

SHIRE OF LEONORA

MINUTES OF THE ORDINARY COUNCIL MEETING



LEONORA

Star of the West

**HELD IN GOLF CLUB HOUSE
LEINSTER ON TUESDAY,
18th NOVEMBER, 2003**

SHIRE OF LEONORA

Minutes of the Ordinary Meeting held in Golf Club House on Tuesday 18th November, 2003 commencing at 9:00am.

1.0 DECLARATION OF OPENING / ANNOUNCEMENTS OF VISITORS / FINANCIAL INTEREST DISCLOSURES

1.1 Cr Dawes declared the meeting open at 9.07am and announced visitors at 9.30am, 10.00am, 10.30am and 11.30am.

1.2 Financial Interest Disclosure-
Nil

2.0 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (previously approved)

2.1 PRESENT

President	G R Dawes
Deputy President	N G Johnson
Councillors	B S D Taylor
	G R Kemp
	P J Craig
	T C Demasson
	S J Heather
	T Hewson
Chief Executive Officer	J G Epis
Deputy Chief Executive Officer	J F Rowe

2.2 APOLOGIES
Ni

2.3 LEAVE OF ABSENCE
Cr J F Carter

3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE
Nil.

4.0 PUBLIC QUESTION TIME
Nil.

5.0 APPLICATIONS FOR LEAVE OF ABSENCE
Nil

6.0 PETITIONS / DEPUTATIONS / PRESENTATIONS
Nil

7.0 CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETINGS

Moved Cr Taylor seconded Cr Demasson that the Minutes of the Ordinary Meeting held on Tuesday 21st October, 2003 be confirmed as a true and accurate record.

CARRIED (8 VOTES TO 0)

8.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION
Nil

9.0 REPORTS OF OFFICERS
9.1 CHIEF EXECUTIVE OFFICER
9.1(A) SPORTING CLUB PROPOSAL

SUBMISSION TO: Meeting of Council
Meeting Date: 18th November, 2003

AGENDA REFERENCE: 9.1 (A) NOV03

SUBJECT: Sporting Club Proposal

LOCATION / ADDRESS: Leonora

NAME OF APPLICANT: Shire of Leonora

FILE REFERENCE: Combined Sports Club 4.12

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: James Gregory Epis

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 23rd October, 2003

BACKGROUND

On the 19th August, 2003, Mr Tony Bright, engaged by Council to undertake a feasibility study into the proposed Combined Sporting Club Facility attending the meeting of Council to gather ideas and comments in regards the proposal.

At the conclusion of the meeting, Council resolved that to progress the matter further, a Public Meeting be scheduled for Monday 20th October, 2003 commencing at 6.00pm in Council Chambers.

Notice of this meeting was advertised in the Kalgoorlie Miner on the 29th September, 2003 and displayed on local notice boards.

Notes as a result of the Public Meeting held on the 20th October follows:

Attendance

21 community members (including several Elected Representatives)

Business

Consultant Tony Bright presented the meeting with a resume of the guidelines issued by Council to investigate the possibilities regarding a facility in Leonora which could provide a bowling green and general resources suitable for a community centre.

This included:

- Location
- Building Accommodation
- Function(s)
- Scope of Facilities
- Conceptual cost & its resourcing

In detail, these included discussion as follows:

(1) Location

Three sites were offered, viz:
At the town oval
Adjacent to the Indoor Recreation Centre
On Tank Hill off Queen Victoria Street

In terms of optimising access to existing sporting facilities and also availing of the offer by the Golf Club to participate in the project, the meeting tended towards the oval as the preferred site.

(2) Building Accommodation

Two alternatives here, viz:

Renovate existing Golf Club building to meet the needs of other groups and individuals seeking to use the oval and bowling green.

Demolish the building and replace with entirely new structure custom built to provide multi user facilities.

Considerable discussion led to the outcome that despite there being immediate economies available with a renovated existing building, these could work against successful innovation of new activity in certain cases and certainly, restrict potential for suggested optimum catering capacity of 150 persons. (It was felt that functions larger than this were well catered for within existing indoor recreation centre).

It was recognised that the final design of any new building would depend on identification of users (existing and future), availability of funding and to some extent, successful implementation of a program of community awareness of the benefits of the new facility.

(3) Function(s)

Readily identified were the current needs of the Golf Club, and those of the community who use the oval for various sporting activity. While the latter had undergone a recession since the time of regular team sport in the town, there had been a reinvigoration on several fronts, eg touch football, etc.

For the future it was recognised that community functions such as receptions, public meetings, weddings, parties & various club functions could be accommodated within the new building in both formal and informal settings.

The idea of a bowling green providing another ambit for activity was welcomed by the meeting and it appeared that a synthetic surfaced facility would be capable of satisfying the need, subject to local (trained) care & maintenance.

There was also a desire to see increased sporting activity by local youth on the oval and the building and its accompanying facilities were seen as another way of encouraging this, particularly within a family context where the younger members could burn off energy on the oval while the oldies either bowled or enjoyed a quiet drink or meal within a club-type facility.

(4) Scope of Facilities

These were seen to be essentially covering the needs of the community, but with particular reference to young people and persons in the middle to mature age ranges.

Fly in, fly out personnel would have a lesser use for the facility.

In this context, the building and its surrounding resources would be catering for at least 50-75% of the community.

(5) Conceptual Cost and Resourcing of Funds

The bowling green was costed (2 prices) at between \$140k and \$160k and there was the possibility of some but not more than 10-20% of this being able to be done locally.

The building design tabled indicated a possible costing of between \$450k and \$550k, but was subject to revision (possibly downwards).

The meeting concluded that while there were savings to be made if size was reduced, these could be notional and if funding was available a preference for maintaining a reasonable size.

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

An amount of \$20,000.00 is contained within the current budget to allow for all expenses as a result of the Feasibility Study.

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1(A) SPORTING CLUB PROPOSAL (continued)

The Shire of Leonora is required by the Local Government Act 1995 to prepare a Principal Activity Plan for at least the next four financial years.

The plan contains details of the Council's principal activities that are proposed to be commenced or to be continued in each financial year. It is designed to be an overview of the next four financial years. It contains activities proposed by the Council over those years.

Under the item of Major Capital Works, and in the 2004/2005 financial year an amount of \$825,000.00 has been included for the construction of a Combined Sports Club/Bowling Green Facility. Furthermore in the same financial year an amount of \$330,000.00 is shown as estimated funding by way of grants.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

RECOMMENDATIONS

That estimated costs be included in the 2004/2005 financial year budget and that subject to the required funding being available, that the proposed Combined Sports Club/Bowling Green facility at the Leonora Oval be proceeded with.

VOTING REQUIREMENT

Simple majority required.

Moved Cr Taylor seconded Cr Johnston

That estimated costs be included in the 2004/2005 financial year budget and that subject to the required funding being available, that the proposed Combined Sports Club/Bowling Green facility at the Leonora Oval be proceeded with.

CARRIED (8 VOTES TO 0)

9.0 REPORTS OF OFFICERS
9.1 CHIEF EXECUTIVE OFFICER
9.1(B) RATES – WRITE OFF

SUBMISSION TO: Meeting of Council
Meeting Date: 18th November, 2003

AGENDA REFERENCE: 9.1 (B) NOV03

SUBJECT: Rates –Write Off

LOCATION / ADDRESS: Not Applicable

NAME OF APPLICANT: Not Applicable

FILE REFERENCE: Rates – Written Off 16.11

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: James Gregory Epis

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 27th November, 2003

BACKGROUND

Crown Lease 0567/1933 being Leonora Lot 856 Otterburn Street, Leonora was transferred to Maxron Drilling Pty Ltd of Coolgardie on the 26th November 1996.

Attempts to recover outstanding municipal rates and charges since July, 1999 have been unsuccessful.

One of the directors of the Company and the records of the Australian Securities Investment Commission disclose that the company was de-registered on the 18th February, 2002, with no assets, with the exception of the property in question which was estimated to have a value of \$20,000.00 with no encumbrances.

The Department of Land Administration advised previously that the lease was to be forfeited and returned to the crown as the conditions of the lease had not been maintained.

On the 9th July, 2003 the Insolvency and Trustee Service of Australia advised that one of the Directors of Maxron Drilling Pty Ltd was on the 5th June, 2003 declared Bankrupt with insufficient funds to satisfy creditors.

On the 6th October, 2003 the Department for Planning and Infrastructure advised that the lease to Maxron Drilling Pty Ltd was forfeited on the 19th September, 2003 and that the Department would investigate other interested parties willing to lease the land.

The debt to the Shire of Leonora remains at \$2114.10 and comprises:

- Emergency Service Levy \$ 30.00
- Municipal Rates \$1464.10
- Rubbish Charges \$ 620.00

STATUTORY ENVIRONMENT

Section 6.12(1) of the Local Government Act 1995 states that a local government may –

- (a) when adopting the annual budget, grant a discount or other incentive for the early payment of any amount of money.
- (b) waive or grant concessions in relation to any amount of money: or
- (c) write off any amount of money which is owed to the local government.

9.0 REPORTS OF OFFICERS
9.1 CHIEF EXECUTIVE OFFICER
9.1(B) RATES – WRITE OFF (continued)

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

RECOMMENDATIONS

Due to bankruptcy the de-registering of the company and the land being forfeited, that rates and charges amounting to \$2114.10 be written off in full.

VOTING REQUIREMENT

Absolute majority required

Moved Cr Kemp seconded Cr Hewson

Due to bankruptcy the de-registering of the company and the land being forfeited that rates and charges amounting to \$2114.10 be written off in full

CARRIED (8 VOTES TO 0)

9.0 REPORTS OF OFFICERS
9.1 CHIEF EXECUTIVE OFFICER
9.1(C) CHILD CARE FACILITY

SUBMISSION TO: Meeting of Council
Meeting Date: 18th November, 2003

AGENDA REFERENCE: 9.1 (C) NOV03

SUBJECT: Child Care Facility

LOCATION / ADDRESS: Leonora

NAME OF APPLICANT: Not Applicable

FILE REFERENCE: Child Care Facility 4.7

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: James Gregory Epis

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 4th November, 2003

BACKGROUND

On the 18th September, 2001 a delegation representing Residents for Childcare addressed Council on the necessity for a Childcare Facility in Leonora.

The President at that time advised that Council would consider the various points raised and that any council funding commitment would be dependant on the amount of income obtained from other sources. Residents for Childcare were asked to provide a costing of the proposed facility together with a detailed costing of operating income and expenses. Council agreed to make land available in Hoover Street, Leonora should the project proceed. Council further advised that it was prepared to accept sponsorship of the service.

On the 20th November, 2001 Residents for Childcare attended the Council Meeting and circulated a proposed Operating Budget which was further explained to Council. Results of a survey of possible users of the facility was also reported to Council.

Residents for Childcare requested a firmer commitment from Council to allow applications for grant monies to proceed. The President clarified Councils current commitment and advised that any financial commitment could no be made until Budget Adoption in July, 2002.

A Sons of Gwalia representative who attended the meeting advised that their company had donated a suitable building which could be converted to a Day Care Facility. On the 15th April, 2003 Residents for Childcare again attended the meeting of Council providing a Site and Floor Plan of the proposed Childcare Centre together with a Childcare Needs Survey. Council was asked at this meeting if it had considered its roles and responsibilities once the facility became operational. The President advised that it was difficult to make any commitment until operating costs were more accurately known.

An amount of \$50,000.00 was included in Councils 2003/2004 Budget to assist with the construction of the Centre however this was subject to other grant applications being successful.

A grant of \$71,818.00 under the Goldfields Esperance Regional Development Scheme was approved on the 18th February, 2003.

Other requests for funding of the project are currently with:

- The Lotteries Commission \$55,000.00
- Regional Partnerships \$79,000.00

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1(C) CHILD CARE FACILITY (continued)

It is my understanding that should any of the above applications fail, the Federal Government through the Department of Family and Community Services would cover any shortfall. Residents for Childcare did submit an Operating Budget on the 14th March, 2002 which outlined an estimated annual shortfall of \$11,614.00.

With recent changes in resident population figures I have sought from the group a current revised Operating Budget together with possible current user participation.

You will recall that on the 16th September, 2003 Council accepted a Tender from Butson Building Services for the relocation of existing transportable building modules and verandahs from the Harbour Lights Mine Site immediately north of Leonora to a site within the Leonora townsite as detailed in plans and specifications. The Tendered amount of \$196,388.00 was subject to additional funding of \$129,886.00 being made available from other sources.

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

A grant of \$71,818 (excludes GST) under the Goldfields Esperance Regional Development Scheme was approved on the 18th February, 2003. Of this amount \$35,909.00 was received during the 2002/03 financial year and remains unexpended. The balance of funds, being \$35,909.00 can be recouped once the Progress Report has been completed and submitted to the Goldfields Esperance Development Commission.

Funding opportunities still exist with the Lotteries Commission, Department for Family and Community Services and Regional Partnerships.

In regards capital commitment, the Shire of Leonora is responsible for:

- (i) Providing the land (Lot 138 Hoover Street, Leonora)
- (ii) Earthworks
 - (a) clean fill for site works and sand for sand pad for relocated transportable building, verandahs, covered area and shed.
 - (b) shape fill, provide site levels and compact sand pad.
 - (c) provide top soil to lawn and garden beds.
- (iii) Provide superintendent to oversee works.

If Council accepts financial management control and is to be responsible for any shortfall in operating costs, then details will need to be included in the Budget for the 2004/2005 and 2005/2006 Financial years.

STRATEGIC IMPLICATIONS

The benefits attached to a childcare facility being available to residents cannot be underestimated. In today's social and economic environment many families require childcare as both parents work. Towns that do not offer this service will find it more and more difficult to attract families as residents and, as we all know, families are the life blood of a healthy community. Today's workforce is more and more aware of the need to achieve a balance between work and family and as a result are more discovering when choosing employment and residence.

POLICY IMPLICATIONS

Nil

RECOMMENDATIONS

That subject to all grant applications being successful, that the Shire of Leonora accept financial management control of the Childcare Facility and be responsible for any shortfall in operating costs for the 2004/2005 and 2005/2006 financial years.

9.0 REPORTS OF OFFICERS
9.1 CHIEF EXECUTIVE OFFICER
9.1(C) CHILD CARE FACILITY (continued)

VOTING REQUIREMENT

Simple majority required

Moved Cr Johnson seconded Cr Demasson

That subject to all grant applications being successful, that the Shire of Leonora accept financial management control of the Childcare Facility and be responsible for any shortfall in operating costs for the 2004/2005 and 2005/2006 financial years.

CARRIED (8 VOTES TO 0)

9.0 REPORTS OF OFFICERS
9.1 CHIEF EXECUTIVE OFFICER
9.1(D) LAND ACQUISITION

SUBMISSION TO: Meeting of Council
Meeting Date: 18th November, 2003

AGENDA REFERENCE: 9.1 (D) NOV03

SUBJECT: Land Acquisition

LOCATION / ADDRESS: Leonora

NAME OF APPLICANT: Shire of Leonora

FILE REFERENCE: Lands Department – Reserves 6.6

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: James Gregory Epis

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 6th November, 2003

BACKGROUND

The Leonora Community Recreation Centre and the proposed Leonora Aquatic Centre are situated on Tower Street Lots 32, 929, 30 and 1328 (Recreation Reserve 38913).

At the meeting of Council held on the 21st October, 2003 it was resolved that Council proceed with the conversion of Reserve 38913 to freehold title and that the Department of Planning and Infrastructure be requested to obtain a land valuation so that the matter could be further progressed.

The Department for Planning and Infrastructure has since advised that they are prepared to sell Lot 1328 for the purchase price of \$15,000.00 plus GST of \$1,500.00.

One of the conditions of the sale is that Lot 1328 will be transferred on the basis that Council arranges amalgamation of the land, which was Councils intention anyway.

On the 24th October, 2003 I did notify all Councillors by facsimile of the Departments offer and sought Councils approval to proceed with the purchase. The majority of Councillors agreed to the purchase of the land.

The Contract of Sale was executed by the Shire President and myself on the 3rd November, 2003 and returned to the Department with the purchase price being made in full. Reasons for pursuing this matter rather hastily is that Mr C. W (Bush) Parker, Licensed Surveyor, will be in Leonora in the near future and will have time to attend to necessary survey requirements.

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

Expenditure needs to be authorised in accordance with Section 6.8(1) (b) of the Local Government Act 1995, not having been included in the Annual Budget.

STRATEGIC IMPLICATIONS

Will provide Council with secure land title on which major infrastructure and assets exist.

9.0 REPORTS OF OFFICERS
9.1 CHIEF EXECUTIVE OFFICER
9.1(D) LAND ACQUISITION (continued)

POLICY IMPLICATIONS

Nil

RECOMMENDATIONS

That Council endorse the actions of the Chief Executive Officer in purchasing Lot 1328 and that expenditure of \$16,500.00 (including GST) be authorised in accordance with Section 6.8(1) (b) of the Local Government Act 1995.

VOTING REQUIREMENT

Absolute majority required

Moved Cr Taylor seconded Cr Demasson

That Council endorse the actions of the Chief Executive Officer in purchasing Lot 1328 and that expenditure of \$16,500.00 (including GST) be authorised in accordance with Section 6.8(1) (b) of the Local Government Act 1995.

CARRIED (8 VOTES TO 0)

9.0 REPORTS OF OFFICERS

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

9.2 (A) MONTHLY FINANCIAL STATEMENTS – OCT 2003

SUBMISSION TO:	Meeting of Council Meeting Date: 18 th November, 2003
AGENDA REFERENCE:	9.2(A) NOV 03
SUBJECT:	Monthly Financial Statements – NOV 2003
AUTHOR:	J F Rowe
POSITION:	Deputy Chief Executive Officer
INTEREST DISCLOSURE:	Nil
DATE:	5 th November 2003
COMMENT:	Monthly Statements submitted for adoption include: (a) Financial Position as at 5 th November 2003 (b) Operating Statement Summary 31 st October, 2003 (c) Operating Statement - Detail – 31 st October, 2003 (d) Operating Statement - Nature/Type– 31 st October, 2003 (e) Balance Sheet as at – 31 st October, 2003 (f) Statement of Fixed Assets – 31 st October, 2003 (g) Statement of Outstanding Debtors – 31 st October, 2003

RECOMMENDATION

The Monthly Financial Statements for the month ended 31st October, 2003 consisting of Operating Statements (3), Balance Sheet, Statement of Fixed Assets, Lists of Outstanding Debtors, and the Financial Position as 5th November, 2003 showing balances of:-

	\$	
Municipal	\$2,123,985.46	Credit
Long Service Leave Reserve	\$55,298.56	Credit
Fire Disaster Reserve	\$3,164.21	Credit
Building Reserve	Nil	Credit
Plant Replacement Reserve	Nil	Credit
Community Amenities Reserve	Nil	Credit
Municipal Investment	Nil	Credit

be adopted.

VOTING REQUIREMENTS

Simple Majority

Moved Cr Hewson seconded Cr Demasson

The Monthly Financial Statements for the month ended 31st October, 2003 consisting of Operating Statements (3), Balance Sheet, Statement of Fixed Assets, Lists of Outstanding Debtors, and the Financial Position as 5th November, 2003 showing balances of:-

	\$	
<i>Municipal</i>	<i>\$2,123,985.46</i>	<i>Credit</i>
<i>Long Service Leave Reserve</i>	<i>\$55,298.56</i>	<i>Credit</i>
<i>Fire Disaster Reserve</i>	<i>\$3,164.21</i>	<i>Credit</i>
<i>Building Reserve</i>	<i>Nil</i>	<i>Credit</i>
<i>Plant Replacement Reserve</i>	<i>Nil</i>	<i>Credit</i>
<i>Community Amenities Reserve</i>	<i>Nil</i>	<i>Credit</i>
<i>Municipal Investment</i>	<i>Nil</i>	<i>Credit</i>

CARRIED (8 VOTES TO 0)

9.0 REPORTS OF OFFICERS

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

9.2 (B) ACCOUNTS FOR PAYMENT – OCTOBER 2003

SUBMISSION TO: Meeting of Council
Meeting Date: 18th November, 2003

AGENDA REFERENCE: 9.2(B) NOV03

SUBJECT: Accounts for Payment

AUTHOR: J F Rowe

OFFICER: Deputy Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 11th November, 2003

COMMENT:

Attached statement consists of Vouchers 283 to 359 plus Direct Bank Transactions and totalling \$204,175.91 attached.

RECOMMENDATION

That accounts as represented by Vouchers 283 to 359 inclusive plus Direct Bank Transactions and totalling \$204,175.91 be authorised for payment.

VOTING REQUIREMENTS

Simple Majority

Moved Cr Kemp seconded Cr Taylor

That accounts as represented by Vouchers 283 to 359 inclusive plus Direct Bank Transactions and totalling \$204,175.91 be authorised for payment.

CARRIED (8 VOTES TO 0)

At 9.35am Brian Dance, Lance Pocock, Teresa Wishart and the Co-ordinator (Kim) of the Leinster Telecentre Committee were welcomed to the meeting.

Mr Dance and Ms Wishart addressed Council on the Leinster Telecentre operations and problems being incurred.

Mr Dance requested assistance with funding a Co-ordinators wages which in turn could give the Shire a shopfront in town. Ms Wishart advised they would require a further 10 hours per week at a cost of \$9,340.00 per annum.

The visitors left the meeting at 10.00am.

The meeting adjourned for morning tea at 10.05am.

The meeting resumed at 10.23am with attendance identical to that at Item 2.1.

At 10.25am Cr Dawes introduced Dr Pamela Sharp and Dr Patrick Bertola to the meeting.

The visitors advised the meeting of the current status in the research into the history of Leonora and Gwalia. A grant had been applied for approx 30 hours of Interview funding.

Dr Sharp advised that a grant may be possible from the Australian Research Foundation in partnership with other organisations – eg; Gwalia Museum. The partner's contribution needs to be 20% of total project. The grant would be utilised on continuing research and compilation of a report.

Cr Dawes thanked Dr Bertola and Dr Sharp for their information and the visitors departed at 11.00am

At 11.01am Cr Dawes welcomed Mr Gordon Thompson, General Manager, Agnew Gold Mining Co to the meeting.

Mr Thompson outlined his company's plans for the future in the area, which includes at least 9 years mining life around the Agnew area.

At 11.35am Cr Dawes thanked Mr Thompson for his information and the visitor departed the meeting.

9.3 ENVIRONMENTAL HEALTH OFFICER
Nil

10.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

(A) ELECTED MEMBERS
Nil

(B) OFFICERS
Nil

11.0 NEXT MEETING

The next Ordinary Meeting was set for Tuesday 16th December, 2003 commencing at 9.00am in the Council Chambers, Leonora.

12.0 CLOSURE

Cr Dawes declared the meeting closed at 11.45am.

PRESIDENT

DATE