

SHIRE OF CARNAMAH

Ordinary Meeting of Council
17th August 2016

Notice of Meeting

Dear Councillor,

The next Ordinary Meeting of the Carnamah Shire Council is to be held

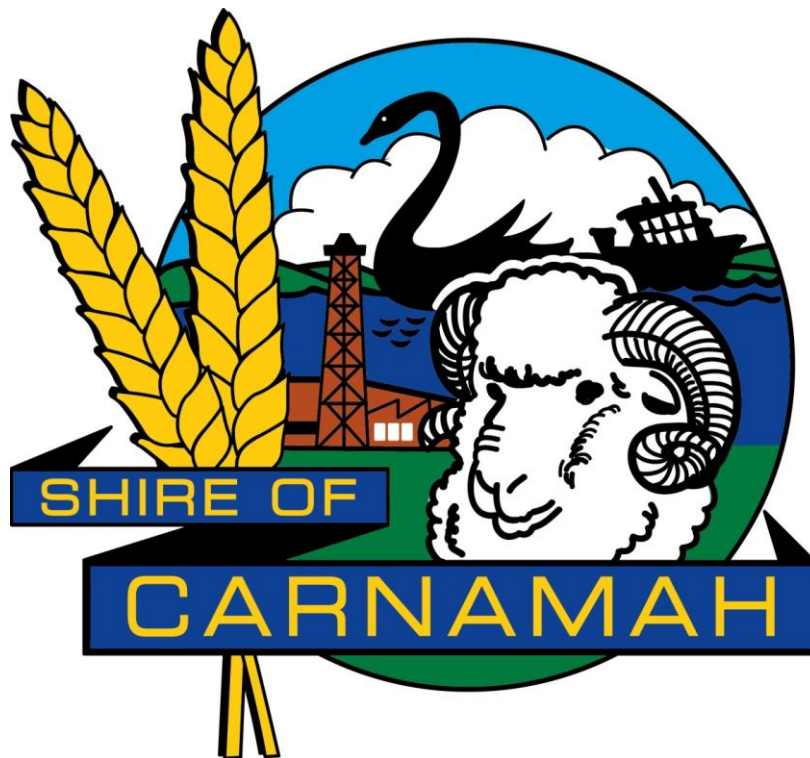
On: Wednesday 17th August 2016

**At: Carnamah Council Chambers
33-37 Macpherson Street, Carnamah**

Commencing at: 3:00pm

.....

**W T Atkinson
CHIEF EXECUTIVE OFFICER**



AGENDA

Ordinary Meeting of Council

17th August 2016

SHIRE OF CARNAMAH

ORDINARY MEETING OF COUNCIL 17th AUGUST 2016

AGENDA

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APPENDICES

APPENDIX “A”

MINUTES OF ORDINARY MEETING OF COUNCIL
20TH JULY 2016 AS CIRCULATED.

SHIRE OF CARNAMAH

DISCLAIMER

No responsibility is implied or accepted by the Shire of Carnamah for any act, omission or statement or intimation occurring during Council or committee meetings.

The Shire of Carnamah disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or committee meeting does so at that person's or legal entity's own risk.

In particular and without detracting in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or officer of the Shire of Carnamah during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Carnamah.

The Shire of Carnamah advises that anyone who has any application lodged with the Shire of Carnamah shall obtain and should only rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Shire of Carnamah in respect of the application.

Signed: _____

CHIEF EXECUTIVE OFFICER

SHIRE OF CARNAMAH

AGENDA

ORDINARY MEETING OF COUNCIL

To be held in the COUNCIL CHAMBERS, 33-37 MACPHERSON STREET,
CARNAMAH

On WEDNESDAY 17th August 2016

Commencing at 3.00 pm

1. DECLARATION OF OPENING

2. RECORD OF ATTENDANCE

Present

Apologies

Leave Of Absence (Previously Approved)

Cr Ian Bowman

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Response to questions taken on notice – Ms Narelle Selfe
(Ordinary Meeting of Council 20th July 2016)

1. *Who advertised the tender?*
The Shire of Carnamah advertised the tender.
2. *Who chose the successful company?*
The Shire of Carnamah accepted a recommendation from engineering consultants; *Greenfield Technical Services*, who were engaged to manage and administer the process associated with the reinstatement of flood damaged roads.
3. *Did they get the tender because they got to bring their own accommodation?*
No.
4. *Who decided they could set up at the caravan park?*
Shire staff responded to the (unsolicited) request by the contractors to utilise the caravan park.
5. *What is the tariff?*
Average of \$850.00 per week.

6. *Where is the extra revenue being spent?*
Income from the Carnamah Caravan Park comprises part of the general revenue of the Shire and is applied (along with other sources of revenue) to meeting the costs of running the Shire and funding works and services it carries out.
7. *Who approved the area/site?*
The area comprises part of the caravan park. Shire staff specified the location where the contractors could place their units.
8. *Who cleared and prepared the site?*
The site was already in existence. No additional clearing or preparation was necessary.
9. *Have the units been inspected by an engineer to make sure they were installed correctly?*
Whilst the Shire cannot respond on behalf of the contractors with respect to this question, the Shire has no reason to believe that the units were not installed correctly or that any compliance requirements have been breached.
10. *Was the extra power allocated to the caravan park last year to accommodate the installation of these units?*
No, the power upgrade had been planned since 2012 as part of the Carnamah Revitalisation Project.
11. *Did local tradesmen plumb and connect the power up?*
The donga units are occupying existing powered sites. The Shire did not initiate any additional plumbing and power connection works.
12. (a) *Is the kitchen that supplies the meals shire owned too?*
No.
- (b) *Is it Health Department approved to sell food to the public?*
It is not the Shire's unit, so unable to answer this question. It is being used by the contractors for the preparation of meals for their workers, not to prepare food to sell to the public.
13. *Why weren't we consulted when all this planning was going on?*
The Shire was not involved in any planning with respect to the accommodation arrangements of the contractors. It simply responded to an approach from the contractors and made available some sites to accommodate their dongas (as it would have done had they chosen to use caravans instead). The Shire did not at any time influence the accommodation priorities of the contractors.

Further questions submitted by Ms Narelle Selfe:

Dear Bill,

Thank you for your prompt response to my questions raised at the last shire meeting.

As I found your answers to be very bland, bureaucratic and therefore unresponsive, I have taken the time to re-word them so I can actually have them answered to my satisfaction.

Questions 1, 2, 3, 8 & 10 answered, thank you.

Question 4

- (a) Please define “unsolicited” that is written in brackets?*
- (b) What was the title and the role of the shire employees who gave permission to the contractors to set up at the caravan park?*
- (c) Please explain in full, step by step the process that was followed?*
- (d) What is the correct process that should have been followed? (step by step)*

Question 5

- (a) If the tariff is \$850.00 per week on average, then is the shire aware that that works out to be \$10.20 per person per day on average?*
- (b) Does this tariff include the cost of power, gas and water?*

Question 6

I withdraw this question as there is clearly no revenue going to be made from this arrangement.

Question 7

What was the role/position of the shire employee who specified the location where the contractors could place their units?

Please see Question 11 for further questions related to this.

Question 9

- (a) Why would the shire take it for granted that the contractors would install the buildings correctly?*
- (b) Would it be in the shires best interest to make sure they have been installed correctly as they are the ones liable should something happen?*
- (c) Are the buildings anchored to the ground as per Australian standards?*
- (d) If answers to question 9 aren't known, can the shire please investigate further so they can be answered?*

Question 11

- (a) Does the answer mean that the buildings installed are utilising existing caravan park bays?*
- (b) If so, what was the role/title of the shire employee who gave permission to connect up the power, gas and sewage?*
- (c) Who connected up the power, gas and sewage?*
- (d) If answers to question 11 aren't known, can the shire please investigate further so they can be answered?*

Question 12

- (a) Where is the kitchen that supplies the meals located?*
- (b) Is the shire aware that one of the employees of the contractors connected up the gas to the oven that is in this kitchen? This person is not a gas fitter.*

- (c) *Is the shire aware that the person who cooks the meals is also a shire employee & happens to be the daughter of the caravan park manager?*
- (d) *Is there a conflict of interest here?*

Question 13

- (a) *Why weren't the shire councillors who represent local townspeople & businesses informed when something as large as a whole work gang & their buildings have been given permission to set up at their local caravan park for an extended period?*
- (b) *Why was it not deemed important enough to bring it to their attention at a shire meeting?*

My other questions not on my previous list

1. *Does the shire have a contract or written tenancy agreement with the contractors for the use of the caravan park?*
 - (a) *If not, why?*
 - (b) *If yes, can I please have a hard copy of this?*
 - (c) *Does the shire intend to extend this contract should the contractors work continue past the contract date?*
2. *Does the shire acknowledge that by going into direct competition with the Carnamah Hotel by supplying accommodation and meals by a shire employee to these contractors, at a cost that we could not even begin to compete with, has had a detrimental effect on our business in ways I have explained at the previous meeting?*

Lastly, I would like to add that these buildings aren't the same as caravans as you keep referring. There is no comparison ...

These buildings are transported by truck, lifted into place by a crane & are required by law to be anchored to the ground.

A caravan is mobile, has a draw bar and its own wheels. It simply plugs into a power point and does not need to be hard wired, plumbed or gas fitted as it has already been approved so it can be licenced.

That is all my questions and in answer to yours, yes I would like my other requests formally presented along with this list of questions at the next shire meeting which I will be attending.

Thank you once again for your time.

*Narelle Selfe
On behalf of the Carnamah Hotel*

FOOTNOTE:

The other requests referred to are the subject of a confidential agenda report in accordance with the Local Government Act 1995 section 5.23 (2) (e) (iii). This section provides that the council may close to members of the public the part of the meeting that deals with information about the business, professional, commercial or financial affairs of a person where the information is about a person other than the local government.

4. PUBLIC QUESTION TIME

5. APPLICATIONS FOR LEAVE OF ABSENCE

6. DISCLOSURE OF INTEREST

7. PETITIONS, DEPUTATIONS AND PRESENTATIONS

8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

9. CONFIRMATION OF MINUTES

9.1 MINUTES OF ORDINARY MEETING OF COUNCIL HELD 20th JULY 2016

As Circulated

VOTING REQUIREMENT:

Simple Majority

Moved:	Cr	ITEM: 9.1
Seconded:	Cr	

That the Minutes of the Ordinary Meeting of Council held on the 20th July 2016 be accepted as a true and correct record.

10 MANAGEMENT REPORTS

10.1 FINANCE REPORTS

10.1.1 ACCOUNTS FOR PAYMENT

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0075
Disclosure of Interest:	Nil
Date:	11 th August 2016
Author:	Deputy Chief Executive Officer
Attachments:	10.1.1 Cheque & EFT Listing

SUMMARY

Council to confirm the payment of creditors for the period 8th July 2016 – 8th August 2016 in accordance with the Local Government (Financial Management) Regulations 1996 section 13(1).

ATTACHMENT

Copy of list of accounts paid (EFT & cheque payments), which will enable Council to confirm the payment of its creditors in accordance with Local Government (Financial Management) Regulations 1996, Section 13(1).

BACKGROUND

Financial Regulations require a schedule of payments made through the Council bank accounts to be presented to Council for their inspection. The list includes details for each account paid incorporating the payee's name, amount of payment, date of payment and sufficient information to identify the transaction.

COMMENT

Invoices supporting all payments are available for inspection. All invoices and vouchers presented to Council have been certified as to the receipt of goods and the provision of services and as to prices, computations and costings, and that the amounts shown were due for payment.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 6.4 *Financial Report*
Local Government (Financial Management) Regulations 1996 -
Section 12 Payments from municipal fund or trust fund;
Section 13 Lists of accounts; and
Section 15 Rounding off figures

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

ITEM: 10.1.1

That payment listed as attachment 10.1.1. List of Accounts Due and Paid for the period 8th July 2016 to 8th August 2016; and paid by the Chief Executive Officer under delegated authority of Council, or by the Deputy CEO (in the Chief Executive Officer's absence) as delegated by the Chief Executive Officer including:

Manual Municipal cheques:	022443 - 022445
Municipal cheques:	27986 -27992
Municipal EFT's:	9314 - 9402
Trust Cheques:	Nil
Payroll direct debits:	#01 - #02
Municipal Direct Debits	31072016

Totalling \$672,282.05 be approved and passed for payment.

10.1.2 FINANCIAL REPORTS TO 30th JULY 2016

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0075
Disclosure of Interest:	Nil
Date:	17th August 2016
Author:	Deputy Chief Executive Officer
Attachments:	10.1.2 Monthly Statement of Financial Activity,

SUMMARY

A Statement of Financial Activity and other supplementary financial information is produced monthly as part of the Council meeting agenda.

BACKGROUND

The attached financial report for the period 1 July 2016 to 30 July 2016 (marked 10.1.2) has been prepared in accordance with the Local Government Financial Management Regulations.

COMMENT

Included with this report is the following:

- Statement of Financial Activity for the period 1 July 2016 to 30 July 2016;
- Summary Rates Trial Balance Report as at 30 July 2016;
- Cash and Investment Listing;
- Debtors Listing;
- Other Supplementary Information;

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulation 34 - *Financial activity statement report* — s. 6.4

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

ITEM: 10.1.2

That Council receive the Statement of Financial Activity for the period 1 July 2016 to 30 July 2016; and other supplementary financial information as presented.

10.2. ADMINISTRATION REPORTS

10.2.1 NORTH MIDLANDS AGRICULTURAL SOCIETY – REQUEST FOR SUPPORT TOWARDS HOSTING THE ‘NORTH MIDLANDS COUNTRY CARNIVAL’

Applicant:	North Midlands Agricultural Society
Location / Address:	N/A
File Ref:	ADM0051
Disclosure of Interest:	
Date:	8 th August 2016
Author:	Chief Executive Officer
Attachments:	10.2.1 – Letter

SUMMARY

This report recommends that Council support the hosting of the forthcoming North Midlands Country Carnival by making a donation equivalent to the value of various fees and charges of approximately \$525.00.

BACKGROUND

The North Midlands Country Carnival scheduled for Saturday 8th October 2016 will comprise of a series of agricultural themed games during the afternoon and a fireworks display in the evening, along with live music. Whilst an application for Federal Government funding support was unsuccessful, there has been a positive response by local and regionally based businesses and agencies. The Shire of Carnamah has been asked to waive the fees on Caravan Park Chalet accommodation for musicians (\$297.75), hire fees for chairs (\$120.00) and hire fees for trestle tables (\$105.00).

COMMENT

The Chief Executive Officers’ delegated authority with respect to donations is capped at \$200.00. There are accounting and audit implications with waiving fees and charges and it is considered more appropriate from a financial management perspective, to raise invoices for the amounts in question, and when the invoices are paid, to make a donation to the North Midlands Agricultural Society to the equivalent of the invoices paid.

A refundable bond of \$405.00 applies with respect to the trestle tables.

CONSULTATION

Deputy Chief Executive Officer.

STATUTORY ENVIRONMENT

Local Government Financial Management Regulations.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The donation of \$525.00 would be met out of the Shire's current budget allowance for donations.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

ITEM: 10.2.1

That Council support the hosting of the forthcoming North Midlands Country Carnival by making a donation equivalent to the value of various fees and charges of approximately \$525.00

10.3 CONFIDENTIAL REPORTS

10.3.1 MOTION TO CLOSE THE MEETING TO THE PUBLIC: CONSIDERATION OF CONFIDENTIAL REPORTS

Applicant:	N/A
Location / Address:	N/A
File Ref:	N/A
Disclosure of Interest:	Nil
Date:	10 th August 2016
Author:	Executive Support Officer
Attachments:	Nil

BACKGROUND

Item 10.3.2 of the Agenda of 17th August 2016 deal with matters affecting Council, of which the meeting may be closed to the public.

Council considered a separate confidential report marked 10.3.2.

COMMENT

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 5.23 (2)(a)(c)(d)(e) Meetings generally open to the public.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

ITEM 10.3.1

Moved:

Seconded:

That the meeting be closed to the public to consider Confidential Item 10.3.2 of the 17th August 2016 Agenda

10.3.2 CONFIDENTIAL ITEM

File: ADM0123 / ADM0063
Author: Chief Executive Officer

Date 10th August 2016

VOTING REQUIREMENT

Nil

10.3.3 MOTION TO RE-OPEN THE MEETING

Applicant:	N/A
Location / Address:	N/A
File Ref:	N/A
Disclosure of Interest:	Nil
Date:	17 th August 2016
Author:	Executive Support Officer
Attachments:	Nil

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION

ITEM 10.3.2

Moved:

Seconded:

That the meeting be re-opened to the public

11. ORDERING THE COMMON SEAL

11.1 ORDERING THE COMMON SEAL

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0216
Disclosure of Interest:	Nil
Date:	17 th August 2016
Author:	Deputy Chief Executive Officer
Attachments:	Nil

BACKGROUND:

An agreement between the Shire of Carnamah and WCC Electrical & Airconditioning to lease a Factory Unit (75a Forrester Avenue, Carnamah) was duly signed on 20th July 2016. This lease agreement requires the use of the Common Seal.

OFFICER COMMENT:

Nil

STATUTORY ENVIRONMENT:

Nil

FINANCIAL IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Policy 2.7 Shire of Carnamah Common Seal

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

ITEM: 11.1

That Council endorses the use of the Common Seal on the Factory Unit Lease Agreement between the Shire of Carnamah and WCC Electrical & Airconditioning

12. REPORTS OF COMMITTEES AND MEMBERS.

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.

14. NOTICE OF MOTIONS.

(For consideration at the following meeting, if given during the meeting).

15. NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL.

16. CLOSURE OF MEETING.