



MINUTES

of the

General Meeting of the Council

held in the

Council Chambers, 118 Victoria Street, St George

on

Thursday 21st July 2016

Commencing at 9:00am

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MEETING BUSINESS BY CORPORATE FUNCTION

ATT1 ATTENDANCE

Cr RW Marsh (Mayor), Crs RG Fuhrmeister, FM Gaske (Deputy Mayor), SC O'Toole, RI Paul, SS Scriven, ID Todd, Mr MD Parker (Acting Chief Executive Officer) and Mrs KM Elliott (Executive Assistant).

CLP1 COUNCIL PRAYER

The Mayor declared the Meeting open at 9:35am and led the Council in the Opening Prayer.

LOA1 LEAVE OF ABSENCE

Nil

COM1 CONFIRMATION OF MINUTES

Cr O'Toole moved and Cr Gaske seconded:

That the Minutes of the General Meeting held on 16 June, 2016 be confirmed.

CARRIED

BAM1 BUSINESS ARISING FROM MINUTES

Mayor advised that the Deputy Premier had approved the application for Balonne to be included in the pilot program for assistance with the Planning Scheme.

PUBLIC PARTICIPATION

Mr Lennox Wildman, Mr Kelvin Bella and Mr Alistair Mace who are Members of the St George Cricket Club, St George Junior Cricket Club and St George Rugby Union Club, addressed the Meeting, the time being 9:45am

They advised that they are considering the building of a New Clubhouse in a location where the playground is now between the Tennis Club and the entrance to Rowden Park via Barlee Street, St George, and seeking Council's support in locating this new facility.

The Group retired from the Meeting at 10:10am

DEPUTATIONS – SOUTHERN QUEENSLAND COUNTRY TOURISM

Ms Mary Clare Power entered the Meeting at 10:10am and made a presentation to Council on the Southern Queensland Country Tourism.

The Deputation retired from the Meeting at 11:11am, when the Council adjourned for Morning Tea.

The Meeting resumed at 11:30am.

COUNCILLOR REPORTS

Councillors delivered their verbal reports on activities within their portfolios during the preceding month.

Cr O'Toole moved and Cr Paul seconded:

That the Councillors reports be taken as received.

CARRIED

Mayor to be invited to portfolio meetings within Council.

Mr Andrew McKenzie attended the Meeting at 12:12pm.

(CFS) CORPORATE FINANCIAL SERVICES

CFS1 FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 30 JUNE 2016

(08.07.16) Financial Management Report for the period ended 30 June 2016.

Cr O'Toole moved and Cr Scriven seconded:

That the monthly Financial Management Report for the period ending 30 June 2016, as tabled, be received and noted.

CARRIED

CFS2 DIRRANBANDI RODEO ASSOCIATION - APPLICATION TO WAIVE HIRE CHARGES - DIRRANBANDI SHOWGROUNDS

(29.06.16) Dirranbandi Rodeo Association are holding a two day Campdraft on the 26th to the 28th of August 2016 and have requested the fees be waived or donation.

Cr Gaske moved and Cr Todd seconded:

That Council apply a full concession for costs of hiring the Dirranbandi Showgrounds for the Dirranbandi Rodeo Association two day Campdraft event on 26-28 August, 2016..

CARRIED

BALONNE BALLET

Cr Gaske declared a perceived Conflict of Interest in accordance with Section 173 of the *Local Government Act 2009*, in the following item on the agenda as she is the instructor of another Ballet Group, and retired temporarily from the meeting at 12:35pm.

CFS3 APPLICATION FOR COMMUNITY DONATION, SPONSORSHIP AND GRANTS - BALONNE BALLET ASSOCIATION INC.

(13.07.16) Balonne Ballet Association Inc. have submitted an application under Council's Donations, Sponsorship and Grants Policy for \$500 to go toward the cost associated with the fees obtaining a visiting teacher from the Royal Academy of Dance to conduct ballet exams.

Cr O'Toole moved and Cr Fuhrmeister seconded:

That Council provides a donation to the Balonne Ballet Association to the amount of \$500.00 under its Community Donation, Sponsorship and Grants Policy.

CARRIED

CFS5 COMMUNITY RATES SUPPORT PROGRAM 2016/2017

(13.07.16) Community Rates Support Program 2016/2017

Cr Gaske moved and Cr O'Toole seconded:

That in accordance with Section 122 of the *Local Government Regulation 2012*, Council grant the rate rebates as per the guidelines of the Community Rates Support Program, and as listed below:

CARRIED

Organisation	Address		August 2016 Rebate 1/2 year	February 2017 Rebate 1/2 year	Rebate full year
Charitable/Community 50%					
Balonne Masonic Lodge	34-36 Scott St, St George	Assessment Number 01068-00000-000	\$363.58	\$363.58	\$727.16
St Mary's Anglican Church	25-27 Belmore St, Bollon	Assessment Number 00087-00000-000	\$195.46	\$195.46	\$390.92
Christ Church Anglican Church	133-135 Victoria St, St George	Assessment Number 00087-00000-000	\$390.92	\$390.92	\$781.83
Anglican Parish of St George	Roe St, St George	Assessment Number 00766-00001-000	\$390.92	\$390.92	\$781.83
St Mark's Anglican Church	49-55 Moore St, Dirranbandi	Assessment Number 00240-00000-000	\$279.52	\$279.52	\$559.04
St Ann'e Anglican Church	21 Garah St, Thallon	Assessment Number 01609-00000-000	\$107.57	\$107.57	\$215.15
RSL of Aust Dirranbandi Sub Branch	44-46 Cowildi St, Dirranbandi	Assessment Number 00272-00000-000	\$219.43	\$219.43	\$438.86
The Presbyterian Church of Qld	56-60 Grey St, St George	Assessment Number 01151-00000-000	\$474.98	\$474.98	\$949.95
St George Christian Assembly	32 Henry St, St George	Assessment Number 01090-00000-000	\$279.52	\$279.52	\$559.04
St George Community Men's Shed	Lindores St, St George	Assessment Number 01127-30000-000	\$75.35	\$75.35	\$150.71
QCWA Dirranbandi	22-24 Kirby St, Dirranbandi	Assessment Number 00367-00000-000	\$195.46	\$195.46	\$390.92
Dirranbandi Progress Assoc	28-34 Cowildi St, Dirranbandi	Assessment Number 00270-00000-000	\$2,171.57	\$2,171.57	\$4,343.14
Sport/Recreation 25%					
Dirranbandi Court Sports Assn	47-57 Jane St, Dirranbandi	Assessment Number 00389-00001-000	\$139.76	\$139.76	\$279.52
St George Bowls Club	141 Victoria St, St George	Assessment Number 00651-00002-000	\$379.44	\$379.44	\$758.89
St George Rugby League Club	124 St George's Terrace, St George	Assessment Number 00651-00003-000	\$37.68	\$37.68	\$75.35
Dirranbandi Golf Club	Gold Club Rd, Dirranbandi	Assessment Number 01090-00000-000	\$118.29	\$118.29	\$236.57
				\$0.00	
				\$0.00	
				\$0.00	
			\$5,819.43	\$5,819.43	\$11,638.85

CFS98

MONTHLY REPORT

(11.07.16) The Director of Corporate and Financial Services Report for the Month of June is presented for Council's consideration.

Cr O'Toole moved and Cr Gaske seconded:

That Council receive this report and note the contents therein.

CARRIED

CFS99

GENERAL - CORPORATE FINANCIAL SERVICES

Mr Andrew McKenzie left the Meeting at 12:49pm

CHANGE IN MEETING PROCEEDINGS

Cr O'Toole moved and Cr Paul seconded:

That Council change the order of proceedings to allow Council to discuss General Section, the time being 12:50pm.

CARRIED

(GEN) GENERAL

GEN1 CONSUTATION - ANNUAL VALUATION EFFECTIVE 30 JUNE 2017

(11.07.16) Council advice is sought by the Department of Natural Resources & Mines (DNRM) Land Valuation Service, in relation to whether Council considers that an annual valuation, effective 30 June 2017, should be undertaken.

Cr Fuhrmeister moved and Cr Paul seconded:

That Council request an annual valuation to be carried out on land within the Balonne Shire, to be effective 30th June 2017, and advise the Office of the Valuer-General of its decision.

CARRIED

GEN2 REVIEW INTO RAIL FREIGHT SUBSIDIES TO REGIONAL QUEENSLAND

(15.06.16) Council did write to the Transport Minister regarding a proposal to review rail freight subsidies, and the potential impacts any consideration of removal of subsidies would have on communities in Balonne Shire.

A response has been received.

Cr Gaske moved and Cr O'Toole seconded:

That Council receives the Response from Transport and Main Roads concerning regional freight.

CARRIED

GEN3 PROPOSED CHRISTMAS/NEW YEAR HOLIDAY ARRANGEMENTS 2016-17

(23.06.16) To make arrangements and provide suitable notice for staff leave and operations over the Christmas period; consideration on the shutdown of Council's operations over the Christmas / New Year period is required.

Cr Scriven moved and Cr Paul seconded:

That the following staff leave arrangements for the 2016/2017 Christmas/New Year period, be approved:-

- Close down of all of Council's Depots and outside workforce operations with the exception of those staff remaining on duty or on call to attend to urgent and essential daily works during the period from the close of business on Friday 16th December 2016 to Tuesday 3rd January 2017.
- Council's Administration Office be closed for the period from the close of business on Friday 23rd December 2016 to Tuesday 3rd January 2017.

CARRIED

GEN4 GENERAL MEETING AT VENUE OTHER THAN ST GEORGE

(23.06.16) General Meeting at venue other than St George.

Cr Fuhrmeister moved and Cr Gaske seconded:

That the 20 October 2016 General Meeting of the Council be held at Thallon commencing at 9:00am.

CARRIED

ADJOURNMENT

The Meeting adjourned for Lunch at 1:01pm, and resumed at 1:58pm.

GEN5

REVIEW OF COUNCIL'S PURCHASING POLICY

(11.07.16) Council's Purchasing Policy has been reviewed, following meetings with service providers to Council, and subsequent discussion with Councillors about matters raised with them.

Cr Gaske moved and Cr Scriven seconded:

That Council approve the amendments made to the Purchasing Policy and formally adopt the revised Policy as its current Purchasing Policy and that the Chief Executive Officer make arrangement for any necessary training for Council staff involved in procurement to upskill on the amendments made to the Purchasing Policy, and further that the Chief Executive Officer liaise with the Department of State Development as to further development of procurement models for consideration by Council.
(See Attachment)

CARRIED

Cr Gaske thanked Michael Parker for his time and efforts in finalising the Purchasing Policy during his tenure with Council.

DECLARATION OF INTEREST

Cr Gaske declared a perceived Conflict of Interest in accordance with Section 173 of the *Local Government Act 2009*, in the following item on the agenda as the levee bank is located on the boundary of her husband's property, and retired temporarily from the Meeting at 2:20pm

GEN6

COUNCIL ST GEORGE FLOOD LEVEE ADVISORY COMMITTEE

(11.07.16) The Advisory Committee met for the first time on June 29, 2016. This followed the Meeting of affected landowners which was held on 28th June 2016.

A record of the Meetings is attached.

Cr Paul moved and Cr Scriven seconded:

That Council direct that the Chief Executive Officer obtain costs associated with an independent engineering review of the St George Flood Mitigation Levee system. Further that the Chief Executive Officer obtain the services of a horticulturalist, or equivalent, to advise on suitable ground cover plants for the earthen levee in order to consolidate the soils and reduce erosion. Further that Council widen the gate on the Stock Route that crosses the levee.

CARRIED

Cr Gaske returned to the meeting at 2:46pm.

GEN7

NOMINATION FOR ELECTION OF LGAQ PRESIDENT

(11.07.16) The Local Government Association (LGAQ) is seeking nominations to the position of President of the Association for a four (4) year term. The election will take place at the Annual

Conference.

Cr Fuhrmeister moved and Cr Todd seconded:

That the correspondence be received

.CARRIED

GEN8

SCHOOL ZONE SPEED SIGNAGE - ST GEORGE STATE HGH SCHOOL

(11.07.16) Council raised the concern about the poor visibility of the school zone speed signage at the St George State High School to the District Director of Transport and Main Roads, South West Region, during his recent visit to Council

The Department has now responded advising of an option to install larger speed zone signage, 800 x 2100, as against the existing 600 x 1550.

Cr O'Toole moved and Cr Gaske seconded:

That Council requests the installation of larger signs (800 x 2100) for the St George State High School speed zone, and specify the desired location for the signage. Further that Council requests the installation of flashing signage in the 2017/2018 program.

CARRIED

GEN9

CULTURAL PRECINCT ADVISORY COMMITTEE - ARCHITECT DEBORAH FISHER OF FISHER BUTTROSE ARCHITECTS

(12.07.16) Following a Meeting of the Cultural Precinct Advisory Committee on Monday July 11, 2016, an action was requested to be considered by Council. This was to request the appointed Architect, Deborah Fisher of Fisher Buttrose Architects, to provide advice on a staged development of the Precinct.

Cr Gaske moved and Cr Scriven seconded:

Council meet with members of the indigenous community on 2nd August at 12 Noon and discuss cultural options and future considerations to prepare the option to stage construction of the proposal Cultural Precinct in the event of the "Stronger Regions" Round 2 funding application is not successful.

CARRIED

GEN10

PROPOSAL TO REPLACE EXISTING WATER RESOURCE PLANS IN THE CONDAMINE, BALONNE, BORDER RIVERS AND MOONIE CATCHMENTS

(12.07.16) Council has been advised by the Minister for Natural Resources and Mines of the release for public comment of the Statements of Proposals for the replacement of existing water resource plans.

Cr O'Toole moved and Cr Fuhrmeister seconded:

That the Chief Executive Officer responds with a suitable submission in collaboration with Councillors.

CARRIED

GEN11

MURRAY DARLING ASSOCIATION ANNUAL CONFERENCE OCTOBER 19-20, DUBBO, NSW

(13.07.16) Advice of the Annual Conference of the Murray Darling Association to be held in Dubbo, NSW on October 19-20.

The theme of the Conference – “Local Government – The Voice of the Bush”.

Cr Fuhrmeister moved and Cr Gaske seconded:

That Council receives this correspondence.

CARRIED

GEN12 **MONTHLY REPORT INVESTMENT ATTRACTION OFFICER JUNE 2016**

(13.07.16) Monthly Report Investment Attraction Officer June 2016.

Cr Fuhrmeister moved and Cr Todd seconded:

That Council receives this report.

CARRIED

CES98 **MONTHLY REPORT**

(12.07.16) The Community & Environmental Sustainability Report for the Month of June 2016 is presented for Council’s consideration.

Cr O’Toole moved and Cr Scriven seconded:

That Council receives this report.

CARRIED

RESUMPTION OF ORDER OF PROCEEDINGS

Cr O’Toole moved and Cr Fuhrmeister seconded:

That Council resumes the Order of Proceedings.

CARRIED

(RLP) RURAL SERVICES

RLP98 **MONTHLY REPORT FOR MAY 2016**

(12.07.16) Manager of Rural Services reporting on the month of June 2016.

Cr Paul moved and Cr O’Toole seconded:

That Council receives this report.

CARRIED

ATTENDANCE

Mrs Mareea Lochel (Community and Business Development Officer) attended the Meeting at 3:45pm.

(CES) COMMUNITY & ENVIRONMENTAL SERVICES

CES1 **PUBLIC ART IN BALONNE**

(13.07.16) Place Making Public Art in Balonne expression of interest received for Council’s

consideration.

Cr Gaske moved and Cr Fuhrmeister seconded:

1. That Council approves the Public Art EOI's as follows:

APPLICANT	PROJECT	AMOUNT APPROVED
Thallon Progress Association	Giant Northern Hairy Nosed Wombat Sculpture	\$7,703
Dirranbandi Arts Council	Place-making Poles	\$5,798
Tina-Maree	Painted Vacant Shop Front Windows	\$3,000

Further, that the Thallon Progress Association be advised to liaise with Council for the provision of in-kind assistance with site works for the wombat.

CARRIED

MEETING ATTENDANCE

Mr Kevin Searle (Director Infrastructure Services) and Mr Daniel Harrington (Project Officer – Water and Sewerage) entered the Meeting at 3:58pm.

CES2

THALLON SILOS VIEWING PLATFORM

(01.07.16) Council received a request from the Thallon Progress Association to build a viewing platform of the Grain Corp grain silos in Thallon.

Cr Paul moved and Cr Gaske seconded:

That Council receives this report, and advise that the construction of the proposed viewing platform for the Thallon Silos is in the 2016-17 budget.

CARRIED

DECLARATION OF INTEREST

Cr Fuhrmeister declared an interest in the correspondence before Council and left the Meeting at 4:06pm.

CES3

ST GEORGE RIVER DRAGON MULTICULTURAL FESTIVAL

(01.07.16) Care Balonne is hosting its inaugural St George River Dragon Multicultural Festival on the 30 September to 2 October 2016.

Cr Gaske moved and Cr O'Toole seconded:

That:

1. Council provide sponsorship of \$200 to Care Balonne for the St George River Dragon Multicultural Festival.
2. Upon availability the Mayor (or Delegate) officially opens the Festival on the evening of the 30 September 2016.

CARRIED

ATTENDANCE

Cr Fuhrmeister returned to the Meeting at 4:09pm.

CES4

AUSTRALIAN OF THE YEAR NOMINATIONS OPEN

(21.06.16) Nominations for the 2017 Australian of the Year are now open until Sunday 7 August 2016.

Cr Gaske moved and Cr Todd seconded:

That Councillors individually nominate candidates for the Australian of the Year awards.

CARRIED

Mrs Mareea Lochel retired from the Meeting at 4:10pm.

CES5

WASTE WATER TESTING

(12.07.16) A testing regime on the waste water at the St George Sewerage Treatment Plant for the months of June, July and August 2016.

Cr O'Toole moved and Cr Fuhrmeister seconded:

That Council receives this report.

CARRIED

CES6

AUTHORISED INSPECTION OUTCOMES

(12.07.16) Positive outcomes from the Authorised Inspection Programme

Cr Fuhrmeister moved and Cr Paul seconded:

That the report be received.

CARRIED

MEETING PROCEDURE

Cr O'Toole moved and Cr Gaske seconded:

That Council change its Meeting procedure to discuss Infrastructure Services.

CARRIED

(IFS) INFRASTRUCTURE SERVICES

IFS1

BOLLON BORE WATER TEMPERATURE ASSESSMENT

(12.07.16) Residents in the Township of Bollon have requested that Council investigate an observed increase in bore water temperatures following a water pipe replacement program earlier this year, with particular concern for properties located along the northern side of Main Street between Cemetery Road and the Council Depot.

Cr Fuhrmeister moved and Cr Gaske seconded:

That Council:

1. Receives this report.
2. Provides six months water charge concession for the six residents in Main Street, Bollon, affected by water network changes for the purpose in assisting the residents with the installation of water cooling systems...

CARRIED

IFS2

QLD WATER REGIONAL ALLIANCE PROGRAM (QWRAP)

(13.07.16) Representatives from the Queensland Water Regional Alliances Program (QWRAP) have approached Councils in the Downs and Surat Basin Regions to investigate future collaborative opportunities in regional water and sewerage management.

Cr Gaske moved and Cr O'Toole seconded:

That Council endorse the ongoing involvement in the QWRAP and considers and endorses the draft Terms of Reference.

CARRIED

IFS3

BALONNE SHIRE COUNCIL - FUNDING PROPOSAL - DROUGHT COMMUNITIES PROGRAMME (DCP)

(12.07.16) From the Director of Infrastructure Services reporting on the Drought Communities Programme Funding available to Council.

Cr Fuhrmeister moved and Cr Scriven seconded:

That under the Drought Communities Programme (DCP), Council endorses the list of proposed projects for the unallocated \$300,000:

1. Horse Stables \$40,000 – St George Showgrounds
2. St George Cultural Centre facade painting \$20,000
3. River foreshore masterplan upgrade \$120,000. - St George
4. Dirranbandi pool tile replacement \$120,000.

CARRIED

IFS4

TENDER BSC 15/16-T24 - SUPPLY AND DELIVERY OF RIVER WATER METERS

(12.07.16) That Council accept submissions for tender BSC 15/16-T24.

Cr Fuhrmeister moved and Cr Paul seconded:

That Council hold this tender over to the August Meeting of Council in order to discuss options for raw water supply at a Councillor Information Session on August 11, 2016.

CARRIED

IFS5

BSC 15/16 - T25 - CLEANING AND MAINTENANCE SERVICES IN THE TOWN OF MUNGINDI (QUEENSLAND)

(13.07.16) From the Director of Infrastructure Services reporting on the cleaning and maintenance services within the town of Mungindi (Queensland).

Cr O'Toole moved and Cr Paul seconded:

That Council accepts the tender submission from Mr Grahame Armstrong for cleaning and maintenance service for the town of Mungindi (Queensland) for a 2 year period beginning 25th July 2016, at the rates below allowing the rate increase of \$7.50 per hour from the 1st July 2017.

DUTIES	PRICE (incl GST)	PROVISIONAL (per week)
1. Cleaning of public facilities and emptying of bins	\$ 52.50 /hour	3 hour

2. Slashing and mowing of streets, parklands and levee	\$ 67.50 /hour	8 hours
3. Watering and maintenance of street trees	\$ 47.50 /hour	1 hours
General town inspections	\$ 37.50 /hour	3 hours
TOTAL WEEKLY COST	\$ 857.50	15 hours
ANNUAL COST	\$ 44,590.00	390 hours

CARRIED

IFS6

BSC 15/16 - T26 - CLEANING OF PUBLIC FACILITIES IN NINDIGULLY

(11.07.16) From the Director of Infrastructure Services reporting on the tender submissions for the cleaning of public facilities in Nindigully.

Cr Gaske moved and Cr O'Toole seconded:

That Council accepts the submission for BSC 15/16 – T26 – Cleaning of Public Facilities in Nindigully from DR & JJ Hemming Pty Ltd for the cleaning of public facilities (including the caravan dump point) at a rate of \$66.00 per hour including GST as per the tender documentation.

CARRIED

IFS7

INSTALLATION OF TWO (2) GRIDS ON TEELBA ROAD

(13.07.16) From the Road Works Supervisor reporting on the request received from Mr Ben Groat of 'Elvanbrook' for the installation of two (2) grids.

Cr Paul moved and Cr Fuhrmeister seconded:

That Council accepts Mr Ben Groat's application for the installation for two stock grids on Teelba Road at chainages 32km and 37km subject to the following conditions:

1. Install an 8m wide grid at each location with concrete abutments;
2. 2 x 3.6m wide swinging machinery gates to be located alongside the grids;
3. The grids shall be installed and maintained as per Council Local Law No 3;
4. The landowner shall maintain the grids in good condition and to the relevant standards;
5. All future works on the grids shall be carried out and the roadway reinstated subject to the requirements of Council;
6. The landowner shall comply with the requirements of the Manual of Uniform Traffic Control Devices – Part 3 "Works on Roads" during any works on the grid;
7. The landowner shall take out Public Liability Insurance (minimum cover \$10,000,000) indemnifying persons who may suffer personal injury or loss or damage as a result of the existence of or work on the grid;
8. The installation, maintenance and all future work on the grids shall be at the expense of the landowner; and
9. Details of the proposed grid specifications to be supplied to the Director of Infrastructure Services for assessment and approval.

CARRIED

IFS8

STREET TREE REMOVAL ASSESSMENT

(13.07.16) Recent community member requests to remove Council trees on footpaths adjacent to

resident properties have prompted the evaluation of the current tree inspection and assessment process.

Cr O'Toole moved and Cr Gaske seconded:

That Council remove the Tipuana tree at 7 Weatherall Street. Information is to be provided to Council regarding the tree removal process.

CARRIED

IFS98

MONTHLY REPORT

(13.07.16) From the Safety Advisor reporting on the Workplace Health and Safety of Balonne Shire Council.

Cr Fuhrmeister moved and Cr O'Toole seconded:

That Council receive this report.

CARRIED

IFS98

INFRASTRUCTURE SERVICES MONTHLY REPORT - JUNE 2016

(13.07.16) From the Director of Infrastructure Services reporting for the month of June.

Cr Paul moved and Cr O'Toole seconded:

That Council receives this report.

CARRIED

IFS99

GENERAL - INFRASTRUCTURE SERVICES

Mr Kevin Searle retired from the Meeting at 5:18pm.

ADJOURNMENT

The Meeting adjourned briefly at 5:19pm.

RESUMPTION

The Meeting resumed at 5:36pm.

(CES) COMMUNITY & ENVIRONMENTAL SERVICES

CES8

RENEWAL OF LEASE - TL 210151: LOT 3 ON BLM845469 - STOCK TRUCKING RESERVE

(12.07.16) The purpose of this report is for Council to consider the renewal of Stock Trucking Reserve Lease – TL210151 located at Lot 3 on BLM845469.

Cr Fuhrmeister moved and Cr Gaske seconded:

That:

1. Council receives this report.
2. Council does not object to the Department of Natural Resources and Mines granting a new lease over the subject area identified as Lot 3 on BLM845469 subject to existing lease conditions being carried over.

CARRIED

Cr Scriven declared a perceived Conflict of Interest in accordance with Section 173 of the *Local Government Act 2009*, in the following item on the agenda as his relative is one of the applicants of the next item on the Agenda, and retired from the Meeting at 5:39pm

CES9 **YOUTH DEVELOPMENT - YOUTH SKATEBOARD FUN DAY**

(13.07.16) Council has the opportunity to provide the youth of Balonne with a skateboarding demonstration and workshop by top tier ranked skateboarding professionals.

Cr O'Toole moved and Cr Fuhrmeister seconded:

That:

1. Council resolves to hold a Youth Skateboarding fun day on 20 August 2016
2. Funds from the Community Event Program be utilised to sponsor the event.

CARRIED

CES10 **GET PLAYING PLACES AND SPACES GRANT**

(13.07.16) The Department of National Parks, Sport and Racing, Get in the Game, Get Playing Place and Spaces grant opened 01 July 2016. This report seeks Council's endorsement to submit a funding application to install a half basketball court at the Jack Hammond Park in Andrew Street St George.

Cr Fuhrmeister moved and Cr Paul seconded:

That Council resolve to endorse a funding application to the Department of National Parks, Sports and Racing's Get in the Game, Get Playing Places and Spaces program. Furthermore Council commit to contributing \$10,000 towards the project, on condition it does not go in competition with the cricket & rugby union for the funding opportunity.

CARRIED

Cr Fuhrmeister declared a perceived Conflict of Interest in accordance with Section 173 of the *Local Government Act 2009*, in the following item on the agenda as she is a Member of the St George Heritage Centre and retired from the Meeting at 5:48pm.

CES12 **ST GEORGE HERITAGE CENTRE**

(12.07.16) Council has received a request for assistance from the St George Heritage Centre committee to preserve the Heritage Centre.

Cr Paul moved and Cr O'Toole seconded:

That the Mayor and Chief Executive Officer liaise with the St George Heritage Centre to determine a way forward to present the Heritage Centre, either in its current location, or at another site, recognising the cultural heritage significance of the Heritage Centre, and report back to Council with recommendations.

CARRIED

ATTENDANCE

Cr Fuhrmeister returned to the Meeting at 6:04pm.

CES98 **MONTHLY REPORT**

(12.07.16) The Community & Environmental Sustainability Report for the Month of June 2016 is presented for Council's consideration.

Cr O'Toole moved and Cr Scriven seconded:

That Council receives this report.

CARRIED

Mrs KM Elliott retired from the Meeting, the time being 6:13pm.

CLOSED MEETING

Cr Gaske moved and Cr Fuhrmeister seconded:

That Council close the Meeting to the public in accordance with Section 275(f) of the Local Government Regulations 2012 in order to discuss legal proceedings and staff issues, the time being 6:15pm.

CARRIED

OPEN MEETING

Cr Gaske moved and Cr Paul seconded:

That Council open the Meeting to the public, the time being 6:36pm.

CARRIED

CES7

MANDANDANJI PEOPLE NATIVE TITLE CLAIM QUD366/2008

(27.06.16) The purpose of this Report is to consider a Federal Court proceeding in which Council is a respondent party.

Cr Gaske moved and Cr Fuhrmeister seconded:

That:

1. Council receives this report.
2. Council delegate to the Chief Executive Officer the power to instruct MacDonnells Law, as Council's solicitors in this matter, on the resolution of Council's interests as a respondent party to the Mandandanji People native title determination application QUD366/2008 (the Claim).
3. Council delegate to the Chief Executive Officer the power to represent Council's interests in any mediation, case management, hearing or other proceeding that is held in relation to the Claim.
4. Council acknowledge and endorse the power of the CEO to give instructions and act as authorised agent for the local government in the Claim and sign all documents for and on behalf of the local government in the Claim pursuant to section 240 of the Local Government Act 2009.

CARRIED

ATTENDANCE AT CIVIC LEADERS SUMMIT

Cr Fuhrmeister moved and Cr O'Toole seconded:

That Council approve the attendance of the Mayor and Deputy Mayor at the LGAQ Civic Leaders

Summit.

CARRIED

ACTING CHIEF EXECUTIVE OFFICER

Cr O'Toole moved and Cr Fuhrmeister seconded:

That Council appoint Mr Peter Stewart as Acting Chief Executive Officer as from July 29, 2016, following the departure of Mr Michael Parker after a transition period.

CARRIED

There being no further business, the Meeting closed, the time being 6:45pm.

Confirmed at a General Meeting of the Council held on 18 August 2016.

.....
MAYOR

Balonne Shire Council

Purchasing Policy (2016/17)



Date Approved: 21st July 2016
Authority: Council

Council Policy
FINANCE & ADMINISTRATION

1. LEGISLATIVE AUTHORITY

Local Government Act 2009 Chapter 4, Part 3, Section 104 Financial Management Systems
Local Government Regulation 2012 Chapter 5, Part 6 Spending.
Local Government Regulation 2012 Chapter 6, Part 3 Default contracting procedures.

2. BACKGROUND

This document sets out Council's policy for purchasing throughout the organisation and regulates the disposal of assets. It also provides information on the roles and responsibilities of key officers involved in the purchasing function to ensure compliance with the *Financial Management Systems* as laid down in Section 104 of the *Local Government Act 2009*.

3. POLICY STATEMENT

All purchases of goods and services must be carried out in compliance with the *Local Government Act 2009* and the *Local Government Regulation 2012*.

Council officers responsible for purchasing goods and services are to comply with these instructions. It is the responsibility of each Council employee involved in the procurement process to understand the policies and procedures as well as their meaning and intent. Should an employee have any questions these are to be raised with their respective supervisor or department head.

Council will have regard to the sound contracting principles as defined in the *Local Government Act 2009* when entering into any contract.

The *sound contracting principles* are—

- value for money; and
- open and effective competition; and
- the development of competitive local business and industry; and
- environmental protection; and
- ethical behaviour and fair dealing.

4. SCOPE

This policy and procedures apply to the procurement of all goods, equipment and related services, construction contracts and service contracts (including maintenance) by Council.

5. KEY OBJECTIVES

The key objectives of the Purchasing Policy are to:

- Advance shire interests;
- Achieve value for money; and
- Ensure probity and accountability for outcomes.

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6. CEO FINANCIAL AND PROCUREMENT AUTHORITY

In accordance with Section 257 of the *Local Government Act 2009* Council delegates the Chief Executive Officer (CEO) the authority to incur financial expenditure in accordance with this policy on behalf of Council and to negotiate and conclude contracts to the value of \$200,000 under the following provisions:

- (a) There has been provision for the expenditure in the current approved budget; or
- (b) The contract has been entered into because of genuine emergency or hardship.

The delegation to negotiate and conclude contracts excludes plant and vehicles purchases over \$15,000.

7. CEO MAY DELEGATE FINANCIAL AND PROCUREMENT AUTHORITY

In accordance with Section 259 of the *Local Government Act 2009* the CEO may delegate authority to incur financial expenditure and negotiate and conclude contracts to officers to whom the CEO deems appropriate.

The CEO must approve financial delegations in writing by recording them in the Register of Delegations. Any officer incurring expenditure may only do so in accordance with the constraints imposed by the Council or the CEO in respect to a financial delegation. The CEO may review the level of the financial and procurement limit as deemed appropriate for a relevant officer.

8. PURCHASING ARRANGEMENTS UNDER THE LGA

There are a number of arrangements available to Council under the *Local Government Regulation 2012* for the purchasing of goods and services. These are approved contractor lists, suppliers from a register of pre-qualified suppliers, preferred supplier arrangements and LGA arrangements. Council may establish such arrangements as deemed necessary to meet its business objectives. As there are significant benefits to be achieved through the Local Buy arrangements, where considered appropriate Council will endeavour to utilise this arrangement to make purchases as such an arrangement is exempt from any further requirement to seek tenders or quotes.

9. CLASS A – LARGE-SIZED CONTRACTUAL ARRANGEMENT > \$200,000 - WHEN TENDERS ARE REQUIRED

In accordance with Section 226 of the *Local Government Regulation 2012* Council will invite tenders before making a contract for carrying out works or the supply of goods or services involving costs of more than \$200,000 subject to Clause 8. The purchase of goods and services must be provided in the annual budget. Class A decisions shall be made by a resolution of Council.

Section 228 (7) of the *Local Government Regulations 2012* provides that “if an invitation to tender states that a local government might later invite all tenderers to change their tender to take account of a change in the tender specification, the local government may invite all the persons who submitted a tender to change their tender to take account of the change, before making a decision on the tenders”.

All Class A tenders called by Council are to include in the advertisement that the conditions of Section 228 (7) of the *Local Government Regulations 2012* will apply to the tender.

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10. CLASS B - MEDIUM-SIZED CONTRACTUAL ARRANGEMENTS >\$15,000 < \$200,000 - WHEN WRITTEN QUOTATIONS ARE REQUIRED

In accordance with Section 225 of the *Local Government Regulation 2012* Council will invite at least three written quotations before making a contract for carrying out works or the supply of goods or services involving costs of between \$15,000 and \$200,000 subject to Clause 8. The purchase of goods and services must be provided in the annual budget. Council approval is not required except in the case of the purchase of mobile plant items.

Council Officer's must invite quotations from all applicable service providers on the Council database (Register of Providers) that have indicated their availability to provide such a service. Council Officer's must also list the invitation to quote on Council's website at a minimum of seven (7) calendar days prior to closing time for the quotation.

All quotations sought are to be returned to the Council address, 'quotations@balonne.qld.gov.au' and a senior officer, separate to the Department that is seeking the quote, must be included in the assessment process.

11. CLASS C - POLICY FOR ACQUISITION OF GOODS AND SERVICES < \$15,000

The following procedure will apply to the purchase of goods and services with a value less than \$15,000 subject to Clause 8. The purchase of goods and services must be provided in the annual budget.

- < \$1,000 - Guided by sound contracting principles
- \$1,000 < \$5,000 - At least two verbal quotations must be sought and documented;
- \$5,000 < \$15,000 - Two written quotations must be sought from suppliers who could be reasonably expected to offer the goods or services on a competitive basis. Detailed specifications may be required if considered advantageous

In the instance of securing the wet and dry hire of plant and equipment, all procurement for such engagement must comply with the provisions as set out in Clause 10, for Class B Contractual Arrangement.

Class C decisions are made in accordance with delegated authorities.

12. ENCOURAGEMENT OF THE DEVELOPMENT OF COMPETITIVE LOCAL BUSINESS AND INDUSTRY

In accordance with Section 104 of the *Local Government Act 2009* Council will actively seek offers from local suppliers. A local supplier is defined as a supplier conducting business from a fixed base of operations within the Balonne Shire local government area. Assuming all other selection criteria are equal Council is prepared to pay a 5% price premium in order to procure goods or services up to a value of \$200,000 from a local supplier. Council will not consider the 5% price premium for contracts exceeding \$200,000 in value.

13. EXEMPTION FROM REQUIREMENT TO TENDER OR QUOTE

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In accordance with Sections 229-235 of the *Local Government Regulation 2012* Council can enter a contract to a value above \$200,000 without a tender or a contract above \$15,000 and less than \$200,000 without seeking quotations if:

- (a) Council resolves that it is satisfied that there is only one supplier reasonably available; or
- (b) Council resolves that the services being sought are of such a specialised or confidential nature that it would be impractical or disadvantageous to seek quotations or tenders; or
- (c) A genuine emergency exists; or
- (d) The contract is for purchase of goods and is made by auction; or
- (e) The contract is for the purchase of second hand goods; or
- (f) The contract is made with a person on an approved contractor list; or
- (g) The contract is made with a supplier from a register of prequalified suppliers; or
- (h) The contract is made with a supplier from a register of preferred supplier; or
- (i) The contract is made under a LGA Arrangement i.e. Local Buy; or
- (j) The contract is made under an arrangement with a government body.

14. EVALUATION OF OFFERS

In accordance with Section 104 of the *Local Government Act 2009* Council will accept the offer most advantageous to it. In deciding which offer is most advantageous Council will have regard for the *sound contracting principles*.

All offers will be evaluated on appropriate selection criteria. Typical selection criteria may include, but are not limited to: -

- Price;
- Compliance with specifications;
- Suitability for purpose,
- Delivery,
- Stock holding,
- Product support and training,
- Availability of guarantees of goods and services
- Quality of goods and services;
- Adherence to Council's Workplace Health and Safety Policies;
- Quality assurance status and
- Supplier's past performance, experience, knowledge and ability to perform.

Tender and quotation documents shall include selection criteria and the evaluation will be completed by the responsible officer. A report on the tender/quotation must be prepared and a recommendation made to Council for approval where required. Post engagement, Council Officer's must make a documented assessment of the performance during the particular engagement, and provide feedback to the service provider on the assessment, with recommendations for improvement/remedial action where required.

15. GOODS AND SERVICES TAX (GST)

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Council will compare pricing of tenders or quotations on the basis of net cost to Council after input tax credits are claimed.

16. DISPOSAL OF VALUABLE NON-CURRENT ASSETS

In accordance with Section 227 of the *Local Government Regulation 2012* Council will dispose valuable non-current assets by auction or inviting tenders.

A valuable non-current asset is—

- (a) land; or
- (b) another non-current asset that has an apparent value that is equal to or more than the following limits;
 - for plant or equipment—\$5,000;
 - for another type of non-current asset—\$10,000.

17. EXEMPTION FROM DISPOSAL BY AUCTION OR TENDER

In accordance with *Local Government Regulation 2012* goods with an apparent value of less than the above thresholds do not have to be auctioned or tendered and can be disposed of at the discretion of the CEO. In exercising this discretion the CEO will have consideration to the following principles:-

- (a) Open and effective competition;
- (b) The best return for Council;
- (c) Environmental protection; and
- (d) Ethical behaviour and fair dealing.

18. EXEMPTION TO DISPOSAL BY TENDER OF AUCTION

In accordance with Section 236 of the *Local Government Regulation 2012* Council may dispose of non-current assets other than by tender or auction if:

- (a) The disposal is to a government body; or
- (b) The disposal is to a community organisation that is a non-profit entity or exists for a public purpose; or
- (c) The non-current asset has been offered for sale by tender or auction but was not sold; and
- (d) Is sold for more than the highest tender or auction bid that was received; or
- (e) For non-current assets other than land, the disposal is by way of a trade-in for the supply of goods or services to Council.
- (f) The Minister exempts Council from complying with section 236 of the *Local Government Regulation 2012*.

19. ETHICAL BEHAVIOUR

Officers undertaking a purchasing responsibility must act ethically and must be seen by all parties involved in a purchasing transaction (internally within Council and externally in the market place) to be acting ethically. Officers with procurement responsibilities are to behave with impartiality, fairness, independence, openness,

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integrity, and professionalism in their discussions and negotiations with suppliers and their representatives. Council officers with procurement responsibilities are to advance the interests of Council in all transactions with suppliers' representatives and act in accordance with the policies and procedures contained herein. Officers must not release information, including names of tenderers to other tenderers, prior to the opening of a tender.

20. PUBLISHING DETAILS OF PARTICULAR CONTRACTS

In accordance with Section 237 Local Government Regulation 2012, Chapter 6 Contracting, Part 4 Publishing details of particular contracts; Council will as soon as practicable after entering a contract worth \$200,000 or more (exclusive of GST)—

- (a) publish the relevant details of the contract on Council's website; and
- (b) display the relevant details of the contract in a conspicuous place in Council's public office.

The relevant details must be published or displayed for a period of at least 12 months. The relevant details, of a contract, means the following—

- (a) the person with whom Council has entered into the contract;
- (b) the value of the contract;
- (c) the purpose of the contract. Example— the particular goods or services to be supplied under the contract

21. RELATED POLICIES AND PROCEDURES

- Accounting Manual

22.. SUPERSEDED POLICY

This policy supersedes all or any other Purchasing Policy adopted by Council.

23 DATE REVIEWED

July 2016