



Minutes

Ordinary Meeting

Tuesday, 18 July 2023

Time: 9.15 am

Meeting adjourned at 9:35 am
Meeting resumed at 9:43 am

Meeting adjourned at 10:33 am
Meeting resumed at 10:50 am

Location: Council Chambers

82 Brisbane Street

BEAUDESERT QLD 4285

Scenic Rim Regional Council
Ordinary Meeting
Tuesday, 18 July 2023
Minutes

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1 Opening of Meeting and Acknowledgement of Country

The Mayor, Cr Greg Christensen, as Chair of the Meeting, declared the Meeting open and acknowledged the traditional owners of the lands of the Scenic Rim Regional Council area. The Mayor paid respect to their elders, past, present and future, and extended congratulations to them on their continued nurturing of their culture.

2 Attendance and the granting of leaves of absence

Cr G R Christensen, Mayor
Cr A J Hay
Cr J J S McConnell, Deputy Mayor
Cr V A West
Cr M J Enright
Cr M J Chalk
Cr D A McInnes OAM

Executive Officers

D Keenan, Chief Executive Officer
C McMahon, General Manager People and Strategy
B Walker, Manager Regional Prosperity and Communications /
Acting General Manager Customer and Regional Prosperity
C Gray, General Manager Asset and Environmental Sustainability
O Pring, General Manager Council Sustainability

Staff

J Pukallus, Principal Specialist Governance and Assurance
S Keepence, Governance Officer
S Oberle, Desktop Support Officer, Information Services and Technology
M Lohmann, Manager Regional Development Health and Biodiversity (Items 10.2 and 10.3)
J Kirkwood, Principal Specialist Development Assessment and Engineering
(Items 10.2 and 10.3)
M Quast, Team Leader Revenue (Item 11.2)

Apologies

Nil

3 Prayers

Pastor Mark Ironside from Harvest Point Church, Beaudesert, attended to offer prayers

4 Public Question Time

Nil

5 Declarations of Prescribed or Declarable Conflict of Interest by Members

5.1 Declaration - Cr Jeff McConnell re Item 10.8

Cr Jeff McConnell advised Council he has a conflict of interest in Item 10.8.

5.2 Declaration - Cr Amanda Hay re Items 10.3 and 11.2

Cr Amanda Hay advised Council she has a prescribed conflict of interest in Item 10.3 and a potential declarable conflict of interest in Item 11.2.

Cr Christensen advised the declarations would be dealt with before the items are considered.

6 Announcements / Mayoral Minutes

Nil

7 Reception of Deputations by Appointment / Presentation of Petitions

Nil

8 Confirmation of Minutes

Recommendation

That the Minutes of the Ordinary Meeting held on 4 July 2023, be adopted.

Moved: Cr Virginia West
 Seconded: Cr Jeff McConnell

Carried unanimously

9 Business Arising from Previous Minutes

Nil


10 Consideration of Business of Meeting

Executive

10.1 Local Government Association of Queensland's 127th Annual Conference 2023

Executive Officer: Chief Executive Officer

Attachments:

1. LGAQ Annual Conference 2023 Program 

Recommendation

That:

1. Council note the Local Government Association of Queensland Annual Conference 2023 information; and
2. The Mayor and Deputy Mayor be nominated as Council's delegates at the Conference, and Councillors be endorsed as observers.

Moved: Cr Michael Enright

Seconded: Cr Marshall Chalk

That:

1. Council note the Local Government Association of Queensland Annual Conference 2023 information; and
2. The Mayor and Deputy Mayor be nominated as Council's delegates at the Conference, and Councillors be endorsed as observers.

Carried unanimously

Cr Greg Christensen noted there are parties in the gallery interested in Item 10.5 and, conscious that some of the items before Item 10.5 could take time, he proposed, "... *with the support of the Chamber I am going to bring Item 10.5 forward in today's Agenda and deal with it next*".

10.5 Park Naming - Unnamed Park at Annabelle Way, Gleneagle

Executive Officer: General Manager Asset and Environmental Sustainability

Attachments:

1. Locality Map - 11 Annabelle Way, Gleneagle 

Recommendation

That Council name the unnamed park at 11 Annabelle Way, Gleneagle, 'Darryl Dickson Community Park'.

Moved: Cr Amanda Hay
Seconded: Cr Michael Enright

That Council name the unnamed park at 11 Annabelle Way, Gleneagle, 'Darryl Dickson Community Park'.

Carried unanimously




Meeting adjourned at 9:35 am
Meeting resumed at 9:43 am

Customer & Regional Prosperity

10.2 RAL22/052 Development Permit for Reconfiguration of a Lot, Subdivision one into 34 Lots and new roads at 71 Coronation Drive, Boonah Lot 45 SP218687

Executive Officer: General Manager Customer and Regional Prosperity

Attachments:

1. RAL22/052 - Conditions of approval 
2. RAL22/052 - Proposal Plans 
3. RAL22/052 - SARA Referral Agency Response 

Recommendation

That:

1. Council receive and note the report titled "RAL22/052 Development Permit for Reconfiguration of a Lot, Subdivision one into 34 Lots and new roads 71 Coronation Drive, Boonah Lot 45 SP218687";
2. Council approve development application RAL22/052, subject to imposition of reasonable and relevant conditions in Attachment 1;
3. Council note that SARA's Referral Agency Response may be varied to be more specific in allowing access for service vehicles to the sewer pump station via Coronation Drive (Ipswich - Boonah Road);
4. Council note that any subsequent requests for a negotiated decision notice and/or change applications to the approval (RAL22/052) will be processed via delegated authority where the changes would not significantly alter the original decision; and
5. Council issue an infrastructure charges notice in accordance with Council's Adopted Infrastructure Charges Resolution (Version No. 14 January 2023).

Moved: Cr Marshall Chalk
Seconded: Cr Michael Enright

That:

1. Council receive and note the report titled "RAL22/052 Development Permit for Reconfiguration of a Lot, Subdivision one into 34 Lots and new roads 71 Coronation Drive, Boonah Lot 45 SP218687";
2. Council approve development application RAL22/052, subject to imposition of reasonable and relevant conditions in Attachment 1;
3. Council note that SARA's Referral Agency Response may be varied to be more specific in allowing access for service vehicles to the sewer pump station via Coronation Drive (Ipswich - Boonah Road);
4. Council note that any subsequent requests for a negotiated decision notice and/or change applications to the approval (RAL22/052) will be processed via delegated authority where the changes would not significantly alter the original decision; and
5. Council issue an infrastructure charges notice in accordance with Council's Adopted Infrastructure Charges Resolution (Version No. 14 January 2023).

Carried unanimously

Cr Amanda Hay declared:




"I have a prescribed conflict of interest in this Agenda item, in that I was a submitter on the 9th of June 2022 during the public notification period. I intend to leave the room and take no part in the discussion or the vote on this item."

At 9:54 am, Cr Amanda Hay left the meeting.

10.3 MCU22/010 Development Permit for Material Change of Use - Function Facility, Country Mile Escape, 63 Little Flying Fox Road, Flying Fox

Executive Officer: General Manager Customer and Regional Prosperity

Attachments:

1. MCU22-010 - Appendix A - Conditions of Approval 
2. MCU22/010 - Proposal Plans 
3. MCU22/010 - Revised Noise Report 

Recommendation

That:

1. Council receive and note the report titled "MCU22/010 Development Permit for Material Change of Use - Function Facility, Country Mile Escape, 63 Little Flying Fox Road, Flying Fox";
2. Council approve development application MCU22/010, and grant a Development Permit for Material Change of Use, subject to imposition of reasonable and relevant conditions in Appendix A; and
3. Council note that any subsequent requests for a negotiated decision notice and/or change applications to the approval (MCU22/010) will be processed via delegated authority where the changes would not significantly alter the original decision.

Moved: Cr Virginia West
 Seconded: Cr Jeff McConnell

That:

1. Council receive and note the report titled "MCU22/010 Development Permit for Material Change of Use - Function Facility, Country Mile Escape, 63 Little Flying Fox Road, Flying Fox";
2. Council approve development application MCU22/010, and grant a Development Permit for Material Change of Use, subject to imposition of reasonable and relevant conditions in Appendix A; and
3. Council note that any subsequent requests for a negotiated decision notice and/or change applications to the approval (MCU22/010) will be processed via delegated authority where the changes would not significantly alter the original decision.

Carried unanimously

At 10:05 am, Cr Amanda Hay returned to the meeting.

Cr Greg Christensen advised Cr Amanda Hay that Item 10.3 was resolved in the affirmative with conditions.

Asset & Environmental Sustainability

10.4 Strategic Land Purchase, Tamborine Mountain Update

Executive Officer: General Manager Asset and Environmental Sustainability

Attachments:

1. Gallery Walk Summary Final Concept Report (Public version) 

Recommendation

That:

1. Council acknowledge that property surplus to Council's requirements at 122-128 Long Road, Tamborine Mountain is not suitable for a Visitor Information Centre;
2. Council dispose of any property surplus to Council's requirements at 122-128 Long Road, Tamborine Mountain in accordance with Council Policy: Asset Disposal F101.15CP and under section 227 of the *Local Government Regulation 2012*, and an exception under section 236(1)(a) of the *Local Government Regulation 2012* may be applied to this disposal if a sale is not otherwise initially secured by way of public auction or tender.

Moved: Cr Amanda Hay
Seconded: Cr Jeff McConnell

That:

1. Council acknowledge that property surplus to Council's requirements at 122-128 Long Road, Tamborine Mountain is not suitable for a Visitor Information Centre;
2. Council dispose of any property surplus to Council's requirements at 122-128 Long Road, Tamborine Mountain in accordance with Council Policy: Asset Disposal F101.15CP and under section 227 of the *Local Government Regulation 2012*, and an exception under section 236(1)(a) of the *Local Government Regulation 2012* may be applied to this disposal if a sale is not otherwise initially secured by way of public auction or tender.

Carried unanimously



Item 10.5 "Park Naming - Unnamed Park at Annabelle Way, Gleneagle", has been moved to page 7 of the Minutes.

Council Sustainability

10.6 Review of Procurement Policy

Executive Officer: General Manager Council Sustainability

Attachments:

1. Procurement Policy as adopted 24 July 2017 
2. Revised Procurement Policy 

Recommendation

That Council adopt the revised Procurement Policy FI01.13, which will replace the previous version adopted on 24 July 2017.

Moved: Cr Greg Christensen

Seconded: Cr Jeff McConnell

That Council adopt the revised Procurement Policy FI01.13CP, which will replace the previous version adopted on 24 July 2017.

Carried unanimously

Motion

That Council receive and table the marked up draft of the revised Procurement Policy FI01.13CP for inclusion in the Ordinary Meeting Minutes.

Moved: Cr Greg Christensen

Carried unanimously

Attachments

3. Draft revised Procurement Policy FI01.13CP



Council Policy Procurement

Policy Reference Number	FI01.13CP	Adoption Date	1/06/2023
Portfolio	Council Sustainability	Next Review Date	1/06/2024
Business Unit	Purchasing and Supply	Document ID	XXX

Purpose / Objective

To ensure Council staff have a clear understanding of their responsibilities and authority in relation to procurement and that procurement activities are open, accountable and in accordance with legislation.

The framework established by this policy is designed to ensure Council achieves advantageous procurement outcomes by:

1. Promoting value for money with probity and accountability;
2. Promoting compliance with relevant legislation;
3. Advancing Council's economic, social and environmental policies;
4. Providing reasonable opportunity for competitive local businesses that comply with relevant legislation to supply to Council when it can be demonstrated that the use of local suppliers will present Council with an equal or better outcome; when it can
5. Ethical behaviour and fair dealing.

Scope

This Policy applies to all Councillors, Council Employees and delegates.

Policy Statement

This document sets out Council's policy for the acquisition of goods and services. This policy applies to the procurement of all goods, equipment and related services, consultancies, construction contracts and service contracts (including maintenance).

Council is required by Section 198 of the Regulation to prepare and adopt a procurement policy and review it annually.

All Council procurement must be carried out in compliance with the Act, Regulation and the *Work Health and Safety Act 2011*.

Council operates in accordance with the Default Contracting Procedures as defined in Chapter 6, Part 3 of the Regulation.

Delegated Authority

Financial delegations must be complied with in all procurement activities. To manage risks of unauthorised spending, financial delegations may be limited by maximum purchase value and type of goods or services. Financial delegations can be found in Schedule 4 of the Delegations Register.

Sound Contracting Principles

Section 104 of the Act requires that Council's financial management systems have regard to the sound contracting principles. To ensure these requirements are satisfied, the following sound contracting principles will be considered when undertaking purchasing activities and making decisions about procurement:

- (a) value for money;
- (b) open and effective competition;
- (c) the development of competitive local business and industry;
- (d) environmental protection;
- (e) ethical behaviour and fair dealing.

Value for money

Council must utilise its purchasing power to achieve the best value for money. The concept of value is not restricted to price alone and may not necessarily favour the lowest price. Seeking value for money is about obtaining goods and services considering both price and non-price factors such as quality, service, innovation/improvement and price.

Council will achieve value for money by:

- (a) Assessing non-cost factors such as fitness for purpose, quality, service and support;
- (b) Assessing whole of life costs including transaction costs associated with acquisition, use, maintenance and disposal, and administration costs;
- (c) Considering the contribution to the advancement of Council's priorities;
- (d) Limiting the risk exposure via effective risk management practices; and
- (e) Considering the value of any associated environmental benefits.

Open and effective competition

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

Council will achieve open and effective competition by:

- (a) Ensuring all procurement procedures and processes are visible to Council suppliers, and the public (ratepayers and the local community);
- (b) Delegates accepting their accountability to the Chief Executive Officer and Council;
- (c) Allowing suppliers to have a real opportunity to do business with Council;
- (d) Encouraging competition among suppliers by inviting suppliers to quote or tender in order to provide 'value for money' offerings;
- (e) Implementing delegations, authorisations and associated thresholds appropriate for the level of judgement expected of individual officers;
- (f) Provision of consistent information to all potential tenderers; and
- (g) Ensuring fair and equitable assessment of all tenders.

Development of competitive local business and industry

Council encourages the development of competitive local businesses within the region. Council will enhance the capabilities of local business and industries through:

- (a) The placement of orders where the local business is competitive under Council's evaluation process with regard to price, delivery and service required;
- (b) Actively seeking out potential local suppliers;
- (c) Encouraging prime contractors to give local suppliers every opportunity, as partners or subcontractors, to participate in major projects;
- (d) Ensuring that the principles of open and effective competition are applied and equal treatment is given to local offers, when being compared with other offers, on the basis of fair and equitable

- behaviour;
- (e) Giving preference to locally-sourced goods and services, where price, performance, quality, suitability and other evaluation criteria are comparable;
 - (f) Ensuring that payments are prompt and in accordance with the agreed terms of contract.

Environmental protection

Council promotes environmental protection through its procurement procedures, which are consistent with Council's commitment to environmental management. Council will endeavour to promote purchasing practices that conserve resources, save energy, minimise waste, protect human health and maintain environmental quality and safety.

In undertaking procurement activities Council will:

- (a) Encourage the purchase of environmentally responsible goods where all other evaluation factors are adequately weighted (such as value for money);
- (b) Where appropriate, ensuring that specifications require suppliers to conform to necessary standards, codes or legislation for the identification of hazardous materials and that suppliers carry out proper certification and registration procedures;
- (c) Enforcing legislative compliance with and/or phase-out timetables on the use of products prohibited under Queensland and applicable Commonwealth laws; and
- (d) Avoiding, where possible, the purchase of known hazardous and environmentally damaging products, especially where alternatives are available within reasonable bounds of price, performance and suitability.

Ethical behaviour and fair dealing

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

Staff must ensure that they do not participate in any action, which may be deemed to be:

- (a) Canvassing by any party with a material interest in the procurement;
- (b) Lobbying (other than by a registered lobbyist and in accordance with Council policy);
- (c) Release of commercial in confidence information; or
- (d) Collusion; i.e. collaboration between parties involved in the procurement process.

Ethical behaviour and fair dealing are achieved by:

- (a) Performing their duty impartially, not influenced by the receipt or prospects of threats, reprimands or rewards;
- (b) Not accepting or seeking gifts or other favours;
- (c) Not entertaining approaches from suppliers that might be interpreted as attempts to influence the evaluation process;
- (d) Excluding themselves from purchasing decisions where their private interests could reasonably be perceived to conflict with their public duties;
- (e) Maintaining high standards of accountability;
- (f) Developing systems and procedures that ensure a consistent approach to procurement;
- (g) Promoting professional procurement practices.

Workplace Health & Safety

All staff, contractors and suppliers are expected to adhere to the following key outcomes in relation to procurement activities:

- (a) Establishing and maintaining a corporate system to ensure compliance of contractors and suppliers with workplace health and safety legislative requirements, Australian Standards and/or procedures.
- (b) Ensuring all contractors and/or suppliers provide documentary evidence that they or the product they supply complies with relevant legislation, Codes of Practice and/or Australian Standards.
- (c) Ensuring where purchases involve plant and equipment, the supplier must provide relevant information and a copy of the user/operator manual for each item supplied.
- (d) Ensuring that no chemical is purchased or used without first carrying out a risk assessment and gaining approval from a procurement officer.

- (e) Ensuring items such as chairs, desks and office equipment purchased are ergonomically suited to the office environment.

Quotation & Contracting Threshold Limits

All quotation and contracting threshold limits stated in this policy are exclusive of Goods & Services Tax (GST) and are applicable per financial year. Legislative references are to the Regulation.

Centralised Procurement Purchasing

Prior to undertaking any procurement, the Procurement Purchasing Officer should ensure that the goods or services required are not available from supply or under any existing contract arrangements.

Purchases up to \$5,000

- (a) Purchases must be made by obtaining at least one (1) quote and using a purchase order.
- (b) Purchases made using credit card or petty cash do not require a purchase order.

Purchases \$5,001 to \$15,000

- (a) Purchases must be made by obtaining a minimum of two (2) written quotations and using a purchase order.
- (b) Where more complex specifications are involved officers should ensure that all specifications and conditions are clearly defined to all prospective suppliers.
- (c) Quality Assurance requirements need to be established and addressed as part of the specifications.
- (d) If the lowest quotation is not accepted, reasons for the selection must be documented.

MEDIUM SIZED CONTRACTS ABOVE \$15,000; Section 224(2)

Purchases above \$15,001~~0~~ but less than \$200,000

- (a) Purchases must be made by inviting a minimum of three (3) written quotations (Section 225) and using a purchase order.
- (b) Where more complex specifications are involved officers should ensure that all specifications and conditions are clearly defined to all prospective suppliers.
- (c) Quality assurance requirements need to be established and addressed as part of the specifications.
- (d) At least three (3) quotes in writing are to be sought from genuine competitors known to be capable of supplying the requirements at competitive prices. Less than three (3) quotes may be acceptable provided every effort has been made to obtain at least three (3) and relevant documentation is available to verify this.
- (e) If the lowest quotation is not accepted, reasons for the selection must be documented.

LARGE SIZED CONTRACTS \$200,000~~1~~ OR MORE; Section 224(3)

Purchases \$200,000~~1~~ or more

- (a) Purchases must be made by calling for public tenders (Section 226) and using a purchase order.
- (b) Detailed specifications and quality assurance requirements need to be provided for the tender.
- (c) The invitation to tender must be advertised in a newspaper circulating generally in the area.
- (d) At least 21 days must be allowed from the date of the advertisement for the submission of tenders.
- (e) All tenders/quotes are to be recorded in the records management system.
- (f) Council's method of tendering is through the electronic tendering system, LG Tender Box.

Section 228 of the Regulation allows Council to invite expressions of interest prior to inviting written tenders. Council may then prepare a short list from the persons who respond to the invitation for expressions of interest and invite written tenders from the respondents short listed or all respondents.

An expression of interest does not replace a tender process and any expression of interest process must adhere to the requirements of the Regulation.

Awarding of tenders can be authorised by a Director up to their financial delegation limit or the Chief Executive Officer who has an unlimited financial delegation limit provided an adopted budget exists to cover the value of the tender.

Tenders must be referred to Council to be awarded by resolution where:

- No adopted budget exists to cover the value of the tender; or
- An adopted budget exists but the value of the tender is the greater of more than \$50,000 or 10% of the adopted budget.

Exceptions to the Quotation/Tender Process

The Regulation contains a number of situations where exceptions to the quotation or tender process exist. These include:

Section 230; Exception if quote or tender consideration plan prepared
Section 231; Exception for contractor on approved contractor list Section 232;
Exception for register of pre-qualified suppliers
Section 233; Exception for preferred supplier arrangement
Section 234; Exception for LGA arrangement
Section 235; Other exceptions

All exceptions to the quotation or tender process must be in accordance with the Regulation. Further information is contained in the Procurement Guidelines.

Purchase Orders

Requisitions/Orders to be raised in advance

Purchase orders are required to be raised in advance of planned purchases and provided to the supplier. Procurement of items without raising a purchase order in advance is a potential breach of this policy. This does not apply to purchases made using credit card or petty cash or purchases relating to items such as utilities, bank charges, loan payments, employee expense claims, etc which are legitimately processed without purchase orders.

Requisition/Order Splitting

It is a breach of this Policy to split orders for the purposes of acquiring goods or services above financial delegation limits or to avoid the quotation or tender process.

Resumption of Land

Procurement of land for public use or to gain access rights for construction and/or maintenance purposes must be in accordance with Council's Resumption of Land Policy.

Publish details of contracts worth \$200,000 or more

Section 237 of the Regulation requires that as soon as practicable after entering a contract worth \$200,000 or more, Council must publish relevant details on its website and display relevant details in its public office.

The relevant details to be published are:

- The person or entity with whom Council contracted;
- The value of the contract; and
- The purpose of the contract.

Procurement, Contracting and Asset Disposal Manual

A Procurement, Contracting and Asset Disposal Manual will be maintained, which will reflect Council's commitment to this policy and outline appropriate processes and procedures to comply with

the Act and Regulation.

Gifts & Benefits

Gifts or benefits resulting from procurement either directly or indirectly must not be accepted where it could be perceived to engender favour or promote bias when inviting quotations or awarding contracts, irrespective of value. All gifts and benefits received must comply with Council's Gifts and Personal Benefits Policy.

Consideration of Human Rights under Human Rights Act 2019

In acknowledgement of the fundamental human rights recognised in International covenants this Council Policy/ Administrative (delete if not applicable) Policy has been developed and acknowledges a commitment to recognise the importance and protection of human rights in creating policies that serve to develop overarching frameworks, standards, behaviours or actions that affect the way in which Council serves the community of the Scenic Rim region.

An assessment of this Policy against the human rights determined that no human rights are limited or affected by this Policy.

Compliance, Monitoring and Review

The Coordinator Procurement is responsible for ensuring the Policy:

- Aligns with all relevant legislation and government Policy;
- Aligns with requirements, strategies and values;
- Is implemented and monitored; and
- Is reviewed to evaluate its continuing effectiveness.

Definitions

Approved Contractor List; a list of contractors who Council considers to be appropriately qualified to provide services (Section 231 of the Regulation).

Contracting (Procurement) Activities; The activities for the making of a contract for the carrying out of work; or the supply of goods and services; or the disposal of non-current assets. This does not apply to making a contract of employment with a local government employee (Section 216 of the Regulation).

Large Sized Contract; a contractual arrangement with a supplier that is expected to be worth, exclusive of GST, \$200,000 or more in a financial year, or over the proposed term of the contractual arrangement.

Local Supplier / Business; is a supplier which operates within the Scenic Rim Regional Council area.

Medium Sized Contract; a contractual arrangement with a supplier that is expected to be worth, exclusive of GST, \$15,000 or more but less than \$200,000 in a financial year, or over the proposed term of the contractual arrangement.

Pre-Qualified Supplier (PQS); is a supplier who has been assessed by the local government as having the technical, financial and managerial capability necessary to perform contracts on time and in accordance with agreed requirements (Section 232 of the Regulation).

Preferred Supplier Arrangement (PSA); a contract entered into by Council with one or more suppliers for goods or services when the goods or services are required in large volumes, or frequently, and Council is able to obtain better value by accumulating the demand and is able to

describe the goods and services that would be well understood in the relevant industry (Section 233 of the Regulation).

Procurement; the purchase, hire, lease, rental, exchange or any other commercial transaction involving the outlay of funds in return for the provision of goods, equipment and related services, construction contracts and service contracts to Council, Council staff and agents unless specifically exempted under the provisions of this policy.

Procurement Officer; A Council officer delegated with the responsibility to carry out procurement activities on behalf of Council.

Procurement Practices; Procurement processes should be cost effective for both public authorities and suppliers. A well-planned procurement process will ensure that policies are followed, pitfalls are avoided and a successful outcome is achieved. It is important to be aware of responsibilities and to plan the entire purchase process before starting.

Requisition/Order Splitting; Order splitting is where the total value of a procurement transaction is broken into smaller pieces ("split") to bring the value under a certain level, to remain within an officer's delegation limit, or fall into a less onerous procurement category.

Related Legislation and Documents

- 1) *Local Government Act 2009* (the Act);
- 2) *Local Government Regulation 2012* (the Regulation);
- 3) *Work Health and Safety Act 2011*;
- 4) Advertising Spending Policy FI01.06CP;
- 5) Advertising Spending Guidelines;
- 6) Asset Disposal Policy FI01.15CP;
- 7) Asset Disposal Guidelines;
- 8) Corporate Credit Card Policy FI01.02AP;
- 9) Corporate Credit Card Guidelines;
- 10) Councillor Expenses Reimbursement CM03.05CP;
- 11) Councillor Expenses Reimbursement Guidelines
- 12) Delegations Register, ~~Schedule 5~~;
- 13) Entertainment and Hospitality Expenditure Policy FI01.05CP;
- 14) Entertainment and Hospitality Expenditure Guidelines;
- 15) Gifts and Personal Benefits Policy CM03.10CP;
- 16) Gifts and Personal Benefits Guidelines
- 17) ~~Petty Cash/Floats Guidelines~~
- 18) Procurement, Contracting and Asset Disposal Manual;
- 19) Procurement Policy Guidelines (Attachment A);
- 20) Resumption of Land Policy WI06.02CP;
- 21) Procurement and Contract Management Guidelines (Crime and Misconduct Commission Queensland).

This Policy supports the Scenic Rim Regional Council Corporate Plan 2026, in particular theme - Open and Responsive Government

Approval and Review Details

Approval and Review	Details
Original Approval Authority and Date	Council 21/06/2011
Amendment Authority and Date	Council xx/xx/2023
Notes	Review

Approved By:

SCENIC RIM REGIONAL COUNCIL

Adopted XX/YY/2023ZZ (Please insert Committee details below in Version details)

Version Information

Version No	Date	Key Changes
1	21/06/2011	Corporate and Community Services Committee Meeting 14/06/2011; Item No. 2.7; Ordinary Meeting Item No. 5.
2	12/02/2013	Corporate and Community Services Committee Meeting 22/01/2013; Item No. 1.3; Ordinary Meeting Item No. 6.
3	30/07/2013	Finance Committee Meeting 23/07/2013; Item No. 2.3; Ordinary Meeting Item No. 6.
4	29/07/2014	Finance Committee Meeting 22/07/2014; Item No. 2.3; Ordinary Meeting Item No. 6.
5	30/06/2015	Finance Committee Meeting 23/06/2015; Item No. 2.2; Ordinary Meeting Item No. 6.
6	28/06/2016	Finance Committee Meeting 21/06/2016; Item No. 2.3; Ordinary Meeting Item No. 6.
7	24/07/2017	Finance Committee Meeting 17/07/2017; Item No. 2.2; Ordinary Meeting Item No. 6.
8	Xx/xx/2023	Ordinary Meeting Item No. xx.

ATTACHMENT A: PROCUREMENT POLICY GUIDELINES

GENERAL

Policies & Guidelines

All purchases must be made in accordance with:

- Procurement, Contracting and Asset Disposal Manual;
- Corporate Credit Card Policy and Guidelines
- Entertainment ~~&and~~ Hospitality ~~Expenditure~~ Policy and Guidelines; ~~and~~
- Advertising Spending Policy and Guidelines.

Petty Cash

Petty cash may be used up to a maximum of \$100 from the ~~Beaudesort Customer Service~~ petty cash float (\$50 for all other petty cash floats) provided the purchase is in accordance with the petty cash procedures contained in the Procurement, Contracting and Asset Disposal Manual.

Australian Business Registration Number (ABN)

Council will only procure from suppliers who can provide an ABN. The only exception to this will be where a supplier is eligible to complete the Australian Taxation Office Statement by a Supplier form, and provides the completed form to Council prior to making the supply or providing the service to Council.

This exemption may apply in the following circumstance:

- (a) a supplier under 18 years of age and the payment does not exceed \$120 a week;
- (b) a payment of less than \$75 (excluding GST);
- (c) a supplier that is wholly input taxed;
- (d) a supplier who has provided a statement that the supply is done as a hobby or a domestic or private nature;
- (e) a supplier who does not expect to make a profit or gain;
- (f) a supplier who is not entitled to an ABN as they are not carrying on an enterprise in Australia;
- (g) A payment that is exempt income for the supplier.

ALTERNATIVE CONTRACTING OPTIONS

Specific exemptions for purchases up to \$15,000

Council acknowledges that there will be situations where obtaining a quote for the supply of a particular service may prove to be unrealistic. This would generally occur for the provision of services where there is no 'competition' and only one obvious supplier, for example: conferences, training, registration or accommodation.

In these instances, where there is only one obvious supplier, the order would require approval from a Manager prior to the order request.

In accordance with Chapter 6, Part 3, Division 3 of the Regulation, the following alternative procurement options may be utilised where appropriate in lieu of the Purchasing Invitation Threshold and Contracting Arrangements.

Section 230; Quote or Tender Consideration Plan

- Council may enter into a medium or large sized contractual arrangement without first inviting written quotes or tenders if it prepares a quote or tender consideration plan.
- The plan must be prepared in accordance with the requirements contained in Section 230(2) of the Regulation and must be adopted by Council.

Section 231; Approved Contractor List

- Council may enter into a medium or large sized contractual arrangement without first inviting written quotes or tenders if the contract is made with a person who is on an approved contractor list.
- An approved contractor list is a list of entities who Council considers to be appropriately qualified to provide the services.
- An approved contractor list must be established by inviting expressions of interest from and selecting suitably qualified persons in accordance with Section 231(4) of the Regulation.

Section 232; Register of Pre-Qualified Suppliers

- Council may enter into a medium or large sized contractual arrangement without first inviting written quotes or tenders if the contract is entered into with a supplier from a register of pre-qualified suppliers.
- Council may establish and use a register of pre-qualified suppliers of particular goods and services only if one of the conditions in Section 232(3) of the Regulation are satisfied.
- A pre-qualified supplier is a supplier who has been assessed by Council as having the technical, financial and managerial capability necessary to perform contracts on time and in accordance with agreed requirements.

Section 233; Preferred Supplier Arrangement

- Council may enter into a medium or large sized contractual arrangement without first inviting written quotes or tenders if the contract is entered into with the preferred supplier under a preferred supplier arrangement that is made in compliance with Section 233(3) to (8) of the Regulation.
- Council must invite persons to tender for a preferred supplier arrangement in accordance with Section 233(4) of the Regulation.
- When selecting a person to be the preferred supplier under a preferred supplier arrangement, Council must have regard to the sound contracting principles.
- Council must ensure the terms of the preferred supplier arrangement allow the contract to be cancelled for the poor performance of the preferred supplier.
- A preferred supplier arrangement may be entered into for a term, including options to extend, of more than two years only if Council is satisfied the longer term will result in better value.

Section 234; LGA Arrangement

- Council may enter into a contract for goods and services without first inviting written quotes or tenders if the contract is entered into under an LGA arrangement.
- LGA arrangements include:
 - Local Buy (procurement service provided by the Local Government Association of Queensland)
 - Queensland State Government contracts
 - Queensland Local Government contracts i.e. other councils' contracts.
- Goods and services provided under LGA arrangements have already been evaluated through a tender process and have been guaranteed to provide the best pricing available from those suppliers. As such LGA arrangements should be regarded as Council's preferred procurement option.

Section 235; Other exceptions

Council may enter into a medium or large-sized contract without first inviting written quotes or tenders if:

- (a) it resolves* it is satisfied that there is only 1 supplier who is reasonably available; or
- (b) it resolves* that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous to invite quotes or tenders; or
- (c) a genuine emergency exists; or
- (d) the contract is for the 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, or under an arrangement with, a government agency.

*Exemptions provided for under Section 235(a) and (b) must take the form of a Council resolution obtained prior to the commitment being made to purchase goods and services. Staff must ensure that they obtain approval from their Director where this exemption is to be applied and notify the Chief Finance Officer who will facilitate obtaining the necessary Council resolution.

Where a genuine emergency exists requiring Council to enter into a medium or large-sized contract without first inviting written quotes or tenders, the procurement must be approved by an officer having delegated power under Section 235(e) of the Regulation. As required by Section 173 of the Regulation, if provision for such expenditure is not included in Council's adopted budget, the procurement must be reported to Council before, or as soon as possible after, it is made.

As examples of the above exceptions, Procurement Officers may enter into contracts to procure goods or services within their delegated financial limit without first inviting written quotes or tenders in the following circumstances:

- Purchases of genuine parts for plant and equipment from an authorised dealer where no alternative source is reasonably available or the use of alternatives may void relevant warranties.
- Purchases of goods or services which, because of their specialised nature, it would be impractical or disadvantageous to invite quotes or tenders eg:
 - Corporate Software
 - Utilities eg water
 - Workcover
- Purchases from other levels of government.

Disaster Management

Council recognises that a disaster may create situations where procurement may need to be undertaken within compressed timeframes. As far as practical, the requirements for procurement should be undertaken within Council's normal processes and systems. Should procurement need to occur that does not comply with quotation or tender requirements the provisions of Section 235 of the Regulation should be followed.

Meeting adjourned at 10:33 am

Meeting resumed at 10:50 am

10.7 Local Government Association Queensland Annual Conference 2023 - Motions

Executive Officer: General Manager Council Sustainability

Attachments: Nil

Recommendation

That Council decide on the motions to be submitted for the LGAQ Annual Conference in 2023.

Moved: Cr Jeff McConnell

Seconded: Cr Duncan McInnes

That Council adopt the proposed motions for submission to the Local Government Association Queensland Annual Conference 2023:

1. Flying Fox Management

"That the Queensland Government provides additional funding aimed at developing sustainable long-term solutions for Flying Fox management to support scientific research, monitoring and management programs along with the provision of a public awareness and education campaigns."

2. Homelessness

"That the Queensland Government addresses the homelessness issue by providing additional funding to support affordable housing initiatives, support services, prevention programs and public awareness campaigns with the aim of providing safe and affordable housing for every member of the community."

Proposed amendment

Cr Virginia West proposed the addition of the following words in the paragraph numbered 1 in the Motion:

"... to include funding for a property buy back for situations where the safety, hygiene and amenity of properties adjoining a roost are severely affected."

Seconded Cr Michael Enright

The mover and seconder of the original motion agreed with the amendment.

The motion, as amended:

That Council adopt the proposed motions for submission to the Local Government Association Queensland Annual Conference 2023:

1. Flying Fox Management

"That the Queensland Government provides additional funding aimed at developing sustainable long-term solutions for Flying Fox management to support scientific research, monitoring and management programs to include funding for a property buy back for situations where the safety, hygiene and amenity of properties adjoining a roost are severely affected, along with the provision of a public awareness and education campaigns."

2. Homelessness

"That the Queensland Government addresses the homelessness issue by providing additional funding to support affordable housing initiatives, support services, prevention programs and public awareness campaigns with the aim of providing safe and affordable housing for every member of the community."

was then put and

Carried unanimously

Cr Jeff McConnell declared:

"I declare that I have a prescribed conflict of interest in Item 10.8 Inappropriate Conduct Matter C-23-00041 as I am the subject Councillor of the complaint, and after answering any questions from my fellow Councillors, will leave the meeting."

The Principal Specialist Governance and Assurance advised that, in accordance with the Standing Orders, Cr Jeff McConnell's conflict of interest is 'declarable', noting that a 'prescribed' conflict of interest would require the Councillor to leave the meeting room upon making his declaration. It was confirmed the appropriate process for a declarable conflict of interest allows the Councillor to remain in the meeting room until such time as the Councillors have asked questions and then Cr McConnell is required to leave the meeting room.

Cr Jeff McConnell confirmed his conflict of interest in Item 10.8 is 'declarable'.

10.8 Inappropriate Conduct Matter C-23-00041

Executive Officer: General Manager Council Sustainability

Attachments:

1. Investigation Report - Inappropriate Conduct Matter C-23-00041 - Confidential
2. OIA Referral and attachments C-23-00041 - Confidential
3. Invoice for Investigation - Confidential
4. Statement in Response by subject Councillor - Confidential

Recommendation

That Council determine if Councillor McConnell has engaged in inappropriate conduct and, if so, the order or orders to be made.

That Council, pursuant to sections 150AG and 150AH of the *Local Government Act 2009*, find that:

1. Councillor McConnell did engage in inappropriate conduct for the words used when speaking to a Council employee at the Council Christmas function held on 9 December 2022; and
2. Councillor McConnell did not engage in inappropriate conduct for the allegation regarding the provision of advice to members of the community facing compliance issues.

Moved: Cr Greg Christensen

Seconded: Cr Michael Enright

At 11:15 am, Cr Jeff McConnell left the meeting, prior to discussion and voting on the matter.

For: Crs Greg Christensen, Virginia West and Michael Enright

Against: Crs Amanda Hay, Marshall Chalk and Duncan McInnes

Equal

Cr Greg Christensen issued a casting vote in the affirmative.

Carried

Motion

That, under s.150AH of the *Local Government Act 2009*, an order that Cr McConnell make a public admission at the next available Ordinary Meeting that the Councillor has engaged in inappropriate conduct.

Moved: Cr Michael Enright

Seconded: Cr Virginia West

For: Crs Greg Christensen, Virginia West, Michael Enright and Duncan McInnes

Against: Cr Marshall Chalk

Abstained: Cr Amanda Hay

In accordance with s.254E(2)(c) of the *Local Government Regulation 2012*, if a Councillor fails to vote, the Councillor is taken to have voted in the negative.

Carried 4/2

At 11:33 am, Cr Jeff McConnell returned to the meeting.

Cr Greg Christensen advised Cr Jeff McConnell of the resolution of Council on Item 10.8.

10.9 Council Monthly Financial Report for June 2023**Executive Officer:** General Manager Council Sustainability**Attachments:**

1. Monthly Financial Report June 2023 
-

Recommendation

That Council receive the unaudited financial statements for the period ended 30 June 2023 for the Financial Year 2022-2023.

Moved: Cr Greg Christensen

Seconded: Cr Michael Enright

That Council receive the unaudited financial statements for the period ended 30 June 2023 for the Financial Year 2022-2023.

Carried unanimously

10.10 Amended Revenue Statement 2023-2024**Executive Officer:** General Manager Council Sustainability**Attachments:**

1. 2023-2024 Revenue Statement 
-

Recommendation

That, pursuant to sections 169(2) and 172 of the *Local Government Regulation 2012*, Council adopt the amended Revenue Statement 2023-2024 as tabled, which will replace the previous version adopted on 19 June 2023.

Moved: Cr Duncan McInnes

Seconded: Cr Jeff McConnell


That, pursuant to sections 169(2) and 172 of the *Local Government Regulation 2012*, Council adopt the amended Revenue Statement 2023-2024 as tabled, which will replace the previous version adopted on 19 June 2023.

Carried unanimously

Additional Items**10.11 LATE ITEM - 2023 Australian Local Government Women's Association Queensland State Conference**

Executive Officer: Chief Executive Officer

Attachments:

1. ALGWA State Conference 2023 Preliminary Program 
-

Recommendation

That:

1. Council note that the 2023 Australian Local Government Women's Association Queensland State Conference will be held in Brisbane on 3-4 August 2023; and
2. Council endorse Cr Amanda Hay's attendance at the Conference.

Moved: Cr Virginia West
Seconded: Cr Marshall Chalk

That:

1. Council note that the 2023 Australian Local Government Women's Association Queensland State Conference will be held in Brisbane on 3-4 August 2023; and
2. Council endorse Cr Amanda Hay's attendance at the Conference.

Carried unanimously

Cr Amanda Hay declared:

"I have a potential declarable conflict of interest in Item 11.2, Sale of Land for Overdue Rates and Charges, which is to be held in closed session. The conflict may arise as I have had personal contact with one of the property owners named in the list of properties, pre my election as a Councillor and I also represented those persons during the land valuation process with the State Government some years ago.

"I intend to seek a decision of the other non-conflicted Councillors in relation to whether I can remain in the room, participate in the discussion and vote, if required."

Motion

That Council find that Cr Hay does not have a conflict in relation to this matter.

Moved: Cr Greg Christensen
 Seconded: Cr Jeff McConnell

Carried unanimously

Cr Amanda Hay did not vote.

11 Confidential Matters

At 11:55 am, Council resolved into closed session, in accordance with Council's Meetings and Other Forums Procedure relating to closed Council Meetings and the provisions of Section 254J(3) of the *Local Government Regulation 2012*, to discuss confidential items relating to:

- (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government
- (d) rating concessions

Moved: Cr Duncan McInnes
 Seconded: Cr Virginia West

Carried unanimously

At 12:30 pm, following discussion in closed session, Council resumed in open session for the proposal of resolutions.

Moved: Cr Jeff McConnell
 Seconded: Cr Virginia West

Carried unanimously

11.1 Participation Return Policy - Urban Utilities [Closed s.254J(3)(g)]**Executive Officer:** General Manager Council Sustainability**Recommendation**

That, pursuant to section 257 of the *Local Government Act 2009*, Council delegate to the Chief Executive Officer the power to confirm amendments to the participation returns policy of Central SEQ Distributor-Retailer Authority trading as Urban Utilities consistent with section 28 of the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009 (Qld)* and the participation agreement.

Moved: Cr Michael Enright
Seconded: Cr Jeff McConnell

That, pursuant to section 257 of the *Local Government Act 2009*, Council delegate to the Chief Executive Officer the power to confirm amendments to the participation returns policy of Central SEQ Distributor-Retailer Authority trading as Urban Utilities consistent with section 28 of the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009 (Qld)* and the participation agreement.

Carried unanimously

11.2 Sale of Land For Overdue Rates and Charges [Closed s.254J(3)(d)]**Executive Officer:** General Manager Council Sustainability**Recommendation**

That:

1. Council resolve to proceed with sale of land action on the attached list of properties; and
2. Council delegate to the Chief Executive Officer the power to take all further steps under Chapter 4, Part 12, Division 3 of the *Local Government Regulation 2012*, to effect sale of the land procedures, including for the avoidance of doubt the power to end sale procedures.

Moved: Cr Duncan McInnes

Seconded: Cr Marshall Chalk

That:

1. Council resolve to proceed with sale of land action on the attached list of properties; and
2. Council delegate to the Chief Executive Officer the power to take all further steps under Chapter 4, Part 12, Division 3 of the *Local Government Regulation 2012*, to effect sale of the land procedures, including for the avoidance of doubt the power to end sale procedures.

Carried unanimously

12 Other Business

Nil

The Ordinary Meeting ended at 12:34 pm.

To be confirmed on 8 August 2023.

Cr Greg Christensen**Mayor**