Order Of Business

1  Welcome.........................................................................................................................3
2  Apologies .........................................................................................................................3
3  Conflict of Interest.............................................................................................................3
4  Officers’ Reports..................................................................................................................3
   4.1  Drought Communities Extension Programme ..........................................................3
5  Late/Other Business ...........................................................................................................4
6  Upcoming Meetings/Events ...............................................................................................4
7  Next Meeting .....................................................................................................................4
8  Closure...............................................................................................................................4
PRESENT: Dean Johnson (Mayor), Megan Lienert (Deputy Mayor), Cr Graeme Ballock, Cr Peta Willmott, Cr Tom Harris, Cr Brian Cant

IN ATTENDANCE: Debra Larwood (Chief Executive Officer)

OBSERVERS: Nil

1 WELCOME

2 APOLOGIES

RESOLUTION C029/20

Moved: Deputy Mayor Megan Lienert
Seconded: Cr Peta Willmott

That the apologies of Cr Peter Rayson and Michael Inglis (Works Manager) be accepted.

CARRIED

3 CONFLICT OF INTEREST

Elected Members were advised of provisions for conflict of interest in accordance with sections 73, 74, 75 and 75A of the Local Government Act 1999.

4 OFFICERS’ REPORTS

4.1 DROUGHT COMMUNITIES EXTENSION PROGRAMME

RESOLUTION C030/20

Moved: Cr Peta Willmott
Seconded: Cr Graeme Ballock

RECOMMENDATION

That the Council takes into account both section 49(2)(d) of the Local Government Act 1999 and Clause 8 of its Contracts, Tenders and Purchasing Policy in relation to its discretionary power to enter into contracts other than those resulting from a tender process provided that it records its reasons for doing so.

That the Council approves a waiver under clause 8.6 of its Contracts, Tenders and Purchasing Policy, in favour of a direct purchasing approach for the completion of the projects approved for funding through the Commonwealth Drought Communities Programme Extension, which, in the opinion of the elected members, is in the best interests of the Council in all the circumstances and brings the best outcomes for the Council and its community, for the following reasons:
• eligibility criteria are limited and strict;
• the stipulated projects’ completion date is 31 December 2020 and all projects must also be paid for by this same date;
• information received from the Australian Government is that the stipulated completion/payment date will not be extended;
• the objectives of the Programme include local employment and work opportunities, local community spending stimulation, use and retention of local resources/businesses/suppliers and local community benefits including in the nature of economic activities, all of which the Council believes it can achieve in its proposed approach in this matter;
• the Council is in possession of single costings in respect of some of the proposed projects;
• in the opinion of the Council, the costings received are considered to be fair and reasonable and the supplier from whom the costings have been obtained where possible is local, however Council understands that some external suppliers will be required for specific projects; and
• the Council has had regard to the time constraints imposed by the Programme, that it will require final approvals from the Australian Government following its application for funding; its need to proceed with a degree of expediency in the event that approvals are received; and the fact that a procurement process in accordance with its Contracts, Tenders and Purchasing Policy is not feasible in the timeframes available to it under the Programme.

That for all of the above reasons, the Council is of the view that it is justified in waiving the application of its Contracts, Tenders and Purchasing Policy for the proposed procurement activities within the scope of the expenditure for the projects approved for funding through the Commonwealth Drought Communities Programme Extension, and authorises the Chief Executive Officer to proceed accordingly in all procurement activities within the scope of such projects and this resolution.

CARRIED

5 LATE/OTHER BUSINESS

6 UPCOMING MEETINGS/EVENTS

7 NEXT MEETING

Wednesday, 11 March 2020 at 2.00pm in the Council Chambers, Kimba.

8 CLOSURE

The Meeting closed at 7.05pm.

The minutes of this meeting were confirmed at the Special Council Meeting held on 11 March 2020.

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CHAIRPERSON