



MINUTES

of the

General Meeting of the Council

held in the

Council Chambers, 118 Victoria Street, St George

on

Thursday 15th December 2016

Commencing at 9:00am

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MEETING BUSINESS BY CORPORATE FUNCTION

ATT1 ATTENDANCE

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

CLP1 COUNCIL PRAYER

The Mayor declared the Meeting open at 9:20am and led the Council in the Opening Prayer.

LOA1 LEAVE OF ABSENCE

Nil

STAFF BREAKFAST

The Mayor thanked Matthew Magin for introducing the staff breakfast and Information Session held this morning and which was well received by both staff and Councillors.

COM1 CONFIRMATION OF MINUTES

Cr O'Toole moved and Cr Todd seconded:

That the Minutes of the General Meeting held on 17 November, 2016 be confirmed.
.CARRIED

BAM1 BUSINESS ARISING FROM MINUTES

Sale for Arrears – Assessment 01747-00000-000 – The Chief Executive Officer advised meeting that he and the Mayor held discussions with the Manager of Assessment 01747-00000-000 last week. Chief Executive Officer and Mayor to exercise previous resolution by Council

Cr Scriven advised that he had been nominated to Dingo Barrier Fence Panel but has not received any correspondence on the matter.

Cr Todd advised that he and Cr Gaske attended the LGAQ Horticultural Round Table via Teleconference during week.

PUBLIC PARTICIPATION

Nil

DEPUTATIONS

Nil

COUNCILLOR REPORTS

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

Cr Gaske left the meeting at 10:08am.

Cr Todd advised that he had resigned from the Workplace Health and Safety Committee as requested by the Auditor (CEO to advise correct procedure)

Cr Scriven moved and Cr Paul seconded:

That the Councillors reports be received.

CARRIED

Mrs Michelle Clarke (Acting Director Corporate & Financial Services) and Mrs Karen Searle (Manager Financial Services) entered the Meeting at 10:09am.

Cr Gaske returned to the meeting at 10:10am.

(CFS) CORPORATE FINANCIAL SERVICES

CFS1 FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 30 NOVEMBER 2016

(06.12.16) Financial Management Report for the period ended 30 November 2016

Cr Gaske moved and Cr Fuhrmeister seconded:

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

CARRIED

Mrs Michelle Clarke (Acting Director Corporate & Financial Services) and Mrs Karen Searle (Manager Financial Services) left the Meeting at 10:31am.

The Meeting adjourned to receive Mr Andrew and Mrs Leanne McMahon who addressed Council on the Indigenous Incubator Project at 10:31am and who were accompanied by Mr Jamie Gorry (Director Community & Environmental Services).

The Meeting adjourned for Morning tea at 10:45am and resumed at 11:00am.

CHANGE ORDER OF PROCEEDINGS

Cr O'Toole moved and Cr Paul seconded:

That Council change the Order of Proceedings to discuss CFS16 Budget Review, with Mrs Michelle Clarke and Mrs Karen Searle in attendance

CARRIED

CFS16 PROPOSED AMENDED BUDGET

(07.12.16) Adoption of amended budget.

Cr Gaske moved and Cr Paul seconded:

That in accordance with S170 of the *Local Government Regulation 2012*, council adopt the 2016/17 amended budget as presented.

CARRIED

Mrs Karen Searle retired from the Meeting at 11:18am and meeting resumed normal Order of Proceedings

CFS8 ANNUAL VALUATION DATA - DEPARTMENT NATURAL RESOURCES AND MINES

(06.12.16) Annual valuations to be used for the assessment of rates for local governments - early release of valuation data.

Cr Fuhrmeister moved and Cr Todd seconded:

That Council receives and notes the report.

CARRIED

CFS9

PURCHASING POLICY

(06.12.16) Purchasing Policy

Cr Fuhrmeister moved and Cr Paul seconded:

1. That Council approves the amendments made to the Purchasing Policy and formally adopt the revised Policy as its current Purchasing Policy.
2. That the Chief Executive Officer provide all relevant Council staff involved in procurement with training to upskill on the amendments made to the Purchasing Policy.

CARRIED

CFS10

ST GEORGE ABORIGINAL HOUSING COMPANY - APPLICATION FOR COMMUNITY DONATION.

(06.12.16) Council has received an application for Community Donation from St George Aboriginal Housing Company.

Cr Gaske moved and Cr O'Toole seconded:

That Council provide funds to the amount of \$440.00 to St George Aboriginal Housing Company.

CARRIED

CFS11

ST GEORGE LEVEE BANK ADVISORY COMMITTEE

(02.12.16) St George Levee Bank Advisory Committee minutes 23 November 2016

Cr Todd moved and Cr O'Toole seconded:

That the St George Levee Bank Advisory Committee minutes of 23 November 2016 be received and noted.

CARRIED

Cr O'Toole 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 and her husband have an airfield in the vicinity of St George and would not be purchasing AvGas from the St George Aerodrome, but retained her right to vote on the matter.

Cr O'Toole declared that a real Conflict of Interest in this matter (as defined in Section 173 of the *Local Government Act 2009*), exists due to the fact her husband is related to the families involved and retired from the Meeting at 12:16pm

CLOSED MEETING

Cr Scriven moved and Cr Fuhrmeister seconded:

That Standing Orders be suspended in order to discuss the St George Aerodrome – AvGas lease, and also the St George Cemetery disturbance, the time being 12:17pm.

CARRIED

OPEN MEETING

Cr Fuhrmeister moved and Cr Gaske seconded:

That Standing Orders be resumed, the time being 12:27am
.CARRIED

CHANGE ORDER OF PROCEEDINGS

Cr Fuhrmeister moved and Cr Gaske seconded:

That Council change the Order of Proceedings to allow consideration of CFS13
CARRIED

CFS13

ST GEORGE CEMETERY

(06.12.16) Disturbance of Grave at St George Cemetery

Cr Gaske moved and Cr Fuhrmeister seconded:

1. That *Council rescind the following statement from its resolution of 27 October 2016:*

that Council insists upon re-instatement of the grave to the condition it was in prior to its disturbance on Saturday 20th August, 2016

2. The Chief Executive Officer, or his nominee, continues to negotiate with the respective family members to obtain the application.

CARRIED

Cr O'Toole returned to meeting at 12:28pm

CFS12

ST GEORGE AERODROME - AVGAS LEASE

(06.12.16) Proposed lease for St George Aerodrome for Avgas facilities.

Cr Fuhrmeister moved and Cr Todd seconded:

1. That Council resolve that the disposal of the interest (by way of a lease) within the St George Aerodrome for the purpose of an Av Gas facility is in the public interest without a tender or auction and in accordance with sound contracting principles.
2. That Council agree to the terms of lease with IOR and delegate authority to the Chief Executive Officer to finalise and execute the lease agreement.
3. That Council delegate authority to the Chief Executive Officer to negotiate the final rental based on the independent valuer's recommendation.

CARRIED

CFS14

BOOLBA CWA

A letter of thanks from Boolba CWA.
RECEIVED & NOTED.

CFS98

MONTHLY REPORT

(06.12.16) The Acting Director Corporate & Financial Services report for November is provided for

Council's information.

Cr Fuhrmeister moved and Cr O'Toole seconded:

That Council receive this report.

CARRIED

CFS99

GENERAL - CORPORATE FINANCIAL SERVICES

An Incoming Mail Register was handed to Councillors and will be provided on a monthly basis in future.

InfoCouncil action reports for previous month, will also be included in meeting papers.

Council will receive the quarterly performance report in January to cover quarter 1 and 2 of the 2016/17 financial year to meet its legislative obligation to report on the progress of its corporate and operational plans.

Mrs Clarke gave a PowerPoint presentation on "Snap Send Solve" App to the Council.

(IFS) INFRASTRUCTURE SERVICES

IFS98

INFRASTRUCTURE SERVICES MONTHLY REPORT - NOVEMBER 2016

(06.12.16) From the Director of Infrastructure Services reporting for the month of November.

Cr Fuhrmeister moved and Cr O'Toole seconded:

That Council receives this report.

CARRIED

IFS99

GENERAL - INFRASTRUCTURE SERVICES

Mr Kevin Searle (Director Infrastructure Services) entered the Meeting at 12:45pm

Mr Searle distributed plans of the Grey Street North Stage 2 design which is being finalised by Landscape Architect Bre Ziesemer.

A "Councillors Walk Through" to consult with business owners/operators in the affected areas will be held at 8:00am on 12th January, 2017.

Bollon Levee forum held recently in Bollon was a success.

Effluent Reuse – Legal documentation and third party will be finalised by Monday 19th December, 2016.

Tow behind roller on graders – DIS to submit a report on the effectiveness of tow behind rollers for use in road maintenance work.

Cr Gaske requested that a Road Maintenance Works Plan be provided to Council on a Monthly basis.

Mr Jamie Gorry (Director Corporate & Financial Services), entered the Meeting at 1:08pm

Mr Kevin Searle retired from the Meeting at 1:11pm.

(GEN) GENERAL

GEN1

MONTHLY REPORT INVESTMENT ATTRACTION OFFICER NOVEMBER 2016

(07.12.16) Monthly Report Investment Attraction Officer November 2016.

Cr Fuhrmeister moved and Cr Paul seconded:

That Council receives this report.

CARRIED

(CES) COMMUNITY & ENVIRONMENTAL SERVICES

CES1 YOUNG WOMEN'S LEADERSHIP BURSARY - 2017

(06.12.16) Each year to recognise and acknowledge the countless contributions made throughout the year, by the young women within the region, Balonne Shire Council offers a bursary to the young women in the community "The Young Women's Leadership Bursary". The winner of the bursary is announced at the International Women's Day celebrations held in St George.

Cr O'Toole moved and Cr Fuhrmeister seconded:

That:

1. Council accepts and notes Officers report
2. Council nominate Mr Jamie Gorry (Director Community & Environmental Services), and Crs Gaske and Todd to sit on the Young Women's Leadership Bursary assessment panel.
3. Council approves to pay for all nominees lunch/ticket at the International Women's Day Luncheon held in St George March 2017
4. Council approve a bursary prize of \$1,000 to the winner of the Young Women's Leadership award

CARRIED

CES2 REQUEST FOR SITING VARIATION, 152 ALFRED STREET ST GEORGE BEING LOT 11 SP164144

(07.12.16) The purpose of this report is for Council to consider a siting variation for a proposed shed to be located at 152 Alfred Street, St George being Lot 11 SP164144.

Cr Scriven moved and Cr Fuhrmeister seconded:

That:

1. Council receives this report.
2. Council approve the siting variation with the following advice to the applicants:

Approval of this siting variation to situate a Class 10a structure 1.5 metres from the Barlee Street property boundary does not constitute Building Approval (BA). BA will be assessed by Council's Building Certifier upon receipt of full BA documentation. Total size of the structure and/or total length of buildings within the siting variation zone may be restricted by Council's Building Certifier.

CARRIED

CES3 PERMANENT ROAD CLOSURE - LOT 34 BLM625 - LOCHNAGAR ROAD

(06.12.16) The purpose of this report is for Council to consider the permanent road closure of 'Lochnagar Road' specifically, the area of gazetted road reserve which traverses the western boundary of Lot 34 on BLM625.

Cr Gaske moved and Cr O'Toole seconded:

That Council does not object to the Department of Natural Resources and Mines granting permanent road closure of Lochnagar Road abutting Lot 34 BLM625.

CARRIED

CES4

ST GEORGE LIBRARY - SUMMER TRADING HOURS TRIAL

(06.12.16) St George Library would like to trial new trading hours to accommodate clients during the summer months.

Cr Fuhrmeister moved and Cr O'Toole seconded:

That Council approve to a trial for summer operating hours between 03 January 2017 to 31 March 2017 for the St George Library as follows:

Monday 9:00am – 12:00pm
Tuesday 9:00am – 1:00pm
Wednesday 9:00am – 3:30pm
Thursday 9:00am – 12:00pm
Friday 9:00am – 3:30pm
Saturday 9:00am – 12:00pm

CARRIED

CES5

STOCK ROUTE GATE ON TOWN LEVEE

(05.12.16) Stock route gate on St George town levee to be doubled to 2 x 14ft gates to reduce environmental impact and erosion of levee itself.

Cr Fuhrmeister moved and Cr Todd seconded:

That Council approves an appropriate solution be installed as soon as possible on town levee bank on the stock route network.

CARRIED

CES98

MONTHLY REPORT

From the Manager Rural Services report for November, 2016.

Cr Scriven moved and Cr O'Toole seconded:

That Council receives this report.

CARRIED

CES98

MONTHLY REPORT

(07.12.16) The Community & Environmental Sustainability Report for the month of November 2016 is presented for Council's consideration.

Cr Todd moved and Cr O'Toole seconded:

That Council receives this report.

CARRIED

Cr Scriven declared a Material Personal Interest in accordance with Section 172 of the *Local Government Act 2009*, in the following item on the agenda as he has an interest in the property and retired from the Meeting at 1:40pm.

Cr Todd 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 he is an adjoining landholder and retired from the Meeting at 1:40pm.

CES8

RL 88 - APPLICATION FOR RECONFIGURATION OF A LOT (3 INTO 3) - BOUNDARY REALIGNMENT – “WINDEMERE” 780 BALONNE HIGHWAY, ST GEORGE DESCRIBED AS LOTS 29 BEL53110, 32 BLM119 & 33 BLM119

(14.12.16) Council has received a development application from Mr Ken Copland (owner) for Reconfiguration of a Lot proposing boundary realignments on the property “Windemere” located at 780 Balonne Highway, St George described as Lot’s 29 BEL53110, 32 BLM119 and 33 BLM119.

Cr Gaske moved and Cr O’Toole seconded:

That:

1. Council receives this report.
2. Council require that prior to the signing of the Survey Plan of Subdivision, the plan of subdivision submitted to Council must show the amalgamation of new Lots 1, 3 and 39 BLM119 for access purposes.
3. Council approves the development application for a RL 88 - Application for Reconfiguration of a Lot (3 into 3) - Boundary Realignment – “Windemere” 780 Balonne Highway, St George described as Lots 29 BEL53110, 32 BLM119 & 33 BLM119 subject to the permit conditions listed below;

DEVELOPMENT PERMIT CONDITIONS

1. Compliance with the facts and circumstances set out in the application and all Council By-laws being adhered to and generally in accordance with the approved plan (except where varied by conditions of approval).
2. All outstanding rates and charges shall be paid prior to the submission to Council of the Plan of Survey.
3. Comply with all conditions of this approval prior to submitting the Plan of Subdivision to Council for endorsement unless otherwise agreed in writing by Council.
4. Maintain the approved development being Reconfiguring a Lot (3 into 3) in accordance with the approved plan:

| Plan/Document Number | Plan/Document Name | Date |
|--|--|-----------|
| 38178_POD_REVB Prepared by FYFE Pty Ltd. | SHOWING RECONFIGURING A LOT BY SUBDIVISION OF LOTS 32 & 33 ON BLM119 AND LOT 29 ON BEL53110 780 BALONNE HIGHWAY, ST GEORGE | 5/12/2016 |

Engineering

5. *Prior to the signing of the Survey Plan of Subdivision*, certificate(s) must be obtained from a provider agency stating that electricity supply network connections can be made to each of

the proposed allotments and that adequate electricity supplies are available or can be made available.

6. *Prior to the signing of the Survey Plan of Subdivision*, certificate(s) must be obtained from a provider agency to indicate provision of a telephone supply to each of the proposed allotments is available.
7. *Prior to the signing of the Survey Plan of Subdivision*, a copy of the water licence and service agreement to Lot 2 must be submitted to Council.
8. The developer must submit a certificate signed by a licensed surveyor, stating that after the completion of all works associated with the subdivision, survey marks, including permanent survey marks, were reinstated where necessary and all survey marks are in their correct position, in accordance with the Plan of Survey.
9. Water supply can be provided separately to each allotment in the subdivision in accordance with the requirements of Council's Planning Scheme.
10. On-site sewerage disposal can be provided separately to each allotment in the subdivision in accordance with standards for on-site sewerage identified in Schedule 5 – Standards for Sewerage Supply of the Balonne Shire Planning Scheme.
11. Where deemed necessary by Council, the relocation of services within the subject land shall be undertaken by the developer at no cost to Council.

CARRIED

CES99

GENERAL - COMMUNITY & ENVIRONMENTAL SERVICES

Cr Todd and Cr Scriven returned to the Meeting at 1:44pm.

There being no further business, the Meeting closed, the time being 1:45pm.

Confirmed at a General Meeting of the Council held on 19 January 2017.

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MAYOR

Balonne Shire Council Purchasing Policy (2016/17)

Date Approved: 15 December 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.

Balonne Shire Council

Purchasing Policy (2016/17)

Date Approved: 15 December 2016
Authority: Council



Council Policy
FINANCE & ADMINISTRATION

To ensure probity and accountability all staff and contractors must disclose any conflict of interest. The contractor will disclose the conflict of interest in writing and submit with the written quotation or tender documentation. Any staff member that has a conflict of interest in relation to the procurement of goods or services is to disclose the conflict in writing to the CEO and is not to be involved in any evaluation panel or decision making process. The CEO and Directors will also ensure that appropriate arrangements are put in place to administer any contract where a conflict of interest exists.

Appropriate arrangements may include appointment of a probity auditor, independent panel member from outside of council or alternate supervisory arrangements for the contract administration.

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.

Balonne Shire Council Purchasing Policy (2016/17)

Date Approved: 15 December 2016
Authority: Council



Council Policy
FINANCE & ADMINISTRATION

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.

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 that are suitably qualified to provide such a service. Where practical, Council Officer's will list the invitation to quote on Council's website at a minimum of seven (7) calendar days prior to closing time for the quotation. Exceptions may include need to obtain plant following breakdown or weather disruptions.

All quotations sought are to be returned to the Council address, 'quotations@balonne.qld.gov.au' and will be assessed based on the selection criteria..

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

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advantageous

In the instance of securing the wet and dry hire of plant and equipment, procurement for such engagement must comply with the provisions as set out in Clause 10, for Class B Contractual Arrangement, where practical. An example where this is not practical would include a breakdown of machinery and need to replace to avoid delaying completion of the job.

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

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*.

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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 or evaluation panel, as required.

A report on the tender/quotation must be prepared and a recommendation made to Council for approval where required. If there are performance issues council officer's will provide a documented assessment post engagement, to provide feedback to the service provider with recommendations for improvement/remedial action where required.

15. GOODS AND SERVICES TAX (GST)

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:-

Balonne Shire Council Purchasing Policy (2016/17)

Date Approved: 15 December 2016
Authority: Council



Council Policy
FINANCE & ADMINISTRATION

- (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, 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;

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- (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

December 2016