, suspend or vary powers, discretions, and duties conferred on an executive officer; and

(c) authorize the executive officer to delegate powers, discretions, and duties conferred on the executive officer.

(5) An executive officer need not be a Member to qualify for appointment as an executive officer.

(6) An act done by a person acting as an executive officer is not invalid merely because:

(a) the persons appointment as an executive officer is defective; or

(b) the person is not entitled to be appointed an executive officer,

if the person is unaware of that circumstance when the act is done.

PART 9 MINUTES AND RECORDS

9.1 Minutes of Meeting

The Board must ensure that minutes of proceedings and resolutions at:

(1) each meeting of the Member concerning Company Business; and

(2) each meeting of Directors (including a committee of Directors),

are recorded in a book kept for the purpose, within 1 month after each meeting is held.

9.2 Minutes of Resolutions Passed Without Meeting

The Board also must ensure that minutes of:

(1) each resolution of the Member without a meeting including by its delegate or its Representative; and

(2) each resolution passed and each declaration made by Directors (and by a committee of Directors) without a meeting,

is recorded in a book kept for the purpose, within 1 month after the resolution is passed or the declaration is made.

9.3 Confirmation of Minutes

(1) The minutes of a meeting must be signed within a reasonable time by:

(a) the chair of the meeting; or

(b) the chair of the next meeting.

(2) The minutes recording:

(a) a resolution passed without a meeting; or

(b) a declaration made without a meeting,

must be signed by a Director within a reasonable time after the resolution is passed or the declaration made.

9.4 Evidence

A minute:

(1) recorded under *Rule 9.1* or *Rule 9.2*; and

(2) signed under *Rule 9.3*,

is prima facie evidence[6] of the proceeding, resolution or declaration to which it refers.

[6] *Prima facie evidence is evidence that, in the absence of evidence to the contrary, suffices as proof of the fact or proposition in question. It is to be contrasted with conclusive evidence, which is evidence that is incontrovertible, either*

9.5 Inspection of Records

(1) The Board must ensure the minute books for general meetings are open for inspection by Members without charge.

(2) Subject to *Rule 9.5(1)*, the Board may determine:

(a) whether and, if so, to what extent; and

(b) at what times and places, and under what conditions,

the Company's minute books, accounting records and other documents, or any of those items, will be open for inspection by Members (other than Directors).

(3) A Member (other than a Director) may not inspect Company books, accounting records or other documents except as:

(a) provided by law; or

(b) authorized by the Board or by this Constitution.

PART 10 PROVISION OF INFORMATION

10.1 Periodic Reports

(1) Subject to *Rules 10.1(3)*, *10.1(4)* and *10.1(5)*, each Director and the Member must do whatever is reasonable to ensure that information or material concerning the Business and the operations of the Company is made available for inspection by the Board.

(2) A request for the provision of information under this *Rule 10.1* must be directed to a Secretary.

(3) The following reports must be available as soon as is practical, but not later than 14 days, after the end of each month:

(a) a non-audited profit and loss statement;

(b) a monthly cash flow statement (with projections for the following 12 months) for the month and for the current financial year to date; and

(c) an non-audited balance sheet as at the end of the month,

and each must be prepared in accordance with generally-accepted accounting principles and accounting best practices consistently applied.

(4) An audited profit and loss statement and balance sheet for the financial year must be available as soon as practical, but not later than 3 months, after the end of each financial year.

(5) Information or material, other than information and material the subject of *Rules 10.1(3)* and *10.1(4)*, requested by a Director or Member to enable the Company or the Member to satisfy a reporting obligation under an Act, must be made available as soon as practical following the request.

(6) The Member must bear the cost the Company reasonably incurs in providing information that the Member requests under *Rule 10.1(5)*.

10.2 Audit

The accounts of the Company must be audited annually by the Auditor.

10.3 Access to Information

The Company must permit:

(1) the Member or its Representative;

(2) a current Director; or

(3) a former Director against whom a claim has been made in their capacity as a Director,

upon reasonable notice, at any reasonable time, and as often as the Board considers it reasonable:

because the law does not permit it to be contradicted, or because it is so strong and convincing that it overbears all proof to the contrary and established the fact or proposition beyond any reasonable doubt.

(4) to inspect Company property;

(5) to inspect and take copies of any document relating to the Business, including its accounts; and

(6) to discuss the Company's affairs, including particularly its finances and accounts, with the Company's officers and the Auditor.

10.4 Confidentiality

(1) Subject to Rules 10.3 and 10.5, neither a Director or other Company officer nor a Member, may:

(a) disclose Confidential Information; or

(b) use Confidential Information in a manner that may cause loss to the Company or its Member.

(2) Each Director and the Member must use its best endeavours to ensure that nobody:

(a) discloses Confidential Information; or

(b) uses Confidential Information in a manner that may cause loss to the Company or its Member.

10.5 Permitted Disclosure

Confidential Information may be disclosed:

(1) with the written consent of the Board (where the Company owns the information or is entitled to the benefit of the confidence);

(2) with the written consent of all persons entitled to the benefit of the confidence (where more than one person is entitled to the benefit of the confidence), including any member of the Board so entitled;

(3) if it belongs solely to the Company and its disclosure is necessary in the ordinary course of transacting the Business;

(4) if its disclosure is required by law;

(5) if it comes into the public domain other than by a breach of this *Rule 10.5*;

(6) subject to *Rule 10.6*, to the Company's banker or professional adviser; and

(7) if its disclosure is required by an Act.

10.6 Confidentiality Agreements

Confidential Information may be disclosed to a banker or professional adviser only if that person first undertakes by deed in the Company's favour to comply with obligations similar to those contained in *Rules 10.4*, *10.5* and this *Rule 10.6*, amended as necessary.

PART 11 INDEMNITY AND INSURANCE

11.1 Protected Persons

Rules 11.2 and *11.3* apply:

(1) to each person who is or has been a Director, an Alternate Director or an executive officer (within the meaning of the latter term in *Rule 8.3(1)*);

(2) to any other officer[7] or former officer of the Company to whom the Directors determine they should apply; and

(3) if the Directors so determine, to an Auditor or former Auditor.

11.2 Indemnity

(1) The Company will indemnify each Protected Person against every loss and expense the person incurs in a capacity specified in *Rule 11.1*, generated by :

[7] *Note that, by operation of Rule 1.7, "officer" bears the broad meaning ascribed to the expression by the Corporations Act. Refer to the Endnotes for the relevant Corporations Act provisions.*

(a) a claim made against the person by a person other than the Company;

(b) defending court or tribunal proceedings in which judgment is given in the person's favour or in which he/she is acquitted of a charge; and

(c) obtaining from a Court the grant of relief under the *Corporations Act*.

(2) If requested by a Protected Person, the Company must execute a formal indemnity in favour of that person to secure the Company's obligation under *Rule 11.2(1)*.

11.3 Insurance

(1) To the extent permitted by law, the Company may:

(a) insure a Protected Person against Indemnifiable Liability; or

(b) pay the premiums for insurance that a Protected Person obtains against Indemnifiable Liability.

(2) If:

(a) a Protected Person incurs an Indemnifiable Liability against which it has obtained insurance; and

(b) the Company is paying the premiums upon the policy,

the Protected Person must:

(c) claim upon the insurance; and

(d) apply the proceeds against the Indemnifiable Liability.

(3) If a Protected Person incurs an Indemnifiable Liability against which the Company has insured the person, the Company must:

(a) claim upon the insurance; and

(b) apply the proceeds toward the discharge of its indemnity obligation under *Rule 11.2(1)*.

(4) Where the Company or a Protected Person is obliged to claim upon a policy of insurance under this *Rule 11.3*, the party so obliged must:

(a) make the claim promptly; and

(b) pursue the claim diligently.

(5) If:

(a) a Protected Person incurs any loss, liability, or expense in discharging its obligation under *Rule 11.3(4)*; and

(b) obtains from the insurer full or partial payment of the claim,

the Company must indemnify the person against that loss, liability, or expense in addition to indemnifying the person against the Indemnifiable Liability the subject of the insurance claim.

(6) If:

(a) a Protected Person incurs any loss, liability, or expense in discharging its obligation under *Rule 11.3(4)*; and

(b) the claim is not paid because the person, through its own act, has become disentitled to indemnity under the policy,

the Company will not be obliged to indemnify the person against that loss, liability, or expense, but will remain obliged to indemnify the person against the Indemnifiable Liability the subject of the insurance claim.

11.4 Ambit of Entitlements

(1) The indemnity in *Rule 11.2*:

(a) is a continuing obligation, remaining enforceable if the person entitled to it ceases to be a Company officer or Auditor;

(b) applies to losses and liabilities incurred before and after the adoption of this Constitution.

(2) *Rules 11.2* and *11.3* do not:

(a) limit to what is provided in those *Rules* a person's entitlements with respect to a loss or liability the subject of those *Rules*; or

(b) limit the Company's entitlement to indemnify, insure, or pay insurance premiums for, a person to whom those *Rules* do not apply.

PART 12 EXECUTION OF DOCUMENTS

12.1 Manner of Execution

The Company may execute a document if the document is signed by:

(1) 2 Directors;

(2) a Director and a Secretary;

(3) a Director who is the only Director and the only Secretary (but the Director/Secretary must state next his/her signature that he/she signs in the capacity of sole Director and sole Secretary); or

(4) a person the Board authorizes to sign.

12.2 Common Seal

(1) The Company may have a common seal.

(2) If the Company has a common seal, Rules 12.3 to 12.6 apply.

12.3 Safe Custody of Common Seal

The Directors must provide for the safe custody of the common seal.

12.4 Use of Common Seal

(1) The common seal must be used only by the authority of:

(a) the Directors; or

(b) a committee of the Directors, which committee the Directors have authorized to use the seal.

(2) Authority to use the common seal may be given before or after the seal is used.

(3) Until the Directors determine otherwise, every document to which the common seal is affixed must be signed by:

(a) 2 Directors;

(b) a Director and a Secretary;

(c) a Director and another person appointed by the Directors to countersign that document or a class of documents to which that document belongs;

(d) a Director who is the only Director and is also the only Secretary (but the Director/Secretary must state next to his/her signature that he/she witnesses the affixation in the capacity of sole Director and sole Secretary); or

(e) a person the subject of Rule 12.1(4).

12.5 Seal Register

(1) If the Company has a common seal, it must keep a seal register.

(2) If the Company keeps a seal register, it must enter in the register particulars of any document to which the common seal is affixed, specifying in each instance:

(a) the date of the document;

(b) the names of the parties to the document;

(c) a short description of the document; and

(d) the names of the signatories to the document.

(3) The register must be produced at Board meetings for confirmation of use of the common seal since confirmation was last given under this *Rule 12.5*.

(4) Non-compliance with Rules 12.5(2) or 12.5(3) does not invalidate a document to which the common seal is properly affixed.

12.6 Duplicate Seal

(1) The Company may have 1 or more duplicate common seals for use in place of its common seal outside the state or territory where the common seal is kept.

(2) Each duplicate common seal must be a facsimile of the Company's common seal with the addition on its face of:

(a) the words "duplicate seal"; and

(b) the name of the place where it will be used.

(3) A document sealed with a duplicate common seal must be regarded as having been sealed with the Company's common seal.

PART 13 NOTICES

13.1 Service of Notices

(1) This Part 13 governs notices under this Constitution unless another provision of the Constitution, expressly provides otherwise.

(2) A notice must be in writing.

(3) The entity giving the notice must sign the notice.

(4) If an entity is comprised of more than one person:

(a) a notice by the entity need not be signed by all of those persons if it expressly states that the signatory is, or signatories are, authorized by all of those persons to sign the notice; and

(b) the recipient of the notice need not enquire into the validity of the authorization.

(5) A notice must be:

(a) delivered;

(b) posted; or

(c) transmitted by facsimile,

to the intended recipient at its Address for Notices.

(6) A notice also may be delivered by electronic mail, but only where the intended recipient has:

(a) requested or authorized the sender, in writing, to deliver notices (or a specific notice or type of notice) by that means; and

(b) has specified clearly in the written request or authorization the recipient's electronic mail address.

(7) A notice posted to an address outside the Commonwealth of Australia must be sent by airmail.

13.2 Receipt of Notices

(1) A notice that is delivered or posted is deemed received:

(a) if delivered, at the moment of delivery;

(b) if posted to an address in Australia, 2 Business Days after posting;

(c) if posted to an address outside Australia, 5 Business Days after posting.

(2) A notice sent by facsimile transmission is deemed received at the time of receipt specified in a Confirmation Report, if the report discloses that the transmission was received at or before 5.00pm.

(3) If the Confirmation Report discloses receipt of the transmission after 5.00pm, the notice is deemed received at 8.30am on the Business Day following the date of receipt disclosed in the report.

(4) A notice sent by electronic means other than facsimile will be deemed received on the Business Day following the day upon which it is sent, unless the sender receives confirmation, by whatever means, that the message:

(a) has not been received; or

(b) has been received in corrupt, incomplete, or illegible form.

13.3 Company Signature

A signature upon a notice from the Company to a Member under *Rule 13.1* may be:

(1) hand-written; or

(2) a facsimile printed or affixed by mechanical or other means.

13.4 Notices via Facsimile and Electronic Media

The fact that a person gives the Company a facsimile number or other electronic address for notices to that person does not oblige the Company to give a notice to that person by facsimile transmission or other electronic means.

13.5 Evidence of Notice

A certificate signed by a Director or Secretary, stating that a notice has been given in accordance with this Constitution is prima facie evidence[8] of that fact.

PART 14 WINDING UP

14.1 Distribution of Surplus Assets

(1) If:

(a) the Company goes into liquidation; and

(b) Company assets remain after the satisfaction of its liabilities, including the liquidation costs;

the liquidator must:

(c) distribute those surplus assets in conformity with the requirements of *Rules 14.1(2)* and *(3)*;

(d) make the distribution by whichever methods the Member sanctions.

(2) Where possible, the liquidator must repay the Member, in conformity with the entitlements attached to its Shares, the capital it has contributed.

(3) If the surplus assets are more than sufficient to enable the liquidator to comply with *Rule 14.1(2)*, the liquidator must distribute the excess to the Member.

(4) When calculating the surplus for the purpose of *Rule 14.1*, the liquidator must treat as Company property an amount unpaid upon a Share.

(5) The liquidator must deduct from the portion of surplus otherwise distributable to the Member for a partly-paid Share the amount unpaid on that Share at the time of the distribution.

(6) If, after a reduction is made under *Rule 14.1(5)*, the distribution to which the holder of the partly-paid Share is entitled is calculated to be a negative figure, the holder must contribute to the Company a sum of money equivalent to the negative figure as if that negative figure were a positive amount.

PART 15 MISCELLANEOUS

15.1 Prohibition and Enforceability

(1) If a provision of this Constitution, or application of the provision, is prohibited in a particular place, the provision or application in that place is ineffective only to the extent of the prohibition.

(2) If a provision of this Constitution, or application of the provision, is void, illegal or unenforceable in a particular place:

[8] *Refer to footnote 6 (at page 50).*

(a) the provision or its application does not become void, illegal or unenforceable in another place; and

(b) the remaining provisions of the Constitution do not become void, illegal or unenforceable in any place,

merely because of that fact.

DATE OF ADOPTION: 20 November 2013

[End of Document]

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CONSTITUTION

MOUNT ISA CITY COUNCIL OWNED ENTERPRISES PTY LTD

[A Proprietary Company Limited by Shares]

KING & COMPANY SOLICITORS

Level 7, 95 North Quay, Brisbane
[G.P.O. Box 758, Brisbane, 4001]
Telephone: (07) 3243 0000
Facsimile: (07) 3236 1885
AA20182
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04.04.2023

11 CORPORATE AND COMMUNITY SERVICES REPORTS

11.1 FINANCE OVERVIEW REPORT - JUNE 2023

Document Number: **794900**

Author: **Manager Finance**

Authoriser: **Director Corporate and Community**

Directorate: **Corporate and Community**

Portfolio: **Finance, Customer Services, Economic Development, Promotion & Community Development, Arts**

EXECUTIVE SUMMARY

The June 2023 Finance Overview Report is presented to the Council for information and consideration.

RECOMMENDATION

THAT Council receives and accepts the June 2023 Finance Overview Report as presented.

OVERVIEW

In accordance with the requirements of the Local Government Regulation, Council presents a report on the financial operations for the year to date. This report provides information to Council regarding key metrics, trends and actual financial performance for the month ended 30 June 2023 against the Amended Budget FY22/23 targets as adopted by the Council budget.

VARIANCES AND ITEMS OF SIGNIFICANCE

In accordance with Section 204 of the *Local Government Regulation 2012*, a financial report summarising the Council's actual performance against budgeted performance must be provided to the Council.

The following report covers the following key areas (in order) of the list:

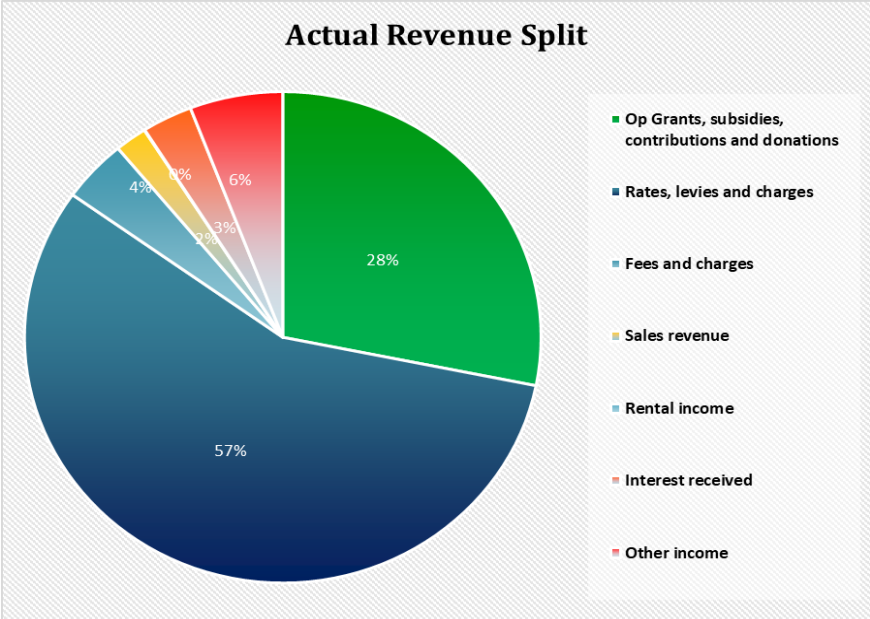
1. Operational Performance (Actual vs Budget)
2. Capital Revenue and Expenses
3. Plant, Property, and Equipment (Work-In-Progress)
4. Financial Sustainability Ratios
5. Outstanding Rates Aged Balances
6. Analysis by Function
7. Borrowings
8. Cash and Cash Equivalent Movement Comparison

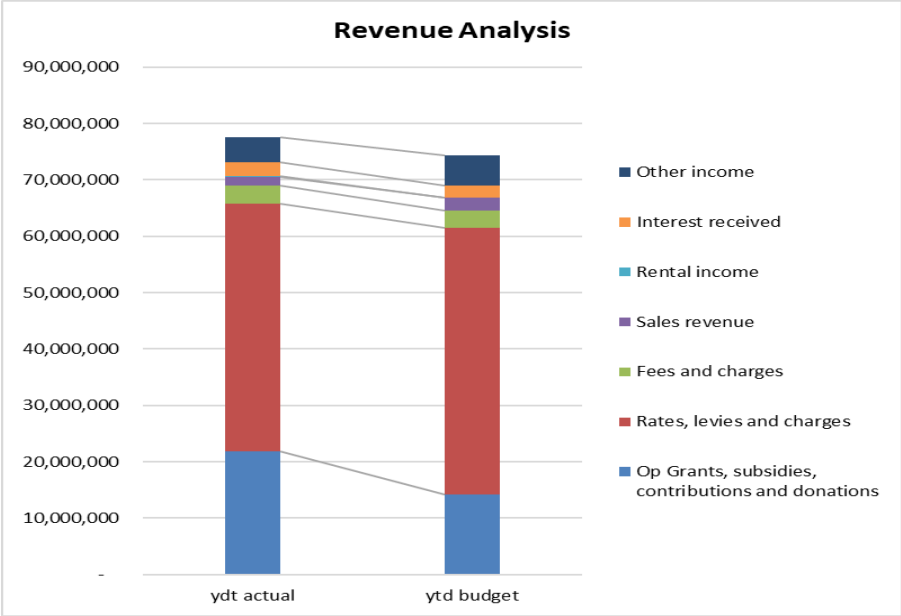
1. OPERATIONAL PERFORMANCE (Actual vs. Budget)

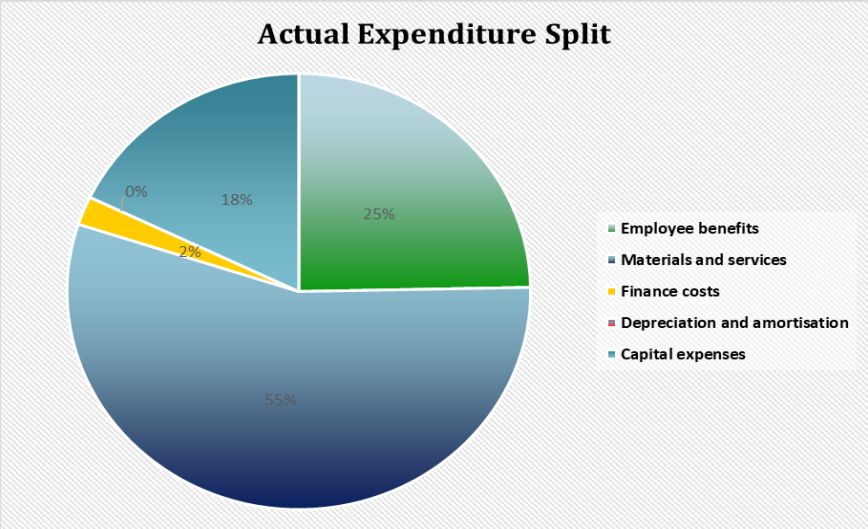
Revenue and Expenditure Summary as of 30 June 2023

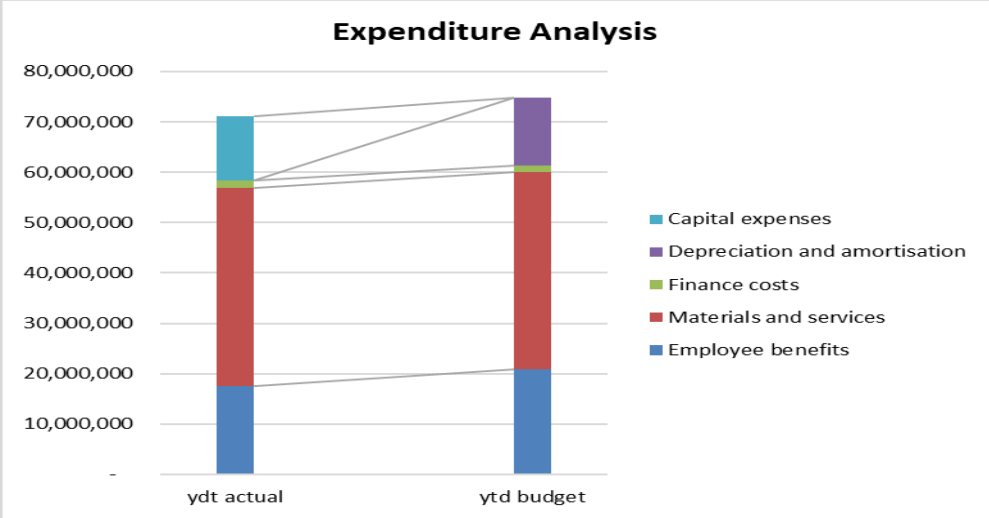
The below summary shows a brief snapshot of how the Council is tracking in the current year against the budget for the year as adopted by the Council.

Operational Performance		Actual YTD 2023	YTD Amended Budget 2023	YTD Actuals Less YTD Budget $	Variance as a % of YTD Budget %	Remaining Budget (Full Year) $	Comments on significant variances
Revenue							
Recurrent revenue							
Rates, levies and charges		43,983,895	47,323,204	(3,339,309)	-7%	3,339,309	Rates Notices for Jan-Jun 2023 and Water 3Qtr consumption for non-residentail has been issued.
'Fees and charges	3(a) 3(b)	3,197,036	3,123,693	73,343	2%	(73,343)	Bulk of revenue is from Refuse fees and charges $1.6M
Sales revenue	3(c)	1,559,726	2,357,000	(797,274)	-34%	797,274	Private Works and Batch Plant revenue are lower than budget
Grants, subsidies, contributions and dor	3(d)	21,841,397	14,108,543	7,732,854	55%	(7,732,854)	QRA flood damage $9.3M and advance grants received from FAG 23-24 full year $9.0M
Total recurrent revenue		70,582,055	66,912,440	**3,669,615**		**(3,669,615)**	
Other Income				-			
Rental income		21,061	-	21,061		(21,061)	Classified as fees and charges in the budget
Interest received	4(a)	2,449,829	2,104,567	345,262	16%	(345,262)	Interest rates higher than expected
Other income	4(b)	4,519,679	5,275,254	(755,575)	-14%	755,575	Mount Isa Water Board Dividend has been received in June 2023 $3.4M
Other capital income	5	0	-	0		(0)	Profit from sale of Plant and Equipment
Total income		77,572,624	74,292,261	**3,280,363**	7%	**(3,280,363)**	
Expenses							
Recurrent expenses							
Employee benefits	6	(17,540,781)	(20,919,543)	(3,378,762)	16%	(3,378,762)	YTD wages $18M, accrual will be processed mid July 23.
Materials and services	7	(39,264,301)	(39,170,433)	93,868	0%	93,868	Increase in Flood damage works
Finance costs	8	(1,507,721)	(1,285,238)	222,483	-17%	222,483	
Depreciation and amortisation	13	(12,699,012)	(13,400,492)	(701,480)	5%	(701,480)	New depreciation was adopted as per valuation report
Total recurrent expenses		(71,011,815)	(74,775,707)	**(3,763,891)**	5%	**(3,763,891)**	
Net result		6,560,808	(483,446)	**7,044,254**	105%	**(7,044,254)**	


Actual Revenue Split
28%
57%
4%
0%
3%
3%
6%
Op Grants, subsidies, contributions and donations
Rates, levies and charges
Fees and charges
Sales revenue
Rental income
Interest received
Other income


Revenue Analysis
90,000,000
80,000,000
70,000,000
60,000,000
50,000,000
40,000,000
30,000,000
20,000,000
10,000,000
-
ydt actual
ytd budget
Other income
Interest received
Rental income
Sales revenue
Fees and charges
Rates, levies and charges
Op Grants, subsidies, contributions and donations


Actual Expenditure Split
25%
55%
2%
0%
18%
Employee benefits
Materials and services
Finance costs
Depreciation and amortisation
Capital expenses


Expenditure Analysis
80,000,000
70,000,000
60,000,000
50,000,000
40,000,000
30,000,000
20,000,000
10,000,000
-
ydt actual
ytd budget
Capital expenses
Depreciation and amortisation
Finance costs
Materials and services
Employee benefits

2. CAPITAL REVENUE AND EXPENSES

The below statement shows a comparison between the Capital Revenue and Expenses as at 30 June 2023 actuals vs Amended Budget for FY22/23.

Capital		Actual YTD 2023	Full Amended Budget 2023	YTD Actuals Less Full Budget	Variance as a % of Full Budget	Remaining Budget (Full Year)	Comments on significant variances
Capital revenue							
Grants, subsidies, contributions and dor	3(d)	5,624,173	13,845,095	(8,220,922)	-59%	8,220,922	Grants will be accounted for in line with actual expenditure
Total capital revenue		5,624,173	13,845,095	**(8,220,922)**	-59%	**8,220,922**	
Capital expenses	9	5,305,903	-	5,305,903		(5,305,903)	

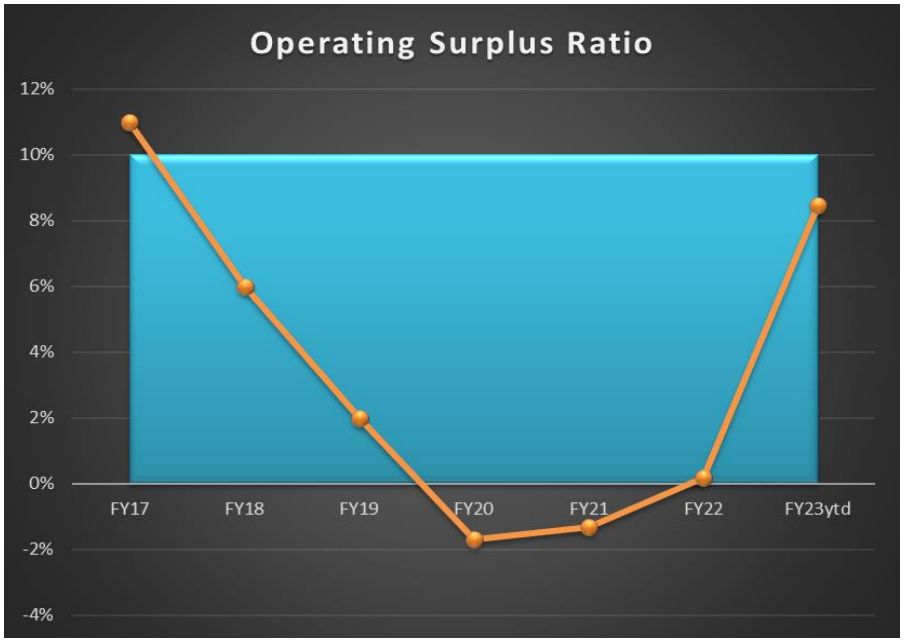
3. PLANT, PROPERTY AND EQUIPMENT

The below statement shows a comparison between the Property, Plant and Equipment as at 30 June 2023 actuals vs Amended Budget for FY22/23.

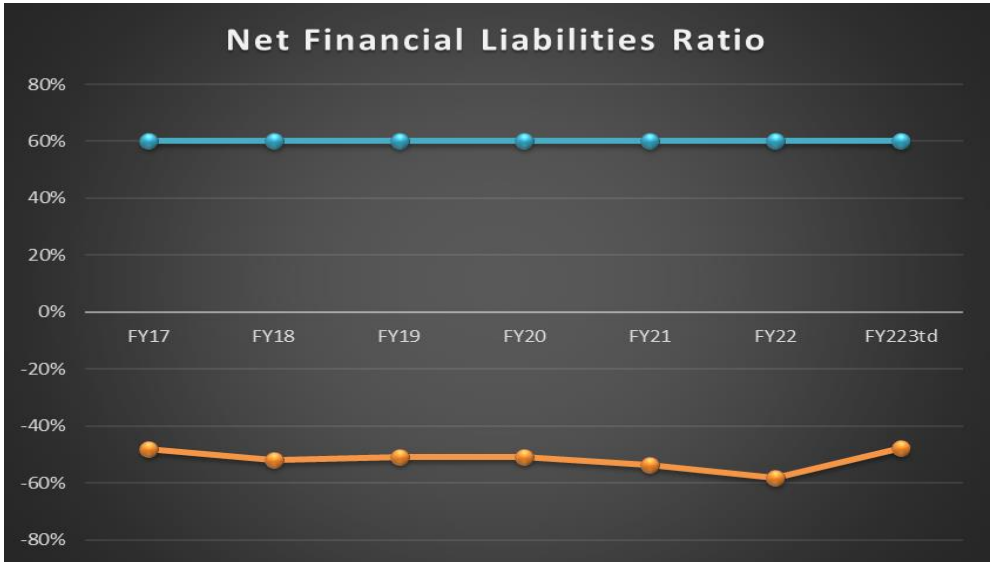
Plant, Property & Equipment	Actual YTD 2023	Full Amended Budget 2023	YTD Actuals Less Full Budget	Variance as a % of Full Budget	Remaining Budget (Full Year)	Comments on significant variances
Other Additions	19,609,685	27,162,500	(7,552,815)	-28%	7,552,815	delivery of capital works still in progress
Renewals	5,118,940	11,337,000	(6,218,060)	-55%	6,218,060	delivery of capital works still in progress
Total Work In Progress	24,728,625	38,499,500	**(13,770,875)**		**13,770,875**	

4. FINANCIAL SUSTAINABILITY RATIOS

Measures of Financial Sustainability	Measure	Target	2023 YTD Actual	Comments
Operating surplus ratio	Net operating result divided by total operating revenue	Between 0% and 10%	8.46%	The Operating surplus ratio is on track. Quarter 4 Non-Residential and 2nd half for residential Water Consumption Readings are currently being conducted for the closing period of 2022/2023 financial year 30-06-2023. Notification of intention to sell for properties that are in arrears for the last 3 years, are being processed for our external debt recovery team to finalise.
Asset sustainability ratio	Capital expenditure on the replacement of assets (renewals) divided by depreciation expense	greater than 90%	40%	Asset sustainability ratio is below target due to delivery of capital works being behind schedule.
Net financial liabilities ratio	Total liabilities less current assets divided by total operating revenue	not greater than 60%	-47.8%	Net financial liabilities ratio is above target due to cash balances.

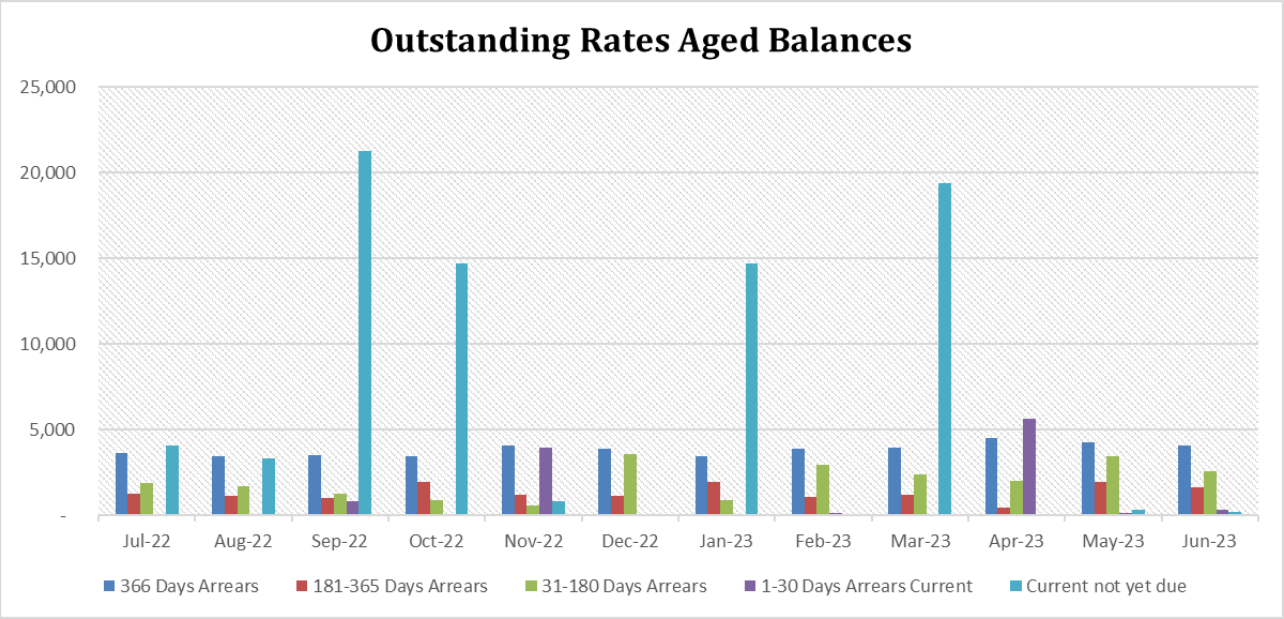

Operating Surplus Ratio
12%
10%
8%
6%
4%
2%
0%
-2%
-4%
FY17
FY18
FY19
FY20
FY21
FY22
FY23ytd

Asset Sustainability Ratio
120%
100%
80%
60%
40%
20%
0%
FY17
FY18
FY19
FY20
FY21
FY22
FY23ytd


Net Financial Liabilities Ratio
80%
60%
40%
20%
0%
-20%
-40%
-60%
-80%
FY17
FY18
FY19
FY20
FY21
FY22
FY223td

5. OUTSTANDING AGED RATES BALANCES

Amount in $'000						
Month FY22/23	**366 Days Arrears**	**181-365 Days Arrears**	**31-180 Days Arrears**	**1-30 Days Arrears Current**	**Current not yet due**	**Total**
Jul-22	3,623	1,228	1,874	53	4,091	**10,868**
Aug-22	3,449	1,125	1,670	1	3,290	**9,535**
Sep-22	3,518	1,010	1,282	836	21,272	**27,918**
Oct-22	3,450	1,940	859	2	14,692	**20,943**
Nov-22	4,047	1,169	596	3,971	824	**10,607**
Dec-22	3,910	1,132	3,564	3	37	**8,646**
Jan-23	3,450	1,940	859	1	14,691	**20,941**
Feb-23	3,870	1,042	2,955	136	-	**8,003**
Mar-23	3,915	1,214	2,381	41	19,367	**26,917**
Apr-23	4,498	441	2,016	5,651	18	**12,624**
May-23	4,225	1,920	3,420	121	314	**10,002**
Jun-23	4,064	1,616	2,588	319	184	**8,771**



- Quarter 4 for non-residential and 2nd half residential Water Consumption Readings are currently being conducted for the closing period of 2022/23 financial year 30-06-2023**.**

- Notification of intention to sell for properties that are in arrears for the last 3 years, is being processed for our external debt recovery team to finalise.

6. ANALYSIS BY FUNCTION (Note 2b)

Function	Actual Revenue	Full Budget Revenue	YTD Progress %	Comments
Business services and finance	31,730,059	28,389,771	112%	Rates & Water Notices for Jan-Jun 2023 has been issued.
Construction and maintenance	1,666,852	2,335,300	71%	In progress
Community services	16,073,573	3,244,560	495%	QRA & Operational grants received
Planning & development	990,451	806,000	123%	Collection of Infrastructure Charges
Transport infrastructure	3,096,760	3,668,198	84%	Progress claim for works done to be made
Waste management	14,846,137	13,563,542	109%	Rates Notices for Jan-Jun 2023 has been issued.
Water infrastructure	14,792,964	17,368,058	85%	Rates & Water Notices for Jan-Jun 2023 has been issued.
Total	**83,196,796**	**69,375,428**	**120%**	

Function	Actual Expenses	Full Budget Expenses	YTD Progress %	Comments
Business services and finance	9,683,921	10,927,409	89%	Rates Notices for Jan-Jun 2023 has been issued.
Construction and maintenance	5,182,046	4,907,546	106%	Off-set against Transport Infrastructure costs (below)
Community services	15,224,920	11,226,615	136%	To ensure that the community have access and support they needed to lead full lives.
Planning & development	1,634,608	1,787,776	91%	on track
Transport infrastructure	13,573,470	12,316,195	110%	Off-set against Construction & Maintenance costs (above)
Waste management	5,406,746	12,338,316	44%	Regular collecting, transporting, processing or disposisng various waste materials
Water infrastructure	15,000,202	17,327,111	87%	Regular treatment of water supply storage, and flood prevention .
Total	**65,705,912**	**70,830,967**	**93%**	

7. BORROWINGS

Council loan repayments are paid every quarter on the first working day. The balance as of 30 June 2023 was $17.2 million.

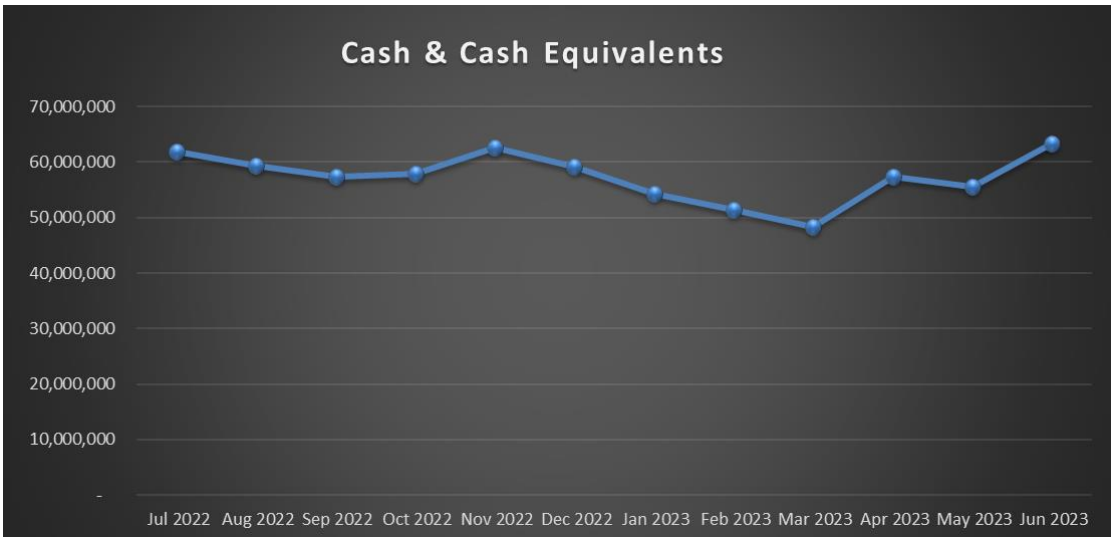
Summary of QTC Loans as at 30 June 2023					
Description	**Loans Month/Year Start**	**Original Principal $'000**	**Loan Balances**	**Interest Rate**	**Final Payment Due**
Healey Heights development, Roads, Water and Sewer works	March 2009	7,000	3,229	7.28%	15/06/2029
Roads, water and sewer works	December 2009	5,000	2,503	6.39%	15/06/2030
Sewer upgrade	December 2010	5,875	2,326	6.30%	15/12/2028
Sewer upgrade	September 2011	5,000	2,857	4.89%	15/06/2032
Sewer upgrade	September 2012	5,000	3,055	5.06%	15/12/2032
Sewer upgrade	September 2013	5,000	3,242	4.32%	15/03/2034
Total		**32,875**	**17,212**		

8. CASH AND CASH EQUIVALENT MOVEMENT COMPARISON

Cash at Bank – 30 June 2023	$62,649
Total Cash Restrictions	$ (4,383)
TOTAL UNRESTRICTED CASH	$ 58,266

MICC had $62.6 million cash on hand at the end of June 2023. The restricted cash as defined by Council consists of grants received in advance for which MICC has contractual obligations. There are no short-term issues regarding cash on hand.

Summary of Cash and Cash Equivalents	
Month FY22/23	**$**
Jul 2022	61,969,099
Aug 2022	59,280,638
Sep 2022	57,313,841
Oct 2022	57,934,935
Nov 2022	62,566,501
Dec 2022	59,139,973
Jan 2023	54,230,630
Feb 2023	51,455,489
Mar 2023	48,329,305
Apr 2023	57,308,523
May 2023	55,565,084
Jun 2023	62,649,252



COMING UP

- Preparation of financial year end audited accounts is underway.

ATTACHMENTS

1. FINAL MICC Financial Statements - 30 JUNE 2023

Mount Isa City Council

Financial Statements

For the period ended 30 June 2023

Mount Isa City Council
Financial statements
For the period ended 30 June 2023

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Current Year Financial Sustainability Statement
Unaudited Long Term Financial Sustainability Statement

Mount Isa City Council
Statement of Comprehensive Income
For the period ended 30 June 2023

	Note	Actual YTD 2023 $	Budget Review2023 $	Actual 2022 $
Income				
Revenue				
Recurrent revenue				
Rates, levies and charges	3(a)	43,983,895	47,323,204	45,223,356
Fees and charges	3(b)	3,197,036	3,123,693	2,968,967
Sales revenue	3(c)	1,559,726	2,357,000	994,479
Grants, subsidies, contributions and donations	3(d)	21,841,397	14,108,543	11,874,195
Total recurrent revenue		70,582,055	66,912,440	61,060,997
Capital revenue				
Grants, subsidies, contributions and donations	3(d)	5,624,173	13,845,095	10,411,589
Total capital revenue		5,624,173	13,845,095	10,411,589
Rental income		21,061	-	35,700
Interest received	4(a)	2,449,829	2,104,567	902,038
Other income	4(b)	4,519,679	5,275,254	4,343,577
Other capital income	5	0	-	17,713,610
Total income		83,196,797	88,137,356	94,467,510
Expenses				
Recurrent expenses				
Employee benefits	6	(17,540,781)	(20,919,543)	(18,624,582)
Materials and services	7	(39,264,301)	(39,170,433)	(30,427,962)
Finance costs	8	(1,507,721)	(1,285,238)	(1,596,303)
Depreciation and amortisation				
Property, plant and equipment	13	(12,699,012)	(13,400,492)	(16,571,071)
Intangible assets		-	-	(210)
		(71,011,815)	(74,775,707)	(67,220,128)
Capital expenses	9	5,305,903	-	(26,540,735)
Total expenses		(65,705,912)	(74,775,707)	(93,760,863)
Net result		17,490,884	13,361,648	706,648
Other comprehensive income				
Items that will not be reclassified to net result				
Increase / (decrease) in asset revaluation surplus	13	-	-	33,968,839
Total other comprehensive income for the year		-	-	33,968,839
Total comprehensive income for the year		17,490,884	13,361,648	34,675,486

"The above statement should be read in conjunction with the accompanying notes and accounting policies."

Operating	Net operating result (excluding capital items)		6,560,808	(483,447)	(877,817)
	Total operating revenue (excluding capital items)		77,572,624	74,292,261	66,342,311
	Operating surplus ratio	**A**	**8.5%**	**-0.7%**	**-1.3%**
		T	**0-10%**	**0-10%**	**0-10%**

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Mount Isa City Council
Statement of Financial Position
For the period ended 30 June 2023

	Note	Actual YTD 2023 $	Budget Review 2023 $	Actual 2022 $
Current assets				
Cash and cash equivalents	10	62,649,252	54,596,189	67,373,187
Receivables	11	8,880,494	6,179,045	12,277,592
Inventories	12	160,945	294,539	294,539
Contract assets	14	2,671,026	2,671,026	2,671,026
Total current assets		74,361,717	63,740,799	82,616,343
Non-current assets				
Other financial assets		1	1	1
Property, plant and equipment	13	619,187,370	531,827,712	508,515,985
Intangible assets		-	-	-
Total non-current assets		619,187,371	531,827,713	508,515,986
Total assets		693,549,089	595,568,512	591,132,329
Current liabilities				
Payables	15	1,838,381	2,305,480	8,533,994
Contract liabilities	14	4,382,510	4,382,510	4,382,510
Borrowings	16	51,487	1,854,211	1,788,991
Provisions	17	2,344,531	2,474,872	2,474,872
Other liabilities		-	1,025,229	1,025,229
Total current liabilities		8,616,909	12,042,302	18,205,597
Non-current liabilities				
Borrowings	16	17,171,456	15,357,319	17,171,456
Provisions	17	11,486,888	15,697,957	13,697,711
Other liabilities				2,948,279
Total non-current liabilities		28,658,345	31,055,276	33,817,446
Total liabilities		37,275,253	43,097,578	52,023,043
Net community assets		656,273,835	552,470,933	539,109,285
Community equity				
Asset revaluation surplus		375,690,270	276,315,879	276,315,879
Retained surplus		280,583,566	276,155,054	262,793,406
Total community equity		656,273,835	552,470,933	539,109,285

"The above statement should be read in conjunction with the accompanying notes and accounting policies."

Mount Isa City Council
Statement of Changes in Equity
For the period ended 30 June 2023

	Asset revaluation surplus	Retained surplus	Total
	$	$	$
Restated balance at 30 June 2020	**219,461,687**	**253,204,277**	**472,665,964**
Net result	-	8,882,481	8,882,481
Other comprehensive income for the year			
Increase / (decrease) in asset revaluation surplus	22,885,354	-	22,885,354
Share of comprehensive income of equity accounted	-	-	-
Total comprehensive income for the year	22,885,354	8,882,481	31,767,835
Balance as at 30 June 2021	**242,347,041**	**262,086,759**	**504,433,799**
Net result	-	706,648	706,648
Other comprehensive income for the year			
Increase / (decrease) in asset revaluation surplus	33,968,839		33,968,839
Share of comprehensive income of equity accounted	-	-	-
Total comprehensive income for the year	33,968,839	706,648	34,675,486
Balance as at 30 June 2022	**276,315,879**	**262,793,406**	**539,109,285**
Net result	-	17,490,884	17,490,884
Other comprehensive income for the year			
Increase / (decrease) in asset revaluation surplus	99,673,665		99,673,665
Share of comprehensive income of equity accounted	-	-	-
Total comprehensive income for the year	99,673,665	17,490,884	117,164,550
Balance as at 30 June 2023	**375,989,545**	**280,284,290**	**656,273,835**

Mount Isa City Council
Statement of Cash Flows
For the period ended 30 June 2023

	Note	Actual YTD 2023 $	Budget Review 2023 $	Actual 2022 $
Cash flows from operating activities				
Receipts from customers		52,271,350	62,985,743	52,070,323
Payments to suppliers and employees		(64,255,281)	(66,548,209)	(47,188,413)
		(11,983,931)	(3,562,466)	4,881,909
Interest received		2,449,829	2,104,155	902,038
Operating Grants and Contributions		21,841,397	15,300,459	11,874,195
Rental & Other Income		4,540,740	-	3,660,883
Borrowing costs		(1,507,721)	(1,054,891)	(1,596,303)
Net cash inflow (outflow) from operating activities	18	15,340,314	12,787,257	19,722,721
Cash flows from investing activities				
Payments for property, plant and equipment		(24,728,625)	(36,712,401)	(24,925,473)
Capital Grants, Subsidies, Contributions and Donations		5,624,173	13,845,096	10,411,589
Proceeds from sale of property plant and equipment		777,706	(948,033)	877,496
Net cash inflow (outflow) from investing activities		(18,326,745)	(23,815,337)	(13,636,387)
Cash flows from financing activities				
Repayment of borrowings		(1,737,504)	(1,748,917)	(1,647,042)
Net cash inflow (outflow) from financing activities		(1,737,504)	(1,748,917)	(1,647,042)
Net increase (decrease) in cash and cash equivalent held		(4,723,935)	(12,776,998)	4,439,292
Cash and cash equivalents at the beginning of the financial year		67,373,187	67,373,187	62,933,897
Cash and cash equivalents at end of the reporting period	10	62,649,252	54,596,189	67,373,187

"The above statement should be read in conjunction with the accompanying notes and accounting policies".

Mount Isa City Council
Notes to the financial statements
For the period ended 30 June 2023

2. Analysis of Results by Function

2(a) Components of council functions

The activities relating to the council's components reported on in Note 2(b) are as follows :

Business Services and finance
This function includes budget support, financial accounting, taxation advice, asset management, marketing and communication and information technology services. The goal of this function is to provide accurate, timely and appropriate information to support sound decision making and meet statutory requirements.

Construction and maintenance
Construction and maintenance is responsible for constructing new and maintaining existing infrastructure across a diverse range of assets that underpin the wellbeing of the Mount Isa community. These assets include roads, drains, stormwater, cemeteries, parks and open spaces.

Community services
The goal of community services is to ensure Mount Isa City Council is a healthy, vibrant, contemporary and connected community. Community services provides well managed and maintained community facilities, and ensures the effective delivery of cultural, health, welfare, environmental and recreational services.

This function includes:
- libraries
- entertainment venues
- public health services including vaccination clinics
- environmental licences and approvals, mosquito and other pest management programs
- animal management

Planning and development
This function facilitates the City's growth and prosperity through well planned and quality development. The objective of planning and development is to ensure the Mount Isa City Council is well designed, efficient and facilitates growth yet also preserves the character and natural environment of the city. This function includes activities and services related to city, neighbourhood and regional planning, and management of development approval processes.

Transport infrastructure
The objective of the transport infrastructure program is to ensure the community is serviced by a high quality and effective road network. The function provides and maintains transport infrastructure, including the maintenance and provision of the drainage network.

Waste management
The goal of this function is to protect and support our community and natural environment by sustainably managing refuse. The function provides refuse collection and disposal services.

Water and Sewerage infrastructure
The goal of this program is to support a healthy, safe community through sustainable water and sewerage services. This function includes all activities relating to water.

Mount Isa City Council
Notes to the financial statements
For the period ended 30 June 2023

2 Analysis of results by function

(b) Income and expenses de 30 June 2023

For the period ended 30 June 2023

Functions	Gross program income				Elimination of inter-function transactions	Total income	Gross program expenses		Elimination of inter-function transactions	Total expenses	Net result from recurrent operations	Net Result	Assets
	Recurrent		Capital				Recurrent	Capital					
	Grants	Other	Grants	Other									
	$	$	$	$	$	$	$	$	$	$	$	$	$
Business services and finance	8,532,302	23,197,758	-		-	31,730,059	(9,683,921)		-	(9,683,921)	22,046,139	22,046,139	242,391,433
Construction and maintenance	-	1,666,852	-	-	-	1,666,852	(5,182,046)	-	-	(5,182,046)	(3,515,194)	(3,515,194)	11,238,974
Community services	9,886,078	563,322	5,624,172.82		-	16,073,573	(15,224,920)	-	-	(15,224,920)	(4,775,520)	848,653	-
Planning & development	-	990,451	-	-	-	990,451	(1,634,608)	-	-	(1,634,608)	(644,158)	(644,158)	-
Transport infrastructure	3,096,760	-	-	-	-	3,096,760	(13,573,470)	-	-	(13,573,470)	(10,476,710)	(10,476,710)	306,884,458
Waste management	389	14,845,748	-		-	14,846,137	(10,712,649)	5,305,903	-	(5,406,746)	4,133,488	9,439,391	72,014,435
Water infrastructure	-	14,792,964	-	-	-	14,792,964	(15,000,202)	-	-	(15,000,202)	(207,238)	(207,238)	61,019,788
Total Council	21,515,530	56,057,094	5,624,173	-	-	83,196,796	(71,011,815)	5,305,903	-	(65,705,912)	6,560,808	17,490,884	693,549,088
Controlled entity net of eliminations	-	-	-	-	-	-	-	-	-	-	-	-	-
Total consolidated	21,515,530	56,057,094	5,624,173	-	-	83,196,796	(71,011,815)	5,305,903	-	(65,705,912)	6,560,808	17,490,884	693,549,088

Mount Isa City Council
Notes to the financial statements
For the period ended 30 June 2023

3 Revenue
(a) Rates, levies and charges

Rates and annual charges are recognised as revenue at the beginning of the rating period to which they relate. Prepaid rates are recognised as a financial liability until the beginning of the rating period.

	YTD 2023	Budget Review 2023	Actual 2022
	$	$	$
General rates	17,094,259	17,445,374	16,095,128
Separate rates	489,085	464,620	441,483
Water	10,600,847	10,712,000	10,295,066
Water consumption, rental and sundries	3,864,266	6,634,500	7,030,935
Sewerage	7,875,579	7,992,670	7,443,155
Waste Management	4,170,082	4,204,040	4,023,589
Total rates and utility charge revenue	44,094,118	47,453,204	45,329,354
Less: Pensioner remissions	(110,313)	(130,000)	(106,415)
	43,983,895	47,323,204	45,223,356
(b) Fees and charges			
Animal Control	193,901	213,200	282,822
	-	135,100	
Building and Development	550,790	572,000	499,797
Cemetery fees	105,984	100,000	121,783
Finance	84,176	93,600	104,430
Infringements	99,483	20,000	67,162
Other fees and charges	526,291	831,440	513,984
Refuse tip and recycling	1,628,541	1,158,353	1,378,990
	3,197,036	3,123,693	2,968,967

(c) Sales revenue

Sale of goods revenue is recognised at the point in time that the customer obtains control of the goods, generally at delivery. Revenue from services is recognised when the service is rendered.

Rendering of services			
Contract and recoverable works	39,211	151,500	72,454
Concrete sales	1,520,515	2,205,500	922,025
	1,559,726	2,357,000	994,479
Total Sales Revenue	1,559,726	2,357,000	994,479

Mount Isa City Council
Notes to the financial statements
For the period ended 30 June 2023

(d) Grants, subsidies, contributions and donations

	YTD 2023	Budget Review 2023	Actual 2022
Grant income under AASB 15	$	$	$
(i) Operating			
General purpose grants	11,536,887	8,269,423	9,241,844
State government subsidies and grants	10,304,510	5,839,120	2,632,351
	21,841,397	14,108,543	11,874,195
(ii) Capital			
State & Commonwealth Government subsidies and grants	5,624,173	13,845,095	10,411,589
	5,624,173	13,845,095	10,411,589

4 Interest and other income

(a) Interest received

Interest received from bank and term deposits is accrued over the term of the investment.

Interest received from financial institutions	1,708,523	1,583,933	334,990
Interest from overdue rates and utility charges	741,306	520,634	567,048
	2,449,829	2,104,567	902,038

(b) Other income

Dividends are recognised when they are declared.

Dividend (Mount Isa Water Board)	3,495,031	3,625,294	3,625,183
Other income	1,024,648	1,649,960	718,394
	4,519,679	5,275,254	4,343,577

5 Other Capital income

		$	$	$
Gain / loss on disposal of non-current assets				
Proceeds from sale of property, plant and equipment		777,706	-	129,677
Less: Carrying value of disposed property, plant and equipment	13	(732,616)	-	
		45,090	-	129,677
Provision for restoration of land	17			
Adjustment due to change discount rate			-	17,583,933
Adjustment due to change in inflation rate		-	-	-
Adjustment due to change in cost estimate		(5,560,088)	-	-
Total Other Capital Income		(5,560,088)	-	17,583,933
Revaluations				
Revaluation increment of property, plant and equipment reversing previous revaluation decrement	13	-	-	
Revaluation increment / (decrement) relating to investment property	13	-	-	
		-	-	

6 Employee benefits

Employee benefit expenses are recorded when the service has been provided by the employee.

Staff wages and salaries	13,226,419	14,821,844	14,046,277
Councillors' remuneration	433,833	522,206	490,307
Annual, Sick and Long Service Leave Entitlements	2,148,234	3,092,151	2,674,473
Workers compensation Insurance	194,747	249,600	250,172
Fringe Benefits Tax (FBT)	60,334	62,400	47,269
Superannuation	1,477,214	2,171,342	1,689,232
	17,540,781	20,919,543	19,197,730
Other employee related expenses	-	-	-
	17,540,781	20,919,543	19,197,730
Less: Capitalised employee expenses	-	-	(573,148)

Mount Isa City Council
Notes to the financial statements
For the period ended 30 June 2023

	17,540,781	20,919,543	18,624,582

Councillor remuneration represents salary and other allowances paid in respect of carrying out their duties.

Mount Isa City Council
Notes to the financial statements
For the period ended 30 June 2023

7 Materials and services	YTD 2023	Budget Review 2023	Actual 2022
	$	$	$
Advertising, marketing and promotion	-	-	36,596
Audit Fees *	164,665	200,132	111,350
Bulk Water Purchases	11,966,377	12,922,166	12,373,729
Communications and IT	2,078,400	2,120,164	1,294,710
Council Enterprises Support	1,943,031	1,466,999	1,783,008
Governance and Promotions	1,572,701	1,903,542	1,339,980
Land Use Planning and Regulation	179,354	137,000	104,788
Parks and Gardens	1,881,045	2,018,200	1,524,829
Road Maintenance	1,877,162	2,192,500	2,403,067
Flood Works	5,559,227	5,306,200	2,087,436
Utilities	-	-	732,615
Vehicle and plant operating costs	2,233,123	2,037,231	1,845,889
Waste Levy Payments (Total)	1,827,469	2,411,058	1,834,836
Waste Levy Refund **	(1,603,299)	(1,180,758)	(884,305)
Waste Management	1,042,790	1,412,000	874,973
Water and Sewerage Maintenance	1,743,391	1,603,206	1,529,501
Other materials and services	6,798,865	4,620,793	357,250
	39,264,301	39,170,433	30,427,962

		$	$	$
8 Finance costs				
Finance costs charged by the Queensland Treasury Corporation		1,066,308	1,054,891	1,156,769
Bank charges		187,228	230,347	190,830
Impairment of receivables		-	-	-
Unwinding of discount on provisions	17	254,185	-	248,704
		1,507,721	1,285,238	1,596,303
9 Capital expenses				
Disposal of non current asset				
Property, plant and equipment			-	(5,606,422)
Total impairment losses/write off recorded as expenses		-	-	(5,606,422)
Loss on disposal of non-current assets				
Proceeds from sale of property, plant and equipment				554,600
Less: Carrying value of disposed property, plant and equipment				(722,324)
				(167,724)
Provision for restoration of land	17			
Adjustment due to change in cost estimate		-		(3,833,327)
Adjustment due to change in inflation				(16,933,261)
		-	-	(20,766,589)
Revaluation decrement				
Revaluation decrement on property, plant and equipment	17	-	-	
		-	-	
Landfill rehabilitation				
Adjustment due to discount rate change	17	-	-	
Adjustment due to change in inflation rate	17	5,305,903	-	
		5,305,903	-	
Total Capital expenses		5,305,903	-	(26,540,735)

Mount Isa City Council
Notes to the financial statements
For the period ended 30 June 2023

	YTD 2023	Budget Review 2023	Actual 2022
10 Cash and cash equivalents	$	$	$
Cash at bank and on hand	2,479,231	-	272,407
Deposits at call	60,170,021	54,596,189	67,100,780
Term deposits	-	-	
Balance per Statement of Financial	62,649,252	54,596,189	67,373,187
Less bank overdraft			
Balance per Statement of Cash Flows	62,649,252	54,596,189	67,373,187
Cash and cash equivalents	62,649,252	54,596,189	67,373,187
Less: Externally imposed restrictions on cash	(5,944,512)	(5,944,512)	(5,944,512)
Unrestricted cash	56,704,739	48,651,677	61,428,675

Council's cash and cash equivalents are subject to a number of external restrictions that limit amounts available for discretionary or future use. These include:

Externally imposed expenditure restrictions at the reporting date relate to the following cash assets:			
Unspent Government Grants and Subsidies	4,382,510	4,382,510	4,382,510
Special Rate Levies Unspent	1,333,520	1,333,520	1,333,520
Unspent developer contributions	228,482	228,482	228,482
Total externally imposed restrictions on cash assets	5,944,512	5,944,512	5,944,512

Cash and deposits at call are held in the Westpac Bank and business cheque accounts.

	$	$	$
Trust funds held for outside parties			
Monies collected or held on behalf of other entities yet to be paid out		-	26,168
Security deposits		-	1,667
	-	-	27,835

11 Receivables

Current Trade and Other Receivables

	$	$	$
Rates and charges	7,139,416	6,179,048	6,094,863
Statutory Charges (Water charges not yet levied)	-	-	1,212,584
GST Recoverable	527,118	-	571,816
Prepayments	-	-	245,813
Other debtors	1,087,460	-	4,268,140
	8,753,995	6,179,048	12,393,217
Less: Expected credit losses			
Rates and general debtors	126,500	-	(115,624)
Total Current Trade and Other Receivables	8,880,494	6,179,048	12,277,592

12 Inventories

Stores and raw materials held for resale are valued at the lower of cost and net realisable value and include, where applicable, direct material, direct labour and an appropriate portion of variable and fixed overheads.

Inventories held for distribution	$	$	$
Quarry and road materials	126,539	294,539	226,475
Plant and equipment stores	34,406	-	68,064
Total inventories	160,945	294,539	294,539

Interests in other entities

	Note	$	$	$
Subsidiaries				
Mount Isa City Council Owned Enterprises Pty Ltd (MICCOE)		1	1	1
		1	1	1

Mount Isa City Council
Notes to the financial statements
For the period ended 30 June 2023

13 Property, Plant and Equipment

Council	Note	Land and improvements	Buildings and Other Structures	Other plant and equipment	Road, drainage and bridge network	Water	Sewerage	Work in progress	Total	Intangible Asset Software
Basis of measurement		Fair Value	Fair Value	At Cost	Fair Value	Fair Value	Fair Value	Cost		Cost
Fair value category		Level 2	Levels 2 & 3		Level 3	Level 3	Level 3			
Asset values		$	$	$	$	$	$	$	$	$
Opening gross value as at 1 July 2022		6,930,295	150,320,936	21,976,683	436,291,057	157,271,892	125,362,866	12,546,511	910,700,240	-
Additions			-	-	-	-	-	24,728,625	24,728,625	
Disposals	5	(56,659)	-	(917,594)	-				(974,253)	
Revaluation			(843,468)		19,695,321	22,521	(149,345)		18,725,029	
Write off									-	
Write off from WIP									-	
Assets transferred to investment property			1,746,555	1,036,352		217,515	29,630	(3,030,051)	-	
Transfers between classes			1,562,964	(1,164,883)	(513,442)		29,244		(86,118)	
Closing gross value as at 30 June 2023		6,873,636	152,786,986	20,930,557	455,472,936	157,511,928	125,272,394	34,245,084	953,093,523	-
Accumulated depreciation and impairment										
Opening balance as at 1 July 2022		-	63,548,025	10,699,037	158,851,976	106,582,224	62,502,993	-	402,184,256	-
Depreciation expense		-	3,174,726	1,405,291	5,079,498	1,353,952	1,685,545		12,699,012	-
Depreciation on disposals				(241,637)					(241,637)	
Revaluation			(43,084,275)	(26,533)	(15,136,464)	(11,442,267)	(10,959,823)		(80,649,362)	
Impairment adjustment to asset revaluation surplus	25								-	
Write off									-	
Assets classified as held for sale	14								-	
Assets transferred to investment property	16								-	
Transfers between classes			182,561	(250,565)	(45,587)	(1,770)	29,244		**(86,117)**	
Accumulated depreciation as at 30 June 2023		-	23,821,037	11,585,592	148,749,423	96,492,140	53,257,959	-	333,906,152	-
Total Written Down Value as at 30 June 2023		6,873,636	128,965,949	9,344,965	306,723,513	61,019,788	72,014,435	34,245,084	619,187,370	-
Range of estimated useful life in years		Not depreciated	9 - 100	4 - 35	7 - 1000	15 - 100	20 - 300	Not depreciated	-	
Other Additions			10,851,415	2,785,449	3,435,896	2,413,208	123,716		19,609,685	
Renewals			770,932	-	2,916,352	929,026	502,629		5,118,940	

Mount Isa City Council
Notes to the financial statements
For the period ended 30 June 2023

14 Contract balances

Contract assets represents the excess of costs incurred in relation to a contract with the customer or construction of an asset over the amounts that council has invoiced the customer or the grantor. Where Council has invoiced the customer or the grantor amounts in excess of what it has incurred in relation to a contract or in constructing an asset, this gives rise to a contract liability.

(a) Contract assets

	YTD 2023	Budget Review 2023	Actual 2022
	$	$	$
	2,671,026	2,671,026	2,671,026
(b) Contract liabilities			
Funds received upfront to construct Council controlled assets	2,702,612	-	2,702,612
Non-capital performance obligations not yet satisfied	1,679,898	4,382,510	1,679,898
	4,382,510	4,382,510	4,382,510

15 Payables

Creditors are recognised when goods or services are received, at the amount owed. Amounts owing are unsecured and are generally settled on 30 day terms.

Current			
Creditors	1,612,169	2,305,480	7,100,414
Prepaid rates	-	-	1,212,584
Other creditors	226,212	-	220,996
	1,838,381	2,305,480	8,533,994

16 Borrowings

Current			
Loans - QTC	51,487	1,854,211	1,788,991
	51,487	1,854,211	1,788,991
Non-current			
Loans - QTC	17,171,456	15,357,319	17,171,456
	17,171,456	15,357,319	17,171,456
Opening balance at beginning of financial year	18,960,447	18,960,448	20,607,490
Principal repayment	(1,737,504)	(1,748,917)	(1,647,042)
Book value at end of financial year	17,222,943	17,211,530	18,960,448

17 Provisions

		$	$	$
Current				
Annual leave		1,690,011	1,762,798	1,523,413
Long service leave		654,520	712,074	951,459
Landfill rehabilitation		-	1,025,229	-
Total Current Provisions		2,344,531	3,500,101	2,474,872
Non-Current				
Long service leave		285,913	308,067	139,111
Landfill rehabilitation		8,252,697	15,389,890	13,558,600
Waste Levy Term Advance		2,948,279	-	-
Total Non-Current Provisions		11,486,888	15,697,957	13,697,711
Landfill rehabilitation				
Balance at beginning of financial year		13,517,174	10,440,605	14,238,600
Increase due to unwinding of discount	8	254,185	-	234,610
Adjustment due to change in cost estimate	5,9	4,247,859	-	(357,538)
Amounts used				
Increase/(decrease) due to change in discount rate	5,9	(9,766,521)	-	(3,988,432)
Balance at end of financial year		8,252,697	10,440,605	13,517,174

This is the present value of the estimated cost of restoring the Mount isa landfill site to a useable state at the end of its useful life which is expected to be 2062.

Mount Isa City Council
Notes to the financial statements
For the period ended 30 June 2023

18 Reconciliation of net result for the year to net cash inflow (outflow) from operating activities

	2023 $	2022 $
Net result	17,490,884	706,648
Non-cash items:		
Write off of Prior years WIP to Profit and Loss	-	-
Depreciation and amortisation	12,699,012	16,571,281
Unwinding discount on provisions	254,185	248,704
Impairment/write off	(5,260,815)	5,606,422
Net (profit)/loss on disposal of non-current assets	(45,090)	38,047
Capital grants and contributions	(5,624,173)	(10,411,589)
	2,023,119	15,235,520
Changes in operating assets and liabilities:		
(Increase)/ decrease in receivables	3,397,098	(1,371,446)
(Increase)/ decrease in contract assets	-	(386,923)
(Increase)/decrease in inventory	133,594	(50,012)
Increase/(decrease) in payables	(7,720,842)	825,508
Increase/(decrease) in contract liabilities	-	541,748
Increase/(decrease) in other liabilities		3,973,508
Increase/(decrease) in employee leave enitlements	16,460	248,170
	(4,173,690)	3,780,554
Net cash inflow from operating activities	15,340,314	19,722,721

19 Reconciliation of liabilities arising from financing activities

2023	As at 30 June 2022 $	Cash flows $	As at 30 June 2023 $
Borrowings	18,960,448	(1,748,917)	17,211,530

2022	As at 30 June 2021 $	Cash flows $	As at 30 June 2022 $
Borrowings	20,607,490	(1,647,042)	18,960,448

2021	As at 30 June 2020 $	Cash flows $	As at 30 June 2021 $
Borrowings	22,159,126	(1,551,636)	20,607,490

11.2 2023-24 PROCUREMENT POLICY AND FINANCIAL DELEGATIONS REGISTER

Document Number: **794434**

Author: **Procurement Officer**

Authoriser: **Director Corporate and Community**

Directorate: **Corporate and Community**

Portfolio: **Finance, Customer Services, Economic Development, Promotion & Community Development, Arts**

EXECUTIVE SUMMARY

The 2023/24 Procurement Policy version 13 with the Financial Delegations Register version 6 is presented to the Council for information and consideration.

RECOMMENDATION

THAT Council adopts the 2023/24 Procurement Policy version 13 with the Financial Delegations Register version 6 as presented.

BACKGROUND

The *Local Government Regulations 2012 Chapter 5 Financial Planning and Accountability Section 198 'Procurement policy' states the following:*
(1) A local government must prepare and adopt a policy about procurement (a *procurement policy*).

(2) The procurement policy must include details of the principles, including the sound contracting principles, that the local government will apply in the financial year for purchasing goods and services.

(3) A local government must review its procurement policy annually

The following issues were raised by external auditors during the FY21/22 audit:

We noted with regards to variations in procurement, there were multiple instances of:

- *Instances whereby the original purchase request for capital works was required to go to Council who approved a certain $ value based on the information provided, however subsequently the supplier has had to vary their cost and these variations have not then gone back to Council for re-approval.*
- *Instances for capital works where the cheapest supplier has been chosen by the evaluation panel, but at a subsequent date after the aggregate variations have been considered, the supplier may be more expensive than the other suppliers who tendered. There does not appear to be any documented consideration to understand if this is due to inappropriate scope by the original tenderer, or if the variations are for reasonable explanations.*
- *We also identified that the current procurement policy does not state the process to be followed in relation to variations, and therefore the current processing of variations is ad-hoc and varies greatly.*
- *We also noted that where contracts are over $200k, the original approved amount appears to be correctly published on the website, in accordance with s 237 of the Local Government*

Regulation 2012, however there were instances where the aggregate varied amount upon completion of the project was not disclosed.

In order to address the concerns raised above, a comprehensive review of the Procurement Policy has been done which includes:

- Merging the Local Preference Purchasing Policy into the Procurement Policy
- Work Health and Safety (WHS) requirements
- Probity and Managing Conflicts of Interest in Procurement
- Management of Tender Process (communications, Evaluation of offers, a more stringent Evaluation process, Post offer negotiations)
- Communication and confidentiality
- Contracts Administration (Contracting Delegations, Contracting administrative authorisations, Contract performance management, Contract variation management, Contract variation thresholds, Contract extension option management, Contract record keeping/administration, Contract close-out and review, Termination of contracts)

BUDGET AND RESOURCE IMPLICATIONS

Not applicable

LINK TO CORPORATE PLAN

Theme:	5.	Ethical & Inclusive Governance
Strategy:	5.11 5.7 5.12	Provide and maintain strategies to ensure Council's long-term financial sustainability. Promote a proactive approach to risk management, including business continuity Explore/review potential efficiencies and opportunities for Council's operations, infrastructure and assets

CONSULTATION (INTERNAL AND EXTERNAL)

Internal consultation was held with EMT and staff.

LEGAL CONSIDERATIONS

A local government must review its procurement policy annually.

- *Local Government Act 2009*
- *Local Government Regulation 2012*

POLICY IMPLICATIONS

- *Mount Isa City Council Financial Delegations Register*
- *Mount Isa City Council Local Preference Purchasing Policy*
- *Performance and Misconduct Policy*
- *Code of Conduct for Employees*

RISK IMPLICATIONS

Reviewed in accordance with *Local Government Regulations 2012*.

HUMAN RIGHTS CONSIDERATIONS

Consideration has been given to all human rights under the Council's Human Rights Policy.

ATTACHMENTS

1. **Procurement Policy 2023-2024 Draft.pdf**
2. **Financial Delegations Register 23-24 Draft**

STATUTORY POLICY

MOUNT ISA CITY COUNCIL

2023/2024 Financial Year – Procurement Policy

RESOLUTION NO. OM VERSION 13

APPLIES TO STATUTORY POLICIES ONLY

This is an official copy of the **2023/2024 Financial Year - Procurement Policy**, made in accordance with the provisions of *Local Government Act and Regulations, Public Records Act, Mount Isa City Council's Local Laws, Subordinate Local Laws,* and current Council Policies.

Statutory Policies comply with a legislative requirement; the **2023/2024 Financial Year - Procurement Policy** is approved by the Mount Isa City Council for the operations and procedures of the Council. Note that Financial Year Policies are reviewed annually.

.....
Tim Rose
Acting Chief Executive Officer

DOCUMENT VERSION CONTROL				
Governance/Policies/Statutory Doc ID# 672393			**POLICY TYPE**	Statutory (Council)
VERSION	**DATE**	**RESOLUTION NO.**	**DETAILS**	
V1	06.2011		Dataworks 270216, 10381. 2011-2012	
V2	03.08.2012		2012-2013	
V3			2013-2014	
V4	10.2014	OM53/10/14	2014-2015	
V5	29.04.2015	OM42/04/15	**Responsible Officer** - Manager Corporate and Financial Services 2015-2016	
V6	15.06.2016	OM09/06/16	**Responsible Officer** - Manager Corporate and Financial Services 2016-2017	
V7	14.02.2018	OM08/02/18	**Responsible Officer** - Manager Corporate and Financial Services 2017-2018	
V8	27.07.2018	SM01/07/18	**Responsible Officer** - Manager Corporate and Financial Services 2018-2019	
V9	28.08.2019	OM22/08/19	**Responsible Officer** - Manager Corporate and Financial Services 2019-2020	
V10	25.11.2020	OM29/11/20	**Responsible Officer–**Manager Corporate and Financial Services 2020-2021	
V11	21.07.2021	OM21/07/21	**Responsible Officer–**Manager Finance and Information Technology 2021-2022	
V12	15.06.2022	OM14/06/22	**Responsible Officer-**Manager Finance and Information Technology 2022-2023	
V13			**Responsible Officer-**Manager Finance 2023-2024	
			REVIEW DUE	30.06.2024

DISTRIBUTION AND DISSEMINATION			
Internal email to all employees	X	Section meetings / Toolbox talks	X
Internal email to all Councillors		Included in employee inductions	
Employee noticeboards	X	Uploaded to Council website	X
Internal training to be provided	X	External training to be provided	

STATUTORY POLICY

MOUNT ISA CITY COUNCIL

2023/2024 Financial Year – Procurement Policy

RESOLUTION NO. OM VERSION 13

Registered in magiQ	X		

1. PURPOSE

1.1 To satisfy Mount Isa City Council's ("Council") statutory obligations under Section 198 of the *Local Government Regulation 2012* and to establish Council's intent with respect to Procurement. This document sets out Council's policy for the Procurement of goods and services, construction, and services contracts.

1.2 Policy Objectives

Council's Procurement activities aim to achieve advantageous Procurement outcomes by:

a) Promoting value for money with probity and accountability; and
b) Advancing Council's economic, social, and environmental policies; and
c) Providing reasonable opportunity for competitive local business that comply with relevant legislation to supply to Council; and
d) Promoting compliance with relevant legislation.

In accordance with Section 198 of the *Local Government Regulation 2012*, this policy incorporates relevant requirements regarding the procurement of goods and services and the carrying out of the sound contracting principles.

2. COMMENCEMENT

The Mount Isa City Council Procurement Policy will take effect following adoption at the Ordinary Meeting on 19 July 2023.

3. APPLICATION

This policy applies to employees, agents and contractors (including temporary contractors) of Council, collectively referred to in this policy as "employees".

4. PRINCIPLES

4.1 Sound Contracting Principles

Council employees must have regard to the following sound contracting principles when procuring goods and services on behalf of Council:

a) Value for Money

Council must harness its purchasing power to achieve the best value for money. The concept of value for money is not restricted to price alone. The value for money assessment must include consideration of:

i. Contribution to the advancement of Council's priorities;

ii. Fitness for purpose, quality, services and support; and whole-of-life costs including costs of acquiring, using and maintaining and disposal;

iii. Internal administration costs;

iv. Technical compliance issues;

v. Risk exposure;

vi. The value of any associated environmental benefits; and

vii. Advantages of local knowledge, networks and relationships, availability and access to after sales and support.

b) Open and Effective Competition

Purchasing should be open and result in effective competition in the provision of goods and services. Council must give fair and equitable consideration to all prospective suppliers.

c) The Development of Competitive Local Business and Industry

Council encourages the development of competitive local businesses within its local government area.

In accordance with Section 104(3)(c) of the *Local Government Act 2009*, Council wishes to pursue the principle of development of competitive local business and industry as part of the process of making its purchasing decisions.

d) Environmental Protection

Council promotes environmental protection through its purchasing procedures. In undertaking any purchasing activities Council will:

i. Promote the purchase of environmentally friendly goods and services that satisfy value for money criteria; and

ii. Foster the development of products and processes of low environmental and climatic impact; and

iii. Provide an example to business, industry, and the community by promoting the use of climatically and environmentally friendly goods and services; and

iv. Encourage environmentally responsible activities.

e) Ethical Behaviour and Fair Dealing

Council officers involved in purchasing are to behave with impartiality, fairness, independence, openness, integrity, and professionalism in their discussions and negotiations with suppliers and their representatives.

Officers are to facilitate the ethical procurement of goods and services for Council in the most timely and cost-effective manner and ensure that all procurement activities are within Council's legal and statutory obligations.

4.2 Goods and Services Tax

All values quoted in this policy are exclusive of GST unless stated otherwise.

5. PROCUREMENT AND CONTRACTING REQUISITES

5.1 Local Preference

5.1.1 Scope

*A **Local Supplier*** is a company, trust, or sole trader that meets at least one of the following criteria:

i. is a ratepayer in the Mount Isa City Council local government area;

ii. has a physical premises open to the public located in the Mount Isa City Council local government area and is owned by locals or employs local staff; or

iii. employs staff permanently based in the Mount Isa City Council local government area.

Mount Isa City Council acknowledges that it has an important role to play in the local economy and is

committed to assisting local industry to engage in business with Council.

To assist local industry and local economic development, Council will:

i. Encourage a 'buy local' culture within the Council;
ii. Advertise all tenders, contracts and expressions of interest in a manner readily available to the local community;
iii. Package requirements in appropriately sized contracts to suit market capacity and encourage local competition;
iv. Encourage local businesses to promote their goods and services to Council;
v. Encourage the use of local distributors within the delivery chain whenever goods, materials or services have to be sourced from outside the local government area; and
vi. Apply a price preference in favour of local suppliers as set out in this policy.

5.1.2 Local Content Price Preference

A local price preference will apply to all quotes, contracts and tenders invited by the Council for the supply of goods and services and construction services, unless the Council resolves that this policy does not apply to a particular purchase or another provision of this policy is applied.

For the purposes of selecting the successful supplier tendered by local and non-local suppliers, the following levels of price preference (including GST) will be applied under this policy;

- Purchases up to $1,000 with local content given 15% preference
- Purchases over $1,000 and up to $5,000 with local content given 10% preference
- Purchases over $5,000 and up to $15,000 with local content given 5% preference
- Purchases over $15,000 and up to $50,000 with local content given 4% preference
- Purchases over $50,000 and less than $200,000 with local content given 3% preference
- Purchases of $200,000 and over – no price preference provided

EXAMPLE ASSESSMENT
Bid A $9,750 (non-local supplier) No preference is applicable - **$9,750** *assessment price* Bid B $10,000 (local supplier) 5% price preference applied ($500) - **$9,500** *assessment price*

5.1.3 Price Preference Comparison

The preference rate to be applied is based on the actual price quoted to Council. The preference is to be the same rate for all local suppliers irrespective of whether one supplier quotes in one discount bracket and another qualifies for a higher discount rate.

5.1.4 Part Local Purchases

The above discounts may also apply to suppliers based outside the Mount Isa City Council area where such suppliers:

- Use goods, materials or services of a significant amount via sub-contracts that are sourced within the Mount Isa City Council area. The discount applies to the value of the goods, materials or services sourced and used from the local government area; or
- Can demonstrate the use of locally sourced products and services as opposed to using products and services from outside the Mount Isa City Council area.

In these circumstances, the discount is only applicable to the local content component of the price, and not the total price submitted. Normal processes of assessment of non-price considerations

still apply, and this policy does not necessarily mean that the lowest tender will be successful. The purpose of the policy is to give preference to local suppliers compared to non-local suppliers, where all else is equal.

EXAMPLE ASSESSMENT
A bid is received for $40,000 (non-local supplier) however they have arranged to use $10,000 of goods from a local supplier. The discount applied to the local content is always based on the total value of the contract. The calculation to determine the value of their bid is: $30,000 * 0% non-local content plus $10,000 * 4% local content = $400 local price preference is applicable. Therefore, the bid would be assessed at a value of $40,000 - $400 = **$39,600**

5.1.5 Tendering Preference

For procurements over $200,000 obtained through a tender process, no price preference will be applied. Where applicable, it will be a requirement that the tender assessment criteria will include at least a 5% local content weighting criteria.

5.2 Environmentally Relevant Activities

The *Environmental Protection Act 1994* requires that an operator of an environmentally relevant activity (ERA) holds appropriate authorisation issued by a relevant authority stipulated by the Act. Services that fall under the definition of an ERA must not be procured from operators who are not licensed or approved under the relevant legislation.

Officers sourcing services which are, or could be, classified as an ERA must ensure that the supplier holds appropriate authorisation and that the requirement for the environmental authority is included in any specification of work or services to be performed.

5.3 Work Health and Safety (WHS)

Council is required to ensure, as far as reasonably practicable, the health and safety of all workers throughout Council's business or undertaking, and that its activities do not place other persons at risk from work carried out as part of the business or undertaking.

In order to ensure that Council meets its obligations during procurement and contracting activities, Officers should:

- identify all foreseeable hazards, and health and safety risks associated with a potential contract
- develop specifications that comply with relevant legislation
- ensure evaluation criteria requests sufficient and appropriate WHS systems to ensure that risks are minimised and/or eliminated
- ensure Council's operational obligations with regards to WHS contract performance monitoring and management are actioned under the contract.

Officers involved in procurement and contracting activity must comply with the requirements of Council's *Workplace Health and Safety Policies).*

5.4 Probity

During the pre-procurement planning stage, and throughout the procurement process all officers involved, and/or intend to have any input or influence must abide by Council's *Code of Conduct for Employees* to uphold the highest standards of probity, honesty and integrity and comply with the following interlinked principles and objectives of probity.

- Use of a competitive process.
- Integrity, honesty, fairness and impartiality.
- Transparent and auditable processes.
- Independence through effective management of conflicts of interest.
- Consistency and accountability of process.
- Security and confidentiality of information and materials.

5.5 Managing conflicts of interest

Officers participating in pre-procurement planning, procurement and contracting activities must comply with the requirements of the Council's Code of Conduct for Employees and Employee Gifts and Benefits Policy and must:

- advise the Procurement Officer and Governance Officer of all conflicts of interest (perceived, potential or actual) even if these conflicts have been previously declared elsewhere,
- notify the Procurement Officer and Governance Officer immediately they become aware of any conflict of interest (perceived, potential or actual),
- not accept gifts from parties related to any procurement or contracting activity,
- action all declarations of conflict of interest and confidentiality as applicable.

6. PROCUREMENT MANAGEMENT

6.1 Optimisation of Value in Procurement

In order to optimise value in procurement, where applicable, Council will establish annualised or biannual purchasing arrangements. This is generally to occur where multiple similar purchases are likely to be required, the total value of goods for the financial year is expected to exceed $100,000, and the cost of obtaining quotes for each purchase is high in value of time and effort. This may include entering into arrangements for preferred suppliers.

An **approved contractor list** may be compiled after inviting expressions of interest from suitably qualified persons and assessing those expressions on the basis of sound contracting principles as required under Section 231 of the *Local Government Regulation 2012*.

A **pre-qualified supplier register** may be compiled only after inviting tenders in accordance with Section 232 of the *Local Government Regulation 2012*.

A **preferred supplier arrangement** may be enacted only after inviting tenders in accordance with Section 233 of the *Local Government Regulation 2012*.

6.2 Contract arrangements

Council may enter into a contract without first inviting competitive offers, if the contract is entered into with a supplier from a:

- register of prequalified suppliers

- panel arrangement
- preferred supplier arrangement

Suppliers on these arrangements have been assessed by Council as having the technical, financial and managerial capability to perform contracts on time and in accordance with agreed requirements.

Contract arrangements may only be established by Council, if:

- the preparation and evaluation of invitations every time that the works, goods and/or services are needed would be costly; or
- the capability or financial capacity of the supplier of the works, goods and/or services is critical; or
- the delivery of works or the supply of the goods and/or services involves significant security considerations; or
- a precondition of an offer to contract for the works, goods and/or services is compliance with particular standards or conditions set by Council; or
- requires goods and/or services in large volumes, or frequently; and
- is able to obtain better value for money by accumulating the demand for the goods and/or services; and
- is able to describe the goods and/or services in terms that would be well understood in the relevant industry.

Council will establish a contract arrangement through a public invitation to offer process. Council will seek to include terms allowing a supplier to be omitted or added to the arrangement.

Council will have regard to the sound contracting principles when:

- deciding on which suppliers should be added to the contract arrangements
- selecting a supplier for an individual project from the contract arrangement.

Before requesting a contract arrangement be created; there should be reasonable likelihood that any supplier included will, subject to satisfactory performance, be awarded work off the arrangement. Officers must not request the creation merely to provide coverage for a possible contingency.

6.3 Purchasing Thresholds

Where the value of the contractual arrangement with the supplier in a financial year or over the proposed term of the contract (including any initial term and options to extend) is, or is expected to be:

Table 1: Purchasing Thresholds

Amount of Purchase GST Exclusive	POLICY
Under $500	• For purchases under the value of $500 the advertised price or price listed is considered acceptable
$500 or more but less than $5,000	• For purchases equal to or greater than $500 but less than $5,000 at least one written quote must be obtained. A copy of the quote must be attached to the invoice.

$5,000 or more but less than $15,000	• Purchases equal to or greater than $5,000 but less than $15,000 two (2) or more written quotes must be obtained. If not possible to obtain a second quote, record of suppliers approached must be kept and attached to the Council copy of the purchase order as well as any quotes obtained.
$15,000 or more but less than $200,000	• Council cannot enter into a **medium sized contract** unless it first invites written quotes for the contract. ○ The invitation must be to at least three suppliers who Council considers can meet its requirements at competitive prices. ○ Council may decide not to accept any quotes it receives. ○ If Council decides to accept a quote, Council must accept the quote most advantageous to it having regard to the principles outlined in this policy. ○ There are limited exceptions to this requirement, and they are listed below in the section titled **exceptions.**
$200,000 and above	• Council cannot enter into a **large-sized contract** unless Council first invites written tenders for the contract in accordance with the requirements of Section 228 *Local Government Regulation 2012*. • Under Section 228 *Local Government Regulation 2012* Council must either invite written tenders or invite expressions of interest before considering whether to invite written tenders. • There are limited exceptions to this requirement, and they are listed below in the section titled **exceptions.**

When a staff member believes, or reasonably should believe, a quote does not represent fair value, at least one additional quote must be obtained.

Before a purchase is authorised an authoriser must ensure there are sufficient funds available in an approved budget or be satisfied the purchase is for a genuine emergency.

6.4 Acceptance of Quotations

There is no requirement to accept the lowest quotation, however where a staff member chooses a quotation other than the lowest quotation, they must provide a brief written justification which must be kept with the order.

6.5 Purchase orders

Purchase orders will be raised for:

- day-to-day transactional procurement against previously established Council or other eligible contracts
- contracting activities where the standard purchase order terms and conditions are considered appropriate to mitigate the anticipated risks inherent in the purchase. This is generally for low value, one-off purchases.

Officers must not enter into verbal agreements with suppliers. The provision of the goods and/or service must not commence until the purchase order has been issued.

Separation of Goods Receivals

Council officers must ensure there is a separation of duties between the authorised officer who orders goods and materials and the officer who certifies receipt of those goods or materials.

An exemption to this requirement applies to the Chief Executive Officer and Directors when dealing with emergency situations.

Training

All officers that have a purchasing authority must undertake Procurement training with the Procurement Team.

6.6 Determination/aggregation of the worth of contract requirements

The requirements for procurement thresholds are determined by the total anticipated worth or value of the related transaction.

The worth of a proposed contract must be calculated on the total amount, including options such as extensions or provisional items, of the requirement over the proposed required period.

Contracts/purchase orders must not be split to:

- circumvent administrative levels of authority or delegations; or
- manipulate the method of inviting offers in relation to the contract worth thresholds.

7. Tender Process

Section 228 of the *Local Government Regulation 2012* sets out how Council must invite written tenders or invite expressions of interest for:

a) A large-sized contract; or

b) Disposal of a valuable non-current asset contract

An invitation for written tenders/expressions of interest must:

a) be made by an advertisement in a newspaper that circulates generally in the local government area; and

b) allow written tenders/expressions of interest to be submitted to Council for at least 21 days after the advertisement is published.

Records of tenders/expressions of interest and the evaluation process must be kept on file.

7.1 Non-conforming or alternative offers

It is acceptable to encourage alternative offers. This supports innovative ways and alternative solutions or may provide different risk allocation than has been specified by the Council. The decision, if any, non-conforming or alternative offers may be accepted with or without a conforming offer should be specified in the invitation to offer documents.

7.2 Management of communications

Following the issue of the invitation to offer documentation and during the invitation to offer process:

- all communications to suppliers must be carried out through the nominated representative

specified in the invitation to offer documents
- an accurate written record must be made of all communications
- the nominated representative will keep all relevant parties informed of progress and any issues arising.

In the event that an amendment to the invitation to offer documentation becomes necessary, all suppliers are to receive the same information by way of an addendum to the invitation of offer.

7.3 Supplier briefings/site inspections

Supplier briefings and/or site inspections may be undertaken and should include all suppliers wishing to respond to the invitation to offer.

Briefing presentations, questions, and answers must be published as an addendum to the invitation to offer documents to ensure all potential suppliers have access to the same information as some suppliers may not be able to attend a supplier briefing or site inspection. Attendance should not be a mandatory condition or utilised as an opportunity to provide additional information to those who elect to attend.

7.4 Invitation to change an offer

Where the Council makes a change to the requirements of the invitation to offer documents after the invitation to offer period has closed and before any offer is accepted, Council may invite all suppliers who submitted an offer to change their offers.

Where the change (if it had been included in the original documentation) would have resulted in alternative suppliers submitting an offer, the invitation to offer should be withdrawn and readvertised.

It is advisable to ensure that change requests do not breach the commercial confidentiality or intellectual property rights of any supplier whose offer has been submitted.

7.5 Evaluation of offers

The Council will evaluate offers in accordance with the process, methodology and criteria defined in the Evaluation Plan.

To ensure transparency and probity in the evaluation process:

- the evaluation process, methodology and criteria (but not necessarily the weightings) will be outlined in the invitation to offer documentation
- once the invitation to offer period has closed neither the evaluation process, methodology nor the criteria (including weightings) may be changed.

Evaluation of offers will:

- determine the most advantageous offer for recommendation for acceptance
- have regard to the procurement and contracting principles and requisites
- apply the local benefits weightings
- be adequately documented to demonstrate how the recommendation of the most advantageous offer has been determined
- ensure that all supplier information in response to an invitation to offer is regarded as confidential.

7.6 Evaluation process

Offers will generally be evaluated via a three-gate evaluation process.

A due diligence check is performed on all offers to enable Council to filter offers that do not conform to the

invitation to offer requirements or pose unacceptable risk.

Due diligence checks may include, but are not limited to:

- ensuring fully completed documentation, pricing, insurances, registrations, and licences
- legal entity, reference, financial, legislative, and corporate checks
- deviations, alternative offers, and conflicts of interests
- discussions with tenderers, demonstrations, and site visits.

These due diligence checks are ongoing and allow Council to assess the risk of an offer at any stage of the evaluation process to determine whether the offer is acceptable to continue in the evaluation process.

Gate 1. Evaluate against Mandatory Criteria - disqualify non-conforming offers.

Mandatory criteria are designed to enable Council to filter out offers that do not conform to the mandatory requirements that are specified in the invitation to offer documentation. These non-conforming offers will generally not be further evaluated.

Gate 2. Evaluate against Capability Scoring Criteria - select capable offers based on a combination of capability and local benefits.

These criteria are designed to enable Council to assign a relative score for each capability criterion. Each capability scoring criterion has a percentage weighting allocated to it to represent its relative importance and worth in the selection process or risk to the delivery of the works, goods, or services.

Local benefits weightings are mandatory scoring criteria to be applied after the other scoring criteria have been scored.

Capability scoring criteria enable Council to focus on evaluating which suppliers have the required capability based on their scores, to move through to Gate 3.

Gate 3. Value for money criteria - select offers based on pricing criteria. After review of submitted pricing information and any subsequent supplier negotiations the best value pricing submission(s) is chosen.

Additional gates to accommodate product demonstrations, presentations, etc can be included. A Total Cost of Ownership (TCO)/pricing gate can be added which will include a weighted combination of capability and TCO to determine the most advantageous offer(s).

A four-gate evaluation considers both qualitative and quantitative criteria relative to each other in accordance with the pre-determined weightings as documented in the Evaluation Plan, to determine the most advantageous offer to Council.

7.7 Post offer negotiations

Negotiations with suppliers who have progressed to the value for money gate may occur if the negotiations might improve value for money.

A negotiation strategy should be developed and agreed prior to commencing any negotiation and must encompass the following.

- All short-listed suppliers are invited to participate where appropriate.
- At the conclusion of each round of negotiations, all suppliers may be invited to submit an amended offer.
- Suppliers must be advised when they are to submit their best and final offer.

Probity considerations for negotiations include the following.

- Negotiations are not to be used for the purpose of clarifying aspects of an offer. Clarification of offers must be completed before a short-list of suppliers for negotiations is finalised.
- Once the short-list has been established, it is essential that the equality of opportunity for the short- listed suppliers is maintained throughout the negotiations.
- During a negotiation, the identities or commercial-in-confidence information of any other supplier with whom negotiations are taking place must not be disclosed to another supplier. Commercial-in- confidence information includes (but is not limited to) prices, value-adds, operational methodology or other information identified by a supplier as being commercial-in-confidence.
- To avoid any misunderstanding as to the nature and extent of any negotiations, the basis of the negotiations must be provided in writing to the suppliers invited to negotiate.
- A record of negotiations must be kept.

A supplier's offer will not be considered unsuccessful until formally notified. The commencement of negotiations with one or more other suppliers is not an indication that a particular supplier's offer has been unsuccessful.

7.8 Acceptance of offers

Where Council decides to accept an offer, it may accept the offer it determines to be the most advantageous, having regard to Council's contracting principles and requisites. Council may decide not to accept any offers it receives.

Council approval is required to accept a recommendation and enter into a contract where a delegate does not have the power to make such decisions, and/or where the expenditure required to service the contractual commitment has not been included in an approved budget.

7.9 Exceptions

None of the exceptions below remove the need to issue a purchase order or a letter of acceptance authorised by an officer with a sufficiently high purchasing limit to cover the cost of the purchase.

Chapter 6 Part 3 Division 3 of the *Local Government Regulation 2012* identifies exceptions for medium and large-sized contracts. If one of the exceptions applies, Council may enter into:

a) a medium-sized contractual arrangement without first inviting multiple written quotes; or

b) a large-sized contractual arrangement without first inviting written tenders.

The exceptions are:

a) the preparations of a quote or tender consideration plan in accordance with the requirements of Section 230 of the *Local Government Regulation 2012*; and

b) where a preferred supplier arrangement exists containing a schedule of rates fixed for the term nominated in the arrangement; and

c) entering into a contract under a Local Government Arrangement (LGA) established in accordance with the requirements of Section 234 of the Regulation 2012 e.g., LocalBuy; and

d) Section 235 Local Government Regulations 2012 entering into a medium-sized contract or a large-sized contract if:

Council resolves that it is satisfied that there is only one supplier who is reasonably available; or

i. Council resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous to invite quotes or tenders; or

ii. A genuine emergency exists; or

iii. The contract is for purchase of goods and is made by auction; or

iv. The contract is for the purchase of second-hand goods; or

v. The contract is made with, or under an arrangement with, a government agency.

A range of Local Government Arrangements have been put in place by LocalBuy. When assessing the most effective method of obtaining goods and/or services, Council officers should consider the administrative costs to Council of seeking tenders or quotations independently, and the reduction of these costs which can be achieved by use of Local Buy arrangements.

In the event that a Local Government Arrangement is used, the Local Buy contract number must be stated on the order requisition for entering onto Council's Purchase Order.

7.10 Disposal of Valuable Non-Current assets

Section 227 of the *Local Government Regulation 2012* provides that Council cannot enter into a contract for the sale of a valuable non-current asset unless it first:

a) invites written tenders for the contract under Section 228 of the *Local Government Regulation 2012*; or

b) offers the non-current asset for sale by auction.

There are a range of exceptions to this set out in Section 236 *Local Government Regulation 2012*.

In addition, all non-current assets that have been identified as being obsolete or surplus to Council requirements, and with a written down value less than the Asset Thresholds in Table 2 are to be offered for sale by inviting written quotations or via public auction.

The invitation for written quotation for the sale of non-current assets must:

a) be made by an advertisement in the newspaper that circulates generally in the local government area; and

b) allow written quotes to be given to Council for at least 21 days after the advertisement is published.

Table 2: Asset Thresholds

Asset Class	Council Limit
Buildings and other Structures	$20,000
Plant and Equipment	$10,000
Land	$1
Furniture and Fittings	$10,000
All Infrastructure	$20,000

7.11 Exceptions for valuable non-current assets

Section 236 of the *Local Government Regulation 2012* will apply to contracts for the disposal of land or an interest in land.

Council may dispose of valuable non-current assets, other than by tender or auction if:

- the valuable non-current asset:
  - was previously offered for sale by tender or auction but was not sold, and
  - is sold for more than the highest tender or auction bid that was received
- the valuable non-current asset is disposed of to:
  - a government agency
  - a community organisation
- for the disposal of valuable non-current assets, other than land, by way of a trade in, if:
  - the supply is, or is to be, made under the requirements of this Policy, and
  - the disposal is, or is to be, part of the contract for the supply
- for the disposal of a valuable non-current asset by the grant of a lease - the grant of a lease has been previously offered by tender or auction, but a lease has not been entered into.

Where Council makes a decision to donate valuable non-current assets, this may be done as an exercise of beneficial enterprise powers and must usually comply with this policy and the sound contracting principles.

8. Communication and confidentiality

Information gathered relating to procurement activities is treated in line with the *Right to Information Act 2009* and the *Local Government Act 2009.*

Invitation to offer documentation should ensure that this is explained and invites suppliers to:

- submit all and any information on the basis that the public has a right to know all
- specifically label any information that is supplied on the basis that it is to be kept confidential, only if the Council agrees to receive and accept such on those terms.

Contracts & Procurement will supply information to suppliers who request feedback on their offers in terms of the following.

- Communications to unsuccessful suppliers may provide information identifying gaps in their offer to provide an opportunity for improvement in future offers.
- The initial communications to an unsuccessful supplier must be in writing. Suppliers can seek further information.
- Where the request is made a full debriefs can be carried out with a Council officer. Comparative information with other suppliers (e.g. other suppliers scores) must not be shared.
- Information that has been made public via the approval process (e.g. Council agenda report) may be made available to suppliers.

9. Supplier complaints

All complaints from suppliers regarding procurement and contracting activity must be directed to the Procurement Officer as the first point of contact to provide the opportunity for Procurement to assist

the supplier with the matter and help resolve the issue.

10. CONTRACTS ADMINISTRATION

10.1 Legal advice/services and selection of contract terms

Officers requesting advice/services on procurement and contracting activities, including the development and management of contracts must do so through the relevant Director who will source legal advice as and when required on matters such as:

- determination on which contract terms and conditions are to be used
- insert or depart from the standard terms and conditions

All contractual disputes or complaints about the conduct of procurement and contracting activities must be referred to the Chief Procurement Officer for action. The Chief Procurement Officer in consultation with the relevant Director and where necessary other key stakeholders will determine what further support and assistance is required to resolve the dispute.

10.2 Contracting Delegations

Section 238 of the *Local Government Regulation 2012* applies if a local government delegate, under section 257 of the *Local Government Act 2009*, power to make, amend or discharge a contract for the local government.

Officers with the requisite administrative authorisations may authorise spending from approved annual budgets by requesting delegates to enter into, vary or discharge contracts.

A delegate may enter into, vary or discharge a contract for Council if:

- Council's expenditure has been provided for in the approved annual budget for the financial year:
  - when the contractual action is taken or
  - in which the delegation resolution is made, if the expenditure is within the limits stated in the resolution, or
- the contractual action has been taken because of a genuine emergency or hardship (*Local Government Regulation 2012* section 238(2)).

10.3 Contracting administrative authorisations

Administrative authorisations must be exercised in line with the Delegated Power and Authorisations Policy. When authorising any request to enter into, vary or discharge a contract; the authorised officer certifies that:

- sufficient funds are available in the current approved annual budget
- the value to be used for determining the authorised amount is the total value of the expenditure (excluding GST) estimated for each procurement or the total sum of a contract over the period for which the agreement will be in place. Trade-in values must not be deducted from purchase values when determining the administrative authority level
- the estimates for which the goods or services are to be contracted are accurate and reflect the actual requirements
- all required approvals have been received for the contracting activity to proceed

Council officers listed in the Financial Delegations Register 23-24 are entitled to sign orders up to their stated purchasing limit.

10.4 Contract management and administration

Council undertakes performance management of contracts commensurate with the value, strategic nature and risk posed by the contract or activity.

Contract management and administration activities include:

- finalisation of the contract management plan and contract risk assessment
- operational management of the contract
- managing contract and supplier performance
- managing contract and operational WHS performance
- developing and managing supplier relationships
- administering the contract (including documentation, financial and contract risk administration)
- managing contract variations and extensions
- managing complaints, non-conformances and disputes
- contract close-out, lessons learnt and final performance review
- reviewing ongoing category performance.

10.5 Contract performance management

Contract performance management must be undertaken throughout the life of the contract. Along with performance indicators (KPIs) and standards, arrangements for monitoring and assessment should be set out in the contract, along with the action that would result from underperformance.

Performance management involves:

- Performance monitoring – collecting data on performance
- Performance assessment – deciding whether performance meets Council's needs; and
- Taking appropriate action – such as understanding and extending features of good performance, correcting areas of underperformance, or amending the contract requirements to meet changing needs.

It is the responsibility of the contract manager to initiate discussions with the contractor regarding performance issues to resolve them. A formal performance management process must be undertaken where there is a possibility that the performance issues may result in unsatisfactory outcomes to Council.

All performance discussions must be documented and stored in the corporate document management system and relevant contract file.

Where a supplier fails to satisfy the performance requirements of a contract, engage EMT for advice and assistance to rectify the issue. Officers managing contracts must ensure that full details of any supplier performance issues (including verbal) are recorded in the corporate document management system and relevant contract file.

10.6 Contract variation management

A variation is an agreed amendment (addition to, or omission from the scope of work that was originally agreed) to a contract that changes the original terms, conditions, or scope of the contract.

Key reasons why variations are needed include:

- Specification revisions and/or adjustments
- Technology changes or improvements
- Changes in legislation that impact on the contract and specification
- Demand fluctuations
- Requests for additional goods and services outside of the original contract scope
- Latent conditions (a physical condition on or near the site that could not reasonably have been anticipated by a competent contractor at the time of tendering)

Any proposed variation must be assessed to ensure that it complies with the provisions of this policy and must be carried out in the format advised by Procurement. Officers must analyse all consequences of the proposed contract amendment to make sure there are no unintended effects of the variation and value for money continues to be received.

Officers must ensure that the contract variations continue to provide value for money, are not of such a level that they significantly change the contract requirements and/or substantial parts of the original procurement.

If this is the case, it may be necessary to undertake another procurement process because the revised arrangements are substantially different to those selected during the original procurement. The risk assessment must be reviewed in line with the requested variation.

Adjustments to a contract are where changes are made that were allowed for in the contract and include:

- Provisional items – use or removal
- Adjustments to the schedule of rates – quantity adjustments
- Extensions of time where the option is available
- Consumer Price Index (CPI) increase
- Rise and fall

Where the adjustment has a financial impact, holders of administrative authorisations in the Directorates verify that funds are in approved budgets to meet the costs prior to the adjustment being actioned.

10.7 Contract variation thresholds

Officers must ensure that the contract variations are approved in line with Council's Financial Delegations Register.

Table 1: Contract Variation Thresholds

POSITION	VARIATION THRESHOLD (GST Exclusive)
Council Resolution	*Unlimited or more than 10% of the original contract value
Chief Executive Officer	Lower of 10% of contract value or $300,000
Directors	Lower of 10% of contract value or $150,000
Managers	Lower of 10% of contract value or $30,000
Team Leaders	Lower of 10% of contract value or $15,000
Coordinators / Specialists Senior Officers	$5,000
Executive Assistants Work Health and Safety Officer	$1,000

**Variations over 10% of the total initial/signed contract (total original) should be reported and referred to the Council.*

For a **"medium-sized contractual arrangement"** (expected to be worth, exclusive of GST, $15,000 or more but less than $200,000 in a financial year, or over the proposed term of the contractual arrangement), contract variations are to be approved in line with Council's Financial Delegations Register.

For a **"large-sized contractual arrangement"** (expected to be worth, exclusive of GST, $200,000 or more in a financial year, or over the proposed term of the contractual arrangement), contract variations are to be approved by the Chief Executive Officer in line with Council's Financial Delegations Register. Any contract variations over the Chief Executive Officer's financial delegation should be approved by Council unless specifically pre-approved by Council resolution.

Officers must ensure that all contract variations are supported by adequate documentation describing the nature and reasons for the variations including the associated cost, time, and scope implications. The cumulative impact of variations on a contract should be reviewed and an assessment made of whether a separate procurement process should be undertaken.

10.8 Contract extension option management

A contract extension option clause usually gives one party to a contract the right to elect to continue its term for further periods at certain prices or with pricing payable to be adjusted by an objective formula.

Where an extension option is present, Council must first assess whether value for money will best be achieved by exercising the extensions option or by going back out to the open market.

Where a contract extension option is taken up, the contract must be managed in accordance with the terms of the contract. In addition, relevant approvals and/or authorisations must be obtained prior to the delegate actioning the extension.

10.9 Contract record keeping/administration

Information management is an important part of contract management as accurate records must be maintained and accessible. Key contract information must be kept updated in the centralised contract management system to enable a single source of truth.

Contract files must be maintained in Council's document management system to fully document all processes and decisions relevant to administration and management of the contract.

Following award of the contract, all correspondence issued to the supplier must be in writing and all instructions (including amendments and variations), notices, approvals, minutes of meetings, performance issues, Key Performance Indicator (KPI) reviews and acknowledgements must be kept in the contract file.

The contract spend must be monitored throughout the lifecycle of the contract and the information must be maintained within the contract management system to reflect any agreed variations to the contract value.

Financial reconciliations must be conducted between purchase orders/work orders approved, invoices paid against the contract, and the approved contract value.

10.10 Contract close-out and review

Prior to close-out of the contract, the contract manager must conduct a final performance review to

evaluate the contractor performance and provide feedback that may be used as a reference for future evaluations/work. The depth and detail of the review process will vary depending on the contract. However, the review process is critical regardless of the size and value of the contract.

Where appropriate, the contract manager must provide all or part of the feedback from the contract review to the other contracted party or parties. This will enable any future arrangements to better meet the needs of the Council. Once a contract has concluded, it is important that the contract is reviewed, and lessons are captured in the contract management system and the contract file in the corporate document management system. This supports the Council's objective to continually improve its contract management capability.

Where there is a transition period from one contract to another it is the responsibility of the contract manager to develop a transition plan. The contract manager must consider the following aspects when developing the transition plan for both the outgoing and incoming contractors:

- Identify any specific differences between the current and future contracts,
- Develop a new communication plan, identify stakeholders, both internally and externally who may be impacted by the change, and
- Update internal processes or procedures with any changes required under the new contract.

At the conclusion/expiry of the contract, the contract manager must formally close the contract according to the agreed terms and conditions.

Where a contract is managed by the Superintendent the contract finalisation will be managed in accordance with the contract entered into.

10.11 Termination of contracts

Where a decision is made to terminate a contract, the prevailing conditions must be adhered to in consultation with Procurement and Legal Services providers.

The Council must follow the conditions specified in the contract to terminate that contract.

11. BREACH OF POLICY

Where Council reasonably believes an employee has breached this policy, the matter will be dealt with under the Performance and Misconduct Policy.

12. COMMUNICATION AND DISTRIBUTION

Council will make available to the public, the 2023/2024 Financial Year – Procurement Policy on our website at www.mountisa.qld.gov.au.

The responsible officer shall liaise with People and Culture Team to create and deliver internal OR external appropriate and regular training to the following Council employees.

Supervisors will ensure the policy is distributed as per the Distribution and Dissemination table on this policy.

13. DEFINITIONS

a) **Medium-sized contract** is a contact worth $15,000 (GST exclusive) or more but less than $200,000 (GST exclusive).

b) **Large-sized contract** is an individual contract worth $200,000 (GST exclusive) or more which can extend beyond one financial year.

c) **Valuable non-current asset contract** is a contract for the disposal of a valuable non-current asset.

d) **Valuable non-current asset** is:
- Land; or
- Another non-current asset that has an apparent value that is equal to or more than a limit set by the local government. Refer to Table 2 Asset Thresholds.

e) **Government agency** includes:
- The State, a government entity, a corporatised business entity, or another local government; or
- The Australian Federal government or an entity of the Australian Government; or
- A local government of another State.

f) **Pre-qualified supplier** is a supplier who has been assessed as having the financial, technical, and managerial capability to perform on time and within agreed requirements. **Quotes are still required.**

g) **Preferred supplier arrangement (PSA)** means an arrangement set up by Council to allow contracts to be entered into with one or more suppliers (the preferred suppliers) for the supply of goods or services. The PSA is a contract for a period, usually 12 months with options for a further two periods of 12 months each. The contract locks in the rates for the goods and services for the first 12 months. The review after 12 months includes the supplier's performance and, if considered suitable for the continuing of the arrangement, an opportunity for the supplier to adjust their rates is offered. This is usually based on the CPI unless the supplier can justify a larger increase.

h) **Approved contractor** is a person or company who Council considers to be appropriately qualified to provide the services. **Quotes are still required.**

i) A contract manager is the officer responsible for administering and managing a contract, as well as overseeing the process by which contracts are consolidated, created, and executed.

j) **Procurement Initiation Form (PIF) -** ***is required for all procurements equal to or greater than $15,000 GST exclusive. This is the expenditure level where the Local Government Regulations 2012 apply. Chapter 5; 'Financial Planning and Accountability'.*** The PIF identifies the requirement for the RFQ/RFT, budget, funding, justification, evaluation criteria and is approved by the relevant authority responsible for the budget. The PIF with accompanying documents (scope/specification/brief/drawings/pricing schedule, and other supporting information), is forwarded to Procurement Team for actioning by the user department.

k) **Request for Quotation (RFQ) -** a request for quotation is used for medium-sized contracts and is by invitation unless an exception applies.

l) **Request for Tender (RFT) -** a request for tender is used for large-sized contracts and is by public tender unless an exception applies.

m) **Council Resolution -** a Council decision passed by the majority of Councillors at an ordinary meeting of Council.

REASONS ONLY ONE OR NO QUOTES REQUIRED

OEM	Original Equipment Manufacturer	Only to be used if parts are purchased that only one Creditor can supply so unable to get other

		quotes.
SS	Sole Supplier	No other supplier in Mount Isa can provide this service i.e. QH2O, MIWB, Telstra

ASSOCIATED LEGISLATION AND POLICIES

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- Mount Isa City Council Financial Delegations Register
- Performance and Misconduct Policy
- Code of Conduct for Employees

STATUTORY POLICY

MOUNT ISA CITY COUNCIL

FINANCIAL DELEGATIONS REGISTER

Attachment 1 – 2023/2024 Procurement Policy

RESOLUTION NO.OM VERSION V6

APPLIES TO STATUTORY POLICIES ONLY

This is an official copy of the **Financial Delegations Register**, made in accordance with the provisions of *Local Government Act 2009* and *Local Government Regulations 2012, Public Records Act 2002,* Mount Isa City Council's Local Laws, Subordinate Local Laws, and current Council Policies.

Statutory Policies comply with a legislative requirement; the **Financial Delegations Register** is approved by the Mount Isa City Council for the operations and procedures of Council and is an attachment to the Mount Isa City Council Procurement Policy.

.....
Tim Rose
Acting Chief Executive Officer

DOCUMENT VERSION CONTROL				
Governance/Policies/Statutory Doc ID# 672534			POLICY TYPE	Statutory (Council)
VERSION	**DATE**	**RESOLUTION NO.**	**DETAILS**	
V1	27.07.2018	OM08/02/18	**Responsible Officer -** Manager Corporate and Financial Services	
V2	28.08.2019	OM22/08/19	**Responsible Officer -** Manager Corporate and Financial Services	
V3	25.11.2020	OM29/11/20	**Responsible Officer -** Manager Corporate and Financial Services	
V4	21.07.2021	OM/27/07/21	**Responsible Officer –**Manager Finance and Information Technology	
V5	15.06.2022	OM14/06/22	**Responsible Officer –** Manager Finance and Information Technology	
V6	19.07.2023		**Responsible Officer – Manager Finance**	
			REVIEW DUE	30.06.2024

DISTRIBUTION AND DISSEMINATION			
Internal email to all employees	X	Section meetings / Toolbox talks	X
Internal email to all councillors		Included in employee inductions	
Employee noticeboards		Uploaded to Council website	X
Internal training to be provided	X	External training to be provided	
Registered in magiQ	X		

STATUTORY POLICY

MOUNT ISA CITY COUNCIL

FINANCIAL DELEGATIONS REGISTER

Attachment 1 – 2023/2024 Procurement Policy

RESOLUTION NO.OM VERSION V6

1. PURPOSE

In accordance with *Section 238 of the Local Government Act 2009* and *Local Government Regulation 2012* the Chief Executive Officer delegates the power to incur financial expenditure in accordance with the Procurement Policy and Register of Delegations – CEO to Employees and Contractors subject to the limits outlined below.

Table 1. Purchasing Limits

POSITION	PURCHASING LIMIT (GST Exclusive)
Council Resolution	Unlimited
Chief Executive Officer	$300,000*
Directors	$150,000
Managers	$30,000
Team Leaders	$15,000
Coordinators / Specialists Senior Officers	$5,000
Executive Assistants Work Health and Safety Officer	$1,000

** Purchases over $200,000 must meet the legislated exemption to tendering provisions and must be submitted to Council for approval prior to purchase and reviewed on a quarterly basis*

2. LIMITATIONS TO DELEGATIONS

2.1 All employees below the manager level are limited to authorising purchases against budgets over which they have clear operational authority.

2.2 Any IT or software purchase must be authorised by either the Director Corporate Services, or Chief Executive Officer. This applies regardless of the financial delegation of any other officer.

2.3 Only IT Support are able to into a contract to purchase equipment or applications that are linked to Council's IT network or run on or through Council's IT network.

3. AUTHORITY FOR CHANGES

3.1 The Chief Executive Officer has the authority to amend or suspend the financial delegation for any employee for operational reasons subject to the amendment being ratified by the Council at a six-monthly review of any changes to financial delegations.

4. OTHER DELEGATIONS

4.1 To ANY TWO of the Manager Finance, Directors or Chief Executive Officer:

a) the signing of manual cheque payments.

4.2 To any councillor:

a) secondary authorisation for the signing of manual cheque payments.

4.3 To the Chief Executive Officer, Directors, or Manager Finance:

a) the authorisation of the disbursement of periodic Fire Levy returns to the Queensland Fire and Rescue Authority and all returns to relating to State or Federal taxation.

b) to authorise monthly Mount Isa Water Board payments and quarterly Sunwater payments.

c) to authorise all annual insurance premiums.

d) authorisation of recoverable debt collection and legal fees.

4.4 To the Chief Executive Officer, and Directors:

a) authorisation of the monthly Waste Levy payments to the State Government.

4.5 To all employees and the Mayor:

a) authorisation for the use of the Council credit card, subject to authorisation in accordance with the financial delegations above. The relevant card holder is to sign all credit card authorisations.

4.6 To the Chief Executive Officer, and Directors:

a) authorisation to approve advertising expenditure as per Council's Advertising Expenditure Policy.

b) authority to pay invoices related to approved, tendered works irrespective of the value of the invoice.

4.7 To all employee issued Manual Order books:

a) use of manual order books for emergency repairs ONLY to the maximum value of $250, this is to be counter- signed by an authorised officer with sufficient purchasing delegation.

These delegations apply to those employees appointed to the positions listed above and any employee appointed, in writing, to those positions in an acting capacity.

5. BREACH OF POLICY

5.1 Where Council reasonably believes an employee has breached this policy, the matter will be dealt with under the Performance and Misconduct Policy.

6. COMMUNICATION AND DISTRIBUTION

6.1 Council will make available to the public, the Procurement Policy on our website at www.mountisa.qld.gov.au

6.2 Supervisors will ensure the policy is distributed as per the Distribution and Dissemination table on this policy.

11.3 SPLASHEZ OVERVIEW REPORT- JUNE 2023

Document Number: **793023**

Author: **Manager Economic and Community Development**

Authoriser: **Director Corporate and Community**

Directorate: **Corporate and Community**

Portfolio: **Finance, Customer Services, Economic Development, Promotion & Community Development, Arts**

Tourism, Events, Sports and Recreation, Library

EXECUTIVE SUMMARY

The June 2023 Splashez Monthly Report is presented to Council for information and consideration.

RECOMMENDATION

THAT Council receives and accepts the June 2023 Splashez Overview Report as presented.

OPERATIONAL OVERVIEW

Winter Hours of operation began on 1 June 2023 (Monday to Friday 2:00 pm to 7:00 pm, Saturday and Sunday 10:30 am to 5:30 pm). June 2023 was a quieter month of trade with some cold days affecting our trade. Maintenance around the facility has begun in preparation for the next summer season to begin.

FINANCIAL SUMMARY

	$ Month of June 2022 Actual	$ Month of June 2023 Actual	$ Month of June 2023 Budget	$ 2022/2023 YTD Actual	$ 2022/2023 Full Year Budget
Revenue					
Admission*	4,135	3,775	8,200	203,579	242,000
Kiosk*	1,337	1,308	3,000	99,399	170,000
TOTAL REVENUE	**5,472**	**5,082**	**11,200**	**302,978**	**412,000**
Expenses					
Kiosk Cost of Sales (COS)**	508	-	-	63,031	-
Wages***	28,099	26,703	28,000	463,884	572,975
Electricity****	24,881	-	10,000	116,685	50,000
Chlorine/Chemical*****	7,040	5,980	5,000	86,815	100,000
Maintenance & Running Cost******	30,066	829	4,000	40,696	89,000
Rates & Charges*******	-	-	-	82,818	20,000
Depreciation	7,415	7,604	3,237	65,624	38,849
TOTAL EXPENSES	**98,009**	**41,115**	**50,237**	**919,553**	**870,824**
NET DEFICIT	**(92,537)**	**(36,033)**	**(39,037)**	**(616,574)**	**(458,824)**
CAFÉ MARGIN	62%	100%	100%	37%	100%

**Admission and Kiosk Revenue – a decrease due to the change of season*
***Kiosk Cost of Sales – No Cost of Sales in June 2023*
****Wages – Includes 2 pay runs 21/5/23 $13, 451.29, Plant $1,773.78 and 7/6/23 $10,671.18, Plant $806.34*
*****Electricity – No Electricity Bill in June 2023.*
******Chlorine/Chemical – Coogee Chemicals $3,740 (chlorine); Prominent Fluid Controls Pty Ltd $2,240.20 (Chemical*

Dosing Units Service)
*******Maintenance and Running Cost – Bunnings $80.99 (Various items for repairs); $512.01 Maintenance Supplies for grounds: Commercial Property Cleaning $173.33 (Sanitary and Nappy Bin Service); BOC Limited $62.19 (Oxygen)*
********Rates and Charges – No Rates or Charges June 2023*

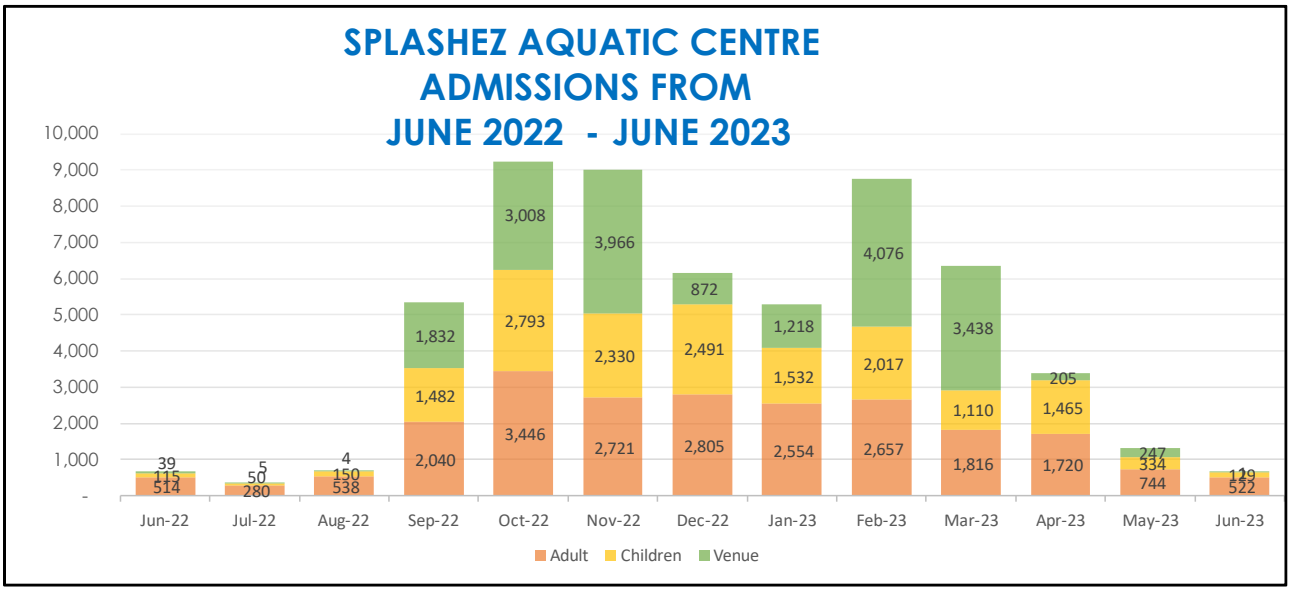
NET DEFICIT

Net Deficit shows a - $157,750 against YTD budget, this is due to a reduction of Revenue of $109,000, this was instigated by bad weather and some poor trade experienced throughout the year.

As revenue reduced, wages decreased with trends in sales and admissions.
The cost of sales (of goods) did not have a budgeted figure for the year. Year to date performed at 63% ($63,031) applying the same percentage a $107,000 cost should be included in the YTD budget.

The core costs (rates, water, electricity, and depreciation) show a $150,000 variation against the budget. The 2023/24 will reflect more accurate budget assumptions.

ADMISSIONS



**Venue Hire includes school Learn-to-Swim, school carnivals, aqua aerobics, Isa Heat, Army Reserve Trainings, physiotherapy, and pool hire.*

ACTIVITIES

Although all programs have finished for the Winter break. 3 Aqua Aerobics sessions held through June when the days were warm.

One Lifeguard partook in annnual lifeguard update training on the 23 June 2023.

EVENTS (*Pre-bookings for June 2023 to November 2023*)

Dates	Event / Activity
1 June 2023	Begin Winter Trading Hours
1 September 2023	Resume Summer Trading Hours
1 September 2023	Spinifex Year 12 Lifesaving
8 September 2023	Central State School Swimming Carnival
9, 10 September 2023	Austswim Teacher of Swimming Course
11, 12, 13, 14 September 2023	Central State School Learn to Swim Lessons
15 September 2023	Good Shepherd Swimming Carnival
3, 4, 5, 6, 9, 10, 11, 12, 13 October 2023	Spinifex Year 12 Lifesaving
4, 11, 18, 25 October 2023	Mount Isa Heat Swim Club Night
9, 10, 11, 12, 16, 17, 18, 19 October 2023	Sunset State School Learn to Swim Lessons
10 October 2023	School of the Air Swimming Carnival
16, 17, 18, 19, 20 October 2023	Townview State School Learn to Swim Lessons
17, 18, 19 October 2023	Burketown State School Learn to Swim Lessons
1, 8, 15, 22, 29 November 2023	Mount Isa Heat Swim Club Night
13, 14, 15, 16 November 2023	Happy Valley State School Learn to Swim Lessons
23 November 2023	Happy Valley State School Year 6 Graduation Party

MAINTENANCE

Installation of the shade sail over the beach entry of the leisure pool has been completed.

Further concrete repairs have been completed through June, as well as safety line marking.

ISSUES/IDENTIFIED RISKS

NIL

ATTACHMENTS

Nil

11.4 ENVIRONMENTAL AND BIOSECURITY OVERVIEW REPORT - MAY 2023 AND JUNE 2023

Document Number: **794887**
Author: **Coordinator, Environment and Biosecurity Services**
Authoriser: **Director Corporate and Community**
Directorate: **Corporate and Community**
Portfolio: **Environmental Management, Waste Management, Environmental Health, Water and Sewerage, Local Laws, Camooweal**

EXECUTIVE SUMMARY

The May 2023 and June 2023 Environmental and Biosecurity Overview Report is presented to Council for information and consideration.

RECOMMENDATION

THAT Council receives and accepts the May 2023 and June 2023 Environmental and Biosecurity Overview Report as presented.

OPERATIONAL OVERVIEW

Environmental Services and Biosecurity processed a total of 153 service requests, searches, inquiries, and complaints between May 2023 and June 2023.

Environmental Services has followed up on the post-inspection compliance report outlining any areas for improvement or correction. Environmental Health Officers (EHO) inspected nine (9) Camping and Caravan Parks which were compliant along with eight sporting group canteens inspections. Post-compliance inspection reports were sent out to each business/organisation with one follow-up inspection required.

Mobile food businesses that attended the Mount Isa Show in June 2023 were inspected by the Environmental Services Team.

ENVIRONMENTAL SERVICES OVERVIEW SUMMARY – MAY 2023 AND JUNE 2023

Overview of Service Requests and Complaints	May 2023	June 2023	Total
Food & Safety licensing - Enquiries/Clarification/Complaints	15	20	35
Public Health Risk – Enquiries/Complaints	3	4	7
Environment – Enquiries/Complaints	8	12	20
Development Applications/Property Searches	25	40	65
Littering or illegal dumping – Notifications/Complaints	4	6	10
Vector Risk – Mosquito and Vermin Action	4	2	6
Biosecurity risk – Invasive species action	5	3	8
Asbestos-related inquiries for compliance or complaints	1	1	2
Total	**65**	**88**	**153**

Health Administration: Overview of Registered Businesses in Mount Isa by Category:

ES Licenced Premises/Activities	Total Applications	Licenses Issued to Date
Food Premises Business (Fixed, temporary, mobile, Footpath Dining)	5	182
Registered Businesses with Environmental Authority Permits	0	1
Registered Caravan Parks/Caravan Grounds with Permits	0	9
Higher Risk Personal Appearance Services (PAS) with Licenses	0	8
Notification of Non-Higher Risk Personal Appearance Services (PAS)	0	27
Licensed Swimming Pools	0	2
Totals	**5**	**229**

Environmental Protection Updates:

Air Monitoring

Mount Isa City Council is contracted to the Department of Environment and Science (the Department) Air Quality Monitoring Hut at Outback at Isa. All regular maintenance was conducted.

Routine maintenance was conducted at the air monitoring hut as per usual. HiVolumn filter changes every 6 days, Xact Tape changes every 3 weeks, monthly HiVolumn run records, and six weekly checks were conducted.

The Department of Environment and Science has granted the renewal of the Air Monitoring contract with Mount Isa City Council and will continue regular maintenance processes.

Biosecurity

The Rural Lands Officer (RLO) has been spraying Castor oil invasive plants along the Leichhardt River.

Ongoing treatment continues in Mount Isa for Mosquito baiting due to the public health risks around the pooling of water along Breakaway Creek with a focus on abandoned properties that back onto the creek.

Attention has been brought around feral cats and the RLO has been trapping around various properties in Mount Isa to minimise the increase. A number of health concerns were raised in March 2023 due to the increased number of feral cats behind food businesses. RLO has monitored several food businesses to minimise health risks. The number of feral cats continues to be an ongoing issue. RLO has started wild dog baiting since May 2023 at properties surrounding Moondarra in response to the incidents of dog attacks from dingos. Council officers have been trapping and shooting feral dogs around the council land.

Lake Eyre Basin Rangers have been engaged to assist with feral cat trapping especially in the Leichhardt River. Kalkadoon rangers have been trapping in private properties and will commence on invasive weed control once the river burn is complete in the Leichhardt River.

Vector Control – Camooweal residents have raised a concern about vector control fogging. As the Biosecurity/ Rural Lands Officer has resigned, the council is facing a shortage of authorised officers completing daily tasks.

Compliance Update

Environmental Services and Biosecurity have been working with the Department of Environment and Science on illegal dumping issues at the old Abattoir site. Consultants were engaged and conducted a site visit in January 2023 and a report will be provided by the consultants regarding the environmental impacts onsite to Environmental Services.

Environmental Service has engaged with consultants regarding the old Abattoir Site. The site investigation report has been submitted in March 2023 from consultants. The site has been registered on the Contaminated Land Register (CLR). Interim Business and Site Management Plans were created in April 2023 and reviewed by the Environmental Service team. Upon review of the management plan, the implementation stage of engaging with local contractors to undertake the Salvage Scrap Metal Project commenced in late June 2023. Additionally, Environmental Services will undertake soil testing and engage qualified consultants to undertake the analysis report of soil samples at the end of July 2023 following the demolition of the site.

Environmental Services have engaged contractors to install a new groundwater bore at the Landfill site as per direction by the Department of Environment and Science. Scope of works and safety management plans were completed and provided.

Groundwater Monitoring and Surface Water Sampling

Quarterly groundwater monitoring was conducted over three days in June 2023 at the fifteen bore locations within and surrounding the landfill site.

Surface Water Sampling is planned to commence in October 2023.

Gas Monitoring

Quarterly gas monitoring was conducted in April 2023 at the six bore locations within the landfill site. Almost all parameters at each bore were within acceptable ranges according to the Landfill Management Plan. However, there were two parameters with readings slightly out of range at three different bores which were reported to DES for advice on managing the issue.

The next Gas Monitoring will be commencing at the end of July 2023.

Environmental Projects Update:

Project	Project Update
Environmental Evaluation	The Department of Environment and Science (the Department) responded to the Environmental Evaluation Report that was prepared by SLR Consulting and Mount Isa City Council. The report was accepted, and the Department is satisfied that the Council has addressed the requirements of the environmental evaluation notice. The Department has recommended the installation of two additional groundwater monitoring bores, one on Council land and one on adjacent land. Contractors installed bore 15 in April 2023 and this has since been cemented and made lockable, preparing it for the next groundwater monitoring in September 2023. Works are underway for the installation of the bore located on the adjacent land.
Community Tree Planting Project	The scope of the project approved by the Council on 27 February 2022 has expanded to include the planting of 10,000 trees by the end of 2023. The project will deliver a range of benefits to the community from improving the amenity of open spaces to increasing shade and improving air quality. The project has been assigned back to Environmental Services from Parks and Gardens and will commence in the new financial year (2023-2024).
Energy Efficiency Strategy	The next project milestone is Stage 3 which is the implementation of the conservation measures provided. The implementation stage has been confirmed. Presentation on the new stage has been presented in the EMT meeting and received EMT approval. Stage 3 implementation of the conservation measures will be conducted in the upcoming financial year (2023-2024).

Biodiversity Strategy	Planning of projects identified from the Biodiversity Strategy is underway. A local non-profit organisation has been engaged by Council to provide assistance with ongoing biosecurity action plans involving feral cats, wild dogs, and pig trapping along with vector control.
Sustainable Workplace Practices	The Information Technology department has assisted Environmental Services with the collection of data for printing and paper consumption over the last 2 years. Environmental Services are engaging with partners to develop and deliver internal education. The potential to move from paper to digital inspection records is being investigated for use in the field. The Workplace Sustainability Practice presentation feedback was provided by Environmental Services staff. The presentation was presented to the EMT workshop meeting in June 2023. EMT has provided feedback to initiate actions to be implemented in the 2023-2024 financial year.
Free Plants Day	Free Plants Days was held on Saturday 27 May 2023 at Buchanan Park. Just over 550 Mount Isa residents attended and collected their free plants and veggies. Mount Isa Zonta Club operated their mobile food van at the event and served coffee and sweets. The plants for Camooweal residents who registered were delivered and collected by residents on Wednesday 31 May 2023. The remainder of the plants were donated to the local schools, kindergartens, and not-for-profit organisation for their environmental projects. The Council has received numerous amounts of positive feedback regarding the event.
Environmental Grant Program	Applications for the Environmental Grants opened on 24 March 2023 and closed on 24 April 2023. Furthermore, applications were extended till 22 May 2023. Grants were advertised on the Council website, a social media page and emails were sent out to sporting groups, schools and non-profit organisations, and community groups. Three schools applied, and each application has been reviewed and will be awarded their nominated funding. The Council is currently in the process of reviewing and awarding grant recipients.
Water Conservation Campaign	Planning to commence in January 2024.

ATTACHMENTS

Nil

11.5 DEVELOPMENT AND LAND USE FY22/23 QUATER FOUR (4) OVERVIEW REPORT

Document Number: **794905**
Author: **Manager, Environment, Regulatory Services and Land Use**
Authoriser: **Director Corporate and Community**
Directorate: **Corporate and Community**
Portfolio: **Development and Town Planning**

EXECUTIVE SUMMARY

The Development and Land Use section's Quarter Four (4) Overview Report is presented to Council for information and consideration.

RECOMMENDATION

THAT Council receives and accepts the Development and Land Use Section's FY22/23 Quarter Four (4) Overview Report.

OVERVIEW

1.1 Development Assessment Applications

During quarter four of FY22/23, Council received 11 development assessment applications and approved 7 of those. This is an increase in the number of applications received from the previous quarter (being 7), and an increase compared to the same quarter in the last financial year (being 7).

In the same period, Council received 2 boundary clearance dispensation applications and approved 1 application with the other still being processed.

1.2 Building Applications

A total of 20 Notice of Engagements were received by Council during the quarter.

A total of 12 building approvals were issued by private building certifiers this quarter. This is a decrease compared to the previous quarter (being 22), and a decrease compared to the same quarter in the previous financial year (being 23).

Of the 12 building approvals, there was a total of 20 structures for which building permits were issued.

The total value of building works approved for the Mount Isa Local Government area for this quarter was $1.06M which is a decrease of $770K compared to the same quarter last financial year.

NOTE: the building figures may differ from the previous quarter's report, due to Council not receiving documentation from Private Certification firms until after the finalisation of the report.

1.3 Property Searches

Council received a total of 72 property search requests for the quarter. This is a decrease compared to the last quarter (being 93) and an increase compared to the same quarter last financial year (being 70).

Of the 72 requests, 67 were for residential properties, 4 were for commercial properties, and 1 request for Certificates of Classification / Occupation.

1.4 Land Use / Tenure

A total of 3 Council trust land tenure agreements were issued, 3 Council trust land tenure agreements were surrendered, Council endorsed 8 requests for Liquor Licence, 1 land tenure application and 2 reserve tenders.

During Q4, 2022-2023 Financial Year, Council received a total of just under $10k in Reserve fees.

2. DEVELOPMENT APPLICATIONS

2.1 Development Applications Received

***Applications received financial year to date**:*

	Quantity	*Value*
Q1	*8*	*$18,805.00*
Q2	*8*	*$13,365.00*
Q3	*7*	*$13,350.00*
Q4	***11***	***$33,860.00***
Year to date total:	***34***	***$79,380.00***

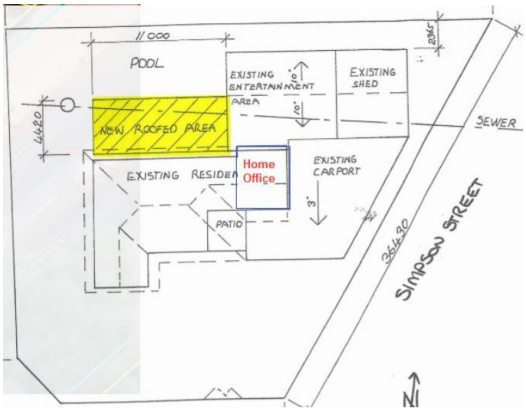
P21-22 6 Burke Street, Mount Isa

APPROVAL SOUGHT	Material Change of Use
DEVELOPMENT DESCRIPTION	Gidgee Healing Health Care-Stage 1
PROPOSAL	Health Centre Clinic
DATE RECEIVED	11 April 2023
APPLICATION STATUS	Application Completion: 75%

P25-22 34 Ryan Road, Mount Isa

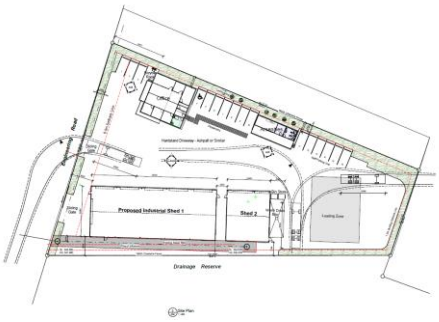
APPROVAL SOUGHT	Material Change of Use
DEVELOPMENT DESCRIPTION	Four (4) x One (1) Bedroom Unit for Workers that are employed by the business & an Ancillary Office and Cribroom
PROPOSAL	Non-Residential Workforce Accommodation
DATE RECEIVED	18 April 2023
APPLICATION STATUS	Application Completion: 75%

P26-22 103 Simpson Street, Mount Isa



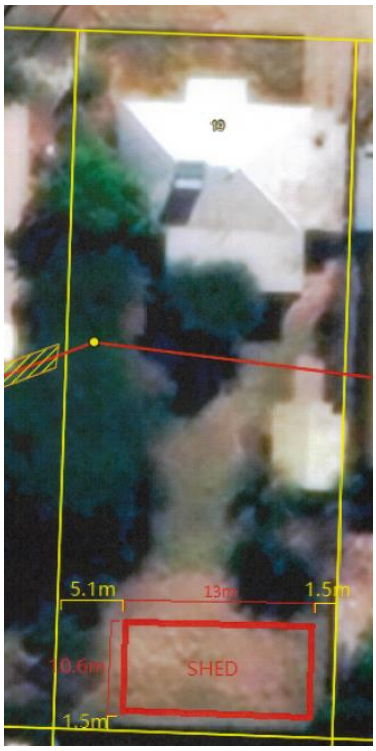
APPROVAL SOUGHT	Material Change of Use
DEVELOPMENT DESCRIPTION	Home Based Business
PROPOSAL	Home Based Speech Pathology Business
DATE RECEIVED	2 May 2023
APPLICATION STATUS	Application received and approved within the quarter. Application Completion: 100%

P27-22 8 Engineering Road, Mount Isa



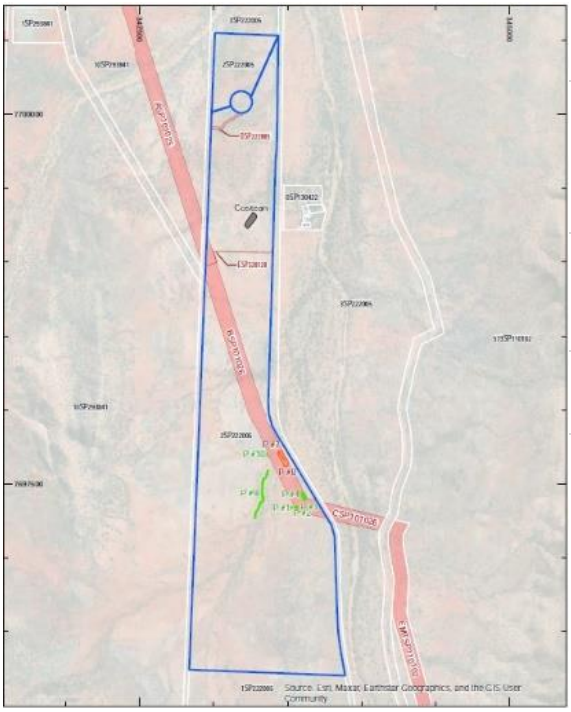
APPROVAL SOUGHT	Material Change of Use
DEVELOPMENT DESCRIPTION	Medium Impact Industry
PROPOSAL	Metal Fabrication Workshop
DATE RECEIVED	27 April 2024
APPLICATION STATUS	Application Completion: 70%

P28-22 19 Fifteenth Avenue, Mount Isa



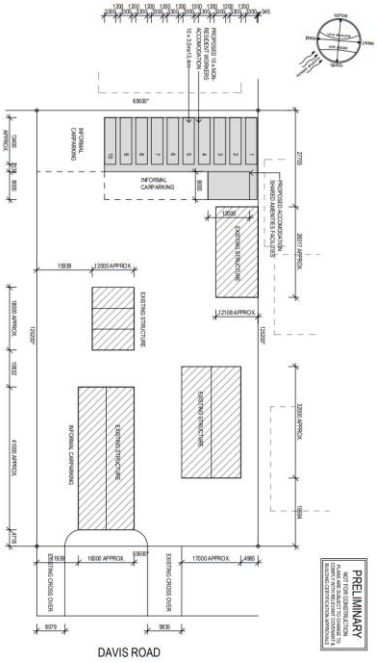
APPROVAL SOUGHT	Building Work Not Associated with a Material Change of Use
DEVELOPMENT DESCRIPTION	Building Work
PROPOSAL	13m x 7.6m Shed with a 13m x 3m Awning
DATE RECEIVED	26 April 2023
APPLICATION STATUS	Application received and approved within the quarter. Application Completion: 100%

P29-22 2 Moran Road, Mount Isa



APPROVAL SOUGHT	Operational Work
DEVELOPMENT DESCRIPTION	Placing approximately 3,000m^3 of fill into an existing costean.
PROPOSAL	Filling resulting in a change of level greater than 1.0m and of a volume exceeding 50m3
DATE RECEIVED	5 May 2023
APPLICATION STATUS	Application Completion: 75%

P30-22 9 Davis Road, Mount Isa



APPROVAL SOUGHT	Material Change of Use
DEVELOPMENT DESCRIPTION	Thirty-eight (38) Worker Accommodation Units with detached kitchen/outdoor dining/laundry area
PROPOSAL	Retrospective Non-Residential Workforce Accommodation
DATE RECEIVED	9 June 2023
APPLICATION STATUS	Application Completion: 20%

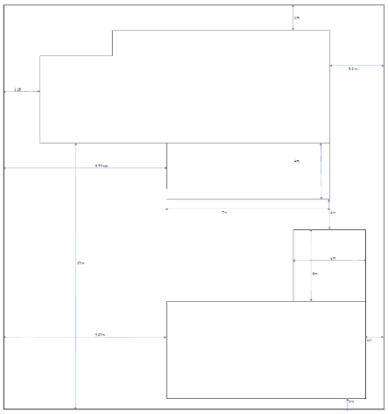
P31-22 24 Transfield Avenue, Mount Isa

APPROVAL SOUGHT	Material Change of Use
DEVELOPMENT DESCRIPTION	Home Based Business
PROPOSAL	Home based business for Make-Up
DATE RECEIVED	9 June 2023
APPLICATION STATUS	Application Completion: 50%

P32-22 23 Camooweal Street, Mount Isa

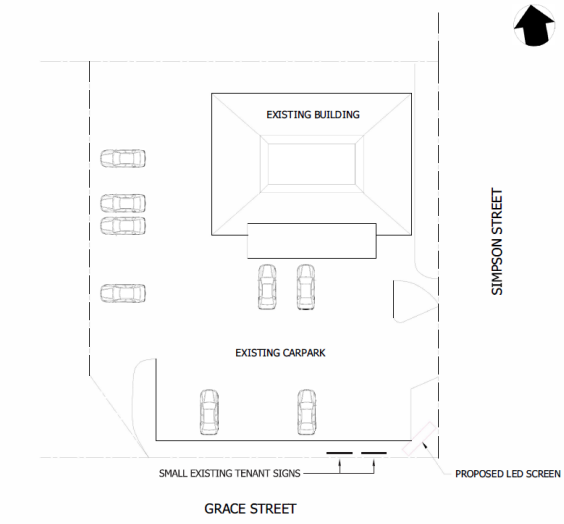
APPROVAL SOUGHT	Material Change of Use
DEVELOPMENT DESCRIPTION	Accommodation Building
PROPOSAL	Non-Resident Workforce Accommodation
DATE RECEIVED	28 June 2023
APPLICATION STATUS	Application Completion: 20%

P33-22 10 Buna Street, Mount Isa



APPROVAL SOUGHT	Building Work Not Associated with a Material Change of Use
DEVELOPMENT DESCRIPTION	Building Work
PROPOSAL	Shed & Awning
DATE RECEIVED	16 June 2023
APPLICATION STATUS	Application Completion: 20%

P34-22 41-43 Simpson Street, Mount Isa



APPROVAL SOUGHT	Operational Work
DEVELOPMENT DESCRIPTION	Building Work
PROPOSAL	Advertising Device – Digital Billboard
DATE RECEIVED	28 June 2023
APPLICATION STATUS	Application Completion: 20%

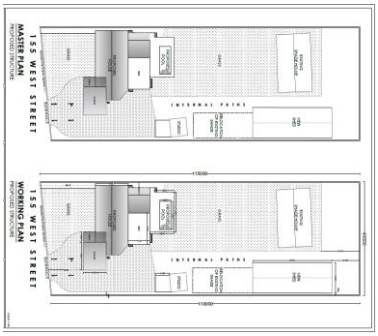
2.2 Development Applications Approved

	Quantity
Q1	*8*
Q2	*5*
Q3	*5*
Q4	***7***
Year to date total:	***25***

P04-22 111 Duchess Road, Mount Isa

APPROVAL SOUGHT	Material Change of Use
DEVELOPMENT DESCRIPTION	Warehouse
PROPOSAL	Four (4) Self-Storage Warehouses
DATE RECEIVED	22 August 2022
APPLICATION STATUS	Application Completion: 100%

P19-22 153 West Street, Mount Isa

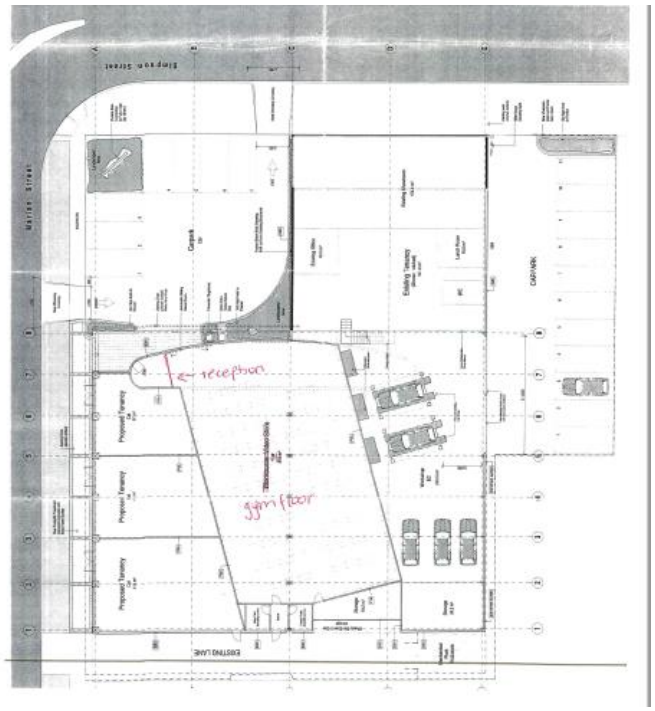


APPROVAL SOUGHT	Material Change of Use
DEVELOPMENT DESCRIPTION	Code Assessable Dwelling
PROPOSAL	Single Residential Dwelling
DATE RECEIVED	30 January 2023
APPLICATION STATUS	Application Completion: 100%

P15-22 18 Duke Street, Mount Isa

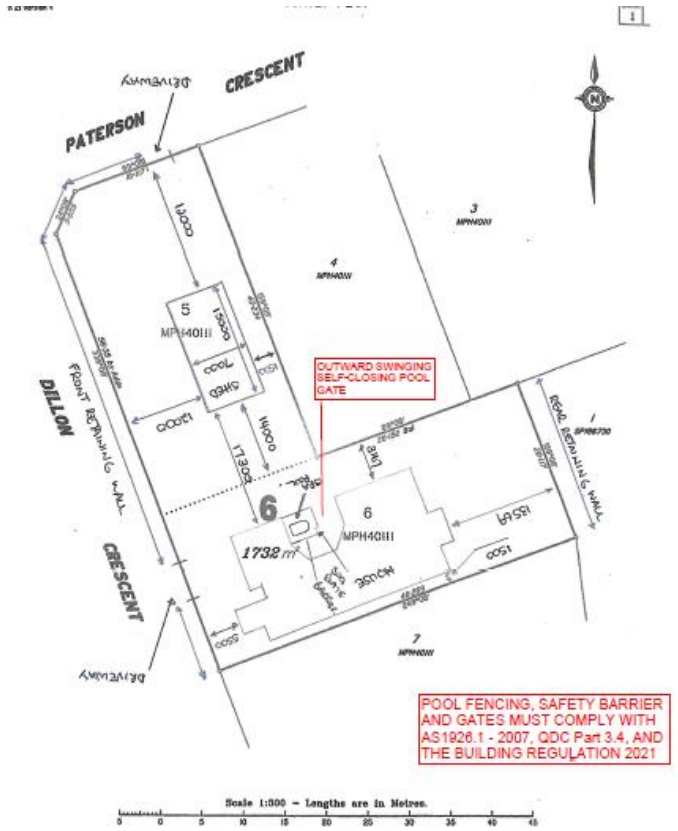
APPROVAL SOUGHT	Material Change of Use
DEVELOPMENT DESCRIPTION	Rooming Accommodation
PROPOSAL	Boarding House – twenty-six (26) rooms plus one (1) manager's residence
DATE RECEIVED	23 November 2022
APPLICATION STATUS	Application approved within the quarter. Application Completion: 100%

P22-22 17-19 Simpson Street, Mount Isa



APPROVAL SOUGHT	Material Change of Use
DEVELOPMENT DESCRIPTION	Indoor Sports and Recreation
PROPOSAL	24/7 Hours Gym
DATE RECEIVED	10 February 2023
APPLICATION STATUS	Application approved within the quarter. Application Completion: 100%

P23-22 8 Dillon Crescent, Mount Isa



APPROVAL SOUGHT	Building Work Not Associated with a Material Change of Use
DEVELOPMENT DESCRIPTION	Building Work for As-Built Shed and Retaining Walls
PROPOSAL	15.00m x 7.00m Shed and 2.86m High Retaining Wall
DATE RECEIVED	22 February 2023
APPLICATION STATUS	Application approved within the quarter. Application Completion: 100%

2.3 Development Applications Still in Progress

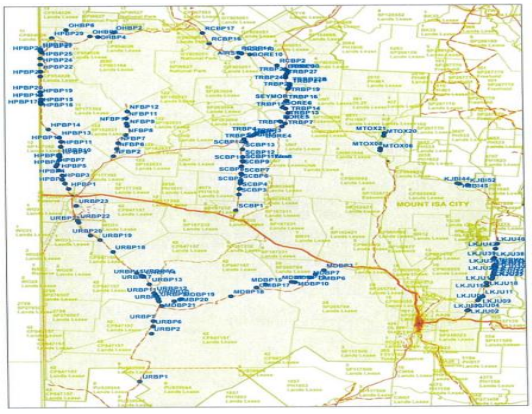
P02-19 202-214 Barkly Highway, Mount Isa

APPROVAL SOUGHT	Material Change of Use
DEVELOPMENT DESCRIPTION	Intensive Animal Husbandry for 'Cattle Feedlot' & Metal Cable Industry
PROPOSAL	Material Change of Use for Intensification of existing Cattle yards (Intensive Animal Husbandry - 'Cattle Feedlot') and Metal Cable Operation (Industry)
DATE RECEIVED	3 October 2019
APPLICATION STATUS	Applicant has extended Decision Making Period; paused with SARA. Application completion: 75%

P11-20 27 Richardson Road, Mount Isa

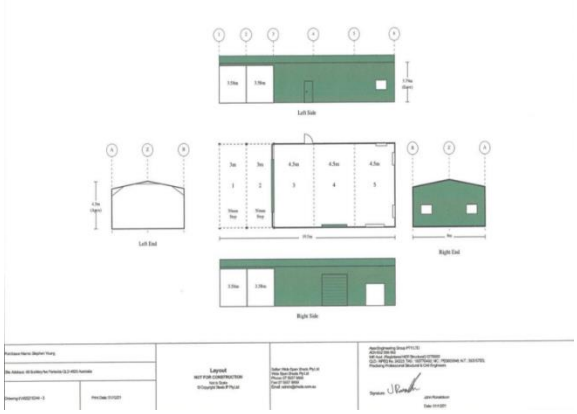
APPROVAL SOUGHT	Material Change of Use
DEVELOPMENT DESCRIPTION	Medium Impact Industry
PROPOSAL	Scrap Metal Yard
DATE RECEIVED	27 January 2021
APPLICATION STATUS	Decision Period – Assessment being finalised Application Completion – 75%

P03-21 Quarries – Various Addresses, Mount Isa



APPROVAL SOUGHT	Material Change of Use
DEVELOPMENT DESCRIPTION	Extractive Industry
PROPOSAL	Council Operated Burrow Pits (various)
DATE RECEIVED	17 September 2021
APPLICATION STATUS	Currently working through advice from SARA Application Completion: 60%

P17-21 48 Buckley Avenue, Mount Isa

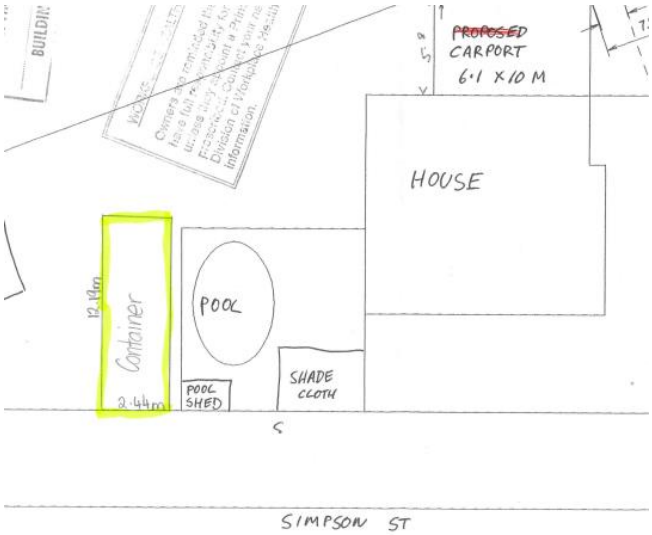


APPROVAL SOUGHT	Building Work Not Associated with a Material Change of Use
DEVELOPMENT DESCRIPTION	Building Work
PROPOSAL	Code Assessable Building Work Not Associated with a Material Change of Use for 19.5m x 8.0m Shed with Carport
DATE RECEIVED	17 March 2022
APPLICATION STATUS	Decision Period – Assessment being finalised Application Completion: 95%

P18-21 35-37 Miles Street, Mount Isa

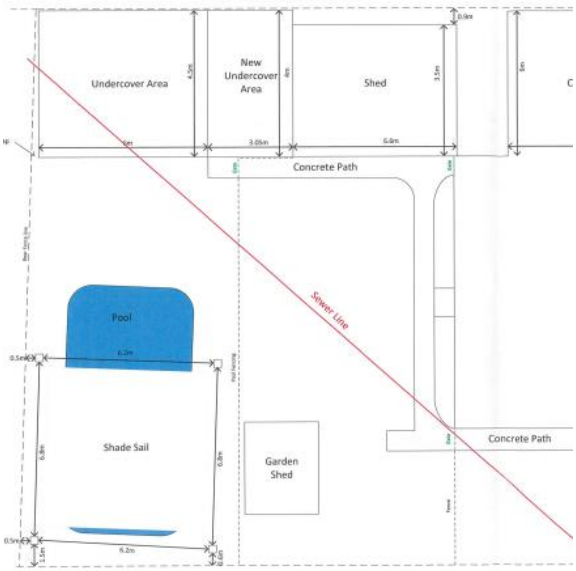
APPROVAL SOUGHT	Material Change of Use
DEVELOPMENT DESCRIPTION	Park
PROPOSAL	Code Assessable Material Change of Use for Centennial Place (Park) Celebrating 100 years of Mount Isa.
DATE RECEIVED	22 March 2022
APPLICATION STATUS	Decision Period Application Completion: 95%

P06-22 1 Zena Street, Mount Isa



APPROVAL SOUGHT	Material Change of Use
DEVELOPMENT DESCRIPTION	Home-Based Business
PROPOSAL	Home-Based Barber Shop
DATE RECEIVED	1 August 2022
APPLICATION STATUS	Decision Period Application Completion: 90%

P07-22 31 Carbine Avenue, Mount Isa



APPROVAL SOUGHT	Building Work Not Associated with a Material Change of Use
DEVELOPMENT DESCRIPTION	Building Work for Open Carport, Shade Structure and Shade Sail
PROPOSAL	8.20m x 6.20m Open Carport; 4.00m x 3.05m Shade Structure and 6.80m x 6.20, Shade Sail
DATE RECEIVED	23 August 2022
APPLICATION STATUS	Decision Period Application Completion: 75%

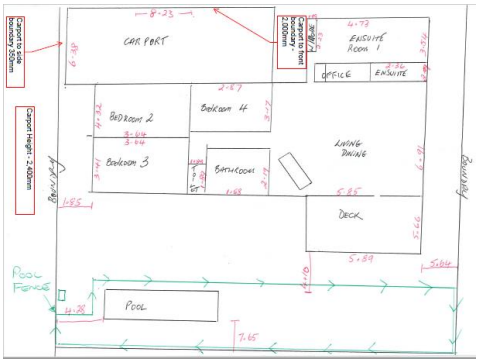
P08-22 46-48 Old Mica Creek Road, Mount Isa

APPROVAL SOUGHT	Material Change of Use
DEVELOPMENT DESCRIPTION	Medium Impact Industry
PROPOSAL	Fabrication and Transport Depot
DATE RECEIVED	29 September 2022
APPLICATION STATUS	Application Completion: 80% Assessment Period

P13-22 15 Breakaway Drive, Mount Isa

APPROVAL SOUGHT	Material Change of Use
DEVELOPMENT DESCRIPTION	Home-Based Business
PROPOSAL	Electrical Contractor Storage Yard and Office
DATE RECEIVED	14 November 2022
	Decision Period
APPLICATION STATUS	Application Completion: 75%

P17-22 39 Paterson Crescent, Mount Isa

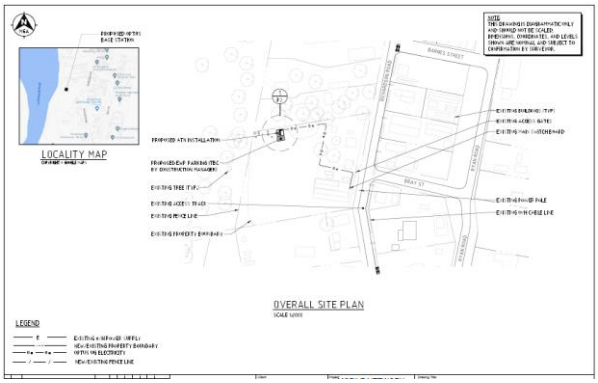


APPROVAL SOUGHT	Building Work Not Associated with a Material Change of Use
DEVELOPMENT DESCRIPTION	Building Work for As-Built Open Carport
PROPOSAL	8.23m x 6.38m Open Carport
DATE RECEIVED	3 February 2023
APPLICATION STATUS	Decision Period – Assessment being finalised Application Completion: 95%

P18-22 3 Kolongo Crescent, Mount Isa

APPROVAL SOUGHT	Material Change of Use
DEVELOPMENT DESCRIPTION	Service Station
PROPOSAL	Unmanned Re-Fuelling Facility
DATE RECEIVED	17 January 2023
APPLICATION STATUS	Information Period Application Completion: 50%

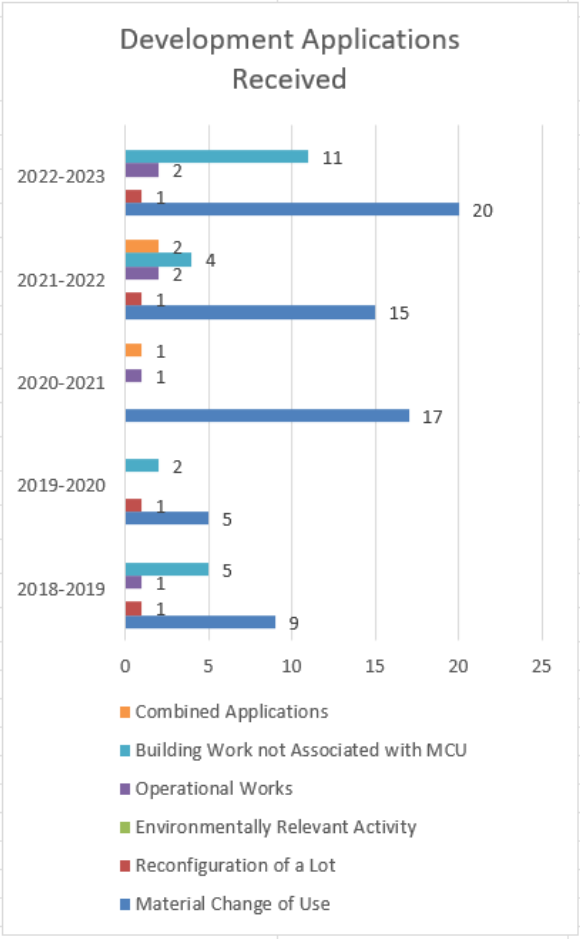
P24-22 13 Richardson Road, Mount Isa

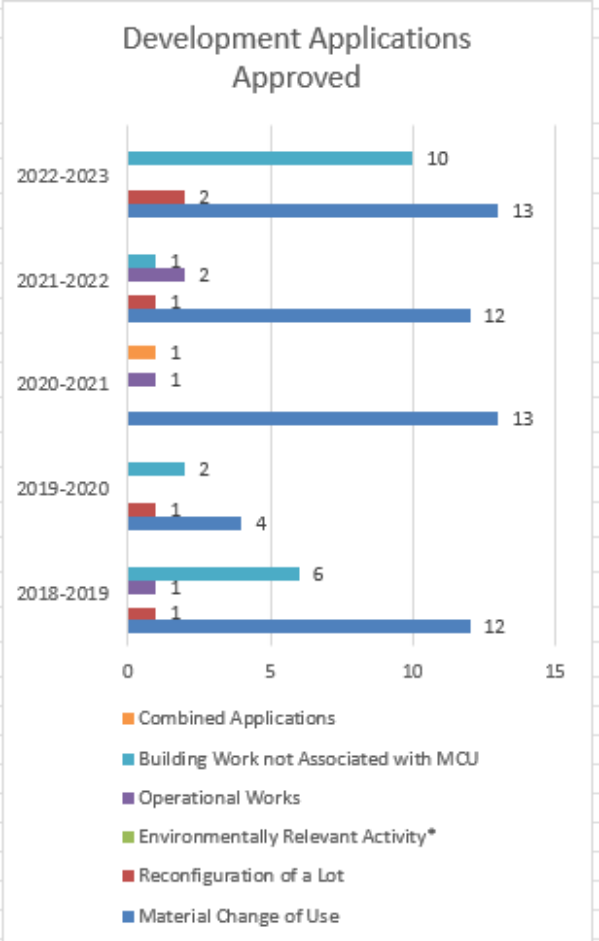


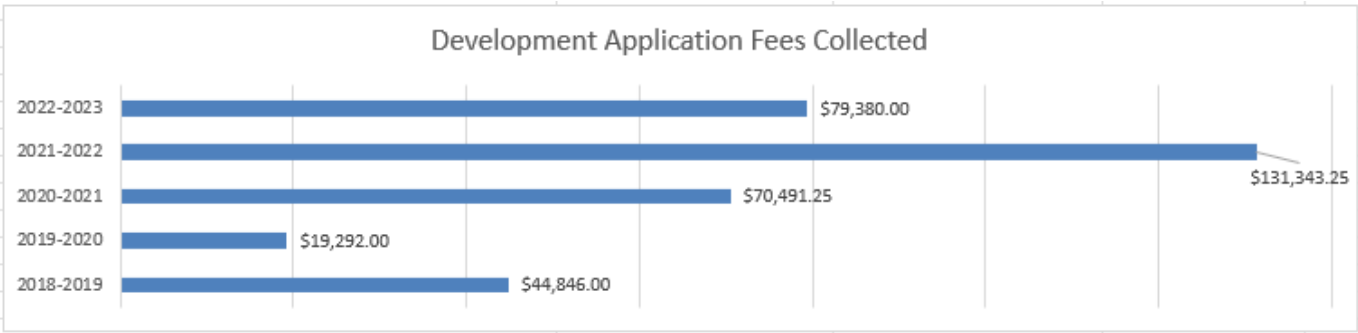
APPROVAL SOUGHT	Material Change of Use
DEVELOPMENT DESCRIPTION	Telecommunications Facility
PROPOSAL	30m Monopole Telecommunications Tower, Equipment Cabinet and associated structure
DATE RECEIVED	9 March 2023
APPLICATION STATUS	Decision Period – Assessment being finalised Application Completion: 75%

2.4 5 Financial Year - Data Comparison

**Only recorded in D&LU's report where a combined application is lodged; otherwise refer to Environmental Health reports.*







2.5 Applications Appealed

Summary of Development Permits Appealed, 2022-2023 Financial Year:

	Quantity
Q1	0
Q2	0
Q3	0
Q4	**0**
Year to date total:	**0**

3. COMPLIANCE ASSESSMENTS UNDERTAKEN

3.1 Development Permit Compliance Assessments

	Received	Assessed	Fees Received
Q1	1	1	$325.00
Q2	0	0	$0.00
Q3	0	0	$0.00
Q4	**0**	**0**	**$0.00**
Year to date total:	**1**	**1**	**$325.00**

4. REQUESTS TO NEGOTIATE / CHANGE DEVELOPMENT PERMITS

4.1 Negotiate / Change Requests Received

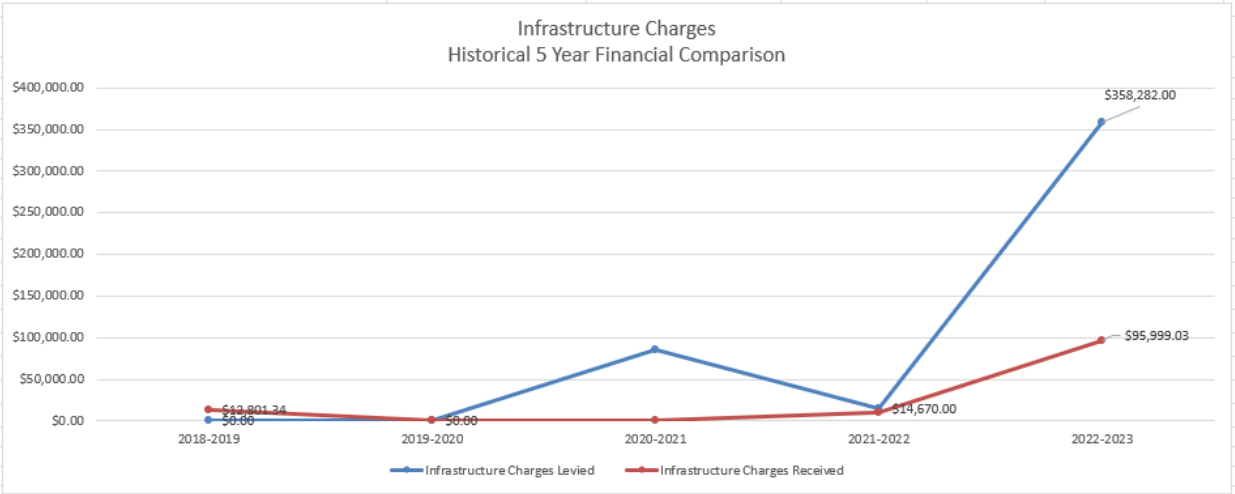
During this quarter of 2022-2023, the following Request to Negotiate Conditions or Change Requests were received / approved:

	Received	Approved	Fees Received
Q1	1	0	$0.00
Q2	1	1	$300.00
Q3	2	2	$210.00
Q4	**2**	**2**	**$1,230.00**
Year to date total:	**6**	**5**	**$1,740.00**

5. INFRASTRUCTURE CHARGES

5.1 Infrastructure Charges Levied

Infrastructure charges are levied as part of the development assessment process to contribute to the provision of essential trunk infrastructure. Trunk infrastructure is Council's main infrastructure networks such as water, sewer, stormwater mains and roads and community infrastructure.



Infrastructure charges generally become payable by developers at the commencement of the approved use.

Note: Infrastructure Charges were not levied between 2018 - 2020 due to the Local Government Infrastructure Plan (LGIP) not being adopted.

6. BOUNDARY CLEARANCE DISPENSATIONS

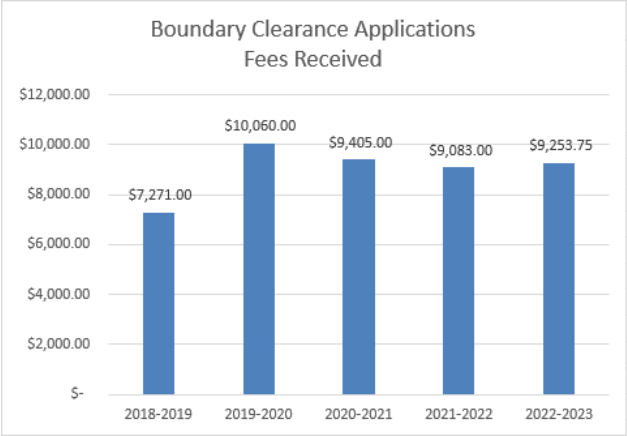
6.1 Boundary Clearance Dispensations Received / Approved

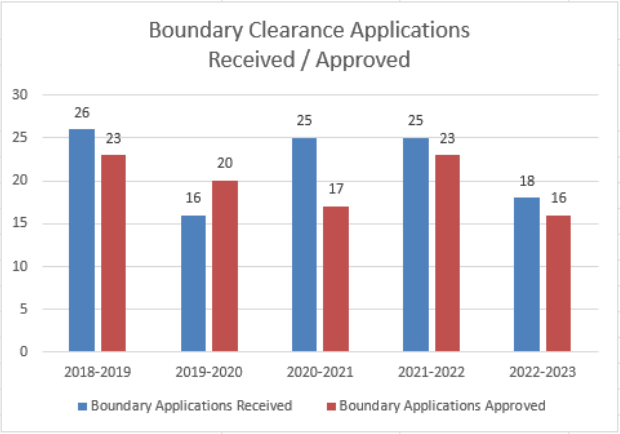
Boundary relaxation applications are regulated by the City of Mount Isa Planning Scheme provisions.

Summary of Applications received, approved and fees received for 2022-2023 Financial Year:

	Received	Approved	Fees Received
Q1	4	2	$1,653.75
Q2	6	6	$2,475.00
Q3	6	7	$4,081.25
Q4	**2**	**1**	**$1,043.75**
Year to date total:	**18**	**16**	**$9,253.75**

6.2 5 Financial Year - Data Comparison





7. ADVERTISING SIGNAGE

7.1 Advertising Sign Applications Received, Approved & Fees

Advertising devices erected within the Mount Isa Local Government Area are regulated by Council's Local Laws and different advertising applications are processed by different sections throughout Council. The Development & Land Use section assess all advertising devices with the exception of CBD banners, sandwich boards and election signage. Therefore, only the applications assessed and processed by Development & Land Use section are recorded in this report.

Summary of Applications approved, and fees received for 2022-2023 Financial Year:

Quarter	Advertiser	Location	Received	Approved	Fees
Q1	0	0	0	0	$0.00
Q2	0	0	0	0	$0.00
Q3	0	0	0	0	$0.00
Q4	**KP Fitness Centre**	**17-19 Simpson Street**	**1**	**1**	**$530.00**
YTD total			**1**	**1**	**$530.00**

Please note – CBD banners, sandwich boards and election signage are not processed by the Development & Land Use section and therefore are not included in this report.

8. BUILDING
8.1 Building Applications Approved

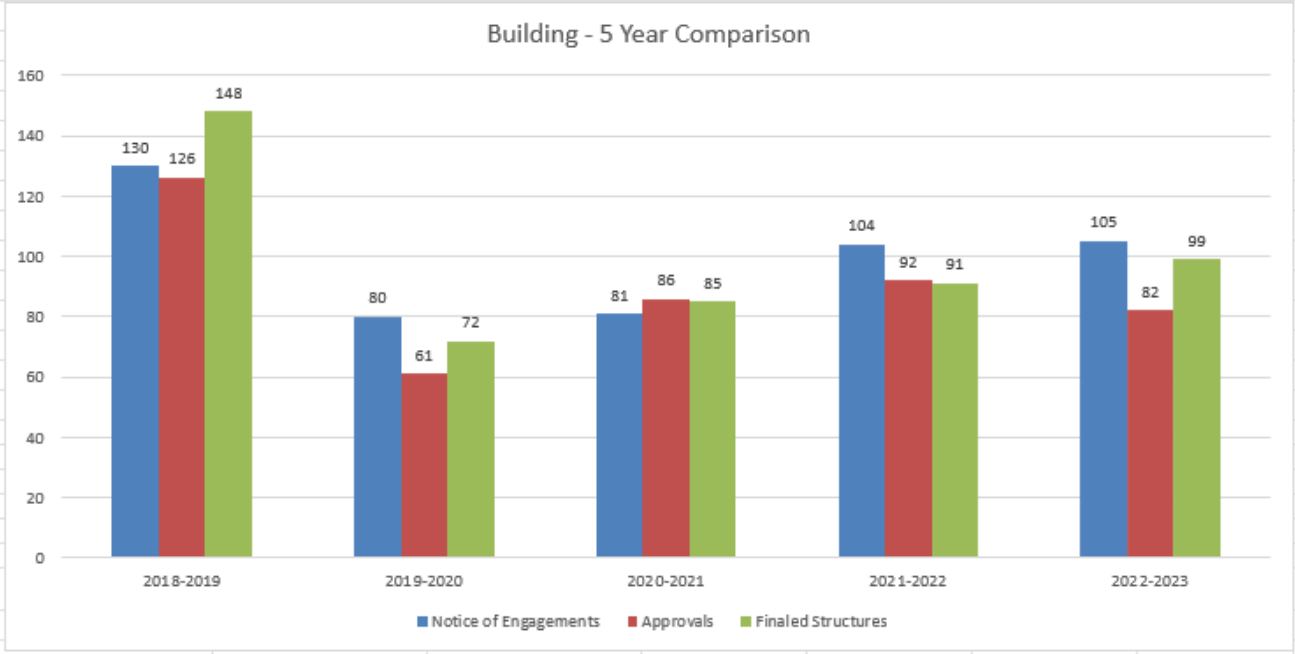
The below Class of Buildings / Structures is set out as per the Building Code of Australia. This information describes the type of building each building class represents. *Note: A singular building approval may include multiple structures*.

No. of Approvals Received during the quarter		
Class 1a	***5***	*A single dwelling being a detached house, or one of a group of two or more attached dwellings, each being a building, separated by a fire resisting wall, including a row house, terrace house, town house or villa unit.*
Class 1b		*A boarding house, guest house, hostel or the like with a total area of all floors not exceeding 300m2, and where not more than 12 people reside, and is not located above or below another dwelling or another Class of building other than a private garage.*
Class 2		*A building containing 2 or more sole-occupancy units each being a separate dwelling.*
Class 3		*A residential building, other than a Class 1 or 2 building, which is a common place of long term or transient living for a number of unrelated persons. Example: boarding-house, hostel, backpacker's accommodation or residential part of a hotel, motel, school or detention centre.*
Class 4		*A dwelling in a building that is Class 5, 6, 7, 8 or 9 if it is the only dwelling in the building.*
Class 5		*An office building used for professional or commercial purposes, excluding buildings of Class 6, 7, 8 or 9.*
Class 6	***1***	*A shop or other building for the sale of goods by retail or the supply of services direct to the public. Example: café, restaurant, kiosk, hairdressers, showroom or service station.*
Class 7a		*A building which is a car park.*
Class 7b		*A building which is for storage or display of goods or produce for sale by wholesale.*
Class 8		*A laboratory, or a building in which a handicraft or process for the production, assembling, altering, repairing, packing, finishing or cleaning of goods or produce is carried on for trade, sale or gain.*
Class 9a		*(A building of a public nature) A health care building, including those parts of the building set aside as a laboratory.*
Class 9b		*(A building of a public nature) An assembly building, including a trade workshop, laboratory or the like, in a primary or secondary school, but excluding any other parts of the building that are of another class.*
Class 9c		*(A building of a public nature) An aged care building.*
Class 10a	***10***	*(A non-habitable building or structure)* *(A private garage, carport, shed or the like.*
Class 10b	***4***	*(A non-habitable building or structure)* *A structure being a fence, mast, antenna, retaining or free-standing wall, swimming pool or the like.*
Class 10c		*(A non-habitable building or structure)* *A private bushfire shelter.*
Total	***20***	

8.2 Building Permit Summary

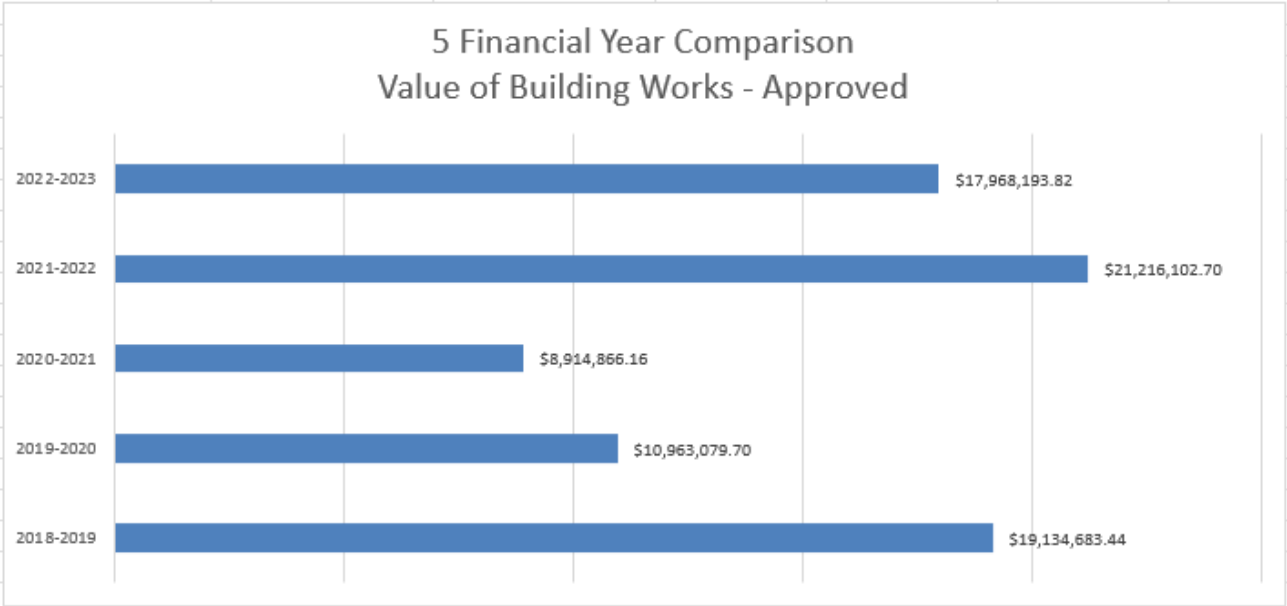
The below graph indicates the past 5 financial years of the number of Notice of Engagements received, Approvals issued, and Building Permits finalised (both Council and Private Certifiers) for comparison purposes. It is important to note the current financial year only shows the number of quarter(s) to date.

***NOTE**: The building figures may differ from the previous quarter's report, due to Council not receiving documentation from Private Certification firms until after the finalisation of the quarterly report.*



8.3 Value of Building Works Approved

The below graph depicts the value of building works for the current quarter and past financial years. This information is obtained from lodged building documentation provided by private building certifiers.



Note, where a value of works has not been provided with an application, a value has not been included in the above figures.

8.4 Building Lodgement Fees Received

As required by legislation, private building certifiers must lodge building documentation with the local government in which the building works is being carried out and Council applies a lodgement fee payable by the private certifier.

During this quarter of 2022-2023, the following Building Lodgement fees were received:

	Fees Received
Q1	*$1,895.00*
Q2	*$4,720.00*
Q3	*$3,180.00*
Q4	***$1,550.00***
Year to date total:	***$11,345.00***

9. RESIDENTIAL SERVICES ACCREDITATION

9.1 Residential Services Accreditation Approvals / Refusals Issued

As per section 29 of the *Residential Services (Accreditation) Act 2002*, Council is required to review the property and ensure the premises seeking approval complies with Council's criteria, being the prescribed building requirements for the area.

The frequency each Residential Services Accredited Facility must obtain local government approval depends on the facility provider level, generally Mount Isa has Level 1 facilities which require inspection every three (3) years.

Summary of applications received, approved and fees received for this quarter of 2022-2023 Financial Year:

	Received	*Approved*	*Fees Received*
Q1	*1*	*1*	*$1,055.00*
Q2	*0*	*0*	*$0.00*
Q3	*0*	*0*	*$0.00*
Q4	***0***	***0***	***$0.00***
Year to date total:	***1***	***1***	***$1,055.00***

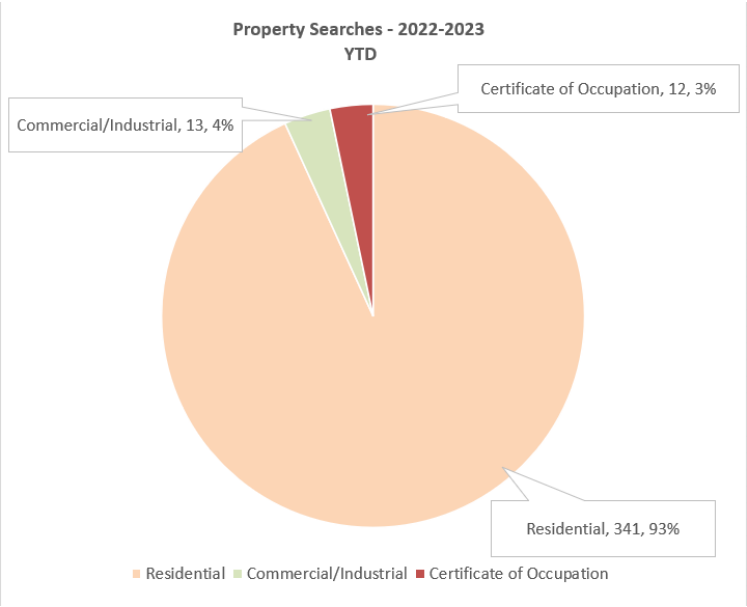
10. PROPERTY SEARCH REQUESTS

10.1 Property Search Requests Received

The number of property search requests may provide a general indication of the number of properties being transferred. However, it is important to note that not all property search requests are received from potential purchasers.

Summary of searches received, and fees received for 2022-2023 Financial Year:

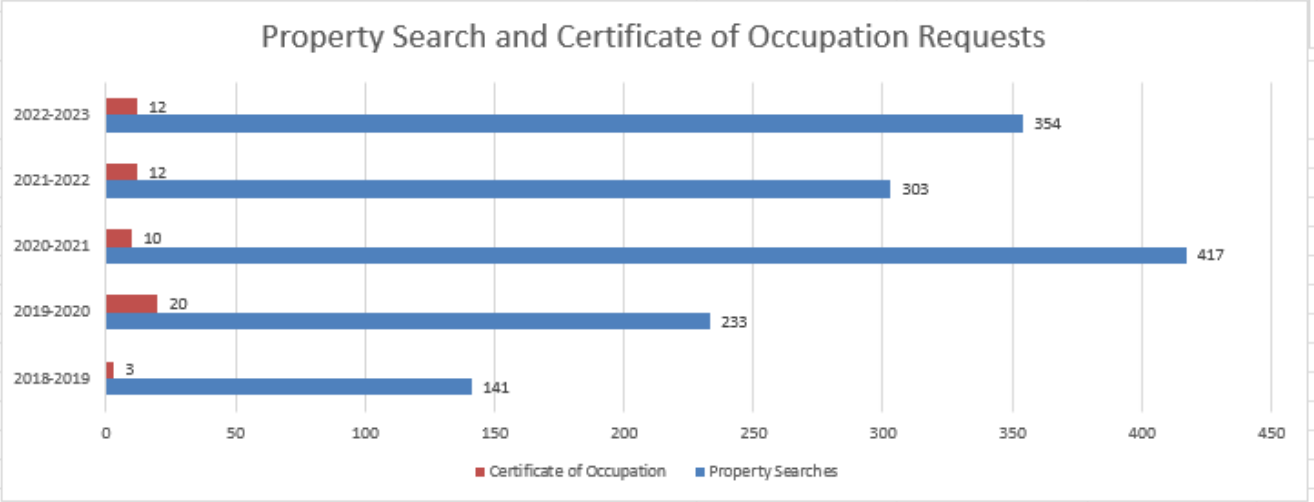
	No. of Property Search Requests Received RESIDENTIAL	No. of Property Search Requests Received COMMERCIAL	No. of Certificates of Occupation Searches Received (Commercial)	Fees Received
Q1	98	5	6	$34,910.00
Q2	88	4	0	$22,815.00
Q3	88	0	5	$22,410.00
Q4	**67**	**4**	**1**	**$21,125.00**
Total YTD	**341**	**13**	**12**	**$101,260.00**

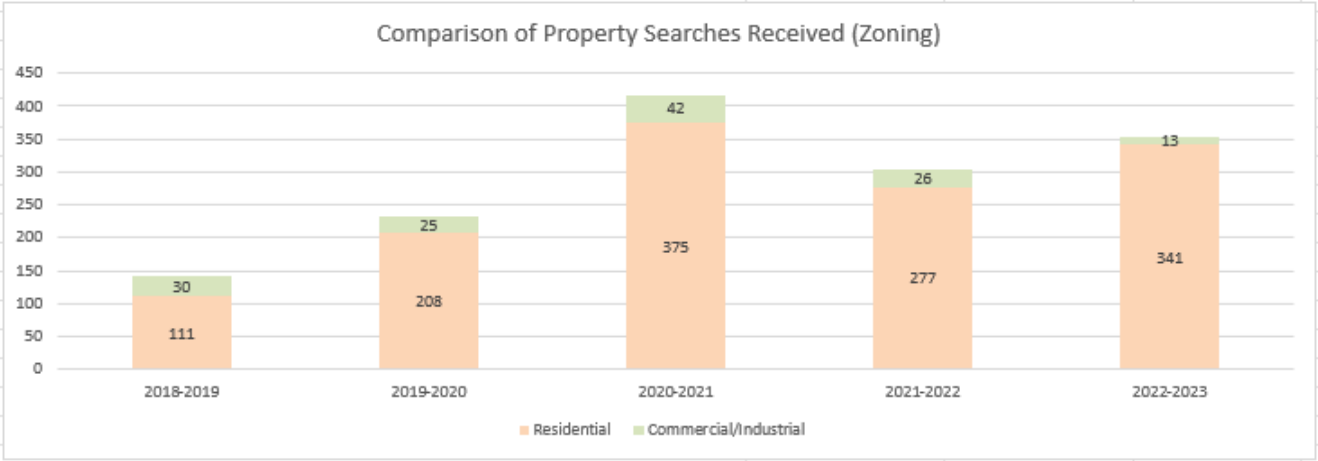


Note:

1. *Development and Land Use section do not undertake Rate Searches.*
2. *All Property Search data is based on the application received date for the purposes of consistency (not when the search was issued).*

10.2 5 Financial Year - Data Comparison



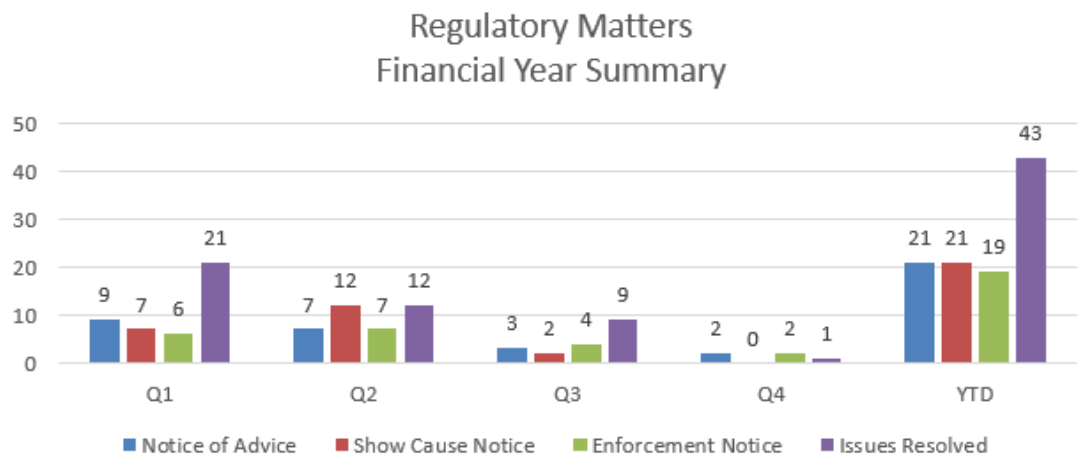


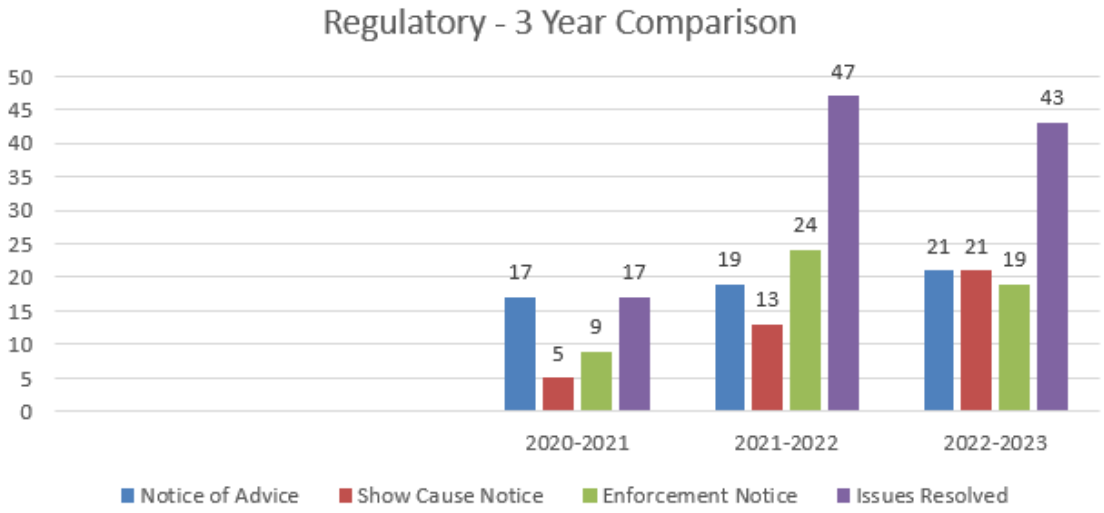
11. REGULATION

11.1 Non-Compliance Notices Issued & Resolved

Summary of Notices issued, and quantity of matters resolved for current Financial Year:

	Notice of Advice	Show Cause	Enforcement	Items Resolved
Q1	9	7	6	21
Q2	7	12	7	12
Q3	3	2	4	9
Q4	**2**	**0**	**2**	**1**
Year to date total:	**21**	**21**	**19**	**43**

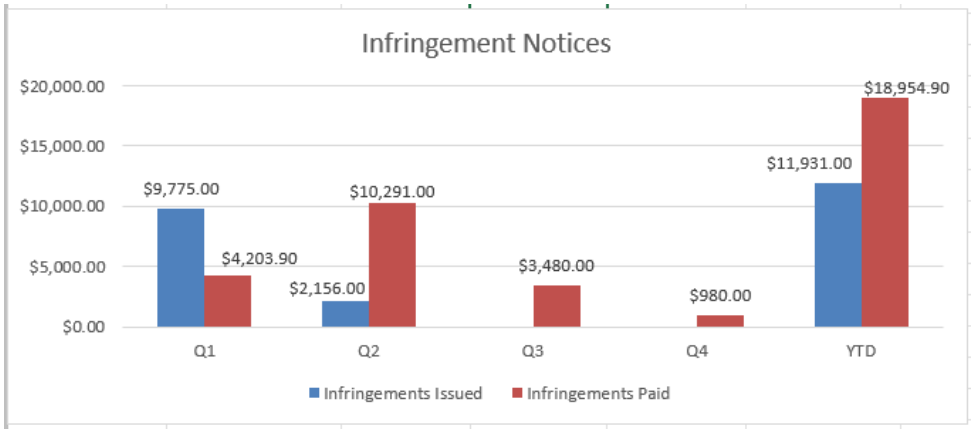


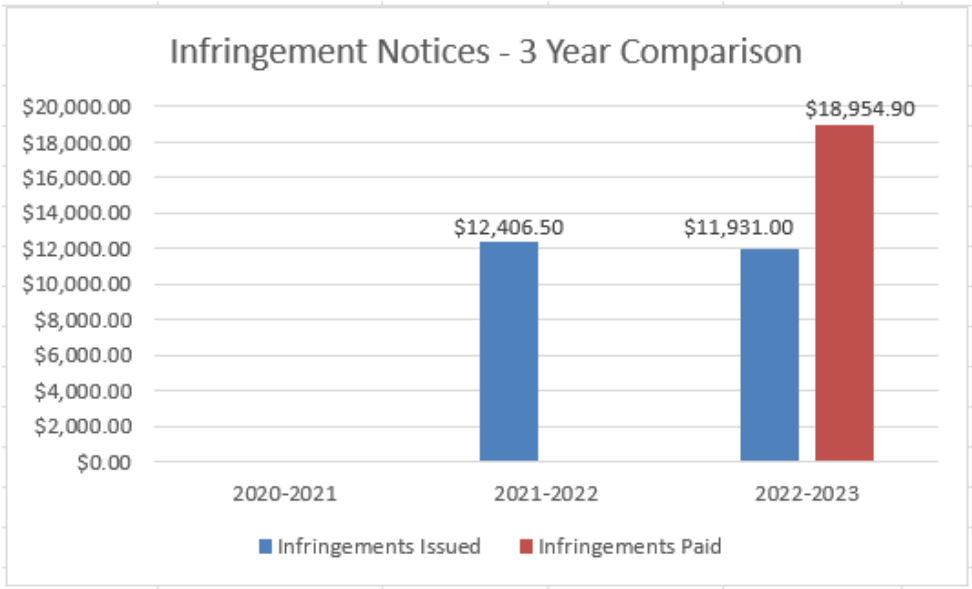


11.2 Infringement Notices Issued & Paid

Summary of Infringement Notices issued, and monies received from Infringement Notices for current Financial Year:

	Infringements Issued	*Infringements Paid*
Q1	*$9,775.00*	*$4,203.90*
Q2	*$2,156.00*	*$10,291.00*
Q3	*$0.00*	*$3,480.00*
Q4	***$0.00***	***$980.00***
Year to date total:	***$11,931.00***	***$18,954.90***





11.3 Regulatory Update

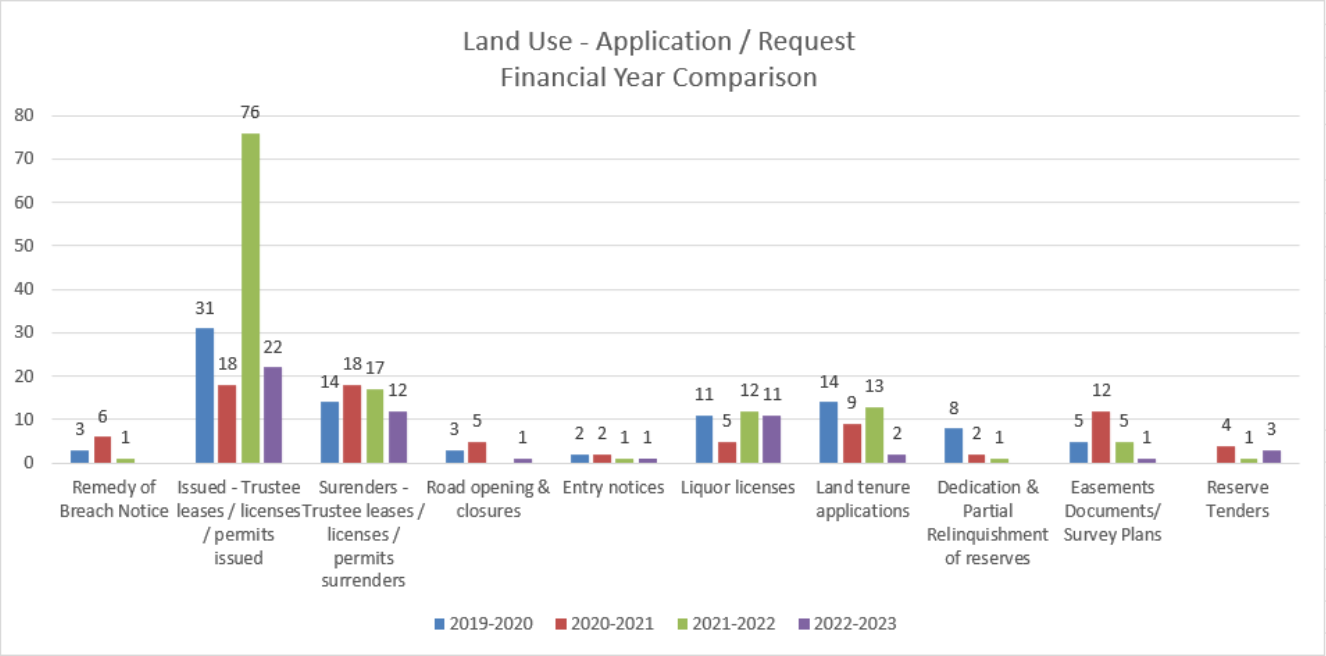
Council's Regulatory Officer's position within the Development & Land Use section was vacant for part of this quarter which substantially affects the number of non-compliance matters being addressed.

12. LAND USE / TENURE

12.1 Council Trustee Leases

Council received / finalised the following applications / requests for 2022-2023 Financial Year:

Item	Q1	Q2	Q3	Q4	YTD
Remedy of Breach Notice	0	0	0	0	0
Trustee leases / licenses / permits issued	6	7	6	3	22
Trustee leases / licenses / permits surrenders	1	7	1	3	12
Road opening & closures	0	1	0	0	1
Entry notices	0	0	1	0	1
Liquor licenses	1	1	1	8	11
Land tenure applications	0	0	1	1	2
Dedication or Partial Relinquishment of reserves	0	0	0	0	0
Easements Documents/ Survey Plans	0	1	0	0	1
Reserve Tenders	0	0	1	2	3



12.2 Council Reserve Fees

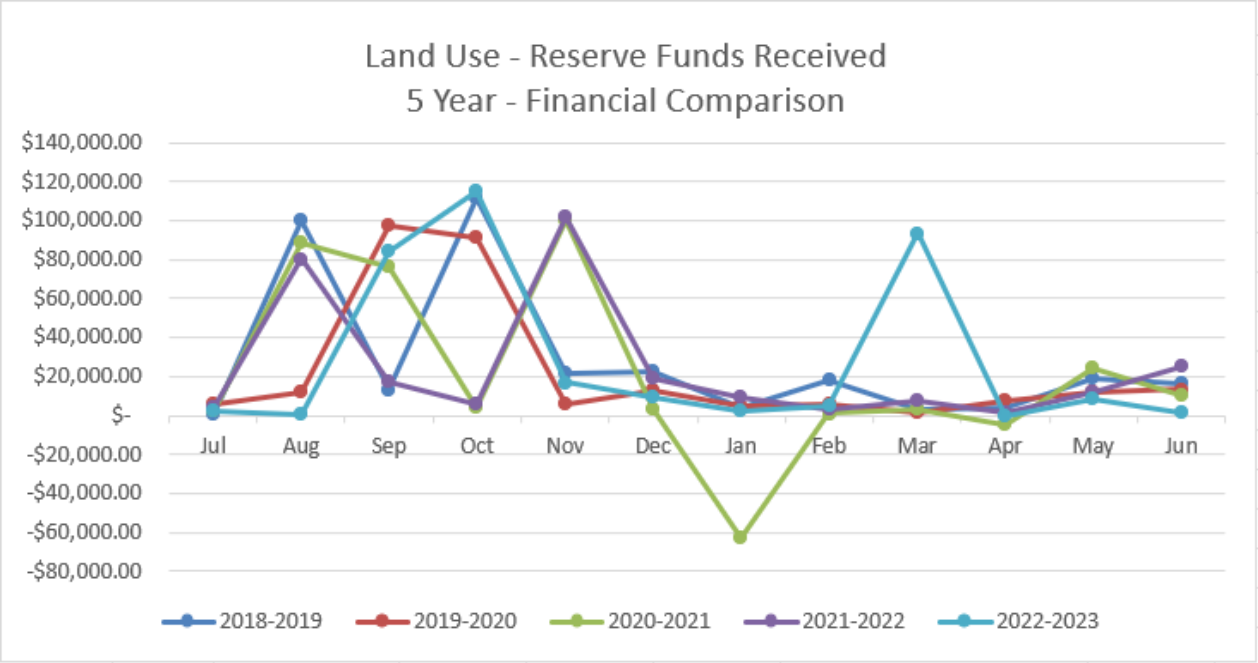
Mount Isa local government area consists of a vast variety of land tenure arrangements. Council is required to ensure that each parcel is utilised to its best potential to maximise community benefit by providing opportunities and allocate areas for people to participate in sports, recreation, cultural and community activities.

Reserve land (collectively referred to as trust land) is land owned by the State of Queensland under the control of Council as Trustee, such as community purpose, open space (park), sporting, recreation, and grazing reserves.

During Q4, 2022-2023 Financial Year, Council received a total of just under $10k paid in Reserve fees. The current breakdown is as follows:

Quarter Summary	
Month	***Amount Paid***
April	$0.00
May	$8,369.70
June	$1,352.15
Total	**$9,721.85**

Financial Year Summary	
Quarter	***Amount Paid***
Q1	$86,461.96
Q2	$141,478.40
Q3	$99,901.00
Q4	**$9,721.85**
Total YTD	**$337,563.21**



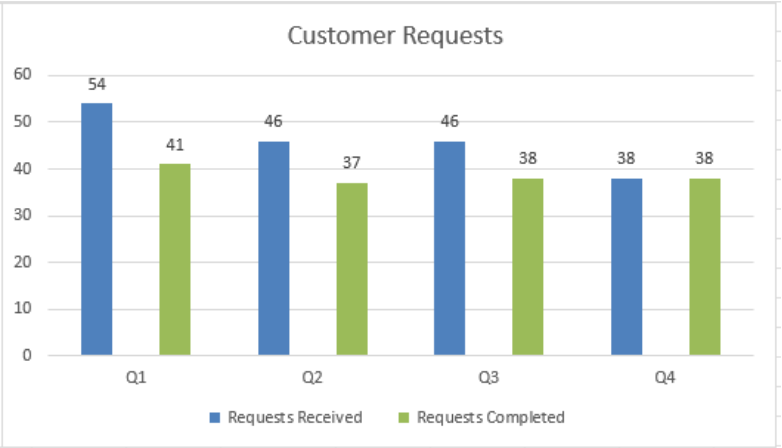
Please note: *The above fees are taken from Council PCS system on 3 July 2023.*

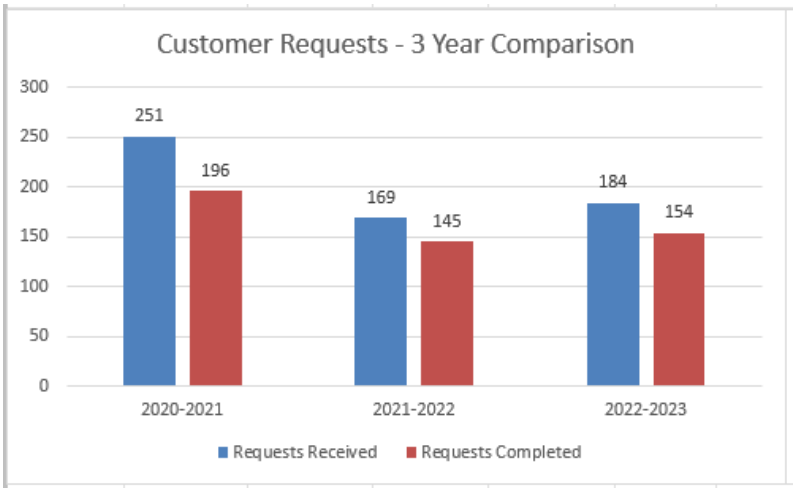
13. CUSTOMER REQUESTS

13.1 Customer Requests Received and Completed

Council received/finalised the following customer requests for the 2022-2023 Financial Year:

	Received	Completed
Q1	54	41
Q2	46	37
Q3	46	38
Q4	**38**	**38**
Year-to-date total:	**184**	**154**





ATTACHMENTS

Nil

11.6 ECONOMIC DEVELOPMENT OVERVIEW REPORT - JUNE 2023

Document Number: **794643**

Author: **Manager Economic and Community Development**

Authoriser: **Director Corporate and Community**

Directorate: **Corporate and Community**

Portfolio: **Finance, Customer Services, Economic Development, Promotion & Community Development, Arts**

EXECUTIVE SUMMARY

The June 2023 Economic Development Overview Report is presented to Council for information and consideration.

RECOMMENDATION

THAT Council receives and accepts the June 2023 Economic Development Overview Report as presented.

ADVISORY COMMITTEES

Mine Workers Memorial Committee
No meetings held in the month of June 2023. Ongoing communication is maintained with the Miners Memorial committee to keep all informed of progress with the Frank Aston Hill Master Plan and Concept Design progress.

Motor Sports Advisory Committee
The Economic Development officer is awaiting the final report from GHD, GHD has been contacted and advice received is the final report will now be delivered by mid-July 2023, to be completed for council review and approval by the end of July 2023.

Lake Moondarra Advisory Committee
No meeting was held in the month of June 2023, meetings with individual advisory group members are ongoing. Projects and committee members are being followed up monthly with further meetings to be scheduled when meeting content is justified.

ECONOMIC DEVELOPMENT:

Regional Airlines Review
The Mounty Isa City Council is working in partnership with Queensland Airports Limited to attract Bonza Airlines to service the Mount Isa to Sunshine Coast route. Queensland Airports have advised that the Bonza winter schedule has been set and therefore will not include Mount Isa, this schedule lasts until October 2023. Queensland Airports have promised to keep the MICC up to date with any progress prior to any summer scheduling.

Mount Isa City Council Economic Development Strategy
Completed and adopted by MICC.

Commerce North West
MICC Officers have attended regular meetings in conjunction with the Commerce North West to hear about community business concerns and opportunities.

Stakeholder Engagement

2023	Event Name/Meeting Attended	Key Speaker	Council Representative	Key items taken from the Event/Meeting
7-June	Samsung Solar Energy	HJ Kim, General Manager Australian Solar Group, Renewable Energy Team. Warren Honke, Valuer with Fraser Valuers	Economic Development Officer MICC Councillors Manager Environment, Regulatory Services, and Land Use	• Samsung visited Mount Isa to secure up 1000 hectares of freehold land to develop as a solar power station with battery storage capacity. The MICC is assisting wherever possible.
7-June	Queensland Small Business Friendly Council Meeting (QSBC)	Sharon Ible, Senior Engagement Officer, QSBC Commission. QSBF members from across the state.	Economic Development Officer.	• Commissioner's update • Welcome to new members- Noosa Shire Council and Livingstone Shire Council • Regional visits • QSBC Update • 2023 SBF Program Annual Conference – 27 / 28 April • New framework, Accelerator, and brand assets • Member activities • Learnings from the conference • Small Business Month activities • Seek agreement to share meeting summary with the group
16-June	Queensland Registry Hearing	Commissioner Dwyer National Retail Association Limited, Union of Employers Mount Isa City Council Shop, Distributive and Allied Employees Association (Queensland	Economic Development Officer	• Under the Act • Mount Isa businesses such as Woolworths, Coles, & Kmart are restricted from 7-day trading. Each year the National Retailer Association requests a hearing to operate of Mount Isa Show Day and Rodeo weekend, as well 6 weeks in the lead up to Christmas. Each year the MICC signs off to support

2023	Event Name/Meeting Attended	Key Speaker	Council Representative	Key items taken from the Event/Meeting
		Branch) Union of Employees The Australian Workers' Union of Employees, Queensland Local Government Association of Queensland Ltd Executive Director, Industrial Relations, Office of Industrial Relations, Department of Education Chief Industrial Inspector, Office of Industrial Relations, Department of Education		this and give evidence at respective hearings.
19-June	Economic Practitioners Meeting	Charles Fisher, Development Officer with Many Rivers. Growing the Regions Funding update from Megan Crowther, Senior Economic Development Officer DSDILGP	Economic Development Officer.	• Quarterly economic development practitioners from across the North West region teams meet to update and discuss projects and funding opportunities across a broad region.
21-June	Commerce North West Board Member meeting with Hon Di Farmer, minister for Small business, Training and Skills.	Hon Di Farmer, minister for Small business, Training and Skills.	Economic Development Officer.	• Several items were raised by board members regarding apprenticeships, training, and incentives for employers to keep local residents in the city longer.

ATTACHMENTS

Nil

11.7 COMMUNITY DEVELOPMENT OVERVIEW REPORT - JUNE 2023

Document Number: **794642**

Author: **Manager Economic and Community Development**

Authoriser: **Director Corporate and Community**

Directorate: **Corporate and Community**

Portfolio: **Finance, Customer Services, Economic Development, Promotion & Community Development, Arts**

EXECUTIVE SUMMARY

The June 2023 Community Development Overview Report is presented to Council for information and consideration.

RECOMMENDATION

THAT Council receives and accepts the June 2023 Community Development Overview Report as presented.

EVENTS

2023 – 100 Year Celebrations

Building Better Regions Fund (BBRF) Projects include:

- **Mount Isa Day** – completed (23 February 2023)
- **100 Years Gala Dinner** - completed (6 May 2023)
- **Road to Rodeo Event** – completed (7 May 2023)
- **North West MPX** – Underground Hospital and mine tours completed (9-10 May 2023)
- **Mount Isa Show** – Historical Display completed
- **Isa Street Festival** – (9 August 2023)

Mount Isa Show
Date: 23/24 June
Location: Mount Isa Mines Entertainment Centre
Sandvik provided a mining simulator to draw the comparison between mining into the future and the 100 Years centenary of the city. This was reinforced with historical films and footage on the big screen that ran throughout the show. The Library Isa In Images historical display was live on computer with a TV monitor displaying results. The exhibit engaged with many Mount Isa residents of all ages.

Isa Street Festival – Wednesday, 9 August 2023

- Daryl Braithwaite will be the main act and Bjorn Again will be the supporting act.
- West Street South will be incorporated into the Event footprint this year to address overcrowding and to avoid (if possible) stalls on Miles Street as they lose atmosphere (full site plan available upon request).
- A Safety Coordinator has been resourced for the event.
- Applications for Stall Holders and Parade Entrants will be extended one week, closing July 16.
- Meetings with emergency services have commenced.
- Regular internal meetings are ongoing to ensure all departments are aware of planning requirements for the Isa Street Festival.

July 2023 sees another milestone report for the BBRF funding due. The majority of expenses for the Grant were drawn down during this period so the report will take some time to prepare. The final acquittal is due in November 2023 which will primarily focus on the Street Parade (entertainment) portion of the funding.

CIVIC CENTRE AND BUCHANAN PARK

The major events hosted at Civic Centre and Buchanan Park in June 2023 were:

- Mount Isa Eisteddfod
- Mount Isa Show
- Queensland Alliance Mental Health - Workforce Strategy Consultation
- Gidgee Healing Community Consultation session

The Civic Centre boardroom and other offices had permanent bookings for the month. The MINT (Mount Isa New Technology) Project expanded to use the top floor of the Civic Centre.

July 2023 will see:

- NAIDOC Week Events including Flag raising and lowering, the Elders Dinner and the family day hosted at the Civic Centre
- The Driverless Car Project will be having their official launch and public exhibitions and have their base at the Civic Centre
- JCU Dinner
- NHBA event at Buchanan Park

These are together with the planning and preparation for the Rodeo and Street Parade.

TOURISM STRATEGY:

Tourism & Marketing Activities:

MICC held a stall for the Mount Isa Show event with staff from Works Depot, Administration Office, and Mount Isa City Library. 100 Years Merchandise was handed out with 700x stubbie coolers 600x pins 500x stickers 1000x lollipops 250x temp tattoos handed out over the two-day event. Postcards and Destination Planners were also available. Council teardrop flags, 100-Year banner, MICC Corflute Signs, and temp fencing mesh were provided to the Show Society for council branding and sponsorship.

Media and famils for Outback Queensland Masters have been in touch with tours being booked at Outback at Isa and filming opportunities being arranged.

Isa Street Festival TVC approved and sent for CAD approval for airing in early July 2023. Radio scripts and ads approved for food stalls and parade entries.

Merchandise ordered for Isa Street Festival.

The Tourism and Marketing officer assisted Western Queensland Gin in getting a pop-up stall organised for World Gin Day and a site visit of the Isa Street Festival to encourage stall attendance.

MICC registered their interest in filming an episode of Getaway with filming to take place in August. Awaiting further confirmation from neighbouring councils Cloncurry and Richmond before securing a talent list and shoot dates.

Quotes for CBD Bin artwork for the PCYC TRACC Project were received and quotes are being considered pending the grant budget.

Centennial Place historical signage project progressed with content and images finalised and draft signs being sent for approval in late June 2023.

Sponsorship invoices for Isa Street Festival and Christmas Carols were issued and logos were received for promotion on posters.

Tourism and Marketing officer was successful in securing QH20 to sponsor the Isa Street Festival in Kind with water for staff, parade marshals and a water refill station for the event.

Council has once again entered the Queensland State Tourism Awards for the 2022 Isa Street Festival in the Festivals and Events Category. The submission is currently underway, a draft will be circulated in July to the Manager and Director of Economic and Community Development. The entry is due 15 August 2023. The 2023 award ceremony will be held in Cairns on 24 November. Council will need to select at least one representative to attend the awards in the event Council wins an award.

COMMUNITY DEVELOPMENT

Country University Centre

The final planning pieces have progressed significantly.

- A Funding Agreement from the Australian Government, Department of Education has been drafted and forwarded to the Regional University Centre for review and execution.
- Country University Centre has completed the certificate of registration of a company.
- Constitution completed and registered.
- Company Register of Directors in place.
- TAFE lease proposal received confirming site, formal lease document being completed by Department of Education and will be available for execution early July.

With all the formal documentation all but completed the capital works will now commence (fully funded through the Australian Government). Council will undertake project management of the refurbishment which will complete the Council's facilitation role with enabling this project to be delivered.

Move It NQ

Council has been running the Move It Program throughout June 2023 with winter hours and weather seeing the temporary cessation of the Aqua Aerobics. Indoor activities including Fitness Boxing, Pilates, Dance Fit, and Yoga have remained popular. Council received an additional $5,000 in funding from the North Qld Sports Foundation to extend the existing programs through to September. The North Qld Sports Foundation is still promoting the Move It On Demand Program, which is a low-cost online subscription.

Activity	Attendance June	# of Sessions
Dance Fit	68	5
Fitness Boxing	29	4
Pilates	68	4
Yoga	84	4
TOTALS	**249**	**17**

Community Grants and Sponsorship

June saw the major event of the Mount Isa Show occur. Council supported this with both sponsorship and providing the venue of Buchanan Park in-kind.

Round 2 of the Community Grants will open on 1 August 2023.

Approved Sponsorship Activities and other Council activities and shows are now placed into the shared calendar for Councillors and EMT information.

Activities Sponsored during June 2023

Recipient	Event Details	Event date
Mount Isa Eisteddfod Assoc	Mount Isa Eisteddfod – In-kind support	2-4 June 2023
RFDS	RFDS Mount Isa Hangar Ball	10 June 2023
Mount Isa Agricultural Show Society	Mount Isa Show	23-24 June 2023

Approved Upcoming Sponsorships

Recipient	Event Details	Event date	Inclusions
Mount Isa Campdraft Assoc Inc.	2023 Mount Isa Campdraft	6-9 July 2023	• Naming rights to one event on the program • Prominent Placement of a 2m x 1m Corp sign for all of 2023 • Trade show space during the event • sponsor worded ad broadcast via the commentator during the event • Pre and post-event social media posts • Arena advertising • Name on sashes and trophies • Opportunity to present trophies/prizes • Dinner and beverage tickets to the Thursday night sponsors dinner
Golf Australia	2023 Outback Masters $1 Million Hole in One Challenge	21-23 July 2023	• 2 x Player Passes • 8 Spectator Passes • Speaking Opportunity at Friday night dinner
Mount Isa Motorsport and Recreation	2023 Mount Isa Motor Show	27 August 2023	• Thank you on social media before and during the event • Free stall space • Flyer in bags • Logo on the big screen • Logo on Facebook • Large logo on the poster • Large banner on Fence • 8 complimentary tickets

Good Shepherd Catholic Parish	2023 Multicultural Festival	1 September 2023	• Mayoral speech • Banner and logo placement during the event • Social media posts
Apex Mount Isa	2023 Rock Pop Mime Show	13 October 2023	• Naming Rights to one of three sections • Opportunity to present the award for the sponsored category • Supply a judge for the event • Advertising and media opportunities • Logo in all advertising and marketing including program • Event announcements • Social media posts • Banner and signage opportunity • Cert of appreciation • Sponsors pack including gate entry and food and drink vouchers

Regional Arts Development Fund

Round 3 of RADF 2022/23 community funding closed on 14 June 2023 for projects commencing after 28 June 2023. 1 Application was received and will be assessed by the RADF committee in July 2023.

RADF Council Initiated Projects

Works have progressed on the Council Initiated project on the former Ergon Substation with the mural to be completed by the end of July 2023.

The Qld Ballet Community Engagement Tour will occur in July 2023. The Tour provides a 2-day engagement program that offers training to the teachers of ballet as well as further development of the skills of ballet students as well as a program for the wider community to try ballet.

Youth Strategy

The Youth Strategy was presented for adoption at the June 2023 Ordinary Meeting. Works will continue to distribute the adopted strategy into the community.

Community Development Engagement

- Mount Isa Softball – Use of Alexandra Oval
- AFL – Use of Alexandra Oval
- DTIS – Infrastructure Audit for the 2032 Olympic Games
- Outback Masters
- Multicultural Qld Advisory Council
- NAIDOC committee
- Sheree Blackley for art projects

NQ Sportstar Awards

The 2023 NQ Sportstar Awards will open on 2 July 2023 and close locally on 10 September 2023. There are 11 Categories this year including:

- Sportstar of the Year (Senior)
- Rural and Remote Sportstar of the Year

- Junior Sportstar of the Year
- Rural and Remote Sportstar of the Year
- Athlete with a Disability
- NQ Sportstar Team
- NQ Sportstar Junior Team
- Masters
- Volunteer of the Year
- Service to North Queensland Sport, and
- Sporting Excellence Award

ATTACHMENTS

Nil

11.8 NORTH QUEENSLAND SPORTS FOUNDATION 2023 NORTH QUEENSLAND SPORTSTAR AWARDS - COUNCILLOR DELEGATION

Document Number: **794914**

Author: **Community Development Officer**

Authoriser: **Director Corporate and Community**

Directorate: **Corporate and Community**

Portfolio: **Finance, Customer Services, Economic Development, Promotion & Community Development, Arts**

EXECUTIVE SUMMARY

The North Queensland Sports Foundation (NQSF) has released the Council pack for the 2023 NQ Sportstar Awards, which opened on 2 July 2023. The Sportstar Awards play a major role in the sporting communities to recognise the significant achievements of the athletes within regional North Queensland.

RECOMMENDATION

THAT Council delegates Cr Peta Macrae and Cr Paul Stretton to assess the local nominations for the 2023 North Queensland Sportstar Awards and select the relevant nominees per category, as Councils submission to The North Queensland Sports Foundation.

OVERVIEW

The NQ Sportstar Awards opened on 2 July 2023 and close on Sunday 10 September 2023. Submissions from Council are due to The North Queensland Sports Foundation on 15 September 2023. Due to the short period of time for assessment, it is not possible to put the nominations through to Council for ratification.

BACKGROUND

The NQSF was established to lead and connect North Queensland communities in supporting healthier and active lifestyles. Council has a 3-year resource and performance agreement with the NQSF, to support Council on events such as the Great Western Games, Move IT NQ programs, and NQ Sportstar Awards.

This year's NQ Sportstar awards opened on 2 July 2023, with Council having to provide up to 5 nominees per category, to the NQSF by 15 September 2023, and winners for the region announced at the Awards Presentation Night, to be held on Saturday, 4 November 2023 to be hosted in Mackay, Queensland.

Nominations are all received through an online portal and forwarded directly by email to the Council's Community Development Officer.

BUDGET AND RESOURCE IMPLICATIONS

The North Queensland Sportstar Awards is an annual event that forms part of the normal duties of the Community Development Officer.

The Sportstar Awards Night is a ticketed event with the NQSF encouraging the nominees and Council representatives to attend.

LINK TO CORPORATE PLAN

Theme:	1.	People & Communities
Strategy:	1.8	Coordinate and review sport and recreation opportunities to encourage a healthier lifestyle in the region

CONSULTATION (INTERNAL AND EXTERNAL)

Consultation is conducted through correspondence sent to the Council's nominated Councillor representatives and also with the Manager of Economic and Community Development.

LEGAL CONSIDERATIONS

Nil

POLICY IMPLICATIONS

Nil

RISK IMPLICATIONS

If either of the Councillors has a conflict of interest in relation to a nomination received.

HUMAN RIGHTS CONSIDERATIONS

Consideration has been given to all 23 human rights as per Council's Human Rights Policy.

ATTACHMENTS

Nil

11.9 PCYC - REQUEST TO CHANGE SCOPE OF APPROVED GRANT - RUBY PROGRAM

Document Number: **794918**

Author: **Community Development Officer**

Authoriser: **Director Corporate and Community**

Directorate: **Corporate and Community**

Portfolio: **Finance, Customer Services, Economic Development, Promotion & Community Development, Arts**

EXECUTIVE SUMMARY

Police Citizen Youth Club (PCYC) Mount Isa is seeking to vary the scope of their approved funding under the Council's Community Grants and Sponsorship Program.

RECOMMENDATION

THAT Council approves a change of scope to the PCYC RUBY (Rise Up Be Yourself) Program to permit the utilisation of previously approved community grant funds to upskill a PCYC employee to enable the delivery of the program.

OVERVIEW

PCYC Mount Isa is seeking approval from the Council to vary the scope of the approved Community Grants funding received from Round 2, 2021/22.

BACKGROUND

PCYC was successful in receiving funding of $4950.00 (excl GST) in Round 2, 2021/22 of Council's Community Grants and Sponsorship Program to deliver the RUBY (Rise Up Be Yourself) Program, a Domestic and Family Violence Prevention program for women. Due to challenges in finding a female instructor for the program, PCYC requested to extend the program through 31 January 2024. This was resolved in the Ordinary Meeting of 22 February 2023. PCYC continues to source female instructors, who end up having a change in personal circumstances, causing issues with the delivery of the program.

In order to enable the continuity of the program, PCYC is seeking the variation to enable funds to be used to train an employee in a CERT III in fitness. This would then enable the upskilled employee to instruct the RUBY program independent from the constraints of a group fitness instructor and therefore increase the longevity of the program. A trained instructor would also assist in other PCYC youth development programs such as Blue Edge and Boxing After Dark. There would be no financial benefit as all programs are free to the community and seek to address some of the anti-social activities occurring with the youth in the city.

The original scope was for the funds to be used to pay for an instructor to deliver the RUBY program. Under the proposed change of scope, the funds would be used to cover the cost of the CERT III in fitness at approx. $1000-$1500 with the remaining funds used to cover other costs associated with the program such as equipment and catering.

BUDGET AND RESOURCE IMPLICATIONS

Nil as funding has already been distributed.

LINK TO CORPORATE PLAN

Theme:	1.	People & Communities
Strategy:	1.3	Assist community groups to increase their sustainability and build social capacity

CONSULTATION (INTERNAL AND EXTERNAL)

Consultation has been undertaken with the Manager of Economic and Community Development.

LEGAL CONSIDERATIONS

Nil

POLICY IMPLICATIONS

Community Grants Policy

RISK IMPLICATIONS

There is a small risk that the employee leaves PCYC leaving the program in the same situation as currently.

HUMAN RIGHTS CONSIDERATIONS

Consideration has been given to the 23 protected human rights as per the human rights policy and it is believed to not unreasonably infringe on these rights.

ATTACHMENTS

Nil

11.10 MERCHANDISE ALLOCATION

Document Number: **794830**

Author: **Manager Economic and Community Development**

Authoriser: **Director Corporate and Community**

Directorate: **Corporate and Community**

Portfolio: **Finance, Customer Services, Economic Development, Promotion & Community Development, Arts**

EXECUTIVE SUMMARY

Mount Isa City Council (MICC) will be distributing Merchandise across a range of coming events.

RECOMMENDATION

THAT Council approves for the Chief Executive Officer to approve any distribution of merchandise.

OVERVIEW

Merchandise purchased by MICC can be divided into three (3) different categories through applied usage.

1. Council-run Events

These include and are not limited to all 100 Year celebrations, Australia Day, Citizenship ceremonies, welcoming babies' day, and other cultural and commemorative days.

Merchandise which is used for Council-run events is dependent against demographics and numbers attracted. The larger community events would include items such as branded hats, stubbie coolers, stickers, temp tattoos, balloon, pens etc. The Gala Dinner as recently experienced would have more prestigious items such as the commemorative coins.

2. Sponsored Events

These include and are not limited to Isa Rodeo, Mount Isa Show, Mine Expo and Camooweal Drovers Camp festival.

Merchandise items used for these events would be similar to those used at the council-run events to maximise council exposure, again suitable to the demographic/audience.

3. Discretionary

This includes visiting dignitaries, conferences, and special occasions (outside of council run-events or council-sponsored events).

Merchandise items vary depending on audience or individual, this may include commemorative coin, framed photography, local cultural arts, and various individualised gifts.

Process for Approval

MICC currently has three (3) budgeted funding streams for the Purchase of merchandise.

1. Job Cost 2120-2090-0000 – Corporate Communications
2. Job Cost 3200-2093-0000 – Community Events
3. Job Cost 4500-2001-0000- 100-Year Celebrations

All purchases are identified by Council Officers or in the instance of 100-Year Celebrations are identified through the 100-Year Advisory Committee and once approved, purchases are authorised through appropriate council delegations.

Distribution of merchandise is completed as per each event or occasion's requirements.

Rodeo Week Celebrations

The proposed merchandise and quantities for Rodeo Week are:

*Isa St Festival	*Rodeo Weekend
400 x Stubbie Coolers	600x Stubbie Coolers
250 x Stickers	250 x Stickers
250x Temp Tattoos	250x Temp Tattoos
150 x Pins	250x Pins
300x Lollipops	300x Lollipops

Separate to the proposed Rodeo merchandise for distribution a range will still be on hand.

- 200 x Commemorative coins
- 150 x Hatpins
- 25 x Enamel mugs
- 50 x Packs of playing cards

The proposed distribution of excess commemorative coins includes:

- 20 x School Captains (end-of-year, Council presentation)
- 35 x Rodeo Winners and Queens
- 35 x Australia Day Award Winners 2023 & 2024
- 25 x Citizenship Ceremonies

Excess coins can be used for visiting dignitaries, special MICC facilitated events and/or other opportunities as identified by officers (with CEO's approval).

The smaller merchandise items to be made available for distribution through other MICC organised/sponsored events (with CEO's approval).

BACKGROUND

The selection of MICC 100-Year merchandise is based on ensuring branding is maximised to promote the celebration of Mount Isa turning 100 through various events.

Outback at Isa is the preferred venue for the sale of all other 100-Year merchandise items including long and short sleeve shirts, charms, and commemorative coins.

A variation to the existing council gifts and benefits policy is currently in preparation to ensure clarity and understating is in place for not only receiving of items but also for the distribution of items.

BUDGET AND RESOURCE IMPLICATIONS

All purchases of merchandise is in line with current council budget allocations.

Job Cost 4500-2001-0000 Centenery Celebrations

Job Cost 3200-2093-0000 Community Events

Job Cost 2120-2090-0000 – Corporate Communications

LINK TO CORPORATE PLAN

Theme:	1.	People & Communities
Strategy:	1.18 1.19	Provide 100 years Community Celebrations and community infrastructure for year 2023. Develop tourism opportunities for the 100 Years commemorations that will promote Mount Isa as a destination to visit for generations.

CONSULTATION (INTERNAL AND EXTERNAL)

Promotion and Development Team, 100-Year Advisory Committee

LEGAL CONSIDERATIONS

Nil

POLICY IMPLICATIONS

Nil – Employee Gifts and Benefits policy to be updated to include a clearly defined process for purchase approvals and distribution of Merchandise items.

RISK IMPLICATIONS

Nil

HUMAN RIGHTS CONSIDERATIONS

All consideration has been given to all human rights under the Council's Human Rights Policy.

ATTACHMENTS

Nil

11.11 REGIONAL ARTS DEVELOPMENT FUND ROUND 3

Document Number: **795143**

Author: **Community Development Officer**

Authoriser: **Director Corporate and Community**

Directorate: **Corporate and Community**

Portfolio: **Finance, Customer Services, Economic Development, Promotion & Community Development, Arts**

EXECUTIVE SUMMARY

Round 3 assessment of the 2022-2023 Regional Arts Development Fund (RADF) is presented to Council for endorsement.

RECOMMENDATION

THAT Council endorses the RADF Committee recommendation to approve Rachael Wright ART to receive $3,550.00 (Excl. GST) under Round 3 of the 2022-23 RADF funding for her project "Regional Resin Art Workshops".

OVERVIEW

The Regional Arts Development Fund is a partnership between the Queensland Government and Mount Isa City Council to support local arts and culture in regional Queensland. Mount Isa City Council offers 3 rounds of community funding per the RADF financial year, which ends 30 September each year.

BACKGROUND

Round 3 of the RADF community funding closed on 14 June 2023 with one (1) application received. The RADF committee held their meeting on Monday 10 July 2023 to assess the application and all 6 members voting in support of the application. RADF applications go through a comprehensive process and must meet the criteria outlined in Council's approved RADF Guidelines.

The artist is from the Gold Coast and is planning to host resin workshops at Outback at Isa in September where the participants can choose either a workshop making a cheeseboard and coasters or the wall art and Lazy Susan. The created items are the participants to keep at the end of the workshop.

BUDGET AND RESOURCE IMPLICATIONS

The RADF budget for Round 2 is sufficient to cover the recommended support.

LINK TO CORPORATE PLAN

Theme:	1.	People & Communities
Strategy:	1.5	Develop and promote our unique artistic and cultural diversity

CONSULTATION (INTERNAL AND EXTERNAL)

All application are assessed by the six (6) members of the RADF Committee with all (6) voting in favour of supporting the application.

LEGAL CONSIDERATIONS

Not Applicable

POLICY IMPLICATIONS

Arts and Culture Policy

RISK IMPLICATIONS

That the project does not proceed.

HUMAN RIGHTS CONSIDERATIONS

Consideration has been given to the protected human rights in the policy and it is believed to not unreasonably infringe on these human rights.

ATTACHMENTS

1. Arts and Culture Policy

STRATEGIC POLICY

MOUNT ISA CITY COUNCIL

Arts and Culture Policy

RESOLUTION NO. OM08/07/20 VERSION V2

APPLIES TO STRATEGIC POLICIES ONLY

This an official copy of the **Arts and Culture Policy**, made in accordance with the provisions of *Local Government Act 2009, Local Government Regulation 2012* and current Council Policies.

Strategic policies are adopted by Council due to its desire to influence the direction of an issue or assist in the delegated decision making of Council officers. Strategic policies should follow the jurisdiction provided to Council through its Corporate Plan; the **Arts and Culture Policy** is approved by the Mount Isa City Council for the operations and procedures of Council.

.....
Sharon Ibardolaza
Chief Executive Officer

DOCUMENT VERSION CONTROL					
Governance/Policies/Strategic Doc ID# 26627				**POLICY TYPE**	Strategic (Council)
VERSION	**DATE**	**RESOLUTION NO.**	**DETAILS**		
V1	14.04.2010	G08/04/10	**Responsible Officer –** Community Development Officer		
V2	08.07.2020	OM08/07/20	**Responsible Officer –** Community Development Officer		
				REVIEW DUE	06.2022

DISTRIBUTION AND DISSEMINATION			
Internal email to all employees	X	Section meetings / Toolbox talks	
Internal email to all councillors	X	Included in employee inductions	
Employee noticeboards		Uploaded to Council website	X
Internal training to be provided		External training to be provided	
Registered in magiQ	X		

STRATEGIC POLICY

MOUNT ISA CITY COUNCIL

Arts and Culture Policy

RESOLUTION NO. OM08/07/20 VERSION V2

1. PURPOSE

The Arts and Culture Policy provides a framework for the delivery of cultural services and recognises Mount Isa City Council's ("Council") commitment to supporting and celebrating arts, cultural and heritage activities and their contribution to the wellbeing of the community. It provides Council with strategic direction to facilitate a diverse range of services and activities for the community.

This policy supports Council's Corporate Plan 2018-2023 - People and Communities Vision, to establish safe and healthy communities with a strong sense of identity which supports the people and groups who work, live, play and visit here.

2. COMMENCEMENT

This policy will commence on and from 8 July 2020. It replaces all other policies or arrangements governing Arts and Culture (whether written or not).

3. APPLICATION

This policy applies to councillors, employees, agents and contractors (including temporary contractors) of Council, collectively referred to in the policy as "officers".

4. RESPONSIBILITIES

All Council officers are responsible for ensuring that the policy is understood and adhered to at all times.

5. POLICY STATEMENT

Council recognises that investment in the arts and culture within the Mount Isa local government area makes a direct and vital contribution to the prosperity, liveability and creativity of the community, promoting the cultures and values which define this diverse region.

6. **PRIORITIES**

Mount Isa City Council has identified that it will fund and support the following locally determined priorities:

6.1 Vibrant arts and cultural experiences

a) Programs that create vibrant arts and cultural experiences including but not limited to performances and exhibitions;

b) Increased skills and professional development opportunities for artists;

c) Community arts and cultural development;

d) Initiatives that strengthen cultural tourism; and

e) Enhanced cultural programs.

6.2 Performances and exhibitions

a) Provide exposure to touring performances, and exhibitions and the opportunity for artists to engage with visiting artists and organisations.

6.3 Community Arts Projects

a) Community projects that encourage inclusion, caring & friendly communities, mateship, pride, community cohesion, deterrents to crime and violence.

6.4 Enhance Mount Isa Specific Cultural Events

a) Enhance Mount Isa Specific Cultural Events – Rodeo, Campdrafting, Mining/Industrial performances.

6.5 Local Indigenous Heritage and Living Culture

a) Foster and celebrate an understanding and appreciation of local indigenous heritage and living culture.

6.6 Record of local history, oral and written

a) Encourage arts workers to record local history specifically oral and written history.

6.7 Visual Arts Walk

a) Create and promote further initiatives to add to the existing Visual Arts Walk e.g. connect the art spaces within Mount Isa via walking trails through participation from local businesses to display heritage photos and memorabilia, connect these with existing public art.

6.8 Cultural Heritage of Mount Isa and Camooweal

a) Develop and retain knowledge of the cultural heritage of Mount Isa, Camooweal and the rural areas.

6.9 Town Beautification

a) Develop further town beautification initiatives; investigate opportunities for public art, sun shelters and other methods of "softening' the built environment.

6.10. Community Initiatives

a) Encourage community initiatives which promote healthy lifestyles, exercise and general wellbeing.

7. FUNDING

To ensure the ongoing support, promotion and development of arts and cultural activities and industries. Council will:

7.1 Continue to support through budgetary funding programs such as Regional Arts Development Fund (RADF) and direct sponsorship of other projects which may not fall within the RADF Guidelines. Council's Regional Arts Development Fund Committee (RADF) will be responsible for implementing and reporting to Council. The approach will focus on partnerships with and support for, local arts and cultural groups and practitioners as well as the provision of community-based arts and cultural programming.

7.2 Provide arts and cultural groups with direction on alternative funding sources (Australia Council, Arts Queensland) and encourage them to become self-sustaining.

7.3 Review existing facilities and plan for future arts and cultural resources and infrastructure which are accessible, affordable and cater to the needs of a growing and changing community.

8. PROMOTION AND PUBLICITY

To ensure events and activities of artistic and cultural significance are widely publicised and promoted. Council will:

8.1 Raise the profile of Mount Isa City Council's existing and expanding arts and culture sector through advocacy, promotion and improved communication.

8.2 Create opportunities for coordinating promotional and relationship building networks.

9. COMMISSIONS AND ACQUISITIONS

To promote the recognition and increased confidence in local arts groups and to encourage the development of a local arts and cultural industry. Council will:

9.1 Promote the use of the professional services offered by local arts workers to all businesses and government departments.

9.2 Actively employ and involve local arts and cultural practitioners in commissions for events and projects.

9.3 Continue the acquisition of local quality art and cultural pieces for collection and display and the sponsorship of acquisitive sections in annual exhibitions and competitions.

10. VARIATIONS

Council reserves the right to vary, replace or terminate this policy from time to time.

11. COMMUNICATION AND DISTRIBUTION

11.1 Council will make available to the public, the Arts and Culture Policy on our website at www.mountisa.qld.gov.au.

11.2 Supervisors will ensure the policy is distributed as per the Distribution and Dissemination table on this policy.

12. DEFINITIONS

a) **Arts** – This policy acknowledges a broad definition for 'arts', referring to all art forms and including but not limited to visual arts, crafts, music, theatre, entertainment, heritage, community festivals and events, cultural traditions and public space design.

b) **Culture** – is all the customs and activities which constitute lifestyle, sense of identity and/or heritage of a particular group of people and so culture incorporates all aspects of the arts.

c) **Cultural Development**– refers to the process whereby cultural identities of individuals, groups and places within a local area are acknowledged, enhanced and developed through a range of arts and cultural activities

d) **Heritage**– refers to the enabling of heritage being explored, interpreted and reinterpreted in dynamic ways; reflecting peoples experiences, social history, objects and environment (built and natural) that have contributed collectively to the community's understanding of the Mount Isa Region. Heritage also refers to the intrinsic layers and aspects that these memories, traditions, stories and locations provide to the residents, former residents and visitors to the Mount Is region and the cultural tourism profile these stories and locations provide.

e) **Public Art**– Artwork of any form, including tangible, fixed or ephemeral (movable, impermanent)

ASSOCIATED LEGISLATION AND POLICIES & DOCUMENTS

- Gifts and Benefits Policy
- Regional Arts Development Fund Guidelines and Associated Forms
- Mount Isa City Council Corporate Plan 2018-2023

12 INFRASTRUCTURE SERVICES REPORTS

12.1 MAJOR PROJECTS OVERVIEW REPORT JUNE 2023

Document Number: **795004**
Author: **Manager Major Projects**
Authoriser: **Director Infrastructure Services**
Directorate: **Infrastructure Services**
Portfolio: **Engineering, Roads, Rural Works, Concrete Batch Plant**

EXECUTIVE SUMMARY

The June 2023 Major Projects Overview Report presented to Council for information and consideration.

RECOMMENDATION

THAT Council receives and accepts the June 2023 Major Projects Overview Report.

OVERVIEW

A delivery plan for the execution of the 2023/24 program is being prepared. Weekly meetings and reports help to ensure the current team and projects are progressing.

Resourcing and materials are still an ongoing concern. Attention is being focussed on material supply to ensure this remains under control. The attached table provides an overview of the progress against budget. This table is based on whole of life costs, not the current financial year.

BACKGROUND

Notable points regarding the current capital projects include:

- Material Recovery Facility – Building contract awarded in June. The relocation of current site facilities to be complete by end of July.

- Family Fun Park – This project has now been closed out and handed over to the parks and gardens team with a detailed maintenance schedule. Final cost reports under review.

- Lions Park Basketball Court at – The permanent hoops and backboards are still awaiting installation. The line marking contractor will complete works once these are in place and project close out can be initiated.

- Centennial Place – The project is 65% complete as at 7 July. Detailed reports and progress meetings are being conducted weekly. The contractor is on target with contract dates (October Practical Completion). The soft opening date of 9 August is being reviewed as the kitchen containers (MICC supplied) are at risk of delay, with an expected arrival date of 15 July which hasn't been confirmed by supplier.

  The contractor has provided some acceleration options to ensure a 9 August opening. These are being reviewed.

- Airconditioning for administration building – Air conditioners have been delivered to the Depot. Still awaiting the contractor to attend site.

- Splashez Aqua Play Facility – Tenders received, currently under evaluation. Target to award contract by end of July, with installation and commissioning due by January 2024.

ATTACHMENTS

1. Capital Works Expenditure - 30 June 2023

Infrastructure Services

Capital Expenditure

Table 1 - Progress on 2023/24 Carry-Over Capital Projects > $200k

Project	Project Phase					Position as at 30 June 2023			
	Planning	Design	Procure	Delivery	Close-out	Approved Budget ($)	Actual Expenditure ($)	Committed Expenditure ($)	Total Expenditure ($)
1. Family Fun Precinct	✓	✓	✓	✓		4,700,000	5,666,150	366,122	6,032,272
2. Centennial Place	✓	✓	✓			3,600,000	1,878,556	3,107,357	4,985,913
3. Plant Replacement Program	✓	✓	✓	✓		3,500,000	2,545,663	975,548	3,521,211
4. Smart Meter installation	✓	✓	✓			3,100,000	2,212,074	1,091,617	4,031,605
5. Riversleigh Road Rehabilitation	✓	✓	✓	✓		2,223,023	2,224,572	0	2,224,572
6. Street/Road Rehabilitation	✓	✓	✓	✓		1,890,022	733,702	0	733,702
7. Flood Warning Signage	✓	✓	✓	✓		600,000	489,206	418	489,624
8. Water Main replacements	✓	✓	✓			600,000	447,965	127,196	575,161
9. Lions Park Basketball Court	✓	✓	✓			560,000	649,228	208,193	857,421
10. Telstra Hill Carpark and Access Road	✓					550,000	45,006	0	45,006
11. 23 West Street Airconditioning	✓	✓	✓			500,000	210,798	239,001	449,799
12. Footpath Rehabilitation	✓	✓	✓			500,000	9,773	0	9,773
13. Miners Memorial	✓					300,000	84,635	28,670	113,305
14. Camooweal Hall Renovations	✓	✓	✓	✓		250,000	214,062	0	214,062
15. Hydraulic Model Preparation	✓	✓	✓			250,000	24,468	0	24,468
16. Water Service replacements	✓	✓	✓	✓	✓	200,000	147,266	767	148,033
17. STP Renewals	✓	✓				200,000	53,207	12,650	65,857
18. Railway Ave Ergon Sub Station Mural	✓	✓				200,000	12,901	0	12,901
			Total			**23,723,045**	**18,377,146**	**6,157,539**	**24,534,685**

Legend

On Schedule/Budget **Behind Schedule/Budget** **Significantly Behind Schedule/Budget** ✓ **Phase Complete**

12.2 WASTE MANAGEMENT OVERVIEW REPORT - MAY AND JUNE 2023

Document Number: **795001**

Author: **Acting Cordinator Waste Management**

Authoriser: **Director Infrastructure Services**

Directorate: **Infrastructure Services**

Portfolio: **Environmental Management, Waste Management, Environmental Health, Water and Sewerage, Local Laws, Camooweal**

EXECUTIVE SUMMARY

The May 2023 and June 2023 Waste Management Overview Report is presented to Council for information and consideration

RECOMMENDATION

THAT Council receives and accepts the May 2023 and June 2023 Waste Management Overview Report as presented.

OVERVIEW

MOUNT ISA OPERATIONS

1.1 Waste Management Facility Operations

During June, contractors attended site to start to plan the first steps of the Material Recycling Facility (MRF) project, which will include relocation of the site office. Staff at Waste Management have started working toward ensuring the area proposed for the MRF is clean and everything has been removed to avoid any delays.

Over the course of June, operators have started moving and stock piling clean earth at the landfill for cover, in preparation for the impending changes to the current general exemption being introduced on 1 July 2023. The changes mean that all clean earth that is delivered to a leviable area will incur the same charges as all waste diverted to landfill, that does not currently exist in that zone before the new financial year.

During June, the Department of Environment and Science (DES) conducted an audit on Mount Isa and Camooweal's Landfills and Resource Recovery Areas. A multitude of issues have been identified, which are presently being addressed.

Garth Yates commenced with Council in early June as Waste Advisor, a part-time role. Garth has been involved in waste management for many years, most recently with Mid Coast Council in New South Wales. Garth has prepared a list of observations at the Mount Isa and Camooweal landfill sites, which has provided a priority action list to address the DES inspection outcomes.

1.2 Domestic Garbage Collection

Domestic Waste Collection was executed to schedule throughout May/June.

1.3 Commercial Garbage Collection

Commercial Waste Collection was executed to schedule throughout May/June.

1.4 Bulk Garbage Collection

Bulk waste collection services were executed to schedule throughout May/June.

1.5 Facility Maintenance

Minimal Maintenance was performed at the Waste Management Facility.

RECYCLING OPERATIONS

2.1 Recycling

The Waste Management Facility at present has very limited recycling opportunities. We are obligated under the Queensland Waste and Recovery Act to implement ways to prevent waste from going to landfill. Education to minimising will be integral to the success of Waste Management Waste and Recycling Plan.

CAMOOWEAL OPERATIONS

3.1 Domestic Garbage Collection

Camooweal Waste Collection was executed to schedule throughout May/June.

3.2 Refuse Tip

Camooweal Tip remains closed to the public, with ongoing issues around waste disposal at the Depot.

ATTACHMENTS

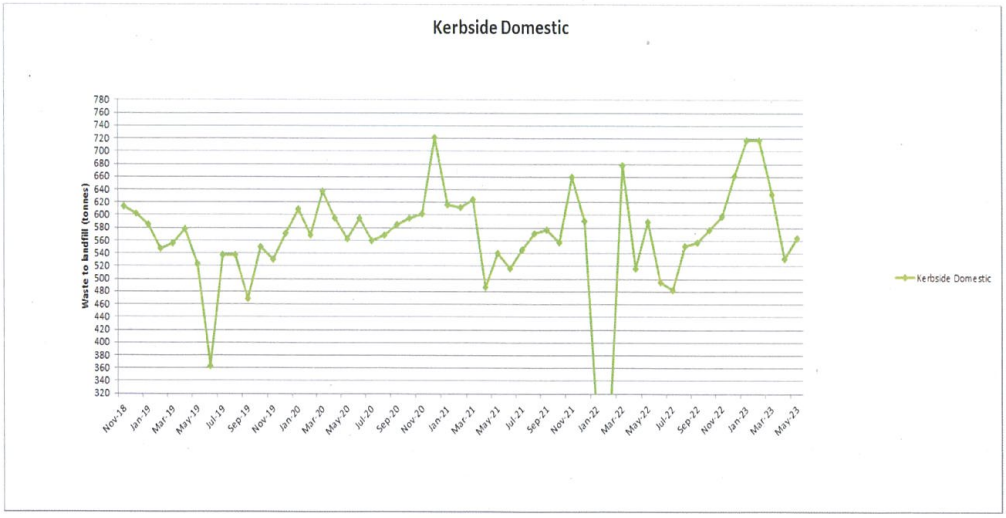
1. Waste Management Monthly Statistics - May and June 2023

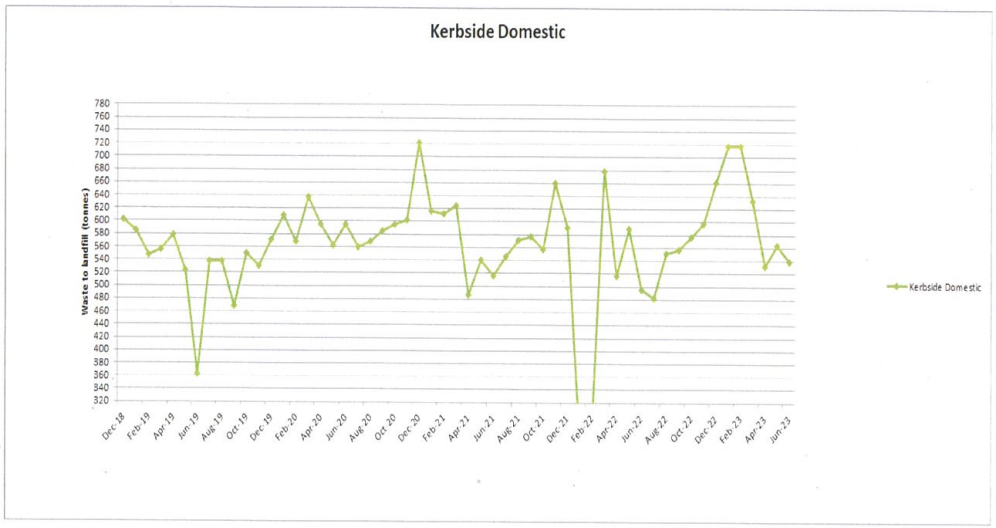
WASTE MANAGEMENT MONTHLY STATISTICS
MAY & JUNE 2023

OPERATIONAL BUDGET

Cost Centre	Cost Description	Budget Performance				% of Depleted Annual Budget
		Annual Budget	Year To Date Budget	Year To Date Actual	Year To Date Variance	
9100-2300	Refuse Tip Operation-Mt Isa	$2,615,781	$2,615,781	$3,155,925	$540,144	121%
9200-2002	Garbage Collection Domestic	$417,637	$417,637	$74,244	$343,393	18%
9200-2005	Sanitation Depot Maintenance	$224,047	$224,047	$186,942	$37,105	83%
9250-2007	Garbage Collection - Bulk	$15,000	$15,000	$466,260	$451,260	3108%
9250-2008	Garbage Collection – Commercial	$15,000	$15,000	$53,066	$38,066	354%
9260-2003	Recycling	$14,000	$14,000	$0	$14,000	0%
9500-2303	Camooweal Garbage	$1,000	$1,000	$25,336	$24,336	2534%
	TOTAL	**$3,302,465**	**$3,302,465**	**$2,702,484**	**-$659,308**	**82%**

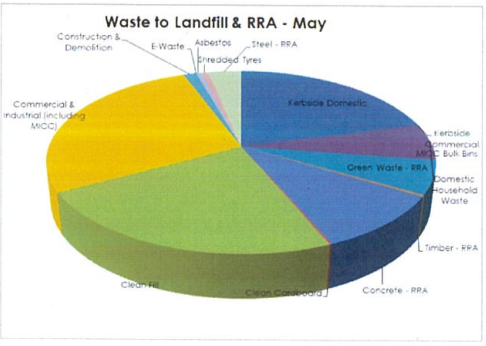
DOMESTIC GARBAGE COLLECTION



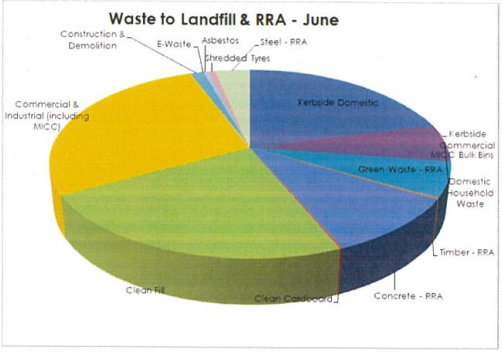


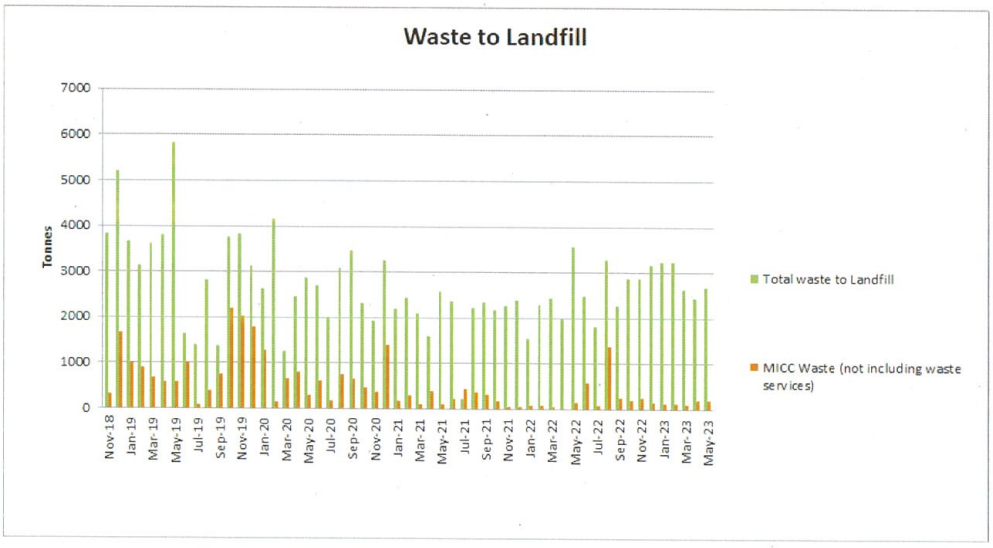
WASTE TO LANDFILL DATA ANALYSIS – May & June 2023

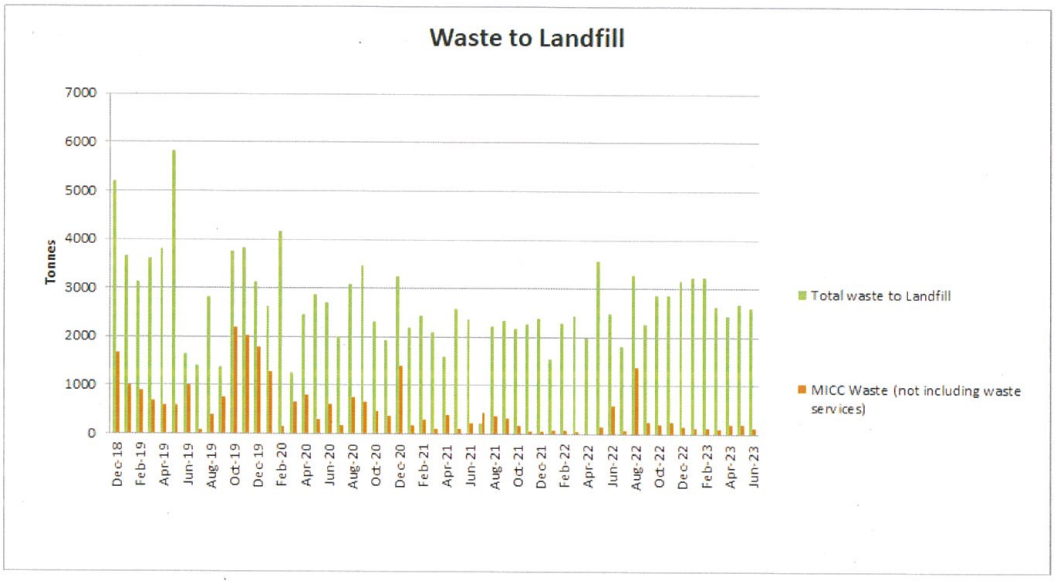
Waste to Landfill and RRA - May	
Waste Type	**Quantity (t)**
Kerbside Domestic	539.48
Kerbside Commercial	0.00
MICC Bulk Bins	0.00
Domestic Household Waste	166.38
Green Waste - RRA	155.79
Timber - RRA	6.48
Concrete - RRA	262.90
Clean Cardboard	4.52
Clean Fill	603.46
Commercial & Industrial (including MICC)	712.20
Construction & Demolition	32.92
E-Waste	0.25
Asbestos	12.48
Shredded Tyres	18.78
Steel - RRA	83.62
TOTAL	**2599.26**



Waste to Landfill and RRA - June	
Waste Type	**Quantity (t)**
Kerbside Domestic	539.48
Kerbside Commercial	0.00
MICC Bulk Bins	0.00
Domestic Household Waste	166.38
Green Waste - RRA	155.79
Timber - RRA	6.48
Concrete - RRA	262.90
Clean Cardboard	4.52
Clean Fill	603.46
Commercial & Industrial (including MICC)	712.20
Construction & Demolition	32.92
E-Waste	0.25
Asbestos	12.48
Shredded Tyres	18.78
Steel - RRA	83.62
TOTAL	**2599.26**






Waste to Landfill
Tonnes
7000
6000
5000
4000
3000
2000
1000
0
Dec-18
Feb-19
Apr-19
Jun-19
Aug-19
Oct-19
Dec-19
Feb-20
Apr-20
Jun-20
Aug-20
Oct-20
Dec-20
Feb-21
Apr-21
Jun-21
Aug-21
Oct-21
Dec-21
Feb-22
Apr-22
Jun-22
Aug-22
Oct-22
Dec-22
Feb-23
Apr-23
Jun-23
Total waste to Landfill
MICC Waste (not including waste services)

12.3 REQUEST FOR VARIATION TO CONTRACT MICC RFT - PRIMARY CLARIFIERS REPAIR/REPLACEMENT

Document Number: **795023**

Author: **Acting Manager Water and Sewer**

Authoriser: **Director Infrastructure Services**

Directorate: **Infrastructure Services**

Portfolio: **Environmental Management, Waste Management, Environmental Health, Water and Sewerage, Local Laws, Camooweal**

EXECUTIVE SUMMARY

Council awarded a contract for a sum of $877,586.60 to engage Re-Pump Australia Pty Ltd for the rehabilitation of the primary clarifiers that are in poor condition. Part of this work included undertaking crack repairs. During the crack repair work in December 2022 significant corrosion of the concrete reinforcement was revealed.

A structural engineer was engaged to carry out core sampling and testing as a part of a structural assessment. Re-Pump have provided a quote to carry out remedial work identified by the resultant structural assessment. The quote is $708,090.00 (excl. GST).

RECOMMENDATION

THAT Council accepts the quote from Re-Pump Australia Pty Ltd and accepts a variation of $708,090 (excl. GST) to the contract MICC RFT - Primary Clarifiers Repair/Replacement in accordance with section 235 (b) of the *Local Government Regulation 2012.*

OVERVIEW

The contract for the rehabilitation of the clarifiers will constitute a large-sized contractual arrangement (valued over $200,000 excl. GST) under the provisions of the *Local Government Regulation 2012.* To meet the requirements of the Regulation, Council must invite written tenders for the contract in accordance with section 228 of the *Local Government Regulation 2012*.

Section 35 of the *Local Government Regulation 2012* includes exceptions where a local government does not need to comply with tendering requirements. The following exemptions contained in section 35 are applicable in this instance:

'(a) the local government resolves it is satisfied that there is only 1 supplier who is reasonably available; or

(b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders; or'

The original tender for the works attracted two responses. Re-Pump were significantly cheaper than the second tenderer. Tendering for this work is unlikely to broaden the field of respondents. A second contractor will need to work with and around Re-Pump to complete this work, likely leading to other variations. Thus far Re-Pump has demonstrated a high quality of workmanship in delivering the work completed to date.

BACKGROUND

In December 2022, Re-Pump Australia Pty Ltd commenced the refurbishment of Primary Clarifier No 3. The existing rotating bridge was dismantled and removed by Re-Pump. During this process, it became apparent that voids were present in the primary clarifier's launder, particularly in parts of the upper 700 mm of the launder wall (see attached photos). Further investigation revealed that the concrete had delaminated to a large extent.

A structural engineer was engaged to thoroughly investigate including concrete, structural, and tensile testing. This helped to ascertain the condition of the primary clarifiers and to present the options, including repair or reconstruction, with the aim of identifying the optimal option to recommend to the Council for adoption.

A feasible option was proposed based on test results and serviceability. It was evident that the optimal and preferred option is to fully reconstruct the effluent launder wall, repair the launder floor, and the outlet chamber walls for two of the three primary clarifiers, thereby improving the lifetime of the structure.

BUDGET AND RESOURCE IMPLICATIONS

There are no budget variations required. A capital budget of $1,000,000 (excl. GST) has been allocated for renewal works at the Sewage Treatment Plant for FY 23-24 and can be utilized to cover this variation.

LINK TO CORPORATE PLAN

Theme:	2.	Prosperous & Supportive Economy
Strategy:	2.1	Continue to upgrade and use the most effective technology to provide best delivery of services to the region
Theme:	4.	Healthy Environment
Strategy:	4.6	Investigate appropriate wastewater services and systems
Theme:	5.	Ethical & Inclusive Governance
Strategy:	5.7 5.12	Promote a proactive approach to risk management, including business continuity Explore/review potential efficiencies and opportunities for Council's operations, infrastructure and assets

CONSULTATION (INTERNAL AND EXTERNAL)

Internal consultation was held with the Director of Infrastructure Services and the Procurement Team.

LEGAL CONSIDERATIONS

Local Government Regulation 2012 as detailed above.

Local Government is charged with the responsibility to follow the Local Government Principles and this includes the provision of effective services as per section 4 (2)(b) of the *Local Government Act 2009*:

'Sustainable development and management of assets and infrastructure, and delivery of effective services.'

POLICY IMPLICATIONS

Council's procurement policies were followed during the initial tendering process. The recommendation to award a variation will increase the longevity of the asset and support the asset management framework, thereby enhancing the supply of the Council's recycled water to our customers as per the Recycled Water Management Plan.

RISK IMPLICATIONS

This project addresses a high risk in that the primary clarifiers are an integral part of the treatment process in supplying effluent water to Mount Isa.

HUMAN RIGHTS CONSIDERATIONS

The recommendation supports Council's Human Rights Policy, through the provision of sustainable and environmentally safe effluent water quality to the community.

ATTACHMENTS

1. Clarifiers Concrete Assessment

Primary Clarifier #3 Concrete Dilapidation Initial Visual Observations Report

Introduction and Methodology

A site inspection of Primary Clarifier 3 at Mt Isa Sewage Treatment Plant has been undertaken and this visual report has been developed by Dylan Collins and Robert Markovic of Re-Pump Australia on Friday 2nd December 2022.

During the visual inspection of Primary Clarifier 3 of the concrete condition hairline fractures/cracks, both vertical and horizontal that appeared to be nothing more than superficial, it was noted that a few cracks around the tank were slightly larger and unlikely to be of concern. At this point, a closer inspection via means of "tap testing" was undertaken and it was apparent that there likely voids within the external launder wall of the tank, primarily in the top 700mm.

Whilst further investing the cracks/fractures via concrete cutting, grinding, and hammering as a preparation to the repair by Re-Pump Australia, it became evident that the concrete had started to delaminate in the plane of the existing reinforcing steel bars. It is apparent that water and oxygen has penetrated the launder wall and caused the reinforcing steel to corrode, with the result that the concrete wall has been delaminated.

Please refer to photographs of 4 key areas which were inspected on the 2nd of December. Please also take note that intrusive investigation was only along a 15–20-metre section of the tank's perimeter.

Area 1- 4 Observations

All surface cracking appears to follow both the vertical and horizontal reinforcing bars, the depth of the cracking on the outside of the tank ranges between 15mm to 60mm. Each crack appears to lead to the underlying reinforcing bar and beyond into the internal wall surface.

Similar to the cracking in the launder walls, it can also be seen that there is cracking in the launder floor that appears to extend from the cracking in the external wall. As Re-Pump is yet to inspect the internal walls of the clarifier, it is possible that the internal walls may have the same damage from the initial surface only inspection. It can see that there is cracking through the existing coating in a similar pattern that can be seen on the outside wall most likely coincides with the installed reinforcing steel.

BRISBANE: 53 Jijaws Street Sumner Park QLD 4074 **CALL:** 07 3279 0466
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Area 1 – Clarifier Wall North-Eastern Side

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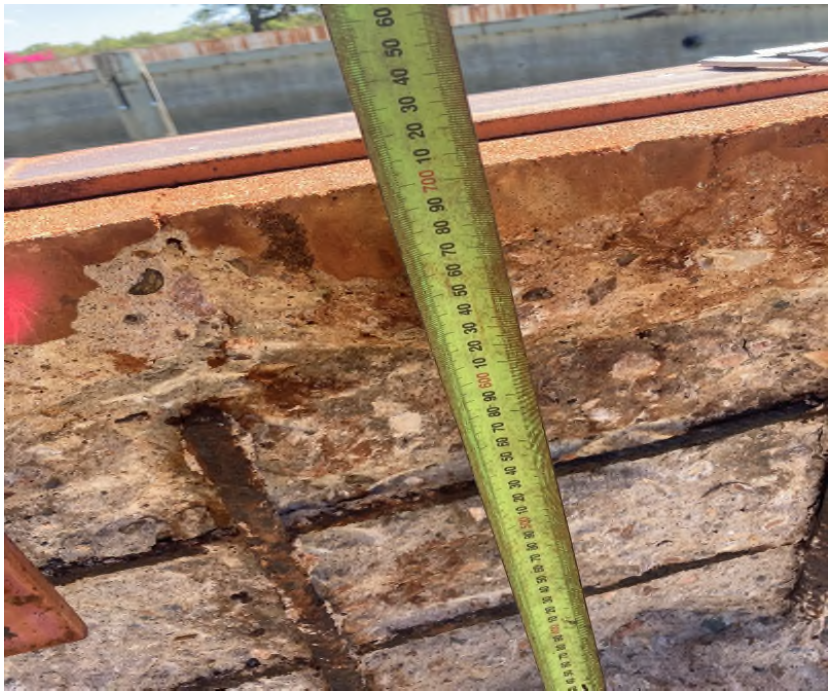

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Area 2 – Clarifier Wall Northern Side

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Area 3 – Clarifier Wall Northern Side

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Area 4 – Clarifier Wall North-Western Side

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Recommendations

It is suggested that Mt Isa Regional Council request Re-Pump Australia to engage a structural engineer to perform a structural assessment of the concrete tank to ensure that an appropriate rectification can be carried out on this primary clarifier.

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13 GENERAL BUSINESS

Nil

14 CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

RECOMMENDATION

THAT Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 254J of the Local Government Regulation 2012:

14.1 Appointment of Interim Chief Executive Officer

This matter is considered to be confidential under Section 254J - a of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the appointment, discipline or dismissal of the chief executive officer.

14.2 Notice of Intention to Sell Land for Overdue Rates and Charges

This matter is considered to be confidential under Section 254J - h of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to the taking of land by the local government under the Acquisition of Land Act 1967.

14.3 Acquisition of Property - Assessment # 04992-34000-000

This matter is considered to be confidential under Section 254J - g of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

14.4 Request to Waive Infrastructure Charges for the Material Change of Use of a Health Care Centre at 6 Burke Street, Mount Isa, described as Lot 11 on plan MPH13992

This matter is considered to be confidential under Section 254J - c of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the local government's budget.

14.5 Concession to Waiver and Write-Off Rates & Charges for Property Assessment 07196-00000-000

This matter is considered to be confidential under Section 254J - d of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with rating concessions.