



AGENDA

Post Election Council Meeting Friday, 5 April 2024

I hereby give notice that a Post Election Meeting of Council will be held on:

Date: Friday, 5 April 2024

Time: 9:00 am

**Location: Council Chambers
23 West Street
Mount Isa**

**Tim Rose
Acting Chief Executive Officer**

Order Of Business

1	Opening of the Meeting/Acknowledgement of Country	5
2	Declarations of Office.....	5
3	Apologies/Leave of Absence	5
4	Executive Services Reports	6
4.1	Appointment of Deputy Mayor	6
4.2	Council Meeting Schedule 2024.....	7
4.3	Councillor Portfolio Policy and Appointment of Portfolio Councillor.....	10
4.4	Appointment of Local Disaster Management Group Chairperson and Deputy Chairperson	18
4.5	Appointment of Audit & Risk Committee Members	20
4.6	Appointment of Councillors to Council Committees and Advisory Committees	29
4.7	Appointment of MICCOE Board Members.....	31
4.8	Appointment of Councillors to External Committees	33

1 OPENING OF THE MEETING/ACKNOWLEDGEMENT OF COUNTRYAcknowledgement 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 Post Election 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 DECLARATIONS OF OFFICE**3 APOLOGIES/LEAVE OF ABSENCE**

4 EXECUTIVE SERVICES REPORTS

4.1 APPOINTMENT OF DEPUTY MAYOR

Document Number: 807188

Author: Senior Executive Assistant

Authoriser: Acting Chief Executive Officer

Directorate: Executive Services

Portfolio: Executive Services

EXECUTIVE SUMMARY

Pursuant to section 175 of the Local Government Act 2009, a local government must, by resolution appoint a deputy mayor from its councillors (other than the mayor) at the post-election meeting.

RECOMMENDATION

THAT Council appoint <insert Councillor> to the position of Deputy Mayor.

BACKGROUND

Local Government Act 2009, Section 175:

(2) The local government must, by resolution, appoint a deputy mayor from its councillors (other than the mayor)—

(a) at that meeting; and

(b) at the first meeting after the office of the councillor who is the deputy mayor becomes vacant.

Local Government Act 2009, Section 165:

(1) The deputy mayor acts for the mayor during—

(a) the absence or temporary incapacity of the mayor; or

(b) a vacancy in the office of mayor.

OVERVIEW

The role of deputy mayor assumes additional responsibilities and remuneration.

Councillors may nominate themselves or another Councillor for the position of Deputy Mayor. Each nomination can be dealt with individually and voted upon in open by Council until a successful nominee emerges.

Alternatively, all nominations can be considered collectively, and a secret ballot used for councillors to vote for their preferred nominee in secret. The nominee with majority votes will be announced by the CEO as the successful nominee.

ATTACHMENTS

Nil

4.2 COUNCIL MEETING SCHEDULE 2024

Document Number: 807391
Author: Senior Executive Assistant
Authoriser: Acting Chief Executive Officer
Directorate: Executive Services
Portfolio: Executive Services

EXECUTIVE SUMMARY

The Council Ordinary Meeting schedule for the period April 2024 – December 2024 is presented for Council's consideration and approval.

RECOMMENDATION

THAT Council adopt the schedule of Ordinary Meetings for the balance of 2024 as tabled in Attachment 1 to this report.

Unless otherwise determined by Council, all Ordinary meetings are held at the Council Chambers, 23 West Street, Mount Isa and commence at 9.00am.

BACKGROUND

The following legislation applies to the consideration of this report:

Local Government Regulation 2012, Section 256 - Agenda of post-election meetings

- (1) The matters a local government must consider at a post-election meeting include the day and time for holding other meetings.*

Local Government Regulation 2012, Section 257 - Frequency and place of meetings

- (1) A local government must meet at least once in each month.*
- (3) All meetings of a local government are to be held –*
- (a) at 1 of the local government's public offices; or*
 - (b) for a particular meeting—at another place fixed by the local government, by resolution, for the meeting*

The proposed schedule has been developed in accordance with the above legislation, with consideration of the previous term's schedule and current declared public holidays.

OVERVIEW

During its previous term, Mount Isa City Council held its Ordinary Meetings on the fourth Wednesday of each month, and it is proposed to continue this arrangement. The meeting proposed for December 2024 being the only exception to this schedule, as this will be held on the third Wednesday of the month instead, to accommodate the Christmas period.

It is further proposed that all meetings will be held in the Council Chambers, Council Administration Building, 23 West Street, Mount Isa and will commence at 9.00am.

In accordance with the Local Government Regulation 2012, Section 245B, notice of the adopted meeting dates will be published on Council's website, displayed in Council's foyer, and detailed in Council's Newsletters where possible.

This schedule may be amended from time to time by Council resolution.

ATTACHMENTS

1. **Attachment 1 - Council Meeting Schedule 2024** [!\[\]\(48a7667d09d5a06397e047ee4537bb6f_img.jpg\) !\[\]\(3df135a685d1b545c4fa64a5f3516545_img.jpg\)](#)



2024 MOUNT ISA CITY COUNCIL MEETING SCHEDULE

MONTH	MEETING	DATE	TIME
April	Ordinary	Wednesday 24/04/2024	9.00am
May	Ordinary	Wednesday 22/05/2024	9.00am
June	Ordinary	Wednesday 26/06/2024	9.00am
July	Ordinary	Wednesday 24/07/2024	9.00am
August	Ordinary	Wednesday 28/08/2024	9.00am
September	Ordinary	Wednesday 25/09/2024	9.00am
October	Ordinary	Wednesday 23/10/2024	9.00am
November	Ordinary	Wednesday 27/11/2024	9.00am
December	Ordinary	Wednesday 18/12/2024	9.00am

All meetings are held in the Mount Isa City Council Chambers,
23 West Street, Mount Isa, unless otherwise advertised.

4.3 COUNCILLOR PORTFOLIO POLICY AND APPOINTMENT OF PORTFOLIO COUNCILLOR

Document Number: 807393

Author: Senior Executive Assistant

Authoriser: Acting Chief Executive Officer

Directorate: Executive Services

Portfolio: Executive Services

EXECUTIVE SUMMARY

The Councillor Portfolio Policy V2 is presented for Council review and consideration and to assist with the allocation of portfolio Councillors.

RECOMMENDATION

THAT Council adopt the Councillor Portfolio Policy V2 and allocate portfolio Councillors as follows:

Portfolio	Portfolio Councillor
Finance, Customer Service	<insert councillor name>
Economic Development	<insert councillor name>
Tourism, Events, Sports and Recreation, Youth	<insert councillor name>
Environment, Local Laws, Development & Town Planning	<insert councillor name>
Parks & Gardens, Splashez, Library	<insert councillor name>
Works & Engineering, Water & Sewerage, Waste Management	<insert councillor name>

OVERVIEW

The Councillor Portfolio Policy was adopted in February 2020 and was due to be reviewed in February 2024.

The Policy has been reviewed with the intention to clarify the role of portfolio holders, their relationship with Executive Leaders and remove any unnecessary commentary or duplication of information contained in legislation.

BACKGROUND

The following key updates have been proposed to the Councillor Portfolio Policy:

- Section 4 expanded to include 'objective' style dot points.
- Section 5 removed responsibilities directly copied from the LG Act.
- Section 9 added 'Portfolio Briefings'
- Section 10 Updated Portfolio titles as per EMT discussions.

Portfolios have been reviewed and updated to reflect the current organisational structure to ensure contact with executive leaders is streamlined.

BUDGET AND RESOURCE IMPLICATIONS

Nil.

LINK TO CORPORATE PLAN

Theme:	1.	People & Communities
Strategy:	1.1	Continue to monitor and stay informed about matters that affect the community
	1.6	Advocate for Councillor, staff and community representation on Government committees and taskforces relevant to the region

CONSULTATION (INTERNAL AND EXTERNAL)

Executive Management Team.

LEGAL CONSIDERATIONS

Local Government Act 2009

POLICY IMPLICATIONS

Media Policy – the role of portfolio holders is consistent with this policy.

RISK IMPLICATIONS

Nil.

HUMAN RIGHTS CONSIDERATIONS

Nil.

ATTACHMENTS

1. Councillor Portfolio Policy V2 [!\[\]\(00e558ce89be4dcec517713b4394e0f1_img.jpg\)](#) 



STRATEGIC POLICY
MOUNT ISA CITY COUNCIL
Councillor Portfolio Policy

RESOLUTION NO. OM***/24 VERSION V2

APPLIES TO STRATEGIC POLICIES ONLY

This an official copy of the **Councillor Portfolio 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 Mount Isa City Council due to its desire to influence the direction of an issue or assist in the delegated decision making of Mount Isa City Council officers. Strategic policies should follow the jurisdiction provided to Council through its Corporate Plan; the **Councillor Portfolio Policy** is approved by the Mount Isa City Council for the operations and procedures of Council.

Jim Rose
Chief Executive Officer

DOCUMENT VERSION CONTROL

Governance/Policies/Strategic Folder ID# 14992			POLICY TYPE	Strategic (Council)
VERSION	DATE	RESOLUTION NO.	DETAILS	
V1	24.02.2021	OM30/02/21	Responsible Officer – Senior Executive Assistant	
V2	28.02.2024		Responsible Officer – Senior Executive Assistant	
		REVIEW DUE	02 2028	

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		

MOUNT ISA CITY COUNCIL STRATEGIC POLICY

Page 1 of 6

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STRATEGIC POLICY MOUNT ISA CITY COUNCIL Councillor Portfolio Policy

RESOLUTION NO. OM**J24 VERSION V2

1. PURPOSE

The purpose of this policy is to provide a governance framework and associated protocols related to the appointment of councillors to portfolios that facilitate Mount Isa City Council's ("Council") engagement with the community and productive, professional and appropriate relationships within the organisation to advance the delivery of Council's strategic priorities and services.

2. COMMENCEMENT

This policy will commence on and from **22 April 2024**. It replaces all other policies or arrangements governing (whether written or not).

3. APPLICATION

This policy applies to portfolio activities undertaken by councillors and employees of Mount Isa City Council.

4. POLICY STATEMENT

Council has established a portfolio system for nominated councillors to be assigned specific responsibilities linked to the key strategic priorities of Council and the core responsibilities that it is required to discharge consistent with the local government principles contained in the *Local Government Act 2012* ("LG Act"). Assigning Councillors as portfolio holders ensures:

- The Portfolio Councillor will be able to speak with knowledge about their portfolio.
- To maximise the use of Councillors' time whilst ensuring Council has at its disposal all relevant information for making decisions.
- The Portfolio Councillor will be better able to represent and understand the topical or pending issues of the portfolio area.
- By the Portfolio Councillors providing strategic objectives and ambitions of Council regarding issues, it will assist the Officers in understanding the preferences and direction.
- The community can identify which Councillor to approach according to portfolio issues.

The portfolio to be assigned to a respective Councillor is determined by resolution of Council. Changes to Councillor Portfolios can occur at any time by means of a Council resolution.

5. ROLE OF PORTFOLIO COUNCILLORS

5.1 In addition to their responsibilities as a councillor under the LG Act, Portfolio Councillors are required to:

- a) Familiarise themselves with the Corporate Plan and Operational Plan, in particular the objectives, strategies, issues and activities which are relevant to their portfolio
- b) Liaise with other Portfolio Councillors regarding matters that may affect their respective portfolio areas
- c) Keep the mayor informed on portfolio matters
- d) Act as the official Council spokesperson or representative on portfolio relevant matters in accordance with this policy to ensure consistent communication and messaging on portfolio relevant matters
- e) Liaise with and engage with industry and community groups and associations on portfolio related matters

MOUNT ISA CITY COUNCIL STRATEGIC POLICY

Page 2 of 6

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5.1 Mayor and councillors

A councillor must represent the current and future interests of the residents of the local government area.

All councillors have the following responsibilities under the LG Act:

Ensuring the local government:

Discharges its responsibilities under this Act

Achieves its corporate plan and

Complies with all laws that apply to local governments

Providing high quality leadership to the local government and the community

Participating in council meetings, policy development, and decision-making, for the benefit of the local government area

Being accountable to the community for the local government's performance.

Specific responsibilities are assigned to the mayor under the LG Act including:

Leading and managing meetings of the local government at which the mayor is the chairperson, including managing the conduct of the participants at the meetings

Leading, managing, and providing strategic direction to, the CEO in order to achieve the high-quality administration of the local government

Directing the CEO in accordance with a resolution, or a document adopted by resolution, of the local government

Conducting a performance appraisal of the CEO, at least annually, in the way that is decided by the local government

Ensuring that the local government promptly provides the Minister with the information about the local government area, or the local government, that is requested by the Minister

Being a member of each standing committee of the local government and

Representing the local government at ceremonial or civic functions

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STRATEGIC POLICY
MOUNT ISA CITY COUNCIL
Councillor Portfolio Policy

RESOLUTION NO. OM***/24 VERSION V2

- f) Lead discussion and generally advocate for the advancement of Council's key priorities and decisions relevant to their portfolio responsibilities and
- g) Participate as Council's representative on external bodies as resolved by Council on issues relevant to the portfolio;
- h) Introduce reports under their relevant portfolio at meetings

6. LIMITATIONS OF PORTFOLIO COUNCILLORS

6.1 The role of Portfolio Councillors is subject to the following limitations:

- a) The LG Act and the framework established under this policy does not provide for formal delegated authority to a Portfolio Councillor for policy determination and operational decision-making for matters relevant to their portfolio.
- b) Portfolio Councillors do not hold any specific statutory or governance responsibilities related to their portfolio beyond those which they ordinarily hold as a councillor.
- c) In discharging their responsibilities as Portfolio Councillors and consistent with their role under the LG Act and the local government principles as provided for under the LG Act, councillors should maintain a focus on strategic issues relevant to their portfolio, rather than day to day operational matters.
- d) A Portfolio Councillor does not assume any of the roles, powers and functions assigned to the mayor under the LG Act unless delegated by the mayor. This includes the portfolio responsibilities exclusively assigned to the mayor.
- e) This policy does not set aside or amend the provisions contained in the following instruments:
 - i. The Local Government Act 2009
 - ii. The Local Government Regulation 2012
 - iii. The Code of Conduct for Councillors in Queensland and/or
 - iv. The Councillors Acceptable Requests Guidelines Policy
- f) Where there is any inconsistency between this policy and a provision in any of the instruments detailed in paragraph 6.1e) of this policy, the provision of the instrument shall prevail to the extent of any inconsistency.

8. SPOKESPERSON/MEDIA

8.1 Mayor

The mayor is typically the spokesperson on regional issues, which include but are not necessarily limited to:

- a) Matters of emergency, for example floods, fires, cyclones
- b) Major reputation management
- c) State and/or Federal Government matters, policies, plans, initiatives and relationships
- d) Civic events
- e) Initiatives and projects of major regional significance
- f) Region wide planning matters
- g) Major regional events and promotions

MOUNT ISA CITY COUNCIL STRATEGIC POLICY

Page 3 of 6

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MOUNT ISA CITY COUNCIL
Councillor Portfolio Policy

RESOLUTION NO. OM***/24 VERSION V2

- h) General commentary on the performance of the regional economy and Council finances which impact on or are relevant to the Region generally; and
- i) Matters of regional environmental significance

If the mayor is not available to comment on a regional issue and/or project as detailed above, the deputy mayor will be the Council spokesperson for the media.

8.2 Portfolio Media

The Portfolio Councillor should be the key Council spokesperson on a portfolio related matter (other than those matters specified in paragraph 8.1). The mayor can also make comment on any portfolio matters and be quoted in Council releases along with the Portfolio Councillor (including for media statements arising from decisions of Council).

If neither the mayor nor deputy mayor is available to comment on a regional issue and/or project, a relevant Portfolio Councillor or the CEO may act as the spokesperson in that instance for the media.

All media will be undertaken in accordance with Council's Media Policy and Media Procedure.

9. OPERATING PROTOCOLS

9.1 Portfolio Briefings

Portfolio Councillors and the relevant Director or Chief Executive Officer will arrange for regular Portfolio Briefings to be provided to the Councillor at a minimum of once every two months. These Briefings should be strategic in nature and appropriately support Portfolio Councillors to enable them to:

- a) Be across the details of portfolio relevant proposals coming before Council
- b) Be well placed to present and advocate portfolio issues within the community
- c) Remain informed of research and other developments relevant to their portfolio and
- d) Understand and communicate the implications of decisions by other levels of government on portfolio matters

9.2 Engagement with Executive Management Team

Portfolio Councillors should be engaged by the Executive Management Team at the earliest opportunity:

- a) On all matters where there is an intention to develop a report
- b) Where it is proposed to conduct community engagement activities in accordance with Council's Community Consultation Policy and/or
- c) On matters which are likely to generate media or strong community interest

Any issues or problems relating to a portfolio should be discussed with the relevant Director in the first instance. Where the issue cannot be resolved, the matter is to be escalated to the Chief Executive Officer.

9.3 Reports

Reports to a meeting which are relevant to a portfolio should be introduced by the Portfolio Councillor(s). The Portfolio Councillor does not have to support the recommendations in a report but should be aware a report is proposed for a meeting and is fully briefed on the content, direction and proposals in the report.

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STRATEGIC POLICY MOUNT ISA CITY COUNCIL Councillor Portfolio Policy

RESOLUTION NO. ~~OM**~~24 VERSION V2

9.3.1 Dual Portfolio Matters - Where a matter spans the responsibilities of more than one Portfolio Councillor, the relevant directors(s) and manager(s) or chief executive officer will work collaboratively with the Portfolio Councillors to ensure their needs are addressed in line with the roles, ~~obligations~~, and protocols within this policy.

Similarly, the relevant Portfolio Councillors shall engage with each other and the mayor at the earliest opportunity on issues and matters which span their portfolio responsibilities.

10. PORTFOLIO APPOINTMENTS

The portfolio appointments of Portfolio Councillors are as follows:

Portfolio	Portfolio Councillor
Finance & Customer Service	
Economic Development	
Environment, Local Laws, Development & Town Planning	
Tourism, Events, Sports and Recreation & Youth	
Parks & Gardens, Splashez and Library	
Works & Engineering, Water and Sewerage, Waste Management	

11. VARIATIONS

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

12. COMMUNICATION AND DISTRIBUTION

13.1 Council will make available to the public, the Councillor Portfolio Policy on our website at www.mountisa.qld.gov.au.

~~13.2~~ Supervisors will ensure the policy is distributed as per the Distribution and Dissemination table on this policy.

13. DEFINITIONS

- Corporate Plan** – Council's 5 year outline of the strategic direction of the local government as required by the *Local Government Regulation 2012*.
- Operational Plan** – ~~Council's annual plan for each financial year, consistent with the annual budget, detailing how Council will progress the implementation of the Corporate Plan during the period.~~
- Executive Management Team** – Chief Executive Officer and directors of Council.
- Portfolio** – A specified strategic priority, service and function of Council.
- Portfolio Councillor** – A councillor who has been allocated responsibility of a portfolio.

ASSOCIATED LEGISLATION AND POLICIES

- Local Government Act 2009

MOUNT ISA CITY COUNCIL STRATEGIC POLICY

Page 5 of 6

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12.1 Where Council reasonably believes an employee has breached this policy, the matter will be dealt with under the **Performance and Misconduct Policy**.

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Councillors
Executive Management Team
Executive Assistants
Media Officer

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STRATEGIC POLICY
MOUNT ISA CITY COUNCIL
Councillor Portfolio Policy

RESOLUTION NO. OM***/24 VERSION V2

- *Local Government Regulations 2012*
- Community Consultation Policy
- Media Policy
- Councillor Acceptable Requests Guidelines Policy
- Reimbursement of Expenses and provision of Facilities for the Mayor and Councillors Policy
- Advisory Committees Policy

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4.4 APPOINTMENT OF LOCAL DISASTER MANAGEMENT GROUP CHAIRPERSON AND DEPUTY CHAIRPERSON

Document Number: 807495

Author: Senior Executive Assistant

Authoriser: Acting Chief Executive Officer

Directorate: Executive Services

Portfolio: Executive Services

EXECUTIVE SUMMARY

The purpose of this report is for Council to appoint its Chairperson and Deputy Chairperson of the Local Disaster Management Group.

RECOMMENDATION

THAT Council appoint Mayor MacRae as the Chairperson of the Local Disaster Management Group

AND

Council appoints the Deputy Mayor <insert Councillor name> as the Deputy Chairperson of the Local Disaster Management Group.

OVERVIEW

As per the Disaster Management Act 2003, sections 33 and 34, membership of a local group consists of persons prescribed by regulation (Disaster Management Regulation 2014), including the requirement for a chairperson and deputy chairperson also prescribed by the regulation.

Disaster Management Regulation 2014:

9 Membership of local groups—Act, s 33

(1) For section 33(1) of the Act, the following persons are members of a local group—

(a) the persons appointed as the chairperson and deputy chairperson of the group under section 10;

10 Chairperson and deputy chairperson of local groups—Act, s 34

(1) For section 34(2) of the Act, the chairperson and deputy chairperson of a local group are the persons appointed by the relevant local government for the local group to be the chairperson and deputy chairperson.

(2) The chairperson must be a councillor of a local government.

In previous terms, the Mayor has been the Chairperson and the Deputy Mayor has been the Deputy Chairperson of the Local Disaster Management Group.

BACKGROUND

Mount Isa City Council, through the local disaster management group, retains primary responsibility for managing disaster events contained within the local government area. Disaster events include

natural and non-natural hazards such as flood, fire, storms, transport accidents etc. as listed in the Local Disaster Management Plan.

The local disaster management group Chairperson undertakes the following responsibilities under the Disaster Management Act 2003:

34A Functions of chairperson of local group

The chairperson of a local group has the following functions—

- (a) to manage and coordinate the business of the group;*
- (b) to ensure, as far as practicable, that the group performs its functions;*
- (c) to report regularly to the relevant district group, and the chief executive of the department, about the performance by the local group of its functions.*

LINK TO CORPORATE PLAN

Theme:	1.	People & Communities
Strategy:	1.1	Continue to monitor and stay informed about matters that affect the community
	1.6	Advocate for Councillor, staff and community representation on Government committees and taskforces relevant to the region

CONSULTATION (INTERNAL AND EXTERNAL)

Local Disaster Coordinator

Chief Executive Officer

LEGAL CONSIDERATIONS

Disaster Management Act 2003

Disaster Management Regulation 2014

Mount Isa City Council Local Disaster Management Plan

ATTACHMENTS

Nil

4.5 APPOINTMENT OF AUDIT & RISK COMMITTEE MEMBERS

Document Number: 807548
Author: Senior Executive Assistant
Authoriser: Acting Chief Executive Officer
Directorate: Executive Services
Portfolio: Executive Services

EXECUTIVE SUMMARY

The purpose of this report is for Council to appoint members to Council's Audit and Risk Committee.

RECOMMENDATION

THAT Council appoint <insert councillor name> and <insert councillor name> as members of the Audit and Risk Committee.

OVERVIEW

As per the Audit and Risk Committee Charter V7, Council is required to appoint up to two councillors as members of the Audit and Risk Committee:

3. COMPOSITION AND TENURE

3.1 The Committee will be comprised of:

- a) at least three and no more than six members; and include*
- b) one, but no more than two councillors appointed by the local government;*

The period of appointment for the member Councillor(s) to the Committee will be in line with the term of Council.

The Mayor is a permanent invitee and non-voting observer.

BACKGROUND

The Audit Committee is established in accordance with section 105 of the Local Government Act 2009. The Committee is required to meet at least two times per financial year.

The primary objective of the Committee is to assist Council in fulfilling its corporate governance role and oversight responsibilities relating to accounting and reporting practices imposed under the Local Government Act 2009, Local Government Regulation 2012, best practice, and other relevant legislation.

The Audit and Risk Committee Charters details the purpose and role of the Committee in further detail (attached) and states:

5. Responsibilities of members

Members of the Committee are expected to:

- a) understand and observe the legal requirements appropriate to the Council;*
- b) contribute the time needed to study and understand the papers provided;*
- c) apply good analytical skills, objectivity and good judgment;*

d) express opinions frankly, ask questions that go to the fundamental core of the issue and pursue independent lines of enquiry; and

e) maintain confidentiality of information and documentation considered by the committee

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
	5.12	Explore/review potential efficiencies and opportunities for Council's operations, infrastructure and assets
	5.7	Promote a proactive approach to risk management, including business continuity

CONSULTATION (INTERNAL AND EXTERNAL)

Chief Executive Officer and Corporate Governance Coordinator.

LEGAL CONSIDERATIONS

Local Government Act 2009

Local Government Regulation 2012

ATTACHMENTS

1. Audit and Risk Committee Charter [↓](#) 



STRATEGIC POLICY
MOUNT ISA CITY COUNCIL
Audit and Risk Committee Charter

RESOLUTION NO. **OM14/12/22-VERSION V7**

APPLIES TO STRATEGIC POLICIES ONLY

This an official copy of the **Audit and Risk Committee 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 **Audit and Risk Committee Charter** is approved by the Mount Isa City Council for the operations and procedures of Council.

Chief Executive Officer

DOCUMENT VERSION CONTROL			
Financial Management/Audit/Internal Doc ID# 10265			POLICY TYPE
			Strategic (Council)
VERSION	DATE	RESOLUTION NO.	DETAILS
V1	13.10.2010	G08/10/2010 Adopted	Responsible Officer - Harry Gauvin – Internal Auditor Description - Document Creation – New Document
V2	30.07.2014 30.06.2015	OM39/07/2014 Amended OM17/10/15 No Changes	Responsible Officer - Harry Gauvin – Internal Auditor Description - No Changes
V3	22.02.2017	OM09/03/17 Amended	Responsible Officer - Harry Gauvin – Internal Auditor Description - Charter has been amended to include Risk Management.
V4	13.06.2018	OM10/06/18	Responsible Officer - Chief Executive Officer Description - Modified from a Statutory to Strategic Policy as there is no legislative requirement. Minor changes to content.
V5	27.02.2019	OM19/02/19	Responsible Officer - Chief Executive Officer Description - Minor changes to content and composition.
V6	29.04.2020	OM18/04/20	Responsible Officer - Chief Executive Officer
V7	14.12.2022	OM14/12/22	Responsible Officer - Chief Executive Officer
			REVIEW DUE 02.2024 Review by Council

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

MOUNT ISA CITY COUNCIL STRATEGIC POLICY

Page 1 of 7



STRATEGIC POLICY
MOUNT ISA CITY COUNCIL
Audit and Risk Committee Charter

RESOLUTION NO. **OM14/12/22-VERSION V7**

1. PURPOSE

The Mount Isa City Council ("Council") Audit and Risk Committee ("Committee") is established in accordance with section 105 of the *Local Government Act 2009* -.

This charter sets out the Committee's objectives, purpose, authority, independence and access, composition and tenure, roles and responsibilities, and administrative arrangements.

The primary objective of the Committee is to assist Council in fulfilling its corporate governance role and oversight responsibilities relating to accounting and reporting practices imposed under the *Local Government Act 2009*, *Local Government Regulation 2012*, better practice, and other relevant legislation.

More specifically the Committee will:

- a) enhance the ability of Council to fulfill legal responsibilities with respect to compliance with relevant statutory and other guidelines;
- b) monitor the integrity of the Council's financial documents¹;
- c) monitor financial management, performance and reporting;
- d) monitor processes designed to prevent unethical, questionable or illegal activities;
- e) monitor the effectiveness and objectivity of the Council's internal auditors and the internal audit function²;
- f) provide a communication link between management, internal audit, external audit and Council;
- g) review corporate governance and risk management activities generally; and
- h) make recommendations to the Council about any matters that the Committee considers need action or improvement³;
- i) provide oversight and monitoring for the implementation of audit recommendations; and
- j) review the governance control environment.

2. AUTHORITY, INDEPENDENCE, AND ACCESS

As an advisory committee of Council, the Committee is independent of management and has no executive powers. In carrying out its responsibilities, the Committee must always recognise that the primary responsibility for management of the Council rests with the Council and the Chief Executive Officer as defined by the *Local Government Act 2009*.

The Council authorises the Committee, within the scope of its role and responsibilities, to:

- a) obtain any information it needs from any employee (including controlled entities) and/or external party (subject to their legal obligation to protect information);
- b) discuss any matters with the external auditor, or other external parties (subject to confidentiality considerations); and
- c) obtain external legal or other professional advice, as considered necessary to meet its responsibilities.

Any of the above requests should be directed through the Chief Executive Officer.

¹ Sec 105(4)(a)(i) *Local Government Act 2009*

² Sec 105(4)(a)(ii) and Sec 105(4)(a)(iii) *Local Government Act 2009*

³ Sec 105(4)(b) *Local Government Act 2009*



STRATEGIC POLICY
MOUNT ISA CITY COUNCIL
Audit and Risk Committee Charter

RESOLUTION NO. [OM14/12/22-VERSION V7](#)

The Council authorises the Committee to consult directly with the internal auditor to seek information or advice.

Where, in the view of the Committee, information is being unreasonably withheld, the issue will be referred to Council for determination.

3. COMPOSITION AND TENURE⁴

3.1 The Committee will be comprised of:

- a) at least three and no more than six members; and include
- b) one, but no more than two councillors appointed by the local government; and
- c) between one and four independent external members as determined by Council;
- d) The members, taken collectively, should have a broad range of skills and experience relevant to the Committee's responsibilities. At least one member will have significant accounting or related financial management experience with an understanding of accounting and auditing standards in a public sector environment.

3.2 The period of appointment to the Committee will be in line with the term of Council, after which time they will be eligible for extension for a further term following a formal review of their performance and subject to the composition and skill requirements of the Committee. The maximum term being eight (8) years.

The Chair of the Committee will be an external member appointed by the Council and will not be an elected member.

3.3 Committee members are each eligible to vote. In the event of a tied vote, the Chair may exercise a casting vote on any resolution.

4. ROLES AND RESPONSIBILITIES

4.1 Risk Management

- a) review whether management has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of the Council's financial and business risks, including fraud;
- b) consider the impact of the risk management framework on Council's control environment and insurance arrangements,
- c) review whether a sound and effective approach has been followed in establishing the Council's business continuity planning arrangements, including whether disaster recovery plans have been tested periodically; and

4.2 Control Framework

- a) review whether management's approach to maintaining an effective internal control framework, including over external parties such as contractors and advisors, is sound and effective,
- b) review policies and procedures relating to conflict of interest, misconduct, fraud and other related sensitive issues; and

⁴Sec 210(1) Local Government Regulation 2012



STRATEGIC POLICY
MOUNT ISA CITY COUNCIL
Audit and Risk Committee Charter

RESOLUTION NO. **OM14/12/22-VERSION V7**

4.3 External accountability

- a) review a draft of the Council's general purpose financial statement before the statement is certified by the Mayor and Chief Executive Officer under the *Local Government Regulation 2012* and given to the auditor-general for auditing⁵;
- b) review the external audit opinion and report, including whether appropriate action has been taken in response to audit recommendations and adjustments; and

4.4 Legislative compliance

- a) determine whether management has appropriately considered legal and compliance risks as part of the Council's risk assessment and management arrangements,
- b) consider whether management has in place an effective compliance and accountability framework together with policies and procedures which reflect legislative, regulatory and policy requirements, and that these are periodically reviewed and updated.

4.5 Internal audit

- a) aid in the communication between the Council, the Chief Executive Officer and internal audit;
- b) review the internal audit strategic plan⁶ and annual work plan to ensure that the plan provides adequate coverage, ensure that the plans are based on the Council's risk management plan,
- c) advise the Council on the adequacy of internal audit resources to carry out its responsibilities, including completion of the approved internal audit plan, which will contain⁷;
 - i. the way in which the operational risks have been evaluated;
 - ii. the most significant operational risks identified from the evaluation;
 - iii. the control measures that the local government has adopted, or is to adopt, to manage the most significant operational risks.
- d) oversee the coordination of audit programs conducted by internal audit and other assurance and review functions;
- e) review all internal audit progress⁸ and other audit reports and provide advice to the Council on significant issues identified in the reports and action taken on issues raised, including identification and dissemination of good practice;
- f) monitor management's implementation of internal audit recommendations;
- g) review the internal audit charter to ensure appropriate organisational structures, authority, access and reporting arrangements are in place;
- h) periodically review the performance of internal audit; and
- i) provide advice to the Council on the appointment of the internal auditor; and

⁵ Sec 212(1) *Local Government Regulation 2012*

⁶ Sec 211(1)(b)(i) *Local Government Regulation 2012*

⁷ Sec 207(2)(a)(b)(c) *Local Government Regulation 2012*

⁸ Sec 211(1)(b)(ii) *Local Government Regulation 2012*



STRATEGIC POLICY
MOUNT ISA CITY COUNCIL
Audit and Risk Committee Charter

RESOLUTION NO. **OM14/12/22-VERSION V7**

4.6 External audit

- a) act as a forum for communication between the Council, the Chief Executive Officer, and external audit;
- b) review all external audit plans and reports and monitor management's implementation of audit recommendations; and
- c) provide advice to the Council on action taken on significant issues raised in relevant external audit reports and better practice guides.

5. Responsibilities of members

Members of the Committee are expected to:

- a) understand and observe the legal requirements appropriate to the Council;
- b) contribute the time needed to study and understand the papers provided;
- c) apply good analytical skills, objectivity and good judgment;
- d) express opinions frankly, ask questions that go to the fundamental core of the issue and pursue independent lines of enquiry; and
- e) maintain confidentiality of information and documentation considered by the committee.

6. Reporting

The Committee will, as soon as practicable, after each meeting of the Committee, provide to the Council a written report about the matters reviewed at the meeting and the Committee's recommendations about the matters⁹.

The Committee may, at any time, report to the Council any other matter it deems of sufficient importance to do so.

7. **ADMINISTRATIVE ARRANGEMENTS**

7.1 Audit and Risk Committee Meetings

The Committee may meet separately with the internal auditor if requested by the Chair of the Committee.

The Committee will meet at least two times per financial year¹². A special meeting may be held to review the Council's annual financial statements.

The Chair is required to call a meeting if requested to do so by any two Committee members, the internal auditor, the external auditors or at his/her own discretion.

A forward meeting plan, including meeting dates and strategic agenda items, will be agreed by the Committee each year.

Meetings will be held in the Council Chambers unless otherwise advertised.

7.2 Attendance at meetings and quorums

A quorum will consist of at least half of the number of members of the Committee¹³. Where there is more than one independent member on the Committee, a quorum will include at least one independent member. Meetings can be held in person, by telephone or by video conference. At a meeting of the Committee either the Chair presides or if the Chair is absent, the member chosen by the members present for the meeting presides.

¹²Sec 211(1)(a) *Local Government Regulation 2012*

¹³Sec 211(2)(a) *Local Government Regulation 2012*



STRATEGIC POLICY
MOUNT ISA CITY COUNCIL
Audit and Risk Committee Charter

RESOLUTION NO. OM14/12/22-VERSION V7

The Mayor, Chief Executive Officer, Director Corporate and Community Services, Corporate Governance Coordinator and the Internal Auditor are permanent invitees and are non-voting observers. Other Council officers may be required to attend Committee meetings as invited observers but will have no voting rights.

The external auditor and the Queensland Audit Office representative will be invited to attend all meetings as observers but will have no voting rights.

The Committee may meet separately with the internal or external auditors if requested by the Chair of the Committee.

7.3 Secretariat

Secretariat Support is to be resourced from the Executive Services Team for the administration of the Committee.

7.4 Agendas and Minutes

- a) The internal auditor must submit Agenda Items and papers to the Secretariat, at least seven (7) working days, before the scheduled meeting date.
- b) The Secretariat is to provide the Agenda to the Chair, for approval.
- c) The agenda must be distributed by the Secretariat, to the Committee Members and Nominated Observers, at least seven (7) calendar days before the Audit and Risk Committee Meeting date.
- d) The Committee must provide a Meeting Report to the Council of its deliberations of its advice together with recommendations for which it seeks Council approval.
- e) The Meeting Report of the Committee must be approved by the Chair and circulated within ten (10) calendar days, from the date of the Meeting.
- f) Upon approval by the Chair of the Audit and Risk Committee, the Meeting Report must be provided to the Chief Executive Officer who, pursuant to s211(4) of the *Local Government Regulation 2012* must present the report at the next meeting of the local government.

8. CONFLICTS OF INTEREST

- 8.1 Committee members must declare any conflicts of interest at the start of each meeting or before discussion of the relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.
- 8.2 Where members or observers at Committee meetings are deemed to have a real, or perceived, conflict of interest it may be appropriate that they are excused from Committee deliberations on the issue where a conflict of interest exists. The final arbiter of such a decision is the Chair of the Committee.

9. INDUCTION OF NEW MEMBERS

New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities by the Secretary.



STRATEGIC POLICY
MOUNT ISA CITY COUNCIL
Audit and Risk Committee Charter

RESOLUTION NO. [OM14/12/22-VERSION V7](#)

10. ASSESSMENT ARRANGEMENTS

The Chair of the Committee will initiate a review of the performance of the Committee at least once every two (2) years. The review will be conducted on a self-assessment basis (unless otherwise determined by the Chair) with appropriate input sought from the Chief Executive Officer, the internal and external auditors, management and any other relevant stakeholders, as determined by the Chair.

11. REVIEW OF CHARTER

Every two (2) years, or as necessary due to Council, legislative and regulatory changes, the Committee will review and confirm the appropriateness of the Audit and Risk Committee Charter. Any substantive changes to the charter will be recommended by the Committee and formally approved by the Council.

4.6 APPOINTMENT OF COUNCILLORS TO COUNCIL COMMITTEES AND ADVISORY COMMITTEES

Document Number: 807560

Author: Senior Executive Assistant

Authoriser: Acting Chief Executive Officer

Directorate: Executive Services

Portfolio: Executive Services

EXECUTIVE SUMMARY

The required appointments of elected members to Council committees and advisory committees is presented for Council's consideration.

RECOMMENDATION**THAT**

1. Council appoints <insert councillor name> and <insert councillor name> to the Lake Moondarra Advisory Committee.
2. Council appoints <insert councillor name> and <insert councillor name> to the Mine Workers Memorial Advisory Committee.
3. Council appoints <insert councillor name> and <insert councillor name> to the North West Motorsport Advisory Committee.
4. Council appoints <insert councillor name> and <insert councillor name> to the Regional Arts Development Fund (RADF) Committee.

OVERVIEW

Council consideration is sought to appoint Council members to the following Council committees:

1. Lake Moondarra Advisory Committee
2. Mine Workers Memorial Advisory Committee
3. North West Motorsport Advisory Committee
4. Regional Arts Development Fund (RADF) Committee

LAKE MOONDARRA ADVISORY COMMITTEE

The Advisory committee was formed in 2021 with the intention to give representatives from community, government, and business the opportunity to provide advice and feedback to Council on matters relevant to the R48 Reserve for Water and Recreation purposes.

Furthermore, the Committee assist Council by providing guidance on infrastructure, sustainability, technical and other relevant issues pursuant to the R48 Reserve for Water and Recreation purposes.

As per the Terms of Reference, the Advisory Committee is recommended to include two elected councillors as ex-officio members.

Committee meetings will be held at least quarterly (every 3 months).

MINE WORKERS' MEMORIAL ADVISORY COMMITTEE

The Advisory Committee was formed in 2021 to give representatives from community, government and business the opportunity to provide advice and feedback to Council on matters relevant to the proposed Miners Memorial.

The Terms of Reference states 'The Advisory Group will include the Mayor and 2 nominated councillors as ex-officio members'.

Committee meetings will be held at least quarterly (every 3 months).

NORTHWEST MOTORSPORT ADVISORY COMMITTEE

The Advisory Committee was established in late 2021, following several community consultations, to give representatives for community, government, and business the opportunity to provide advice and feedback to Council on matters relevant to the North West Motor Sports Complex.

The advisory committee will include 2 elected Councillors as ex-officio members

REGIONAL ARTS DEVELOPMENT FUND (RADF) COMMITTEE

The Mount Isa RADF Committee is a group of informed representatives who reflect the diverse arts, culture and geography of the Council area. The committee acts as a focus group for arts and culture in the Mount Isa Region and makes recommendations to Council for eligible grant submissions for each funding round.

The committee meets at least three times per financial year and as required at the discretion of the Chairperson.

The Committee requires a one (1) elected Councillor for the position of Chairperson.

LINK TO CORPORATE PLAN

Theme:	1.	People & Communities
Strategy:	1.4	Continue to develop and extend Council's public consultation processes, including the reporting of outcomes and the development of charters which clarify expectations for the provision of information for Council staff and the community

CONSULTATION (INTERNAL AND EXTERNAL)

Manager Economic and Community Development and RADF Liason Officer

LEGAL CONSIDERATIONS

Local Government Regulation 2012

POLICY IMPLICATIONS

Advisory Committee Policy

ATTACHMENTS

Nil

4.7 APPOINTMENT OF MICCOE BOARD MEMBERS

Document Number: 807556

Author: Senior Executive Assistant

Authoriser: Acting Chief Executive Officer

Directorate: Executive Services

Portfolio: Tourism, Events, Sports and Recreation, Library

EXECUTIVE SUMMARY

The purpose of this report is to seek Council consideration to appoint Councillors as MICCOE Board Members.

RECOMMENDATION

THAT Council appoints the following Councillors as Mount Isa City Council Owned Enterprises (MICCOE) Board Members:

1. <insert councillor name>
2. <insert councillor name>
3. <insert councillor name>

OVERVIEW

The Mount Isa City Council Owned Enterprises (MICCOE) Board Charter requires Council to appoint three current Councillors to its Board.

It further states that the mayor is an ex-officio member and is a permanent invitee with no voting rights.

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.

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.

BACKGROUND

The MICCOE 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.

The Board focuses on the development of city and regional tourist attractions and sustainable visitor experiences. It is responsible for the review and implementation of the Council approved Business Strategy.

The Board meets at least six times per financial year or as decided by the Chairperson.

Responsibilities of Directors (as per Company Charter)

Directors are responsible for managing the Business and making decisions that are not items of day-to-day management. The Directors must adopt a Business Strategy for the Company (MICCOE) for Council approval.

Other responsibilities of the Board include ensuring the that the Company maintains accounts and other records, maintains its property in good working condition, complies with all contracts to which it is a party, and adequately insures its insurable assets.

BUDGET AND RESOURCE IMPLICATIONS

As per the Charter, there is no additional remuneration for Councillors as MICCOE Board members.

LINK TO CORPORATE PLAN

Theme:	1.	People & Communities
Strategy:	1.5	Develop and promote our unique artistic and cultural diversity

CONSULTATION (INTERNAL AND EXTERNAL)

Director Community Services.

LEGAL CONSIDERATIONS

Company Consitution Mount Isa City Council Owned Enterprises (MICCOE) Pty Ltd.

POLICY IMPLICATIONS

MICCOE Board Charter

ATTACHMENTS

Nil

4.8 APPOINTMENT OF COUNCILLORS TO EXTERNAL COMMITTEES

Document Number: 807586
Author: Senior Executive Assistant
Authoriser: Acting Chief Executive Officer
Directorate: Executive Services
Portfolio: Executive Services

EXECUTIVE SUMMARY

Council is required to nominate Councillors to represent Council on a number of external committees, boards and groups.

RECOMMENDATION**THAT**

1. Council appoints <insert councillor name> to the Australian Mining Cities Alliance Board of Directors.
2. Council appoints <insert councillor name> to the Lead Alliance Committee and <insert councillor name> as the delegate in mayoral absence.
3. Council nominates <insert councillor name> to the Mount Isa Water Board, board of directors.
4. Council appoints <insert councillor name> and <insert councillor name> as delegates for the North Queensland Sports Foundation.
5. Council appoints <insert councillor name> to the Riversleigh World Heritage Advisory Committee.

OVERVIEW

Council consideration is sought to appoint Councillors to the following external committees and boards:

1. Australian Mining Cities Alliance
2. Lead Alliance Committee
3. Mount Isa Water Board
4. North Queensland Sports Foundation
5. Riversleigh World Heritage Advisory Committee

AUSTRALIAN MINING CITIES ALLIANCE

The objectives of the AMCA are to progress the economic and social development of mining cities across Australia, share experiences and know-how among the members of the Alliance, and seek to improve State, Territory and Federal policy settings relating to mining cities.

Member cities include Karratha, Moranbah, Kalgoorlie-Boulder, Broken Hill and Mount Isa.

Council is required to appoint a Board Director.

LEAD ALLIANCE COMMITTEE

The Lead Alliance is a local committee consisting of representatives from Local Government, North West Hospital Health Service, Mount Isa City Council and Glencore North Queensland. Their purpose is to achieve a sustainable improvement in the health of the Mount Isa community, by effectively managing how residents live and work around the naturally occurring and non-natural sources of lead and other contaminants throughout Mount Isa.

The Lead Alliance run a number of programs, educational visits and community engagement events.

A Committee member and Delegate in Mayoral Absence is requested to be nominated by Council.

In the previous term, this was undertaken by the Mayor and Cr Kim Coghlan.

MOUNT ISA WATER BOARD

MIWB operates as a commercialised statutory authority to carry out its business activities which include:

- 1) acting as a registered Water Service Provider under the Water Supply (Safety and Reliability) Act 2008,
- 2) managing the infrastructure required to transport bulk water from storages at Lake Moondarra and Lake Julius to customers, and applying appropriate water treatment processes to comply with MIWB's legislative and commercial requirements,
- 3) conducting ongoing investigations and planning for future infrastructure requirements relevant to MIWB operations,
- 4) constructing, operating and maintaining the bulk water transport and treatment infrastructure, necessary to MIWB operation, and
- 5) acting as trustee for the Water and Recreation R48 Reserve (R48 Reserve) on behalf of the Department of Natural Resources, Mines and Energy, as administrator of the Land Act 1994.

A Council nomination is required for the position of Director on the Mount Isa Water Board to be approved via a ministerial process.

NORTH QUEENSLAND SPORTS FOUNDATION

The North Queensland Sports Foundation was established to lead and connect North Queensland communities in supporting healthier and active lifestyles. It is responsible for projects including Move It NQ, Overlander's Way Festival of Sport and NQ Sportstar Awards.

Mount Isa City Council is a member of the North Queensland Sports Foundation and requires the appointment of two (2) councillors as delegates.

One of the main functions of the delegates is to assess the local nominations for the North Queensland Sportstar Awards and select the relevant nominees per category, as Council's submission to The North Queensland Sports Foundation.

RIVERSLEIGH WORLD HERITAGE ADVISORY COMMITTEE

The Riversleigh World Heritage Advisory Committee provides advice to the Australian and Queensland government ministers responsible for World Heritage matters and assist in meeting obligations under the World Heritage Convention and the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. These obligations include identifying, protecting, conserving, presenting and transmitting to future generations the Outstanding Universal Value of the World Heritage property.

Council is required to appoint one (1) committee member.

In the previous term, this was undertaken by Cr Peta MacRae.

LINK TO CORPORATE PLAN

Theme:	1.	People & Communities
Strategy:	1.1	Continue to monitor and stay informed about matters that affect the community

ATTACHMENTS

Nil