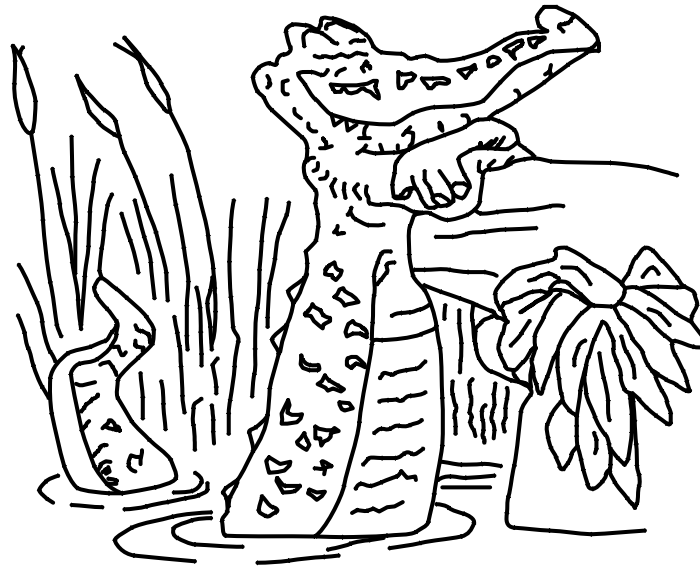


BURKE SHIRE COUNCIL



Minutes of Ordinary Meeting

held on

27 May 2009

UNCONFIRMED

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01. PRESENT Cr Annie Clarke (Mayor and Meeting Chair)
Cr Ernie Camp (Deputy Mayor)
Cr Tracy Forshaw
Cr Bill Olive
Cr Tonya Murray

Fred de Waard – Acting Chief Executive Officer
Jenny Williams – Minutes Clerk

02. OPENING OF MEETING

The Chair declared the Meeting open at 8:37am.

03. PRAYER

Cr Camp led Council in Prayer.

04. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes from Ordinary Meeting 15 April 2009

Moved: Cr Olive
Seconded: Cr Forshaw

That the Minutes of the Ordinary General Meeting held on the 15th April 2009 as presented be confirmed by Council.

CARRIED 01. 090527

05. MAYORAL MINUTE AND REPORT

The Mayor delivered a verbal report on various matters.

06. COUNCILLOR REPORTS

Verbal reports were provided by Councillors on various matters.

07. CHIEF EXECUTIVE OFFICERS REPORTS

Moved: Cr Camp
Seconded: Cr Murray

That

A) the Chief Executive Officers Business Papers for Information numbered 09.01.01 to 09.01.02 as presented be received by Council and noted; and

B) the Chief Executive Officers Business Papers for Council Consideration and Decision numbered 09.02.01 to 09.02.15 as presented be received by Council for consideration.

CARRIED 02. 090527

09.02.01 Lorraine Pastoral Company – Query on Rates

FILE: RAT/410/00000

Michael Crisp, Manager of Lorraine Station wrote seeking an explanation as to why the rates for the part of Lorraine Station in Burke Shire are “*priced at such a disadvantage to other properties within the shire*“. A response was provided by the Chief Executive Officer detailing Council’s revenue policy for the relevant years however Mr Crisp was not satisfied with that explanation and has requested that “*council respond with either the reason or formula for calculating the rural rate category pricing amounts, or a reduction in the charge for rating category 6 to a charge in line with what other rural rate payers are charged*”

Moved: Cr Clarke
Seconded: Cr Olive

That Mr Crisp be advised that:

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- (a) Council’s revenue policy and differential rating categories that are applied to rural properties in Burke Shire were established by Council in the 2006/2007 budget year to deal with significant valuation changes that took effect that year and were determined by Council at the time to be the best option available to Council to maintain relative charges for rural properties at as close as possible to the 2005/2006 rating relativities before the revaluation of properties took effect;
- (b) The establishment of the system of differential rates and charges used by Council from the 2006/2007 year onwards was conducted in accord with the requirements of the Local Government Act 1993;
- (c) The categorisation method used was to categorise rural properties by bands based on areas of those rateable properties and to apply varying cents on the \$ to such bands so that properties in such bands were levied as close as possible to the same relative rates that were levied prior to the revaluation of such properties that took effect from 1 July 2006;
- (d) Council is unable to change such categorisations or its revenue policies or rating decisions in retrospect as such rating decisions, once legally made, can not be changed by Council for the financial years for which such decisions are made at the relevant budget meeting of Council;
- (e) Council reviews its rating policies at each budget time with the next review due being for the rates for the 2009/2010 budget year;
- (f) Council will give consideration to the request for a review of the rate applicable to differential rating category 6 in the formulation of its 2009/2010 budget however Council does note that the applicable rates to the part of Lorraine Station in Burke Shire have yet to reach the rates and charges made on that property in the 2005/2006 financial year.

CARRIED 03. 090527

09.02.02 Upcoming Events and Council Participation

FILE: CON/01

Council has been invited to attend a number of upcoming events. These are listed with a request that Council determine which of any Council is to attend as well as who is to attend on Council’s behalf.

Moved: Cr Camp		
Seconded: Cr Olive		
That Council attend the following:		
10-12 June 3 days Emerald	Inaugural LGAQ Disaster Management Conference	Attendance by Mayor
24-25 June 2 days Karumba	Gulf Catchments Pest Task Force Meeting	Attendance by Cr Forshaw
7 July 1 day Georgetown	GSD and NGRMG – Joint Open Forum	Attendance by Mayor , Deputy Mayor and Chief Executive Officer
24-27 August 4 days Brisbane	LGAQ 113 th Annual Conference	Attendance by Mayor, Cr Forshaw and Chief Executive Officer
21-22 October 2 days Townsville	Economic Development Conference 2009	Attendance by Mayor and Cr Murray

CARRIED 04. 090527

09.02.03 Swimming Pool Safety Review

FILE: SPO/06

The Department of Infrastructure and Planning is conducting public consultation and road shows for the review of Queensland's swimming pool safety laws. The report of the Swimming Pool Safety Review Committee has been released and can be downloaded from www.dip.qld.gov.au/poolsafety. Submissions are sought and must be lodged by 5pm on Friday 5 June 2009.

Moved: Cr Clarke
Seconded: Cr Camp

That Council advise the Department that the review presents some concerns to Council as follows:

- (a) Any legislation that calls up an Australian Design Standard as legislative requirement that must be met should also ensure that that Australian Design Standard is available to members of the public free of charge;
- (b) Mandatory follow up inspections for new pools and mandatory pool safety inspection requirements should be subject to exemptions for remote rural areas because of the excessive cost burden that would be imposed on remote rural property owners with swimming pools to comply with such requirements, particularly when private swimming pools in remote areas often present the only 'safe' swimming environment for children.
- (a) Remote Rural areas should be exempted from the establishment of a register of swimming pools.

CARRIED 05. 090527

09.02.04 Shire of Strathbogie – Regional and Local Community Infrastructure Program

FILE: INF/01

The Shire of Strathbogie (Euroa, Victoria) has provided a copy of a letter to the Federal Minister for Infrastructure, Transport, Regional Development and Local Government suggesting the reduction in the \$2M threshold to \$500,000 for small rural local governments and allowing the aggregation of several projects to attain the threshold.

Moved: Cr Forshaw
Seconded: Cr Murray

That Council support the proposal made by the Shire of Strathbogie and advise the Federal Minister for Infrastructure, Transport, Regional Development and Local Government accordingly.

CARRIED 06. 090527

09.02.05 Swine Flu – Suggested course of action for Local Governments

FILE: HEA/17

The LGAQ has issued a Circular on Swine Flu on the 1st of May 2009. Since the issue of that circular the level of alert has been raised from "Preparedness Phase" to the "Contain" Phase on the 22nd of May 2009. This has implications for Council that need to be considered.

Moved: Cr Camp
Seconded: Cr Olive

That Council implement a communication strategy to its workforce and community outlining the measures that its workforce and community needs to consider implementing during this phase of the Swine Flu Pandemic as identified in the Pandemic Influenza Plan.

CARRIED 07. 090527

09.02.06 Consultation Draft on Proposed Animal Management (Cats & Dogs) Regulation 2009.

FILE: ANI/16

The Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships has provided a consultation draft of the proposed Animal Management (Cats and Dogs) Regulation 2009 following the release and implementation of the Animal Management (Cats and Dogs) Act 2008. Councils are asked to provide comment on the regulations.

Moved: Cr Murray
Seconded: Cr Olive

That Council not prepare any submission on the regulations.

CARRIED 08. 090527

09.02.07 Implementation of the Animal Management (Cats & Dogs) Act 2008.

FILE: ANI/16

The Department of Infrastructure and Planning has issued a Local Government Bulletin on the implementation of the Animal Management (Cats and Dogs) Act 2008. The Act commences on the 1st of July 2009 and all Local Governments are required to prepare for the regulatory implementation of particular provisions of the Act from that date. Burke Shire Council has been granted a period of no later than 10 December 2010 to prepare for, implement and regulate the new requirements under the Act.

Moved: Cr Forshaw
Seconded: Cr Murray

That Council send its Ranger to the regional workshop on this matter to be conducted in Mt Isa in the near future.

CARRIED 09. 090527

09.02.08 Offer to explore and develop relationships with Chinese Cities.

FILE: LGA/16

The Mayor has requested that an offer from the Australian International Trade Association & Associates to see if Council is “interested in exploring and developing a cooperative relationship with Chinese Cities so that both of cities could benefit from the cooperation and more” be considered by Council.

Moved: Cr Clarke
Seconded: Cr Murray

That Council advise the Australian International Trade Association & Associates that it is a small remote rural local government with limited resources to adequately service a sister city style relationship however Council remains interested in developing such a relationship in a limited way that is sustainable for Council given the joint interests in the region of Council and China’ investment in the region through its recently announced company share acquisitions.

CARRIED 10. 090527

09.02.09 Inaugural DLGP CEO Forum Julia Creek 11 June

FILE: INF/01

The Department of Infrastructure and Planning (Formally DLGP) has advised that it is holding an inaugural CEO forum in Julia Creek on the 11th of June and has invited the attendance of all CEO’s from the region.

Moved: Cr Camp
Seconded: Cr Murray

That Council approve the attendance of the Acting Chief Executive Officer at this forum.

CARRIED 11. 090527

Declaration of Material Personal Interest & Attendance

Cr Forshaw declared a Material Personal Interest in the following matter and left the Council Chambers at 10:06am.

09.02.10 Request for temporary placement of batching plant at Burketown Water Treatment Plant

FILE: PRV/01

A request has been received from Ian & Tracy Forshaw of Forshaw Contracting for permission to set up our mobile concrete batching plant at the Water Treatment Plant.

They advise that “We are contracted to starting pouring concrete next week in Burketown for various people, and we have in the past been granted permission from Council to set up at the water treatment plant. We envisage that we will only be in Burketown for about 3 weeks. We hold a current EPA licence for the mobile batching plant.”

Moved: Cr Camp
Seconded: Cr Olive

That Council endorse the actions of the Chief Executive Officer in approving the request and that it be Council policy that such requests be able to be approved by the Chief Executive Officer in the future on the proviso that all site safety matters and tidy up are attended to by the applicant, relevant fees (Where they have been set by Council) are paid and the temporary use of the site does not interfere with Council infrastructure or works requirements.

CARRIED 12. 090527

ADJOURNMENT

That Mayor adjourned the Meeting for morning tea from 10:07am to 10:23am.

ATTENDANCE

Upon resumption all present at the time of adjournment were present plus Cr Forshaw.

09.02.11 Channel 7 News Story – Gulf

FILE: EVE/01

Mr Michael Coombes (Seven Network Producer/Journalist) has requested assistance with background information and access to sites for two stories in production for the gulf region – one on the cattle industry and one on the region ‘coming alive’ after the floods.

Moved: Cr Camp
Seconded: Cr Murray

That Council provide assistance to the Seven Network by way of ‘in-kind’ assistance of travel to sites in the shire during the visit as well as providing access to relevant Council staff to help brief the journalist on the stories required.

CARRIED 13. 090527

09.02.12 Implementation of regulated dogs provisions of the Animal Management (Cats & Dogs) Act 2008

FILE: ANI/16

The Department of Infrastructure and Planning has advised of the requirement of Council to implement the regulated dog provisions of the Animal Management (Cats & Dogs) Act 2008 from the 1st of July 2009.

Moved: Cr Forshaw
Seconded: Cr Olive

That Council not seek the earlier full implementation of the Animal Management (Cats & Dogs) Act 2008 at this time.

CARRIED 14. 090527

09.02.13 Review of Grants and Subsidies Report – Request for Comment

FILE: INF/01

The Department of Infrastructure and Planning has released a report on the Review of Grants and Subsidies arising out of the commissioning of Deloitte to undertake the review to identify key issues and recommend strategies to address the large amount of unpaid grants each year. Comment was sought on the 22nd of April with a response sought by the 18th of May.

Moved: Cr Murray
Seconded: Cr Olive

That the Department be advised of the Chief Executive Officer's responses.

CARRIED 15. 090527

09.02.14 Council's Method of Representation – Request for Council views

FILE: INF/01

The Department of Infrastructure and Planning is seeking Council's views on whether Council wants to have its method of representation changed for the next election. The request is specifically restricted to whether or not Council should be represented on a divided or undivided basis for the next election. The Minister would like to 'test the views of all Councils for any future approach'.

Moved: Cr Camp
Seconded: Cr Forshaw

That Council advise the Department that its preference is for Councillors to be elected on an undivided basis and for there to be an increase in the number of Councillors allocated to the Shire.

CARRIED 16. 090527

09.02.15 Weed and Pest Animal Management Plan Update

FILE: PES/02

The Department of Industries and Fisheries has provided a detailed update on a number of matters with respect to Weed and Pest Management. Included in this update are advices on the following:

- a) Council's are required to have reviewed their Pest Management Plans at least three months before the commencement of each financial year
- b) the 10th Queensland Weed Symposium will be held in Yeppoon in July 2009 and relevant weed management staff, supervisors and managers are encouraged to attend.

Moved: Cr Olive
Seconded: Cr Murray

That Council advise the Department that a review of Council's Pest Management Plan will be undertaken in the later part of 2009 due to resourcing issues and that no one from Council will be attending the Weed Symposium on this occasion;

AND

That Southern Gulf Catchments be approached to assist with the Pest Management Plan review for the Shire with a view to updating the Pest Management Plan and identifying relevant strategies for Council to concentrate on in its region for the next five years.

CARRIED 17. 090527

08. WORKS MANAGER REPORTS

Moved: Cr Camp
Seconded: Cr Murray

That

A) The Works Manager Business Papers for information numbered 10.01.01 to 10.01.02 as presented be received by Council and noted; and

B) The Works Manager Business Papers for Council Consideration and Decision numbered 10.02.01 to 10.01.08 as presented be received by Council for consideration.

CARRIED 18. 090527

ATTENDANCE

Mr Dennis Kerr, Acting Works Manager, attended the Meeting at 10:40am.

Chief Executive Officer left the chambers at 10:45am.

Chief Executive Officer entered the chambers at 10:46am.

10.02.01 Gregory/Lawn Hill Road – Proposed Haulage of Gravel along this Road

FILE: ROA/08

Gregory Lawn Hill Road needs a Level of Service agreement putting in place so it is quite clear what is expected of Ozminerals Century Mine, this will also allow Council monitor the roads condition and the roads agreed Level of Service standards will dictate what the specific maintenance specification requirement on the road are to be maintained at.

Moved: Cr Olive
Seconded: Cr Camp

That Council enter into discussions with Ozminerals Century Mine to draft a formalised Level of Service specification and documented agreement for the Specific section of Gregory to Lawn Hill Road that Ozminerals Century Mine utilises.

CARRIED 19. 090527

10.02.02 Burketown Wastewater Treatment Plant – Repairs Report

FILE: SEW/15

Technical advice has been received from WRG (Water Recycle Group) on the status of the Council Blivett at Burketown WWTP (Waste Water Treatment Plant). Some remedial work by WRG in April 2009 has brought the Plant back into operation again, however there are further needs for additional minor maintenance issues to be remedied along with some major items that need to be investigated for assessment on a needs basis and costing estimates for budget consideration.

Operator training has been recommended in the WRG report and is possibly needed for the efficiency and longevity of the WWTP Infrastructure, along with producing a more accurate result in the waste water sampling and reporting process.

Moved: Cr Camp
Seconded: Cr Forshaw

That consideration by way of investigations into the needs for further maintenance to the WWTP (Waste Water Treatment Plant) Infrastructure be undertaken as a matter of urgency with cost estimates provided for consideration in the 2009-2010 budget deliberations.

AND

That minor recommended electrical maintenance be actioned and training for operators at the WWTP be provided for in the coming 2009-2010 budget considerations.

CARRIED 20. 090527

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10.02.03 Fatigue Management Regulations

FILE: STA/13

Council has liaised with King and Company for a legal opinion and has been liaising with LGAQ in an alliance of Gulf Councils proposing to bring about a combined submission on a relaxation or exemption of the Fatigue Management Regulation.

The chief executive of Queensland Transport does have the powers to allow relaxation or exemption where it can be demonstrated or proved that a Council can manage fatigue within its employee/driver a contractor environment through other avenues of fatigue management

The process for relaxation is quite complex and requires very onerous provisions regarding driver operations and rest management practices to this end LGAQ has the resources and abilities to negotiate the best outcome for the Councils it is representing in this matter.

Moved: Cr Forshaw
Seconded: Cr Murray

That Council endorse the continuance with the Alliance of Gulf Councils by means of LGAQ who are making a combined submission for an exemption to the requirements of the Fatigue Management Regulations to effect a more realistic process for Council Works operations drivers as opposed to long haul driver fatigue management.

CARRIED 21. 090527

10.02.04 Oz -Minerals Proposal for Upgrading Sections of Gregory-Lawn Hill Road

FILE: ROA/08

Oz-Minerals Superintendent of Site Services at Century Mine approached Councils Works Manager with a proposal to provide a mine contractor to supply machinery services for maintenance and upgrading of specifically nominated sections of the Gregory-Lawn Hill road that is utilised by the Century Mine traffic with a request that Council supply the necessary materials.

There are Legislative compliances along with Council purchasing policy commitments which have elements of NCP (National Competition Policy) compliances prohibiting Council from entering into sole purchasing and proposals that have monetary values.

Due to the current wet seasons flood and storm events there is a submission for remedial works being prepared to this end this activity would normally have to be administered by Council complying with the appropriate guide lines for NDRA Flood Damage which without investigation there is some doubt as to the appropriateness of utilising this funding in any arrangement other than as per the NDRA guidelines.

Moved: Cr Clarke
Seconded: Cr Forshaw

That Council respond to Oz-Minerals Superintendent of Site Services stating that Council has considered the Oz-Minerals proposal for provision of a Mine contractor to assist with maintenance and upgrade works on specific sections of the Gregory-Lawn Hill Road and, pending further investigations into the allocation of funds for this project, they be advised that Council is unable to concur with Oz-Minerals proposal.

CARRIED 22. 090527

10.02.05 NDRA Preliminary Flood Damage Assessment Update

FILE: FLO/15

LGInfrastructure Services has approached the Chair of the NWQRRG (North West Queensland Regional Road Group) Mr Paul Woodhouse offering any member Council of the Group services to prepare the NDRA Flood Damage submission for the current year's event.

Council's officers have compiled this Council's Shire Roads Flood Damage submission and the documents are now ready for the Acting Works Manager to examine the submission prior to the CEO and or Mayoral certification of the submission.

Council's officers have been proactive in formulating the submission ready for examination, certification at the Council level.

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Moved: Cr Olive
Seconded: Cr Camp

That Council respond to the NWQRRG Chair advising that Council has the NDRA Flood Damage submissions well advanced and thanking the Chair for LG Infrastructure's offer of services and further advise that future submissions may require the services offered.

CARRIED 23. 090527

10.02.06 Outstanding Requirements for Water Supplies.

FILE: WAT/39

A legislative requirement of Council as a drinking water service provider is to regularly furnish drinking water monitoring and reporting documentation.

According to the OWSR (Office of the Water Supply Regulator, Council was issued a request in the form of a letter on the 28th November 2008 asking for a legislative required drinking water reporting form be completed and submitted to the office of the Regulator, to this a further letter was written to Council on the 24th March requesting the documentation be submitted by the 27th April 2009.

The recommendation below outlines the proposed submission of this reporting document.

Moved: Cr Camp
Seconded: Cr Olive

That Council receive this report and note that the reporting for Councils drinking water supplies as the Shires service provider, a requirement by legislation to the Office of the Water Supply Regulator, will be submitted post haste.

CARRIED 24. 090527

10.02.07 RMPC Contract Outstanding Management Plans & Associated Documents

FILE: ROA/19.09

Council is required to produce 4 management plans to comply with the Main Roads RMPC contract, to date this requirement has not been fulfilled, however the current Acting CEO has instigated processes to fulfil this requirement and the Acting Works Manager has been directed to follow through with the appropriate processes to insure the document requirements are completed as quickly as possible.

Councils Acting Works Manager will liaise with the appropriate personnel at Main Roads to maintain the established undertaking by the ACEO to supply the necessary requirements for the RMPC contracts.

Moved: Cr Clarke
Seconded: Cr Camp

That Council receive this report and note that the RMPC contract documents required will be treated as urgent and delivered to Main Roads as soon as completed and that Main Roads will be kept informed of the documents preparation and development.

CARRIED 25. 090527

10.02.08 CASA (Civil Aviation Safety Authority) and Aerodrome Drug and Alcohol Management Plan.

FILE: AIR/11

CASA (Civil Aviation Safety Authority) is updating its DAMP (Drug & Alcohol Management Plans) database and have requested Council submit the following:

- DAMP in place to meet the requirements of CASR (Civil Aviation Safety Regulations) Part 99.035 (2) (a) (ii)
- DAMP contact – Name, Phone, Email (CASR Part 99.045)
- Best phone contact – is it 07 4745 5100?

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Moved: Cr Camp
Seconded: Cr Forshaw

That Council receive this report along with an assurance that the Acting Works Manager will follow through to getting the appropriate DAMP (Drug & Alcohol Management Plan) drafted to satisfy Councils obligations to CASA (Civil Aviation Safety Authority) and in due course present the proposed Plan to Council with a recommendation for consideration and possible Council endorsement.

CARRIED 26. 090527

ATTENDANCE

Dennis Kerr, Acting Works Manager, left the Meeting at 11:18am.

Suspension of Standing Orders – Meeting with Gulf Savannah Development

Moved: Cr Clarke
Seconded: Cr Forshaw

That Council suspend standing orders to allow for presentations to Council by representatives of Gulf Savannah Development and Regional Development Australia.

CARRIED 27.090527

ADJOURNMENT

That Mayor adjourned the Meeting for lunch from 12:42pm to 1.36pm.

ATTENDANCE

Upon resumption all present at the time of the suspension of standing orders were present.
Zoe Belz, Manager Corporate Services, attended the Meeting at 1:36pm.

Resealing of Airport and completion of Albert Bridge approaches sealing.

Moved: Cr Clarke
Seconded: Cr Murray

That the Chief Executive Officer be delegated authority to approve entering into a contract for the resealing of the Burketown Airport and the sealing of the approaches to the Albert River Bridge.

CARRIED 28. 090527

09. MANAGER CORPORATE SERVICES REPORTS

Moved: Cr Olive
Seconded: Cr Murray

That

A) The Manager Corporate Services Business Papers for Information numbered 11.01.01 to 11.01.02 be received by Council and noted; and

B) The Manager Corporate Services Business Papers for Council Consideration numbered 11.02.01 to 11.02.20 as presented be received by Council for consideration.

CARRIED 29. 090527

11.02.01 Request for purchase of old wheelie bins

FILE: WAS/01

Council has received a letter from Ken Dean, Escott Station enquiring about purchasing old wheelie bins prior to the next Council auction.

Moved: Cr Murray
Seconded: Cr Camp

That the writer be advised that wheelie bins are not currently available for sale and that the community will be notified once the date is set for the next Council auction.

CARRIED 30. 090527

11.02.02 Outback Calling Ltd

FILE: EVE/01

Outback Calling Ltd, is inviting Council to become part of its National Rural Service Providers Directory.

Moved: Cr Forshaw
Seconded: Cr Camp

That Council not participate in the Outback Calling Ltd National Rural Service Providers Directory.

CARRIED 31. 090527

11.02.03 Investment Policy

FILE: BAN/01

Council is charged by the ratepayers with securing the best possible return on its investments. An investment policy sets out the guidelines to achieve this.

Moved: Cr Forshaw
Seconded: Cr Murray

That Council adopt the Burke Shire Council Investment Policy as presented.

[Attachment 1 to Minutes]

CARRIED 32. 090527

11.02.04 North Queensland Sports Development Award Bursary

FILE: SPO/09

The North Queensland Sports Foundation is calling nominations for the BHP Billiton's Cannington Mine North Queensland Sports Development Bursary.

Moved: Cr Forshaw
Seconded: Cr Murray

That Council invite nominations for the North Queensland Sports Development Bursary from the Burke Shire Community.

CARRIED 33. 090527

11.02.05 Burketown Pub – Request for Assistance

FILE: EVE/01

The participants in the Royal Flying Doctors Outback Trek are holding an evening function in Burketown on 9 June 2009. The Burketown Pub is hosting and catering for the function and is requesting the use of the Shire Hall at no cost.

Moved: Cr Murray
Seconded: Cr Olive

That Council waive the hall hire fees and the bond for the Burketown Pub for the use of the Shire Hall for the RFDS Outback Trek on 9 June 2009.

CARRIED 34. 090527

11.02.06 Annual Flying Doctor Outback Trek – request to camp at rodeo grounds

FILE: EVE/01

The organisers of the Flying Doctor Outback Trek have requested permission to camp at the rodeo grounds on the night of Tuesday 9 June 2009.

Moved: Cr Forshaw
Seconded: Cr Murray

That Council provide the in-kind assistance as requested.

CARRIED 35. 090527

11.02.07 Request for Support for the RFDS Outback Air Race 2009

FILE: EVE/01

A team participating in the RFDS Outback Air Race (combined with the Outback Trek) has requested that Council provide a donation to the RFDS to assist their team to meet entry requirements.

Moved: Cr Forshaw
Seconded: Cr Olive

That Council donate \$100 to the RFDS to contribute to the entry fee for the writers,

AND

That Council amend its donations budget for the 2008/09 to allow for said donation.

CARRIED 36. 090527

11.02.08 Rating of Bidunggu Aboriginal Land Trust for services

FILE: RAT/02.230/15000

Council is not currently charging Bidunggu for services via the annual rates levy.

Moved: Cr Forshaw
Seconded: Cr Camp

That Council include charges for services provided to Bidunggu Aboriginal Land Trust in the Revenue Statement and Revenue Policy for the year ending 30 June 2010.

CARRIED 37. 090527

11.02.09 Productivity Placements Program 2009/10 Year – LGAQ – Signing of Draft Memorandum of Understanding Sought

FILE: STA/01

The LGAQ is requesting all Councils participating in the Productivity Placements Program (PPP) for 2009/10 sign a draft MOU which outlines the responsibilities of LGAQ and Council. Burke Shire Council did not bid for any placements for the 2009/10 year, therefore is not required to sign the MOU.

UNCONFIRMED

Moved: Cr Murray
Seconded: Cr Forshaw

That Council submit a bid for the Productivity Placements Program for the 2010/11 year;

AND

That Council authorise the Chief Executive Officer to sign a Memorandum of Understanding for this bid should it be required.

CARRIED 38. 090527

11.02.10 Jobs Fund Program

FILE: STA/01

The Jobs Fund is an Australian Government grants program which commences on 1 July 2009 and completes on 30 June 2011. It is aimed at funding projects that create employment in areas significantly affected by the economic downturn.

Moved: Cr Clarke
Seconded: Cr Forshaw

That Council not apply for funding from the Jobs Fund Program for the 2009/10 financial year.

AND

That Council express its disappointment that this scheme does not provide for the development of the region.

CARRIED 39. 090527

11.02.11 Local Government Week Activities – Councillor Nomination required

FILE: EVE/13

Local Government Week runs from 1st to 8th June 2009 and the theme is “Switched On Councils!”

Moved: Cr Camp
Seconded: Cr Murray

That Cr Camp present the Local Government Week prizes and participates in the excursion.

CARRIED 40. 090527

11.02.12 Council Policy regarding bonds - State and Federal Government Departments

FILE: SHI/03

Council has received a request from the DPI to waive the bond when using the Shire Hall. The register of fees and charges refers to specific groups that are not required to pay a bond when hiring the hall.

Moved: Cr Camp
Seconded: Cr Olive

That Council waive the bond payable by the DPI for hire of the Shire Hall on 18 June 2009;

AND

That a policy for exemptions from payment of hire fees and/or bond be prepared for Council’s consideration.

CARRIED 41. 090527

11.02.13 Council Housing Policy

FILE: SHI/20

The Burke Shire Council Housing Policy is currently under development. The issues in relation to allocation of current vacant housing stock and a review of rental rates can be dealt with prior to the finalisation of the housing policy.

Moved: Cr Olive

Seconded: Cr Murray

That

1. Council housing unsubsidised rental rates be set as follows:

Three (3) Bedroom Houses – Executive – furnished \$225.00 per week

Three (3) Bedroom Houses – partly furnished \$180 per week

Three (3) Bedroom Houses – unfurnished \$165 per week

Two (2) Bedroom Units – partly furnished \$150 per week

Two (2) Bedroom Units – unfurnished \$140 per week

One (1) Bedroom Units – partly furnished \$140 per week

One (1) Bedroom Units - unfurnished \$130 per week

and that all tenants (except for Council tenants who have currently subsidised rentals and/or a contractual entitlement to housing at the current rental rates) be advised of these revised rates and be given appropriate notice that the new rates are to apply from the 1st of August 2009;

2. Existing Council employees in Council houses at nominal or subsidised housing rates (up to \$50 per week) who do not have contractual entitlement to housing at the current rental rates or have contractual entitlements that state the rental rates are “subject to review” or are “at the rates currently set by Council” are to be given notice that rental rates for the accommodation used by them will be increased by \$30 per week from the 1st of August 2009 and a further \$30 per week each six month thereafter until the rental rates are at the unsubsidised rental rate level set for the accommodation used by them;

3. The allocation preference for housing in the unit complex on Lots 172-173 Musgrave Street be determined in the following order of priority:

1. Defined Council positions
2. Council Employees
3. General Public – aged or frail
4. General Public;

AND

4. The allocation of all other housing is determined in the following order of priority:

1. Defined Council positions
2. Council Employees
3. General Public.

CARRIED 42. 090527

Declaration of Conflict of Interest

Cr Clarke, Cr Camp and Cr Forshaw declared a conflict of interest with the following matter as they are members of the Gregory Downs Jockey Club

11.02.14 Council policy on in-kind assistance to community organisations

FILE: COO/06

Council received a request from the Gregory Downs Jockey Club for additional rubbish removal during the Labour Day long weekend. As this is assistance that Council has traditionally provided the request was approved by the Acting CEO pending endorsement by Council at the next Council Meeting.

Moved: Cr Clarke

Seconded: Cr Murray

That Council endorse the Acting CEO’s approval of in-kind assistance provided to the Gregory Downs Jockey Club;

AND

That Council authorise the CEO to approve in-kind assistance to community organisations of up to \$250 for photocopying and \$1,500 for additional rubbish collections per event;

UNCONFIRMED

AND

That Council invite community organisations to submit requests for monetary or additional in-kind assistance for Council's consideration for the 2009/10 budget.

CARRIED 43. 090527

All Councillors, including Crs Clarke, Camp & Forshaw voted in favour of the motion.

Declaration of Conflict of Interest

Cr Clarke, Cr Camp and Cr Forshaw declared a conflict of interest with the following matter as they are members of the Gregory District Sporting Association.

Attendance

Cr Murray left the chambers at 2:27pm.

Cr Murray entered the chambers at 2:28pm.

11.02.15 Gregory District Sporting Association – request for assistance – Gregory Campdraft

FILE: COO/02

Council has received a request from the Gregory District Sporting Association for in-kind assistance for the Gregory Campdraft on 20th & 21st June 2009.

Moved: Cr Olive

Seconded: Cr Camp

That Council provide in-kind assistance to the Gregory District Sporting Association in the form of photocopying and rubbish removal at the Gregory Campdraft on 20th and 21st June 2009.

CARRIED 44. 090527

All Councillors, including Crs Clarke, Camp & Forshaw voted in favour of the motion.

Declaration of Conflict of Interest

The Minutes Clerk, Jenny Williams, declared a Conflict of Interest in the following matter as she is the organiser of the local Biggest Morning Tea fundraising.

11.02.16 Biggest Morning Tea – Cancer Council – Request for Assistance

FILE: EVE/02

Council has received a request for a donation from the Cancer Council for Australia's Biggest Morning Tea.

Moved: Cr Forshaw

Seconded: Cr Camp

That Council donate \$100 towards to the Cancer Council for Australia's Biggest Morning Tea;

AND

That the budget for donations be amended to include said donation.

CARRIED 45. 090527

11.02.17 Queensland Government Arts Council – “Building on Success Report” – request for Council feedback

FILE: ART/01

Arts Queensland is requesting feedback on its 2007-2009 Queensland Arts Industry Sector Development Plan to assist with the preparation of the 2010-2012 plan.

Moved: Cr Murray

Seconded: Cr Forshaw

That Council not provide feedback on the 2007-2009 Queensland Arts Industry Sector Development Plan.

CARRIED 46. 090527

UNCONFIRMED

11.02.18 Request for assistance – GSRA – Vacation Care

FILE: SPO/12

GSRA has experienced difficulty in filling co-ordinator positions for the Burketown Vacation Care Program and are asking Council for assistance.

Moved: Cr Clarke

Seconded: Cr Murray

That GSRA be advised that Council is supportive of the program and can provide in-kind assistance to the Vacation Care Program run by GSRA by way of:

- * Free use of the Shire Hall;
- * Free use of the Burketown Aquatic Facility; and
- * A local Council officer to record local bookings for the program;

however GSRA will need to provide the administration and co-ordination for the program and employ any employees required to deliver the program in the Shire.

CARRIED 47. 090527

11.02.19 Revised Purchasing, Disposals, Stores and Freight Policy

FILE: ACC/01

Council's current purchasing policy was adopted in 1999, with the most recent update of the guidelines and procedures in 2003.

Moved: Cr Forshaw

Seconded: Cr Camp

That Council adopt the revised purchasing policy as presented.

[Attachment 2 to Minutes]

CARRIED 48. 090527

11.02.20 Arts & Craft Show 2009 – consideration for change of date

FILE: EVE/20

The annual Burke Shire Council Arts & Craft Show is scheduled for Saturday 29 August 2009. The annual LGAQ State Conference will be held in that same week

Moved: Cr Olive

Seconded: Cr Forshaw

That Council endorse the selection of Saturday 29 August 2009 for the annual Arts & Craft Show.

AND

That selection of possible dates for the 2010 show be provided to Council for consideration and decision.

CARRIED 49. 090527

11.02.21 Amended Budget

FILE: BUD/14

Council was presented with an amended budget for the financial year ending 30 June 2009 arising from Council budget discussions and review on the previous day.

Moved: Cr Olive

Seconded: Cr Murray

That the amended budget for the year ending 30 June 2009 as presented be adopted.

[Attachment 3 to Minutes]

CARRIED 50. 090527

UNCONFIRMED

10. COMMITTEE RECOMMENDATIONS

12.02.01 Burke Shire RADF Community Advisory Committee

FILE: RAD/01

Moved: Cr Olive
Seconded: Cr Forshaw

That:

1. Council endorse the membership of the Burke Shire Regional Arts Development Fund Community Advisory Committee as being the following:

Voting Members: Zoe Belz, Kylie Camp, Pam de Joux, Jenny Williams, Cr Annie Clarke and Jane Dibble; and Administrative Support (Non Voting Members): Cheryl Portch as RADF Liaison Officer;

2. Council endorse the recommendation that the Chairperson be elected at the next meeting of the committee;

3. Council endorse the Committee's suggestion regarding the 135th Anniversary celebrations for the Shire;

4. The committee be reminded that it is an advisory committee of Council and it is not authorised (nor able to be legally authorised) to expend any funds (Council or RADF Grants) and that any requests for such expenditure must be approved by Council (or the Chief Executive Officer or delegates of the Chief Executive Officer).

AND

5. The Chief Executive Officer ensure that all committee members receive a minimum of 7 days notice of meetings of the committee.

CARRIED 51. 090527

11. CLOSED SESSION REPORTS

Move into Closed Session

Moved: Cr Olive
Seconded: Cr Camp

That Council move into closed session to discuss Confidential Items under *Sections 463(a), (b) and (h) of the Local Government Act 1993*.

CARRIED 52 . 090527

ATTENDANCE

Zoe Belz, Manager Community Services, & Jenny Williams, Minutes Clerk left the meeting at the commencement of the Closed Session at 2:54pm.

Move into Open Session

Moved: Cr Murray
Seconded: Cr Camp

That the Meeting resume in Open Session to consider recommendations arising out of the Closed Session.

CARRIED 53. 090527

UNCONFIRMED

Kalkadoon Native Title Agreement - Memorandum of Understanding

FILE: NAT/26

Moved: Cr Murray
Seconded: Cr Olive

That:

- a) Council approve the non-legally binding Memorandum of Understanding tabled at Council's meeting on 27 May 2009 for the purposes of any native title claim mediations that the Council enters into;
- b) The Mayor or Chief Executive Officer sign the Memorandum of Understanding on Council's behalf as it relates to the mediation of the Kalkadoon native title claim; and
- (c) The Mayor be endorsed as Council's representative on the local government negotiating team to be formed under the Memorandum of Understanding.

CARRIED 54. 090527

Council Enterprise Bargaining Agreement Process

FILE: STA/01

Moved: Cr Camp
Seconded: Cr Forshaw

That the Chief Executive Officer establish a Local Government Employment Group (LGEG) for the Enterprise Bargaining process.

CARRIED 55. 090527

Request for extension of tenancy – Don and Patricia McEvoy

FILE: STA/01

Moved: Cr Olive
Seconded: Cr Murray

That an extended tenancy of the Council house occupied by Don & Patricia McEvoy be provided to the 30th of June 2009 with the extended tenancy period to be charged rental at the revised rental rates set by Council.

CARRIED 56. 090527

Position of Director Engineering Services

FILE: STA/01

Moved: Cr Olive
Seconded: Cr Camp

That the Mayor be authorised to make the appointment of the Director Engineering Services following candidate interviews.

CARRIED 57. 090527

Organisation Chart

FILE: STA/01

Moved: Cr Camp
Seconded: Cr Murray

That Council adopt the Organisation Chart as set out in Charts numbered 1 to 4.

[Attachment 4 to Minutes]

CARRIED 58. 090527

UNCONFIRMED

Position of Chief Executive Officer

FILE: STA/01

Moved: Cr Forshaw
Seconded: Cr Camp

That the Mayor be authorised to negotiate and accept an offer with the successful candidate for the position of Chief Executive Officer following the upcoming interviews of candidates.

CARRIED 59. 090527

12. Urgent Matters Requiring Council Decision

ALGA Conference and Meeting of Mayors

FILE: CON/01

Moved: Cr Murray
Seconded: Cr Camp

That the Mayor be authorised to attend the ALGA meeting and the Mayors Breakfast Meeting to be held in conjunction with the ALGA Conference in Canberra.

CARRIED 60. 090527

13. CLOSURE OF MEETING

The Chair declared the Meeting closed at 6:17pm.

14. MINUTES CERTIFICATE

~~Hereby certify that these pages numbered 1 to 19 and the attached four appendices in pages 20 to 58 constitute the confirmed minutes of the Meeting of Burke Shire Council held on Wednesday 27 May 2009.~~

These Minutes are yet to be confirmed.

.....
MAYOR

UNCONFIRMED

Burke Shire Council

Investment Policy

Document Control

Document Details:

Version Number: 1
Next Scheduled Review Date: May 2010

Version History

Version Number	Date	Reason/Comments
1	27 May 2009	Council Resolution 32.090527

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1.0 Preamble

Local governments have authority to exercise Category 1 investment power under Part 6 of the *Statutory Bodies Financial Arrangement Act 1982*.

The Queensland Treasurer may constrain the investing activities of a local government by limitation, caveat, restriction and/or other relevant regulation. In the event that this does occur this Investment Policy will require review.

2.0 Purpose

To provide Council with a contemporary investment policy based on an assessment of counterparty, market and liquidity risk within the legislative framework of the *Statutory Bodies Financial Arrangements Act 1982 (the Act)* and the *Statutory Bodies Financial Arrangements Regulations 2007(Regulations)*

The intent of this document is to outline Burke Shire Council's investment policy and guidelines regarding the investment of surplus funds, with the objective to maximize earnings within approved risk guidelines and to ensure the security of funds.

The activities of investment officers or fund managers responsible for stewardship of Burke Shire Council's funds will be measured against the standards in this Policy and its objectives.

3.0 Scope

The objectives of this policy are:

- To invest Council funds not immediately required for financial commitments;
- To maximise earnings from authorised investments after thorough assessment of counterparty, market and liquidity risks;
- To ensure that appropriate records are kept and that adequate internal controls are in place to safeguard public monies.

For the purpose of this policy investments are defined as arrangements that are undertaken or acquired for producing income. The term investments apply only to the cash investments of Burke Shire Council. This policy applies to the investment of all surplus funds held by Burke Shire Council.

Amounts are to be invested in a capital guaranteed cash fund or an approved cash management product only. Category 1 investment power allows for investment with QTC Capital Guaranteed Cash Fund or QIC's Cash Fund without further approval.

For the purposes of the appointment of an external fund manager pursuant to section 59 of the Act, where required, operating in a manner consistent with this policy will constitute compliance.

4.0 Definitions

“QIC” means the Queensland Investment Corporation

“QTC” means the Queensland Treasury Corporation

“S&P” means Standard and Poors, a subsidiary company of McGraw-Hill that performs financial research and analysis on stocks and debt instruments. S&P is one of the top three (3) authorities in the field, the other two (2) being “Moody's” and “A M Best.”

5.0 Background

All investment of Council's funds is to be in accordance with Council's power of investment under the: *Statutory Bodies Financial Arrangements Act 1982*;

Statutory Bodies Financial Arrangements Regulations 2007.

At present the Australian Federal government guarantees the first \$1 million of deposits with any authorised-deposit-taking institutions (ADI) until 11 October 2011. Effectively, until 11 October 2011, all APRA ADIs have been classified as AAA under the S&P long-term rating.

5.1 Terms of Investments

Under section 44(2) of the Act, the term to maturity of Council's investments must not exceed 1 year.

5.2 Types of Investments

Authorised investments under section 44 of the Act (Category 1 Investment Power) comprise the following:

- Deposits with a financial institution;
- Investment arrangement accepted, guaranteed or issued by or for the Commonwealth or a State or a financial institution;
- Other investment arrangements secured by investment arrangements accepted, guaranteed or issued by or for the Commonwealth or a State or a financial institution;
- Investment arrangements, managed or offered by QIC or QTC, prescribed under a regulation for this paragraph;
- An investment arrangement with a rating prescribed under a regulation for this paragraph;
- Other investment arrangements prescribed under a regulation for this paragraph.

Furthermore, section 44(2) of the Act states that the investment must be at call or for a fixed time of not more than 1 year.

6.0 Requirements

Council's duties when investing funds are outlined in section 47 of the Act as follows:

“47 Statutory body to try to invest at most advantageous rate

(1) A statutory body must use its best efforts to invest its funds-

- a. At the most advantageous interest rate available to it at the time of the investment for an investment of the proposed type; and*
- b. In a way it considers is most appropriate in all the circumstances”*

Section 47(2) states that the statutory body must keep records that show it has invested in the way most appropriate in all the circumstances and section 48 of the Act outlines further recordkeeping requirements as follows:

“48 Investment documents to be held by statutory body or as approved

A security, safe custody acknowledgment or other document evidencing title accepted, guaranteed or issued for an investment arrangement must be held by the statutory body or in another way approved by the Treasurer.”

7.0 Investment Objectives

Burke Shire Council's overall objective is to invest its funds at the most advantageous rate of interest available to it at the time, for that investment type, and in a way that it considers most appropriate given the circumstances. In priority, the order of investment activities shall be the preservation of capital, liquidity and return.

7.1 Preservation of Capital

Preservation of capital shall be the principal objective of the investment portfolio. This can be achieved by managing credit and interest rate risk with given risk management parameters and avoiding any transactions that would prejudice confidence in Council or its associated entities.

7.1.1 Credit Risk

Burke Shire Council will evaluate and assess credit risk prior to investment. Credit risk is the risk of loss due to the failure of an investment issuer or guarantor. As the Federal Government has guaranteed the first \$1 million of deposits with authorised deposit-taking institutions until 11 October 2011, the credit risk has been eliminated provided each deposit held in an ADI is under \$925,000.

7.1.2 Interest Rate Risk

Officers responsible for Council's investment shall seek to minimise the risk of a change in the market value of the portfolio because of a change in interest rates. This would be achieved by considering the cash flow requirements of Council and structuring the portfolio accordingly.

7.2 Maintenance of liquidity

The investment portfolio will maintain sufficient liquidity to meet all reasonably anticipated operating cash flow requirements of Council, as and when they fall due, without incurring significant transaction costs due to being required to sell an investment.

7.3 Return on investments

The portfolio is expected to achieve a market average rate of return and take into account Burke Shire Council's risk tolerance and current interest rates, budget considerations and the economic cycle. Any additional return target set by Council will also consider the risk limitations, prudent investment principles and cash flow characteristics identified within this Investment Policy.

8.0 Placement of Investment Funds

The two (2) areas of funds placement available to Council are as follows:

- 8.1 Direct Council Investment
- 8.2 Funds Management (Outsourcing of Investment)

8.1 Direct Council Investment

Not less than three (3) quotations shall be sought from authorised deposit-taking institutions whenever an investment is proposed. The best quote on the day will be successful after allowing for administrative and banking costs, as well as having regard to the limits set below. Investments held with the QTC cash fund will be benchmarked against other investments or quoted investment rates at the end of each calendar month to ensure Council is receiving the most advantageous rate given the risk/return tradeoff.

The term to maturity of any Council direct investments may range from at call to one year.

8.2 Investments with Funds Managers

The overall term of any managed funds should be appropriate to Council's investment objectives and adhere to the market risk (volatility) restrictions as determined by regulation. Council funds with a time horizon of up to 1 year should be invested in a cash fund or may be invested in authorised deposit-taking institutions provided they have a bank bill performance benchmark.

Diversification/Credit Risk

When placing investments, consideration will be given to the relationship between credit rating and interest rate. The amount invested with financial institutions (banks, credit unions, building societies) or managed funds should not exceed the Maximum percentages of Total Investments invested at any time as set out in the Table below.

Investments in government secured or issued arrangements including investments with QIC or QTC shall be invested as per the % for Rating A1+ Short Term Rating in the Table below.

Long Term Rating (Standard & Poors)	Short Term Rating (Standard & Poors)	Maximum Percentage of Total Investments
AAA to AA-	A1+	100%
A+ to A-	A1	50%
BBB+ to BBB-	A2	30%
BB+ to D	-	Nil

Investments in non-financial institutions are restricted to short term investments rated A-1 by S&P or the Moody's equivalent short-term rating.

Organisational Diversification

To further diversify risk and in conjunction with the government guarantee for deposits with ADIs, no more than \$925,000 is to be held with one financial or non-financial institution other than Queensland Treasury Corporation (QTC) or Queensland Investment Corporation (QIC).

Credit Ratings

Section 52(2) of the Act requires that, where Council holds an investment that is downgraded below the minimum acceptable rating level (as prescribed under regulation for the investment arrangement) Council shall within 28 days after the change becomes known to the Council, either obtain Treasurer's approval for continuing with the investment arrangement or sell the investment arrangement.

Council shall keep a current list of long term paper ratings for both the cash and bond funds (the managed funds must maintain a minimum AA rating) and the financial institutions. The ratings shall be updated on a minimum three (3) monthly basis.

The Short Term Rating Order (0 to 365 days) as defined by S&P Australian Ratings is as follows:

A1+	Extremely strong degree of safety regarding timely payment
A1	A strong degree of safety for timely payment
A2	A satisfactory capacity for timely payment
A3	An adequate capacity for timely payment

The Long Term Rating Order (over 365 days) as defined by S&P Australian Ratings is as follows:

AAA to AAA-	An extremely strong capacity to repay
AA+ to AA-	A very strong capacity to repay
A+ to A-	A strong capacity to repay
BBB+ to BBB-	An adequate capacity to repay

Benchmarking

When deciding whether to make an investment, Council will give consideration to whether the interest rate offered represents fair compensation (fair value) for the level of credit risk involved. In line with the Australian Government guarantee until 11 October 2011, a deposit of \$925,000 is covered under the government guarantee and therefore, the credit risk has been eliminated. The appropriate benchmark rate would be that of Queensland Treasury Corporation.

The Bank Bill Swap Rate (BBSW) is provided each business day via QTC's website. All term deposits/bank bill investments will be benchmarked to ensure they meet the BBSW as a minimum. This might require seeking further investment quotations on the day of the investment to ensure the benchmark is achieved where possible. Fair value for Council is determined by referencing the BBSW and applying consideration for the credit risk margin for various financial institutions. For example, if the BBSW is 5% and the credit risk margin is 0.25% for Bank XYZ, the quoted rate from this bank must be at least 5.25% or better.

Reporting

Council will be provided with a monthly Executive Financial Performance Report detailing the investments held by institution, term of investment, interest rate and credit ratings.

9.0 Internal Controls

The Finance Manager/Accountant shall establish internal controls and process that will ensure investment objectives are met and that the investment portfolios are protected from loss, theft or fraudulent use of public monies. The following controls detail the minimum that is required:

- The Finance Manager/Accountant is to be identified as the responsible officer for the investment function
- All investments require authorisation from one of the Director Corporate Services, Director of Engineering, Director of Community Development or the Chief Executive Officer
- Confirmation advices from the Financial Institution are to be attached to the Investment Authorisation Form as evidence that the investment is in the name of Burke Shire Council
- A person, other than the responsible officer being the Finance Manager/Accountant, is to perform the bank reconciliation at the end of the month

The established processes will include monthly and quarterly reporting (including compliance reporting), as well as an annual review of the Investment Policy. The internal controls will address the following:

- Control of collusion
- Separate the transaction authority from accounting and record keeping
- Safekeeping
- Avoid physical delivery of securities
- Clearly delegate authority to officers responsible for investments
- Confirmation requirements for settlement of securities
- Compliance and oversight of investment parameters and
- Reporting of breaches

Council is at all times to comply with legislation applicable to the investment function within Local Governments. Council will utilise its category 1 investment powers to earn interest revenue on its operating funds to supplement Council's other sources of revenue. Furthermore, Council will maintain appropriate internal controls to prevent the fraudulent use of public monies.

The procedure for the investment of Council funds is to be documented and followed at all times.

10.0 Implementation

This policy is effective from XXX 2009.

The Chief Executive Officer, or delegate, has been authorised to invest Burke Shire Council's operating funds in investments consistent with this Investment Policy and legislation.

The Chief Executive Officer, or delegate, will report to Council monthly and quarterly on the compliance and performance of the investments with appropriate benchmarking information.

11.0 Investment Parameters

For the purposes of this policy, investable funds are the investment monies available for investment at any one time and include the Burke Shire Council bank account balance.

The investable funds should match the cash flow needs of Council deemed by the Chief Executive Officer, or delegate, after preparing the budget. Once it has been determined that the cash flow forecast can be met, funds may be invested for the required term. It is appropriate to be conservative.

It is the responsibility of the Chief Executive Officer, or delegate, to assess the cost of direct investment management by Council relative to the return generated. This should be compared with the cost of investing funds with a capital guaranteed cash fund.

11.1 Authorised Investments

Without specific approval from Council or the Queensland Treasurer, investments are limited to those prescribed by section 6 of the Act for local governments with Category 1 investment power, which include:

- Interest bearing deposits
- Commercial paper
- Bank accepted/endorsed bank bills
- Bank negotiable certificates of deposit
- Short term bonds
- Floating rate notes
- QIC Cash Fund, and
- QTC Capital Guaranteed Cash Fund, debt offset facility, fixed rate deposit (up to 12 months and QTC Working Capital Facility)
-

11.2 Prohibited investments

This Investment Policy prohibits any investment carried out for speculative purposes. The following investments are prohibited by this investment policy:

- Derivative based instruments (excluding floating rate notes)
- Principal only investments or securities that provide potentially nil or negative cash flow
- Stand alone securities issued that have underlying futures, options, forward contracts and swaps of any kind, and
- Securities issued in non-Australian dollars

11.3 Portfolio investment parameters and credit requirements

The following table shows the combined credit ratings and counterparty limits for Burke Shire Council:

Short Term Rating (Standard & Poor's) or equivalent	Individual Counterparty Limit	Total Investment Limit
A1+	30%	100%
A1	20%	50%
A2 – Financial Institutions only	10%	30%
A3 – Financial Institutions only	10%	10%
Unrated	Nil	Nil
QIC/QTC Pooled Cash Management Fund	100%	100%

A Financial Institution is defined as an authorised deposit-taking institution within the meaning of the *Banking Act 1959 (Cwlth)*, Section 5.

It is noted that, for the purposes of this investment portfolio, the percentage limits apply effective from the date of purchase as a percentage of the market value of the portfolio.

No more than 20% of the portfolio is to be invested in Floating Rate Notes.

As the Federal Government guarantee will take effect up to 11 October 2011, all APRA ADIs are classified as A1+ under S&P's short-term rating.

11.4 Maturity

The maturity structure of the portfolio will reflect a maximum term to maturity of one year.

11.5 Liquidity requirement

Given the nature of the funds invested, no more than 20% of the investment portfolio will be held in illiquid securities and at least 10% of the portfolio must be able to be called at no cost or will mature within 0-7 days.

11.6 Approved lists

The Finance Manager/Accountant shall prepare and maintain the following approved counterparty lists for the investment of funds:

- Approved banks
- Approved commercial paper and medium term note issuers
- Approved brokers/dealer and direct issuers for purchase or sale of security with a minimum credit rating of A+, and
- Approved credit unions

11.7 New investment products

Any new investment product will require a full risk assessment by management (including compliance with the Act) and requires approval by Council by inclusion in the allowable investments part of this policy before use.

11.8 Breaches

Any breach of this Investment Policy is to be reported to the Chief Executive Officer immediately the breach is identified, rectified within 24 hours of the breach occurring and reported to the next meeting of Council.

11.9 Safekeeping and custody

Each transaction will require written confirmation by the broker/dealer/bank. Burke Shire Council will hold security documents, or alternatively a third party custodian authorised by the Chief Executive Officer and evidenced by safekeeping receipts may hold security documents.

11.10 Criteria of authorized dealers and broker

Burke Shire Council will maintain a list of authorised financial institutions and securities brokers that the investment officers may deal with. These financial intermediaries must have a minimum long term rating of at least either A+/A1/A+ from Standard and Poor's, Moody's or Fitch IBCA. All transactions undertaken on behalf of the investment portfolio of Burke Shire Council will be executed either by Burke Shire Council directly, or through securities brokers registered as Australian Financial Service Licensees (ASIC) with an established sales presence in Australia, or direct issuers that directly issue their own securities which are registered on Burke Shire Council's approved list of brokers/dealers and direct issuers.

11.11 Investment Guidelines

Council approval is required for investments with a period of greater than 12 months. This means approval is required from Council prior to submission to the Treasurer for approval.

12.0 Ethics and Conflicts of Interest

Officers responsible for Council's investments must act in a prudent manner when managing the overall Council portfolio. Investments will be managed with care, diligence and skill that a prudent person would exercise in managing the affairs of other persons.

Officers responsible for Council's investments will manage the investment portfolio not for speculation, but for investment and in accordance with the objectives of this Investment Policy. They will consider the safety of capital and income objectives when making an investment decision.

Investment officers/employees shall refrain from personal activities that would conflict with the proper execution, monitoring and management of Burke Shire Council's investment portfolio. This policy requires that employees and investment officials disclose to the Chief Executive Officer any conflict of interest or any investment positions that could be related to the investment portfolio and, in the event of such a conflict occurring, shall absent themselves from any dealings with respect to any investment or proposed investment which gives rise to the conflict of interest.

13.0 Delegation of Authority

Authority for implementation of the Investment Policy is to be delegated by Council to the Chief Executive Officer in accordance with the *Local Government Act 1993*, Section 472(2)(d) – Delegation by Local Government.

Authority for the day-to-day management of Council's Investment portfolio may be delegated by the Chief Executive Officer to the relevant Council Officer via an appropriate delegation instrument and shall be subject to regular reviews by the Chief Executive Officer.

Adopted: Minute No. 32.090527

Supersedes all previous such resolutions.

..... /...../.....
Chief Executive Officer

Appendix 1 Example

Council has \$10 million held with Queensland Treasury Corporation. For the financial year 2008/09, Council has \$3 million which is not immediately required for financial commitments. Therefore, \$7 million will remain in the Queensland Treasury Corporation Capital Guaranteed Cash Fund.

The current Bank Bill Swap Rate (BBSW) is 5%. Council may make the following investments in accordance with this Investment Policy.

- 1) \$925,000 A3 Financial Institution 5.8% for 9 months (Note, this is under the 10% limit)
- 2) \$925,000 A2 Financial Institution 5.7% for 3 months (Note, this is under the 10% and 30% limit)
- 3) \$925,000 A1 5.5% for 6 months (Note, this is under the 20% and 50% limit)
- 4) Re-invest remaining \$225,000 into the QTC Cash Fund

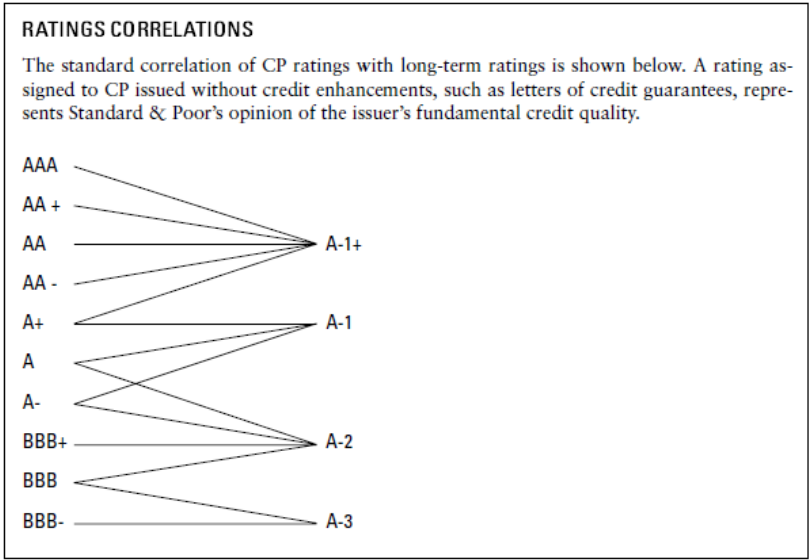
It should be noted that under normal economic circumstances, each financial institution would have its own rating under S&P. However, since the introduction of the Federal Government guarantee in October 2008 which remains in effect until 11 October 2011, all APRA ADIs have been classified as A1+ and therefore, Council's investments can be with any APRA ADI in the amount of \$925,000 provided the investing term is no more than 12 months. The individual counterparty limit of 30% will apply in this instance.

After the government guarantee lapses on 11 October 2011 it is important to consider the maximum % of total investments and the maximum counterparty limits as per the table below taken from part 11.3 of this Investment Policy.

Short Term Rating (Standard & Poor's) or equivalent	Individual Counterparty Limit	Total Investment Limit
A1+	30%	100%
A1	20%	50%
A2 – Financial Institutions only	10%	30%
A3 – Financial Institutions only	10%	10%
Unrated	Nil	Nil
QIC/QTC Pooled Cash Management Fund	100%	100%

Appendix 2 Credit Ratings

	Standard & Poor's Long-Term Issue Credit Ratings Definitions	S&P Ratings of local banks	
AAA EXTREMELY STRONG	An obligation rated 'AAA' has the highest rating assigned by Standard & Poor's. The obligor's capacity to meet its financial commitment on the obligation is EXTREMELY STRONG.	Aust C/Wealth Government Bonds, State Government Bonds including QTC, AMF Yield Fund	AAA
AA VERY STRONG	An obligation rated 'AA' differs from the highest rated obligations only in small degree. The obligor's capacity to meet its financial commitment on the obligation is VERY STRONG.	CBA, Westpac, NAB & ANZ, Citibank & Bankwest.	AA
A STRONG	An obligation rated 'A' is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher rated categories. However, the obligor's capacity to meet its financial commitment on the obligation is still STRONG.	St George Bank, Suncorp, Macquarie Bank	A
BBB ADEQUATE	An obligation rated 'BBB' exhibits ADEQUATE protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.	Adelaide & Bendigo, BOQ, Elders Rural, Members Equity, Wide Bay Australia, Heritage Building Society, Illawarra Mutual Building.	BBB
BB- C NON-INVESTMENT GRADE	Obligations rated 'BB', 'B', 'CCC', 'CC', and 'C' are regarded as having significant speculative characteristics. 'BB' indicates the least degree of speculation and 'C' the highest. While such obligations will likely have some quality and protective characteristics, these may be outweighed by large uncertainties or major exposures to adverse conditions.		
	Plus (+) or minus (-): The ratings from 'AA' to 'CCC' may be modified by the addition of a plus or minus sign to show relative standing within the major rating categories.		



Burke Shire Council

Purchasing Policy

Document Control

Document Details:

Version Number: 1

Next Scheduled Review Date: May 2010

Version History

Version Number	Date	Reason / Comments
1	27 May 2009	Council Resolution 48.090527

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A. Introduction

Purchasing is the process of obtaining from outside sources goods and services that may be required by an enterprise but not available or able to be generated from within the organisation.

Important decision-making occurs in the purchasing process. When evaluating the lowest price consideration needs to be made about quantity, quality, and time frame availability.

B. Legal Framework

This document sets out the Burke Shire Council's policy for purchasing throughout the organisation and provides information on the roles and responsibilities of key officers and areas involved in the purchasing function within Council to ensure compliance with the five principles as laid down in Section 481 of the Local Government Act 1993.

The five principles are specifically;

1. Open and effective competition
2. Value for money
3. Enhancing Capabilities of Local Business
4. Environmental protection
5. Ethical Behaviour and fair trading

These procedures apply to the procurement of all goods, equipment and related services, construction contracts and service contracts (including maintenance) by Council as defined in the Local Government Act 1993.

All purchases of goods and services must be carried out in compliance with the Local Government Act 1993 as amended, and the Local Government Finance Standard 1994 as amended. In particular Section 3 of the Local Government Act 1993 Contracts and Tendering Sections 481 to 490 apply. In addition, where State Government loan funds or grants are used in Local Government projects, Procurement Policies of the State Purchasing Policy are to be observed.

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

C. Financial & Procurement Delegation:

Pursuant to Section 472 of the Local Government Act 1993 (The Act) the Council has delegated to the Chief Executive Officer the authority to incur financial expenditure and/or enter into contracts on behalf of Council under the following provisions:

Where expenditure has been, or will be, provided for in Council's budget; or

Where, in the opinion of the Chief Executive Officer, such expenditure is required because of genuine emergency or hardship as allowed for under Section 483 of the LGA.

Full details of the delegation made are set out in Council's delegations register.

Other officers may only incur expenditure on behalf of the Council if:

The officer has been granted a financial delegation by the Chief Executive Officer and such delegation is recorded in the Register of Delegations by the Chief Executive Officer; and

Expenditure is, or will be, provided for in Council's budget; or

In the case of genuine emergency or hardship and where the power to incur expenditure in these circumstances has also been delegated.

The Chief Executive Officer must make delegations in writing and record them in the Register of Delegations by the Chief Executive Officer in accord with the requirements of the Act.

Any officer incurring expenditure may only do so in accordance with any constraints imposed by the Council or the Chief Executive Officer in respect to a financial delegation.

Officers shall only place purchase orders after an officer with the appropriate delegation or the Council has authorised the purchase.

In determining if an officer has the appropriate level of delegation for a purchase the value of purchases includes any trade in value of goods and Goods and Services Tax (GST) which forms part of the purchase cost. i.e. the Gross Value plus GST. All delegation amounts set shall refer only to the Gross Value of a purchase plus GST.

D. Placement of a Purchase Order:

1. Purchase orders are to be placed for every purchase of goods and services other than those carried out via:-
 - i) petty cash transactions
 - ii) Formal Contracts entered into for the provision of periodic services
 - iii) purchases as per clauses 4 and 5 below.
2. Orders shall be made in accordance with the following:-
 - (a) Purchase orders are to be placed with suppliers of goods and services with a preference being given to those businesses operating within the Shire in accordance with the Local Preference Policies within this policy.
 - (b) Purchase orders must contain a “required by date” and an estimate of the cost of the goods or services being sought. The failure of the supplier to provide the goods or service by the required and or written varied date may make the order invalid.
 - (c) Prior to an order being placed, the officer preparing the purchase order must check Council’s preferred local supplier list to verify that the goods or services to be acquired cannot be purchased locally.
3. A purchasing diary/file of offers or quotes must be kept. Quotations are to be attached to the reverse of the account copy of the order for attachment to the payment voucher.
4. Exceptions to place a purchase order will be made for the purchase of goods and services with nominated suppliers for specified goods and services where arrangements have been made by Council with that supplier for the purchase of goods and services without a prior order. The supplier shall provide an issue book which must be signed by the purchaser and include his/her payroll number and job number.
5. Exceptions to place a purchase order will be made for various services involving recurrent payments, such as telephone and electricity accounts, and some professional services where it is impractical to raise orders prior to receipt of the invoice.

6. Any change in a purchase that affects the level of quotes to be sought or the authority level required will require the cancellation of the original order issued and the raising of a new purchase order to effect such change.
7. All purchase orders that are made in writing shall be cancelled in writing.
8. Purchase orders will be issued in numerical sequence and shall be signed for by those officers authorised to issue purchase orders on behalf of Council.
9. Purchase orders are accountable documents and therefore shall be issued by the accountable officer.
10. Where a purchase order has been lost, voided or destroyed the user is responsible for keeping a record of the specified purchase order and the specific circumstances.
11. All purchase orders must bear the appropriate Job Cost or General Ledger Account number and estimated values are to be noted on the order to assist the committed costs function of management reporting. If a price has been quoted it is to be entered.
12. All purchase orders must detail where the goods and services are to be provided/delivered and, where practicable, the method of delivery.
13. Where goods are delivered they shall be retained in a secure location until the relevant purchasing officer has verified that the goods received are as ordered.

E. Purchasing and Payment Sequence:

1. The Requisitioning Officer (Officer requesting goods and services) requests the issue of an order.

Any Council officer may seek to requisition goods and services provided:

- a) such goods and services are required for the undertaking of Council works and services; and
- b) that officer has a responsibility for ensuring that such goods and services are provided to undertake the relevant Council services provision; and
- c) a current budget allocation for such works and services exists which has sufficient uncommitted allocation to allow for the proposed purchase of the goods and services as sought OR a genuine emergency exists that requires that carrying out of such works or services; and
- d) the officer provides a valid Council Job Cost number or General Ledger number for the goods and services sought as part of the request.

A valid job cost or general ledger number is one which:

1. Has been set up on the PCS system; and
2. Has an uncommitted budget balance that allows for the purchase sought (except for emergency expenditure); and
3. Is within the authority of the Requisitioning Officer to commit funds for.

Requisitions may be made using the Council requisition forms available or by memorandum or email from such officer to one of Council's ordering officers.

The Requisitioning Officer may suggest an appropriate supplier for the goods and services sought and may also have obtained relevant quotations for such goods and services (As required under this purchasing policy) at the time of requesting a Council order.

2. Order Preparation Officer (Officer preparing a Council order whether manually or on the PCs system)

Only officers trained in the Council's purchasing policy and the use of the PCS ordering system may prepare orders for Council's goods and services.

It is the responsibility of the Order Preparation Officer to verify that:

1. The appropriate Purchasing procedure are followed for the requested goods and services with respect to quotations/tenders or, where this has already been done by the requisitioning officer there is sufficient evidence provided with the requisition to show that appropriate procedures have been followed; and
2. There has been no 'order splitting' to get around relevant authority limits; and
3. A valid job cost or general ledger number has been provided; and

4. The goods and services sought appear to be valid proposed expenditure for the job cost/general ledger number provided; and
5. Estimates and or quotation amounts (inclusive of GST) are provided or obtained.

The Order Preparation Officer shall prepare the Council Order for signature by the appropriate signing officer and enter it into the PCS system.

3. Order Signing Officer (Officer signing the Council order)

It is the responsibility of the Order Signing Officer to check that all appropriate procedures have been followed with respect to the proposed purchase before signing the order. The order signing officer accepts responsibility for ensuring that all appropriate procedures have been followed with respect to the purchase at the time of signing the order.

4. Order Preparation Officer (Officer preparing a Council order whether manually or on the PCs system)

The Order Preparation Officer must, once the order (and copies) have been signed by the order signing officer, ensure the original is mailed, faxed or emailed to the supplier. The duplicate copy is to go to the Accounts payable officer and the Triplicate copy is to go to the Receiving Officer.

5. It is the Receiving Officer's responsibility to ensure:

1. That goods/services supplied are actually those that were ordered
2. That all goods/services on the delivery note or invoices have actually been received.
3. That all goods/services received are suitable for the purpose for which they were ordered.
4. Any delivery and/or invoice documentation is forwarded to the accounts payable officer immediately after completion along with the signed duplicate copy of the order verifying the receipt of the goods and services (or part thereof whereby a copy of the duplicate is to be used with goods not received at that time ruled through on the copy and the duplicate copy having ruled through the goods certified as being received at that time).

6. It is the Accounts Payable Officers responsibility to ensure;

1. Invoices are to be checked with delivery dockets (Where supplied) and signed duplicate orders. Where part orders are received the Triplicate copy shall have such parts received ruled through. Quantity received and price calculations are to be checked against the invoices received.
2. Tax invoices may only be paid when an official order number is quoted and a signature of a council employee is recorded indicating the satisfactory receipt of goods and services.
3. Tax Invoices received are to be matched against triplicate copies of orders held by the Accounts Payable Officer and entered into the PCS system pending receipt of the advice from the receiving officer that goods and services have been satisfactorily received.
4. Where signed duplicates of orders are not held by the accounts payable officer on receipt of an invoice a copy of the invoice is to be sent to the receiving officer with a request that the receipt of the goods and services be checked and verified.
5. On receipt of the relevant receipt certificate from the receiving officer the invoice shall have a payment voucher prepared.
6. Tax invoices and Council duplicate order copies (with receipt certificate signed) are to be attached to the voucher for payment.
7. The Accounts payable Officer shall indicate on the voucher for payment that the goods and services as invoiced have been checked to ensure delivery of goods and services and that the calculations on the invoice agree with the order amounts and have been appropriately authorised.
8. Once the voucher has been countersigned by the verifying officer the Accounts payable Officer is to schedule the payment in accord with the terms of payment held with the relevant supplier.

7. It is the Verifying Officers responsibility to check that the voucher for payment as prepared by the Accounts Payable Officer has been prepared in accord with this policy and the account is due and payable by Council.

F. Establishment of Panel of Suitable Suppliers under Section 487 of the Local Government Act 1993 (Preferred Supplier List).

The Chief Executive Officer is to have prepared bi-annually a preferred stock list for which annual quotations are to be obtained for possible inclusion on a Preferred Supplier List. This list may also include the hire of plant and equipment.

Except for plant and equipment hire services the Chief Executive Officer will approve the list where the purchase of goods and services under the list are under within the Chief Executive Officers delegated authority.

Invitations are to be made by way of local advertisement and a direct mail out to the relevant suppliers.

With respect to the establishment of preferred suppliers for plant and equipment hire services bi-annual tenders shall be called by the Chief Executive Officer with the results reported to Council for Council determination of the listings to be established.

G. Use of Established Panel of Suitable Suppliers by LocalBuy

The use of established panels of suitable prequalified suppliers by LocalBuy is specifically authorised by this policy.

H. Purchasing Thresholds and Requirements.

1. Mechanical Breakdown (affecting service delivery of plant or equipment) or Emergency
Quotations must be obtained from known suppliers allowing a minimum of one working day for a response. Such quotations (Where not obtained within the requirements set out below because of urgency) shall be referred to the Chief Executive Officer for approval.

2. Purchases up to \$3,000

1. The Preferred Supplier List shall be utilised for these purchases where such goods and services are on the Preferred Supplier list.
2. Council encourages goods to this value, where available and stocked locally, to be purchased locally by the application of a maximum 10% local preference up to a maximum of \$200 to encourage the development of local business and the availability of such goods and services to the community locally. Where the costs of purchasing these goods locally is more than 10% or more than \$200 over the cost of purchasing the goods from non local suppliers (after allowing for freight) and the immediate obtaining of the goods is not required then such goods may be purchased from non local suppliers.
3. There is a requirement to seek quotes for all such goods except where such goods are less than \$1,000 in value or for such goods as set out in clauses 5 and 6 of this part. For goods valued \$1,000 or over, except where quotes are obtained via LocalBuy, Council preferred supplier lists or by public advertising, a minimum of two quotes are to be sought and a minimum of two working days is to be allowed for the receipt of such quotes from time of request.
4. Relevant Quality Assurance and Workplace Health requirements are to be considered in the purchase of such goods and services.
5. Purchases from local suppliers up to \$50 may be made out of petty cash except as defined otherwise by the Chief Executive Officer.
6. For every purchase of goods and services supplied locally and picked up direct from local suppliers under prior arrangements set up by Council with such suppliers for goods valued under \$1,000 the supplier shall provide an issue book which must be signed by the Council officer picking up the goods. The Council Officer shall also note on the issue book of the supplier their payroll number and the job number.
7. The purchase of these goods and services shall be in accord with the conditions of delegation under this policy and the Chief Executive Officer's delegation to relevant Council Officers.

3. Purchase of Goods and Services exceeding \$3,000 and up to \$10,000:

1. Council encourages goods to this value, where available and stocked locally, to be purchased locally by the application of a maximum 7.5% local preference up to a maximum of \$650 to encourage the development of local business and the availability of such goods and services to the community locally. Where the costs of purchasing these goods locally is more than 7.5% or more than \$650 over the cost of purchasing the goods from non local suppliers (after allowing for freight) and the immediate obtaining of the goods is not required then such goods may be purchased from non local suppliers.
2. There is a requirement to seek quotes for all such goods. Except where quotes are obtained via LocalBuy, Council preferred supplier lists or by public advertising, a minimum of two quotes are to be sought and a minimum of four working days is to be allowed for the receipt of such quotes from time of request.
3. Purchasing Officers need to ensure that sufficient information has been gathered so that the risk of error is substantially reduced. If necessary any technical officer requesting the item will assist in the procurement process.
4. Relevant Quality Assurance and Workplace Health requirements are to be considered in the purchase of such goods and services.
5. Reasons for not accepting the lowest quote from the lowest conforming local supplier will be noted. Where local preference has been applied to award the purchase to a local supplier the local preference amount applied will be noted.
6. The purchase of these goods and services shall be in accord with the conditions of delegation under this policy and the Chief Executive Officer's delegation to relevant Council Officers.

4. Purchase of Goods and Services exceeding \$10,000 and up to \$50,000:

1. Council encourages goods to this value, where available and stocked locally, to be purchased locally by the application of a maximum 5% local preference up to a maximum of \$2,000 to encourage the development of local business and the availability of such goods and services to the community locally. Where the costs of purchasing these goods locally is more than 5% or more than \$2,000 over the cost of purchasing the goods from non local suppliers (after allowing for freight) and the immediate obtaining of the goods is not required then such goods may be purchased from non local suppliers.
2. There is a requirement to seek quotes for all such goods. Except where quotes are obtained via LocalBuy, Council preferred supplier lists or by public advertising a minimum of three quotes are to be sought, a minimum of two quotes are to be obtained and a minimum of seven working days is to be allowed for the receipt of such quotes from time of request.
3. Written specifications shall be prepared for these quotes before they are called.
4. Purchasing Officers need to ensure that sufficient information has been gathered so that the risk of error is substantially reduced. If necessary any technical officer requesting the item will assist in the procurement process.
5. Relevant Quality Assurance and Workplace Health requirements are to be considered in the purchase of such goods and services.
6. Reasons for not accepting the lowest quote from the lowest conforming local supplier will be noted. Where local preference has been applied to award the purchase to a local supplier the local preference amount applied will be noted.
7. The purchase of these goods and services shall be in accord with the conditions of delegation under this policy and the Chief Executive Officer's delegation to relevant Council Officers.

5. Purchase of Goods and Services exceeding \$50,000 and up to \$100,000:

1. Council encourages goods to this value, where available and stocked locally, to be purchased locally by the application of a maximum 2.5% local preference up to a maximum of \$2,000 to encourage the development of local business and the availability of such goods and services to the community locally. Where the costs of purchasing these goods locally is more than 2.5% or more than \$2,000 over the cost of purchasing the goods from non local suppliers (after allowing for freight) and the immediate obtaining of the goods is not required then such goods may be purchased from non local suppliers.
2. There is a requirement to seek quotes for all such goods. Except where quotes are obtained via LocalBuy, Council preferred supplier lists or by public advertising a minimum of three quotes are to be sought, a minimum of two quotes are to be obtained and a minimum of nine working days is to be allowed for the receipt of such quotes from time of request.
3. Written quotation documents are to be prepared for the calling of these quotes.
4. Purchasing Officers need to ensure that sufficient information has been gathered so that the risk of error is substantially reduced. If necessary any technical officer requesting the item will assist in the procurement process.
5. Relevant Quality Assurance and Workplace Health requirements are to be considered in the purchase of such goods and services.
6. Such Quotes must be summarised and referred to the Chief Executive Officer for approval before acceptance..
7. The purchase of these goods and services shall be in accord with the conditions of delegation under this policy and the Council's delegation to the Chief Executive Officer.

6. Purchase of Goods and Services exceeding \$100,000 and up to \$150,000:

1. There is a requirement to seek quotes for all such goods. Except where quotes are obtained via LocalBuy, Council preferred supplier lists or by public advertising a minimum of three quotes are to be sought, a minimum of two quotes are to be obtained and a minimum of twelve working days is to be allowed for the receipt of such quotes from time of request.
2. Written quotation documents are to be prepared for the calling of these quotes.
3. Purchasing Officers need to ensure that sufficient information has been gathered so that the risk of error is substantially reduced. If necessary any technical officer requesting the item will assist in the procurement process.
4. Relevant Quality Assurance and Workplace Health requirements are to be considered in the purchase of such goods and services.
5. If the lowest conforming quote is not to be accepted this matter will be referred to the Council for determination of the successful supplier.
6. The purchase of these goods and services shall be in accord with the conditions of delegation under this policy and the Chief Executive Officer's delegation to relevant Council Officers.

7. Purchases of Goods and Services above \$150,000:

1. Council approval is required for purchases of \$150,000 or more.
2. Purchases of \$150,000 or more must be in accordance with Section 484 of the Local Government Act 1993 as amended.
3. Such purchases will be by way of tender and shall be advertised in the following newspapers or as directed by the Chief Executive Officer from time to time:
 - The Cairns Post
 - The Townsville Bulletin
 - The Northwest Star
 - The Courier Mail

The tender advisement shall allow at least 21 days from the date of the advertisement for the submission of tenders.

4. Detailed specification of the Council requirements under the contract shall be prepared and shall include any relevant Quality Assurance requirements and Workplace Health and Safety requirement in accordance with the Workplace Health & Safety Act 1995.
5. Relevant Quality Assurance and Workplace Health requirements are to be considered in the purchase of such goods and services.
6. All contracts shall be evaluated, have a report prepared for Council's consideration and be approved by Council prior to any official orders being placed or contracts entered into.

I. Exceptions to the Requirements to Seek Tenders or Quotations

The Council may enter into a contract without the inviting of Tenders or Quotations:-

1. when the contract is made with a supplier on a Panel of Suitable Providers compiled pursuant to Section 487 of the LGA, or
2. if the contract is entered into;-
 - (a) under a standing offer or preferred supplier arrangement, or
 - (b) with a supplier from a register of pre-qualified suppliers, or
 - (c) under an LGA arrangement such as the LGAQ's 'Local Buy'

The Local Government Act 1993 Division 2 Section 486 and the Local Government Finance Standard 1994 Division 4 Sections 11 to 14 provides the detail whereby it is not necessary to seek tenders and quotations for the purchase of goods and services. It is Council policy to avail itself of those provisions where appropriate.

J. Evaluation of Offers:

Offers must be evaluated to take account of the technical performance of the product, the service being provided and the value obtained for money spent and the risks associated with procuring the requirements from the respective tenders.

The evaluating officer must treat each offer fairly and equitably on the basis of the criteria established in the specification and there should be no changes to the criteria by revising those elements considered as mandatory requirements or by giving special weighting to other factors not declared in the original documents.

K. Local Preference:

Council strongly support those suppliers who reside within the shire and is prepared to give due consideration where supply is offered, quality is commensurate with other suppliers and price is realistic after delivery is accounted for. Where goods or services are available locally but purchased from outside the shire, adequate documentation is required to demonstrate the local preference has been considered.

Council has a scaled local preference policy for the purchase of goods and services other than plant hire as follows:

Up to \$3,000	10.0% up to a maximum of \$ 200
Greater than \$ 3,000 up to \$ 10,000	7.5% up to a maximum of \$ 650
Greater than \$ 10,000 up to \$ 50,000	5.0% up to a maximum of \$2,000
Greater than \$ 50,000 up to \$100,000	2.5% up to a maximum of \$2,000
Greater than \$100,000	None

In addition Council provides local preference margins for locally based suppliers of plant hire services. These margins will be set out in the relevant tender documents approved by Council at the time of calling tenders for the supply of such services.

L. Tenders

1. Closure time and date:

Council provide a tender box in a designated area of Council premises for the purpose of holding all tender documents submitted by potential suppliers.

The tender box is to be securely locked and keys held by the Chief Executive Officer.

All tender documents received before the advertised tender closure times are to be lodged in the tender box unopened. Tender documents received after the advertised date and time are to be deemed late tenders and depending on the circumstances relating to late lodgement may be rendered invalid.

2. Tender storage period:

All tender documents shall be held for the duration of the tender period and documents (excluding brochures) shall be held for the period specified in the State Archives Act.

3. Release of information:

Officers must not release information, including names of tenderers to other tenderers, prior to the opening of a tender. Communications should be minimised with suppliers prior to the award of a tender except during the course of normal daily work.

4. Opening of Tenders

Tender boxes are to be opened at the appointed time and in public, with at least two Council Officers to be present and any member of the public who is present and wishes to attend to be invited do so except where tenders are advertised as not to be open tenders.

Tender proposals are to be opened and recorded in an appropriate format and general details of the offer are to be advised to any persons in attendance where it is an open tender (eg “A Caterpillar grader from Hastings Deering for \$300,000 less trade of \$120,000”). Where tenders are closed or provided as “Commercial-in-confidence” details shall not be divulged except where tenders are specifically sought as open tenders.

M. Certification

This policy was adopted by Council resolution No.48.090527 and supersedes all previous policies of a similar nature.

.....
Chief Executive Officer

.....
Date

UNCONFIRMED

Burke Shire Council – Minutes of Ordinary Council Meeting 15th April 2009
Appendix 3: Amended Budget

Burke Shire Council
Budgeted Income Statement for the year ended 30 June 2009

	Original Budget 2008/09	Amended Budget 2008/09	Variance	Variance
	\$	\$	\$	%
Income				
Recurrent revenue				
Rates & charges:-				
General rates	2,867,552	2,867,552		
Garbage rates	47,331	47,331		
Sewerage rates	90,720	90,720		
Water rates	239,085	239,085		
	3,244,688	3,244,688		
Less discounts	(486,358)	(486,358)		
Less pensioner remissions	(1,576)	(1,576)		
Sub-total - Rates & charges	2,756,754	2,756,754		
Fees and charges	1,822,323	2,420,373	598,050	32.82%
Sales - contract and recoverable works	431,200	2,757,207	2,326,007	539.43%
Government grants and subsidies	2,288,155	2,311,087	22,932	1.00%
Interest received from investments	255,000	355,500	100,500	39.41%
Other	500,000	500,000		
Total recurrent revenue	8,053,432	11,100,921	3,047,489	612.66%
Capital revenue				
Government grants and subsidies	1,665,949	2,475,190	809,241	48.58%
Gain/(loss) on disposal of non-current assets				
Total capital revenue	1,665,949	2,475,190	809,241	48.58%
Total income	9,719,381	13,576,111	3,856,730	661.23%
Expenses				
Employee Costs	2,188,850	3,022,505	833,655	38.09%
Materials & Services	3,269,522	4,515,009	1,245,487	38.09%
Depreciation and Amortisation	1,226,100	1,226,100		
Finance Costs	12,500	12,500		
Other	314,799	409,239	94,440	30.00%
Total recurrent expenses	7,011,771	9,185,352	2,173,581	106.18%
Net result attributable to Council	2,707,610	4,390,759	1,683,149	555.05%

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Burke Shire Council – Minutes of Ordinary Council Meeting 15th April 2009
Appendix 3: Amended Budget

Burke Shire Council
Budgeted Balance Sheet for the year ended 30 June 2009

	Original Budget 2008/09	Amended Budget 2008/09	Variance	Variance
	\$	\$	\$	%
CURRENT ASSETS				
Cash and cash equivalents	4,726,557	5,953,207	1,226,650	25.95%
Trade and other receivables	250,000	250,000		
Inventories	50,000	50,000		
Non-current asses classified as held for sale	184,000	184,000		
TOTAL CURRENT ASSETS	5,210,557	6,437,207	1,226,650	25.95%
NON CURRENT ASSETS				
Property, plant & equipment	50,893,860	51,350,360	456,500	0.90%
Capital works in progress				
TOTAL NON CURRENT ASSETS	50,893,860	51,350,360	456,500	0.90%
TOTAL ASSETS	56,104,417	57,787,567	1,683,150	26.85%
CURRENT LIABILITIES				
Trade and other payables	1,750,000	1,750,000		
TOTAL CURRENT LIABILITIES	1,750,000	1,750,000		
NON CURRENT LIABILITIES				
Trade and other payables	150,000	150,000		
Provisions	300,000	300,000		
TOTAL NON CURRENT LIABILITIES	450,000	450,000		
TOTAL LIABILITIES	2,200,000	2,200,000		
NETT ASSETS	53,904,417	55,587,567	1,683,150	26.85%
COMMUNITY EQUITY				
Retained surplus	35,406,870	37,090,019	1,683,149	4.75%
Asset revaluation reserve	13,138,737	13,138,737		
Constrained works reserves				
Asset replacement reserves	5,358,811	5,358,811		
Recurrent reserves				
TOTAL COMMUNITY EQUITY	53,904,417	55,587,567	1,683,149	4.75%

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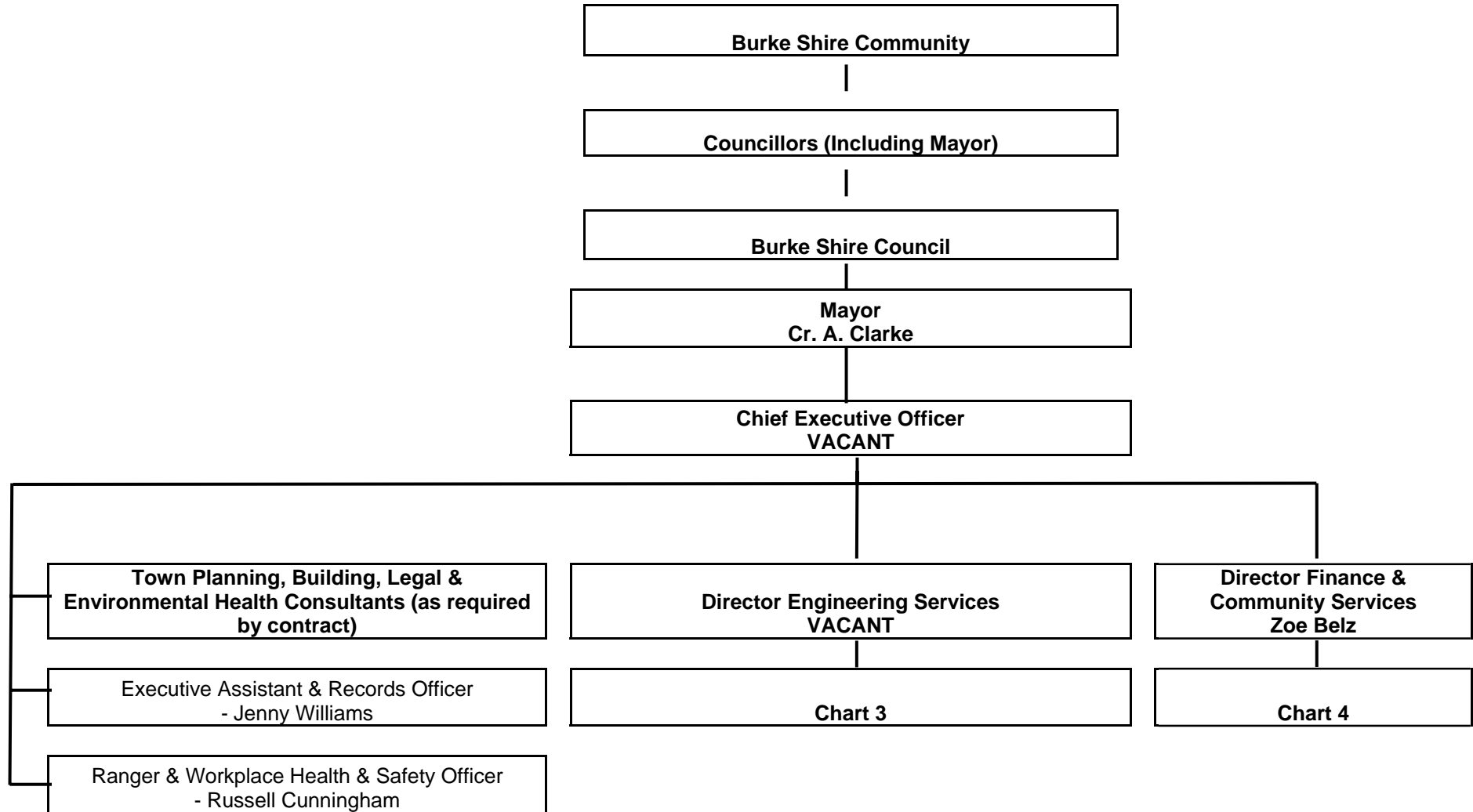
Functional Organisation Chart

CHART 1 - Functional Organisational Chart

<p>Chief Executive Officer Corporate, Development & Environmental Services Corporate Governance Workplace Health & Safety Regional Cooperation and Development Economic Development Development Services (Town Planning, Building, etc) Disaster Management Animal Control Environmental Health Services Environmental Protection</p>	<p>Director Engineering Services Infrastructure, Commercial and Utility Services Engineering Administration Council Roads, Bridges & Footpaths Contract works Private Works Town works Aerodromes Wharfs & Boat Ramps Plant Operations Cemeteries Community Amenities (Toilets) Parks Gardens & Reserves Electricity Supply - Gregory Refuse Collection & Disposal Sewerage Treatment and Disposal Water Treatment & Supply Fish Restocking Facility</p>	<p>Director Finance & Community Services Finance, Administration and Community Services Finance Rates & Charges Grants Administration Wages Overheads Investments Public Halls & Museums RADF Council Housing Community & Cooperative Housing Library UHF, Television & Radio Retransmission Facilities HACC Program Events Council Properties Donations & Charities Tourist Info</p>
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Positional Organisation Chart

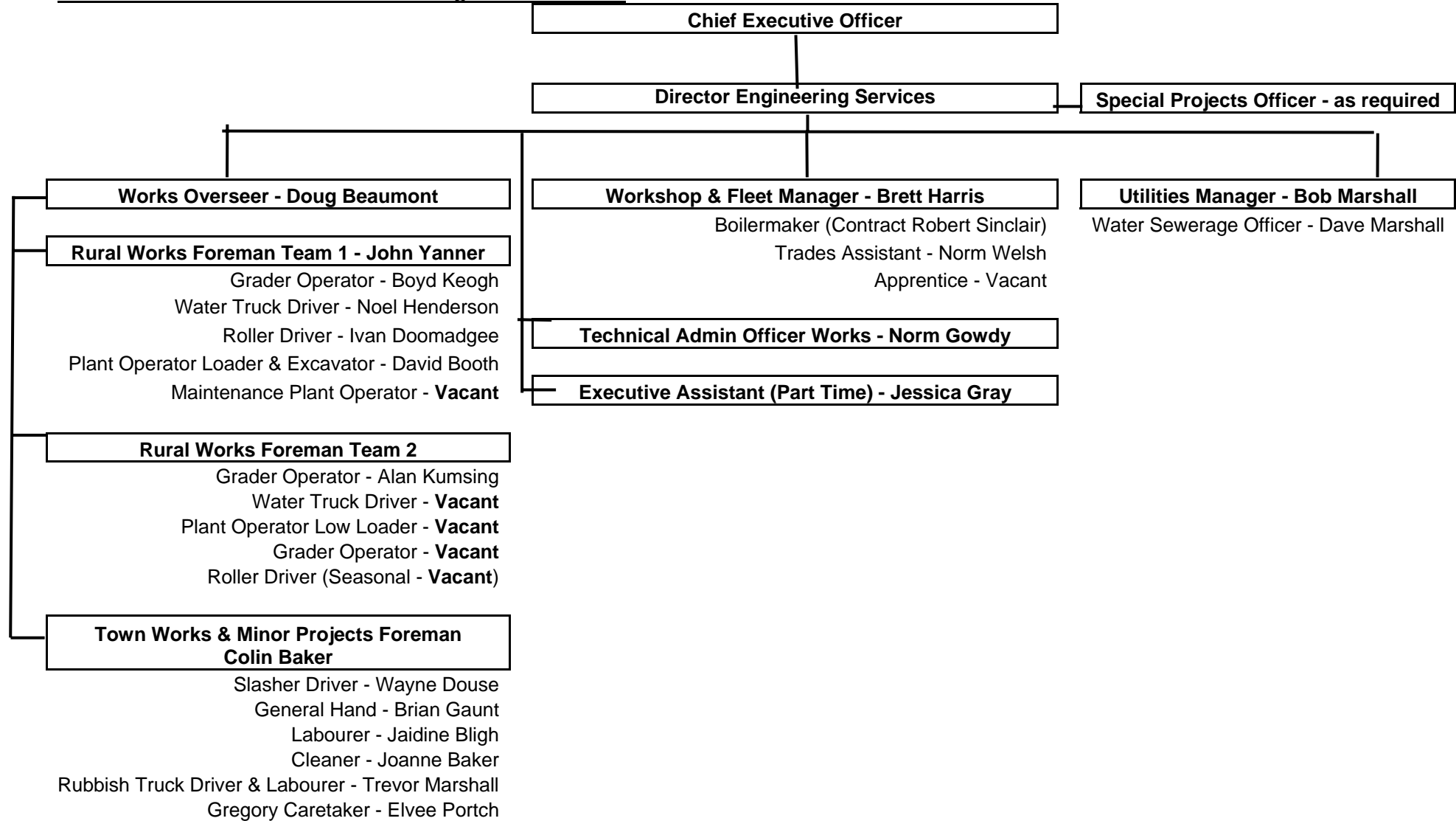
CHART 2 - Main Positional Organisational Chart



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Positional Organisation Chart

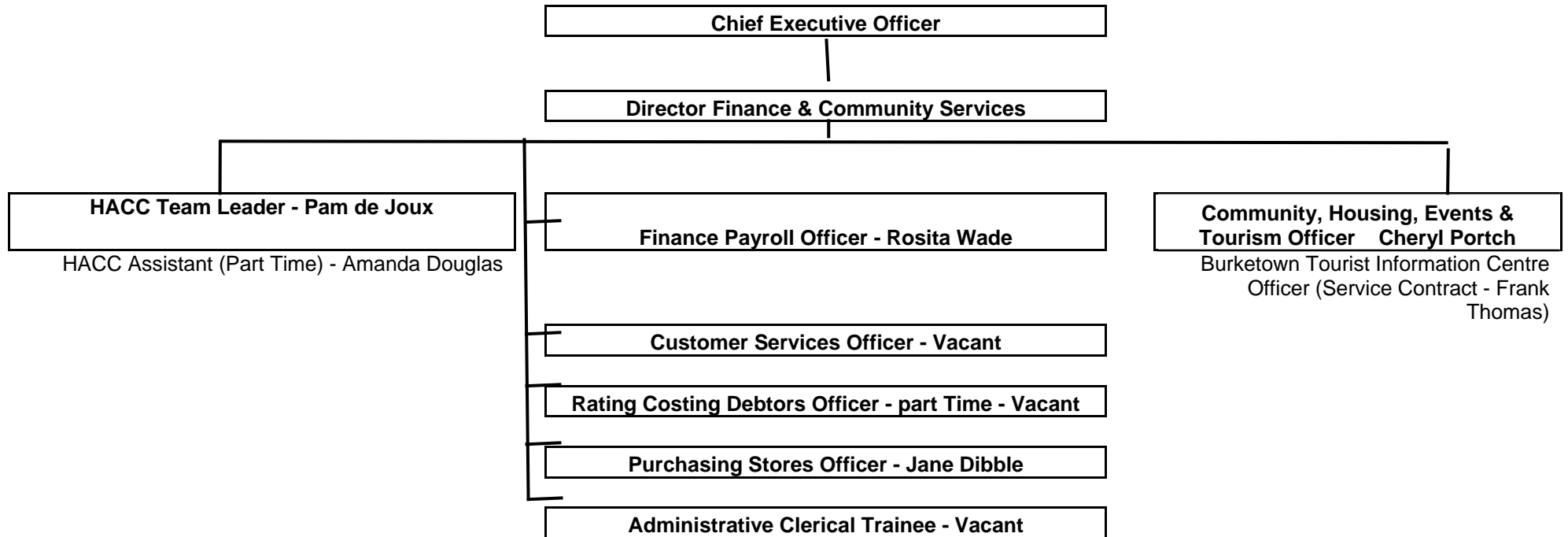
CHART 3 - Works & Services Positional Organisational Chart



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Positional Organisation Chart

CHART 4 - Finance & Community Services Organisational Chart



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