

**MACKAY REGIONAL COUNCIL
FINANCIAL SUSTAINABILITY
STRATEGIC ADVISORY
COMMITTEE**

TERMS OF REFERENCE

1. Purpose

The purpose of the Mackay Regional Council ('MRC') Financial Sustainability Strategic Advisory Committee (Committee) is to:

1. Provide a forum to facilitate discussion and exploration of revenue and expenditure;
2. Review and update council's financial strategies and policies;
3. Provide information, advice and views to MRC on current and emerging matters that impact long term financial sustainability of council; and
4. Enable Councillors to engage on matters relating to council's financial sustainability with relevant sectors of the community through identified stakeholder groups.

2. Scope

As a strategic advisory committee, the Committee should not deal directly with operational issues. The Committee will provide advice to MRC to be considered as part of the MRC strategic decision making process.

In this regard the Co-Chairs will provide the conduit to MRC.

3. Roles and Responsibilities

The Committee provides a forum to provide advice and guidance on maintaining the financial sustainability of MRC and ensuring transparency and education of the community around the provision of services and infrastructure in the Mackay region.

The Committee is strategically focused to:

- Council's financial strategy, policies and emerging issues
- Non-rates revenue generation opportunities
- Service delivery and asset optimisation

Members will be responsible for:

- Ensuring that they are aware of and accurately represent their respective stakeholder groups' views.
- Ensuring that outcomes of the Committee are conveyed accurately to the relevant stakeholder groups.
- Ensuring that they do not participate in or try to influence discussion and recommendations on issues where they may have a material or personal interest; and

- Providing timely advice to MRC when sought at scheduled meetings and special meetings.

Co-Chairs are responsible for:

- Setting the Agenda,
- Leading the meeting,
- Maintaining order at the meeting;
- Ensuring the conventions of the meeting are being followed; and
- Ensuring fairness and equality at the meeting,

All information, advice, views and recommendations will be recorded in the minutes. The Committee has the opportunity to influence MRC decision making by making recommendations, however, does not have decision-making authority. Decision making remains the function of MRC.

4. Authority

The Committee provides information and advice for consideration by MRC and does not hold any delegated authority, separate budget or financial delegation from MRC.

The relationship between MRC and the Committee is reciprocal in that the Committee contributes advice to MRC and MRC provides information to the Committee (and the various groups and organisations that it represents) about MRC's strategic direction, decisions, projects, and initiatives relevant to the purpose and scope of the Committee.

Membership is voluntary, with MRC's Volunteer Policy (Administrative Policy No 090) and MRC Code of Conduct applying to all non-MRC Members.

Copyright of all information produced through the Committee is assigned to MRC.

5. Community/Stakeholders Representatives Committee Membership

Where it is identified that there is a need to have external Community/Stakeholder Representatives as formal Committee Members, the following processes will apply (noting that Councillors and MRC officers are separate to this process and direct appointed)

Key Representation

- Committee Members, depending on identification, will be either –
 - a) sought by calling for expressions of interest from the public; or
 - b) invited to apply by the Chairperson given representation of an identified stakeholder group or entity
- Interested persons/organisations are required to submit their applications in writing, outlining their suitability, relevant experience, and the value they can provide to the Committee.
- The process for the selection of Members will be undertaken by a panel consisting of the Co-Chairs of the Committee, and the relevant Director, and be presented to the CEO for consideration and finalisation.
- The Co-Chairs, in consultation with the relevant Director, will undertake a process for



the selection of a new member to replace a vacating member, if needed, and be presented to the CEO for consideration and finalisation.

- With the approval of the Co-Chairs, representatives may nominate a proxy if unable to attend a meeting.

Applicants will be requested to provide information to support their nomination on:

- Knowledge of and interest in the Committee
- Experience in applying strategic input.
- Developed interpersonal skills to interact with the local community.

6. Composition of Membership

Councillor Chairperson/ Membership

The Committee will consist of two (2) Councillors acting as Co-Chairs.

Community/Stakeholder Representatives (per clause 5)

- No external Members are proposed to be appointed to the Committee, rather that they will be invited as required to address topical issues. If it is decided to add external Members, they will be appointed for a period of generally three (3) years after the implementation of the selection process. MRC will may indicate an area of interest or expertise required of the external Member.

MRC Officers

- Director Corporate Services
- Chief Financial Officer
- Other officers of MRC may attend meetings as required in a non-decision-making capacity.
- Administrative/secretariat support will be provided by the Corporate Services Directorate.

Membership may be discontinued if a Member, or their delegate, fails to attend three (3) consecutive meetings, without reason. It is expected Members will provide their apologies prior to the scheduled meeting.

Meetings are not open to Members of the public. Other community representatives or organisations may be invited to address the Committee on specific matters.

Membership should not exceed ten (10) in total.

7. Community/Stakeholders

As well as the formal Members of the Committee, any Community/Stakeholder representative or group may be invited to a meeting for a specific purpose or update.

Also, outside of formal meetings, the Co-Chairs and Committee will decide how best to liaise with identified Community/Stakeholder groups to ensure two way flow of information critical to the purposes of the committee. Such liaison could include –



- Attendance at Community/Stakeholder group meetings/reference groups
- Adhoc meetings with Community/Stakeholder group executive and members

Such interactions will either be by Co-Chairs, or MRC Officers.

Key Community/Stakeholder groups may include but are not limited to the following:

- Queensland Treasury Corporation
- Queensland Audit Office
- Mackay Regional Chamber of Commerce

8. Quorum

A quorum consists of at least half of the appointed Members, however also including at least one of either Co-Chairs, as well as one MRC Officer representative.

9. Meetings

Meetings will be held as required, however meetings are planned to be held at least quarterly. In the event of the Committee being unable to meet at the delegated time, the meeting will be rescheduled at a date as close as possible to the original date.

Agenda Items will be requested a month prior to the scheduled meeting. An agenda will be distributed seven (7) days prior to a meeting.

Agenda items and discussions that occur during these scheduled meetings are privileged and should be treated as confidential until the minutes are adopted by the next available meeting of MRC.

10. Conduct

Meetings must be conducted in accordance with the provisions of the *Local Government Act 2009 and Local Government Regulations 2012*.

Members are required to:

- Act with honesty, good faith and integrity;
- Abide by the Terms of Reference;
- Actively participate in meetings; and
- Represent the interest of their local community rather than individual interest or issues.

In particular, Members are required not to use any community reference group for any public lobbying or political purposes, including use of social media to promote specific campaigns or strategies.

11. Governance

Members are to acknowledge that confidentiality of information and discussions must be maintained and respected.



Members will not use any information disclosed at meetings for personal purposes or gains for either themselves or others (including financial gains) and maintain confidentiality of all information provided.

12. Media

Members are not permitted to speak or liaise with the media and represent the opinions of the Committee or MRC.

Comments to the media on behalf of the Committee shall only be made by the Co-Chairs, or by another member of the Committee with the prior approval of the Co-Chairs and in line with Council's Media Policy.

13. Conflict of Interest

At the commencement of each meeting Members must declare:

- any declarable conflict of interest (using the definition of that term in the *Local Government Act 2009*, to the extent it applies to the Committee Member); and
- any prescribed conflict of interest they have in respect of a matter before that meeting. Members with a prescribed conflict of interest must not participate in discussion or decisions about the matter in which they have the material personal interest; and
- any other Committee decision about a matter if that decision has any possibility of impacting upon the matter in which they have the prescribed conflict of interest (for example, a decision about another grant application).

When a Member declares a declarable conflict of interest and the Member does not decide to refrain from discussing or voting upon the matter, the other Members must vote upon whether the declaring member must refrain from discussing or voting upon the matter. The results of the ballot are binding upon the declaring member.

14. Reporting Requirements

The Committee does not hold any delegated authorisation from MRC, separate Budget, or financial delegation approval. Each meeting shall be properly recorded by the taking of minutes.

The minutes and any recommendations will be presented for consideration to the next available meeting of MRC.

15. Associated Documents

Local Government Act 2009
Local Government Regulation 2012
Public Sector Ethics Act 1994
MRC's Corporate Plan
MRC's Culture and Values
MRC's Code of Conduct

MRC Policy 033 - Council's Community Engagement
MRC Policy 090 – Volunteers



MRC Policy 046 – Information Privacy
MRC Policy 019 – Confidentiality