

SHIRE OF LEONORA

**MINUTES OF THE ORDINARY
COUNCIL MEETING**



LEONORA

Star of the West

**HELD IN COUNCIL CHAMBERS,
LEONORA ON TUESDAY,
21st JUNE, 2005**

SHIRE OF LEONORA

Minutes of the Ordinary Meeting held in Council Chambers, Leonora on Tuesday 21st June, 2005 commencing at 9.30am.

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

1.1 Cr Dawes declared the meeting open at 9.30am

1.2 Financial Interests Disclosure –
Nil

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

2.1 PRESENT

President
Deputy President
Councillors

GR Dawes
B S D Taylor
T C Demasson
L Petersen
GR Kemp
JF Carter
PJ Craig
N J Johnson
J G Epis

Chief Executive Officer

2.2 APOLOGIES

2.3 LEAVE OF ABSENCE

Cr D Grills

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

7.1 CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETINGS

Moved Cr Craig seconded Cr Demasson that the Minutes of the Ordinary Meeting held on Tuesday 17th May, 2005 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) PRINCIPAL ACTIVITY PLAN

SUBMISSION TO: Meeting of Council
Meeting Date: 21st June, 2005

AGENDA REFERENCE: 9.1 (A) JUN05

SUBJECT: Principal Activity Plan

LOCATION / ADDRESS: Not applicable

NAME OF APPLICANT: Not applicable

FILE REFERENCE: Principal Activity Plan 1.38

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: James Gregory Epis

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 9th June, 2005

BACKGROUND

Section 5.56 of the Local Government Act requires that Local Government each financial year prepare a plan for the next 4 (four) or more financial years.

The next plan for the years 1st July 2005 until 30th June 2009 has been prepared and was presented at the April Meeting. The Plan was then advertised with public submissions being invited. The submission period closed on the 3rd June, 2005 with no submissions being received.

STATUTORY ENVIRONMENT

Section 5.58 of the Local Government Act requires Council to then consider any submissions received and accept the plan with or without modification.

POLICY IMPLICATIONS

The draft plan adheres to all applicable Council policies.

FINANCIAL IMPLICATIONS

The plan does not bind Council financially, however will form the basis of Council's 2005/2006 budget and any significant variations to this plan must be explained in detail.

STRATEGIC IMPLICATIONS

As Council has now adopted a Strategic Plan, due recognisance of that plan has been made in the preparation of this plan.

RECOMMENDATION

That the draft Principal Activity Plan 2005 to 2009 as presented be adopted.

9.0 REPORTS OF OFFICERS

9.2 CHIEF EXECUTIVE OFFICER

9.2(A) PRINCIPAL ACTIVITY PLAN (continued)

VOTING REQUIREMENTS

Simple majority.

moved Cr Demasson

seconded Cr Taylor

That the draft Principal Activity Plan 2005 to 2009 as presented be adopted.

CARRIED (8 VOTES TO 0)

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1 (B) AQUATIC CENTRE

SUBMISSION TO: Meeting of Council
Meeting Date: 21st June, 2005

AGENDA REFERENCE: 9.1 (B) JUN05

SUBJECT: Aquatic Centre

LOCATION / ADDRESS: Leonora

NAME OF APPLICANT: Not Applicable

FILE REFERENCE: Pool 4.9a

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: James Gregory Epis

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 15th June, 2005.

BACKGROUND

In recent weeks Donovan Payne Architects Pty Ltd and Duwal Pty Ltd have had discussions in regard the removal of the pool commissioning (and the non-completion of the hydromeric joints and training) from Practical Completion. This would enable the granting of Practical Completion to Duwal for the rest of the works which have been completed.

Furthermore, this proposal would enable Council to canvas the appointment of a suitable manager and to delay the commissioning and opening of the pool to the public until Council was ready.

Following inspection on 10th June, 2005 it is expected that Duwal Pty Ltd will be granted Practical Completion as of 17th June, 2005. As a consequence, the defects liability period will begin on that day, expiring 52 weeks later on the 16th June, 2006.

Practical Completion to Duwal Pty Ltd means that the pool shell sub-contractor and filtration sub-contractor can be engaged independently by the Shire of Leonora at a later date, once a pool manager has been appointed and is on site. Any malicious damage or other works required, identified at this time and requiring attendance prior to commissioning works would need to be negotiated between the Shire of Leonora and the Contractor(s) engaged for this work.

Duwal Pty Ltd would not have any contractual obligations at this point.

Cost estimates in regards commissioning of pool at a later date are as follows:

- Hydromeric movement joints \$5,000.00 plus GST
- Commissioning, staff training manuals \$5,000.00 plus GST

Costs to remobilise:

- Trisley's \$2,500.00 plus GST
- Aquatic Construction Services \$1,750.00 plus GST
- Noddy car install \$ 250.00 plus GST
- To clean pool and repair any damage prior to hand over \$75.00 per hour plus GST
- Cost of any materials required.

At the suggestion of the Architects and with my approval, the following items were deleted from the contract:

- External signage \$ 3,000.00
- Furniture and additional works \$15,000.00
- Kitchen and Kiosk equipment \$10,000.00
- Landscaping \$10,000.00

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1 (B) AQUATIC CENTRE (continued)

The above works will be completed by the Shire of Leonora as soon as possible with considerable cost savings.

Until a pool manager is appointed the commissioning of the pool cannot be undertaken. Mr Andy Buckton, Recreation Operations Manager with the YMCA in Perth has for the past six weeks tried unsuccessfully to secure the services of a qualified person who would satisfy the requirement of Council.

It appears that Council has no alternative other than to advertise the position statewide.

STATUTORY ENVIRONMENT

Appointment of staff in accordance with Local Government Officers(WA) Award 1999.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Costs associated with appointment of an Officer are contained in the proposed 2005/2006 Annual Budget.

STRATEGIC IMPLICATIONS

Nil

RECOMMENDATION

That the Chief Executive Officer prepare a Position Description for the vacant position "Recreation Centre and Swimming Pool Coordinator" and that the position be advertised statewide with the cash component in the range \$48,709 to \$51,225.

VOTING REQUIREMENTS

Simple majority

moved Cr Carter seconded Cr Kemp

That the Chief Executive Officer prepare a Position Description for the vacant position "Recreation Centre and Swimming Pool Coordinator" and that the position be advertised statewide with the cash component in the range \$48,709 to \$51,225.

CARRIED (8 VOTES TO 0)

The meeting adjourned at 10.05am for morning tea and an inspection of the Aquatic Centre. The meeting resumed at 11.15am with attendance identical to that at Item 2.1

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1 (C) MONTHLY FINANCIAL STATEMENTS – MAY, 2005

SUBMISSION TO:	Meeting of Council Meeting Date: 21 st June, 2005
AGENDA REFERENCE:	9.2(A) JUN05
SUBJECT:	Monthly Financial Statements – May, 2005
AUTHOR:	JG Epis
POSITION:	Chief Executive Officer
INTEREST DISCLOSURE:	Nil
DATE:	3 rd June, 2005
COMMENT:	Monthly Financial Statements submitted for adoption include: (a) Financial Position as at 3 rd June, 2005 (b) Operating Statement Summary – 31 st May, 2005 (c) Operating Statement - Detail - 31 st May, 2005 (d) Operating Statement - Nature/Type - 31 st May, 2005 (e) Balance Sheet as at - 31 st May, 2005 (f) Statement of Fixed Assets - 31 st May, 2005 (g) Statement of Outstanding Debtors - 31 st May, 2005

RECOMMENDATION

The Monthly Financial Statements for the month ended 31st May, 2005 consisting of Operating Statements (3), Balance Sheet, Statement of Fixed Assets, Lists of Outstanding Debtors, and the Financial Position as 3rd June, 2005 showing balances of:-

	\$	
Municipal	\$410,701.63	Credit
Long Service Leave Reserve	\$61,756.78	Credit
Fire Disaster Reserve	\$4,601.20	Credit
Building Reserve	Nil	Credit
Plant Replacement Reserve	Nil	Credit
Community Amenities Reserve- Swimming Pool	Nil	Credit
Municipal Investment	Nil	Credit

be adopted.

VOTING REQUIREMENTS

Simple Majority

moved Cr Johnson

seconded Cr Craig

The Monthly Financial Statements for the month ended 31st May, 2005 consisting of Operating Statements (3), Balance Sheet, Statement of Fixed Assets, Lists of Outstanding Debtors, and the Financial Position as 3rd June, 2005 showing balances of:-

	\$	
<i>Municipal</i>	<i>\$410,701.63</i>	<i>Credit</i>
<i>Long Service Leave Reserve</i>	<i>\$61,756.78</i>	<i>Credit</i>
<i>Fire Disaster Reserve</i>	<i>\$4,601.20</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- Swimming Pool</i>	<i>Nil</i>	<i>Credit</i>
<i>Municipal Investment</i>	<i>Nil</i>	<i>Credit</i>

be adopted.

CARRIED (8 VOTES TO 0)

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1 (C) MONTHLY FINANCIAL STATEMENTS – MAY, 2005

SHIRE OF LEONORA		
FINANCIAL POSITION AS AT 3rd JUNE, 2005		
		MUNICIPAL
		\$
Balance as at 31 st May, 2005		\$ 978,319.90
Receipts to 3 rd June, 2005		\$ 350.00
Balance		\$ 978,669.90
Less Accounts since 31 st May, 2005		\$ 567,968.27
Balance 3rd June, 2005		\$ 410,701.63cr
AMOUNT HELD ON TERM DEPOSIT - NATIONAL AUSTRALIA BANK		
		\$
A) PLANT REPLACEMENT RESERVE	Nil	CREDIT
B) LONG SERVICE LEAVE	\$61,756.78	CREDIT
C) FIRE DISASTER RESERVE	\$4,601.20	CREDIT
D) BUILDING RESERVE	Nil	CREDIT
E) COMMUNITY AMENITIES RESERVE	Nil	CREDIT
F) MUNICIPAL INVESTMENT	Nil	CREDIT

Note: Final Payment for pool will be \$368,905.00 (approx)

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1 (D) ACCOUNTS FOR PAYMENT – MAY, 2005

SUBMISSION TO: Meeting of Council
Meeting Date: 21st June, 2005

AGENDA REFERENCE: 9.2(B) JUN05

SUBJECT: Accounts for Payment

AUTHOR: JG Epis

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 3rd June, 2005

COMMENT:

Attached statement consists of Vouchers **996 to 1142 plus Direct Bank Transactions** and totalling **\$ 1,608,120.30** attached.

RECOMMENDATION

That accounts as represented by Vouchers **996 to 1142 plus Direct Bank Transactions** and totalling **\$ 1,608,120.30** attached be authorised for payment.

VOTING REQUIREMENTS

Simple Majority

moved Cr Kemp

seconded Cr Demasson

That accounts as represented by Vouchers 996 to 1142 plus Direct Bank Transactions and totalling \$ 1,608,120.30 attached be authorised for payment.

CARRIED (8 VOTES TO 0)

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1 (E) DEDICATION PART GOLDFIELDS HIGHWAY

SUBMISSION TO: Meeting of Council
Meeting Date: 21st June, 2005

AGENDA REFERENCE: 9.1 (E) JUN05

SUBJECT: Dedication Part Goldfields Highway

LOCATION / ADDRESS: Not applicable

NAME OF APPLICANT: Main Roads, Western Australia

FILE REFERENCE: Roads – Closure and Dedication 7.7

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: James Gregory Epis

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 17th June, 2005.

BACKGROUND

The Goldfields Highway between Kalgoorlie and Sir Samuel was constructed some time ago and fencing of the road corridor completed where appropriate. The land in many cases has not been changed from its original tenure designation to coincide with its use for road purposes. The road is a public road and when constructed, all clearances relevant at the time were obtained and all interested parties notified.

Fugro Spatial Solutions Pty Ltd are acting on behalf of Main Roads Western Australia in relation to the rationalisation and dedication of the land within the proposed road reserve. The plans of survey depicting the proposed boundaries have recently been validated and are now “in order for dealings” in the Department of Land Information.

Importantly, the surveyed road boundaries generally encompass the existing road infrastructure.

The rationalisation and dedication of the road reserve will be in accordance with the following:

- existing fencing not on the proposed boundaries may remain within the road reserve corridor although future fencing should be relocated to the new boundaries if practical.
- road dedication formalities should have no affect on the normal day to day activities on the land.
- subject to the receipt of Local Authority resolutions and at the completion of formal action, the Hon Minister for Planning and Infrastructure will proceed to acquire and dedicate the subject land as road reserve and amend adjacent properties accordingly.
- in parallel to this action, where necessary, roads that are no longer required will be closed and the land contained within them included in the adjacent properties.

Survey details of the proposed boundaries have been provided.

To comply with the Department of Land Information statutory requirements, Councils resolution for the dedication of road is required.

STATUTORY ENVIRONMENT

In accordance with Section 56 of the Land Administration Act 1997.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1 (E) DEDICATION PART GOLDFIELDS HIGHWAY (continued)

STRATEGIC IMPLICATIONS

Nil

RECOMMENDATION

That Council concur to the taking of the land the subject of Deposited Plans 217661 to 217687, 218999 and 219000 contained within the boundaries of the Shire of Leonora and to its dedication as road under Section 56 of the Land Administration Act 1997.

VOTING REQUIREMENTS

Simple majority

moved Cr Kemp

seconded Cr Craig

That Council concur to the taking of the land the subject of Deposited Plans 217661 to 217687, 218999 and 219000 contained within the boundaries of the Shire of Leonora and to its dedication as road under Section 56 of the Land Administration Act 1997.

CARRIED (8 VOTES TO 0)

9.0 REPORTS OF OFFICERS
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

Tuesday 19th July, 2005

12.0 CLOSURE OF MEETING

Cr Dawes closed the meeting at 12.35pm