

SHIRE OF LEONORA

MINUTES OF THE ORDINARY COUNCIL MEETING



LEONORA

Star of the West

**HELD IN THE GOLF CLUB ROOMS
LEINSTER ON TUESDAY
17th FEBRUARY, 2004**

SHIRE OF LEONORA

Minutes of the Ordinary Meeting held in Golf Club House, Leinster on Tuesday 17th February, 2004 commencing at 9.00am.

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

1.1 Mr Epis declared the meeting open at 9.24am.

1.2 There being no President or Deputy President in attendance CEO Epis took the Chair and call for nominations for the position of Acting President.
Cr Demasson nominated BSD Taylor, seconded Cr Craig.
There being no further nominations Cr Taylor declared Elected.

1.3 Financial Interest Disclosure –
Nil

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

2.1 PRESENT

Councillors

T C Demasson
G R Kemp
S J Heather
T P Hewson
J F Carter
P J Craig
B S D Taylor
J G Epis
J F Rowe

Chief Executive Officer
Deputy Chief Executive Officer

2.2 APOLOGIES

Cr Dawes

2.3 LEAVE OF ABSENCE

CR N J Johnson

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 PETTITIONS / DEPUTATIONS / PRESENTATIONS

Nil

7.0 CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETINGS

Moved Cr Hewson seconded Cr Demasson that the Minutes of the Ordinary Meeting held on Tuesday 20th January, 2004 be confirmed as a true and accurate record.

CARRIED (7 VOTES TO 0)

7.1 MINUTES OF ELECTORS MEETING – 20TH January, 2004

Minutes noted with no further action required

8.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1 (A) COMPLIANCE AUDIT RETURN

SUBMISSION TO: Meeting of Council
Meeting Date: 17th February, 2004

AGENDA REFERENCE: 9.1 (A) FEB04

SUBJECT: Compliance Audit Return

LOCATION / ADDRESS: Not Applicable

NAME OF APPLICANT: Not Applicable

FILE REFERENCE: Local Government 6.9

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: James Gregory Epis

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 2nd February, 2004

BACKGROUND

On the 30th January, 2004 all Councillors were provided with a completed copy of the Compliance Audit Return for the period 1st January, 2003 to 31st December, 2003.

The return is being used by Local Government as a useful and quick checklist of statutory obligations and, in effect, a guide to the key sections of the Local Government Act 1995.

The particulars of all matters of concern raised by Council should be recorded in the minutes of the meeting and a copy of the relevant page(s) attached to the Compliance Return Appendix.

STATUTORY ENVIRONMENT

Amendments to the Local Government (Audit) Regulations in the year 2000 made the Statutory Compliance Return mandatory from the 1st January, 2001.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

RECOMMENDATIONS

That the Local Government Compliance Audit Return for the period 1st January, 2003 to 31st December, 2003 be adopted, and that the particulars of all matters of concern raised by Council be recorded in the minutes of the meeting and a copy of the relevant pages attached to the Compliance Return as an Appendix.

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1 (A) COMPLIANCE AUDIT RETURN (continued)

VOTING REQUIREMENT

Simple majority required.

moved Cr Demasson seconded Cr Kemp

That the Local Government Compliance Audit Return for the period 1st January, 2003 to 31st December, 2003 be adopted, and that the particulars of all matters of concern raised by Council be recorded in the minutes of the meeting and a copy of the relevant pages attached to the Compliance Return as an Appendix.

CARRIED (7 VOTES TO 0)

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1 (B) ANIMAL WELFARE GENERAL INSPECTORS

SUBMISSION TO: Meeting of Council
Meeting Date: 17th February, 2004

AGENDA REFERENCE: 9.1 (B) FEB04

SUBJECT: Animal Welfare General Inspectors

LOCATION / ADDRESS: Leonora

NAME OF APPLICANT: Shire of Leonora

FILE REFERENCE: Animal Welfare 9.3a

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: James Gregory Epis

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 6th February, 2004

BACKGROUND

The Gallop led State Government made a pre-election commitment to increase protection of animals in the State of Western Australia. This has been realised with the proclamation of the Animal Welfare Act 2002. Its proclamation reflects a new level of awareness of the importance of animals in our lives. The Act takes into account contemporary community standards and is intended to provide protection to animals in Western Australia. This includes not only pets but also animals used commercially, livestock and those used in research.

The Act also paves the way for some of the harshest penalties in Australia for offenders found guilty of cruelty to animals in Western Australia. It provides courts with powers to impose up to \$50,000.00 in fines and a maximum of five year prison sentences on those who have shown unacceptable behaviour towards animals. The new Act replaces the Prevention of Cruelty to Animals Act 1920.

The establishment of a new Animal Welfare Branch within the Department of Local Government and Regional Development will also work in partnership with the RSPCA to bolster the efforts of raising awareness of animal welfare issues.

In our modern society, we have expectations about what is acceptable and what isn't. Some people believe animals should be treated in the same way as humans, while others believe that humans have complete authority over animals and that animals can be used for any purpose. Between these opposing views, we need to find a balance.

As a society, we can be influenced in what is an acceptable standard of use and care of an animal through our upbringing, religious beliefs, the media and our own interaction with animals of all types. Throughout the state, general inspectors have been appointed from the RSPCA, Local Governments, the Department of Agriculture and CALM. A general inspector is able to respond to complaints and concerns.

Within the new Animal Welfare Act 2002, power is provided for the appointment of general inspectors to enforce the proper, humane care and management of animals. Under this new Act, general inspectors have increased powers to search and enter, as well as seize animals if they suspect animals are being treated in an inappropriate manner. Authorised agencies are able to nominate officers whose other duties are compatible with and complementary to the responsibilities of a general inspector.

STATUTORY ENVIRONMENT

Proclamation of the Animal Welfare Act 2002 allows for the Director General, Department of Local Government and Regional Development to approve appointments of officers as general inspectors.

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1 (B) ANIMAL WELFARE GENERAL INSPECTORS (continued)

POLICY IMPLICATIONS

All general inspectors appointed under the Animal Welfare Act 2002 are expected to operate in a manner consistent with guidelines provided by the Department of Local Government and Regional Development.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

RECOMMENDATIONS

That Council seek approval of the Director General, Department of Local Government and Regional Development for the appointment of the Shire Ranger, Mr Patrick Damien Kelly as a General Inspector.

VOTING REQUIREMENT

Simple majority required.

moved Cr Carter seconded Cr Demasson

That Council seek approval of the Director General, Department of Local Government and Regional Development for the appointment of the Shire Ranger, Mr Patrick Damien Kelly as a General Inspector.

CARRIED (7 VOTES TO 0)

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1(C) LEINSTER TELECENTRE (Deferred from December, 2003 meeting of Council).

SUBMISSION TO: Meeting of Council
Meeting Date: 17th February, 2004

AGENDA REFERENCE: 9.1 (C) FEB04

SUBJECT: Leinster Telecentre

LOCATION / ADDRESS: Leinster

NAME OF APPLICANT: Shire of Leonora

FILE REFERENCE: Telecentre 5.44a

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: James Gregory Epis

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 11th February, 2004

BACKGROUND

On the 18th November, 2003 members of the Leinster Telecentre addressed Council on the Telecentre operations and problems being encountered.

The Co-ordinator is paid by the Telecentre Support Unit which amounts to 20 hours per week. The Telecentre is open to the public 8.30am to 12.30pm Tuesday to Friday and 7.00pm to 9.00pm Tuesday and Friday evenings. These hours service both residents and fly in/ fly out and most shift workers.

The Telecentre is currently operating at capacity during the evening sessions. In order to become more accessible to shift workers and generally offer a greater service to the community it is proposed that the centre be available for longer periods in the day and that a further evening or Saturday morning sessions be available.

It was suggested that the Telecentre could become a sub-office of the Shire providing tourist information, dealing with dog registrations and other Shire matters provided Council was able to provide financial assistance which would enable the Telecentre to operate for longer hours.

The Telecentre is fully equipped with eight computers with internet access, four telephone lines for laptop access, laminator, facsimile, photocopier, shredder, digital camera, scanner and other office type equipment.

The Centre has recently sourced by donation an additional six computers which will enable the committee to hold courses and training sessions.

Based on the current hourly rates, including taxation and superannuation the committee sought funding based on the following:

Additional 5 hours per week costs \$ 90.00 per week or \$ 4680.00 per annum.

Additional 10 hours per week costs \$180.00 per week or \$ 9360.00 per annum.

Additional 15 hours per week costs \$270.00 per week or \$14040.00 per annum.

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

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

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1(C) LEINSTER TELECENTRE (continued).

STRATEGIC IMPLICATIONS

Providing additional hours will benefit the Leinster community and allow the Shire not only to provide some services but display information promoting the Shire and the Region.

POLICY IMPLICATIONS

Nil

RECOMMENDATIONS

That Council provide financial assistance of \$4680.00 per annum provided the Leinster Sports and Recreation Association provide similar assistance and that expenditure be authorised in accordance with Section 6.8 (1) (b) of the Local Government Act 1995.

VOTING REQUIREMENT

Absolute majority required.

moved Cr Kemp Seconded Cr Hewson

That Council provide financial assistance of \$4680.00 per annum provided the Leinster Sports and Recreation Association provide similar assistance and that expenditure be authorised in accordance with Section 6.8 (1) (b) of the Local Government Act 1995.

CARRIED (7 VOTES TO 0)

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1 (D) LEONORA AQUATIC CENTRE

SUBMISSION TO: Meeting of Council
Meeting Date: 17th February, 2004

AGENDA REFERENCE: 9.1 (D) FEB04

SUBJECT: Leonora Aquatic Centre

LOCATION / ADDRESS: Leonora

NAME OF APPLICANT: Shire of Leonora

FILE REFERENCE: Swimming Pool 4.9a

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: James Gregory Epis

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 12th February, 2004

BACKGROUND

As previously reported, cost estimates to construct an indoor swimming pool with other associated structures exceeded Council's budget by approximately \$2.6 million.

As a consequence, Donovan Payne Architects were instructed to prepare a sheltered/ external pool proposal for the site, based on a budget of \$2.5 million.

Following this report is correspondence received from Donovan Payne Architects which provides brief concept description of an open pool proposal.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

An amount of \$2,267,000 is contained within the current budget for the proposed Leonora Aquatic Centre. It maybe that some expenditure will need to be included in the 2004/2005 budget to cover total cost of the project.

STRATEGIC IMPLICATIONS

Nil

RECOMMENDATIONS

That Council accept the open pool concept as per the submission of Donovan Payne Architects dated the 6th February, 2004 and that instructions to fully develop and cost the project be approved. Furthermore, a community meeting to discuss the concept be arranged as soon as possible.

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1 (D) LEONORA AQUATIC CENTRE (continued)

VOTING REQUIREMENT

Simple majority required.

moved Cr Hewson seconded Cr Heather

That Council accept the open pool concept as per the submission of Donovan Payne Architects dated the 6th February, 2004 and that instructions to fully develop and cost the project be approved. Furthermore, a community meeting to discuss the concept be arranged as soon as possible.

CARRIED (7 VOTES TO 0)

9.0 REPORTS OF OFFICERS

9.2 FINANCE MANAGER - DEPUTY CEO

9.2 (A) MONTHLY FINANCIAL STATEMENTS – PE 31st JANUARY 2004

SUBMISSION TO:	Meeting of Council Meeting Date: 17 th February, 2004
AGENDA REFERENCE:	9.2(A) FEB04
SUBJECT:	Monthly Financial Statements – January, 2004
AUTHOR:	J F Rowe
POSITION:	Deputy Chief Executive Officer
INTEREST DISCLOSURE:	Nil
DATE:	4 th February, 2004
COMMENT:	Quarterly Statements submitted for adoption include: (a) Financial Position as at 4 th February, 2004 (b) Operating Statement Summary 31 st January, 2004 (c) Operating Statement - Detail – 31 st January, 2004 (d) Operating Statement - Nature/Type– 31 st January, 2004 (e) Balance Sheet as at – 31 st January, 2004 (f) Statement of Fixed Assets – 31 st January, 2004 (g) Statement of Outstanding Debtors – 31 st January, 2004

RECOMMENDATION

The Monthly Financial Statements for the month ended 31st January, 2004 consisting of Operating Statements (3), Balance Sheet, Statement of Fixed Assets, Lists of Outstanding Debtors, and the Financial Position as 4th February, 2004 showing balances of:-

	\$	
Municipal	\$28,166.19	Debit
Long Service Leave Reserve	\$56,773.40	Credit
Fire Disaster Reserve	\$3,248.60	Credit
Building Reserve	Nil	Credit
Plant Replacement Reserve	Nil	Credit
Community Amenities Reserve	Nil	Credit
Municipal Investment	\$1,800,000.00	Credit

be adopted.

VOTING REQUIREMENTS

Simple Majority

moved Cr Demasson seconded Cr Heather

That he Monthly Financial Statements for the month ended 31st January, 2004 consisting of Operating Statements (3), Balance Sheet, Statement of Fixed Assets, Lists of Outstanding Debtors, and the Financial Position as 4th February, 2004 showing balances of:-

	\$	
<i>Municipal</i>	<i>\$28,166.19</i>	<i>Debit</i>
<i>Long Service Leave Reserve</i>	<i>\$56,773.40</i>	<i>Credit</i>
<i>Fire Disaster Reserve</i>	<i>\$3,248.60</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>\$1,800,000.00</i>	<i>Credit</i>

9.0 REPORTS OF OFFICERS

9.2 FINANCE MANAGER - DEPUTY CEO

9.2 (A) MONTHLY FINANCIAL STATEMENTS – PE 31st JANUARY 2004(continued)

be adopted.

CARRIED (7 VOTES TO 0)

SHIRE OF LEONORA		
FINANCIAL POSITION AS AT 4th FEBRUARY, 2004		
	MUNICIPAL	
	\$	
Balance as at 31 st January, 2004	\$ 30,385.29cr	
Receipts to 4 th February, 2004	\$ Nil	
Balance	\$ 30,385.29cr	
Less Accounts since 31 st January, 2004	\$ 58,551.48	
Balance 4th February, 2004	\$ 28,166.19dr	
AMOUNT HELD ON TERM DEPOSIT - NATIONAL AUSTRALIA BANK		
	\$	
A) PLANT REPLACEMENT RESERVE	Nil	CREDIT
B) LONG SERVICE LEAVE	56,773.40	CREDIT
C) FIRE DISASTER RESERVE	3,248.60	CREDIT
D) BUILDING RESERVE	Nil	CREDIT
E) COMMUNITY AMENITIES RESERVE	Nil	CREDIT
F) MUNICIPAL INVESTMENT	1,800,000.00	CREDIT

9.0 REPORTS OF OFFICERS

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

9.2 (B) ACCOUNTS FOR PAYMENT – FEBRUARY, 2004

SUBMISSION TO: Meeting of Council
Meeting Date: 17th February, 2004

AGENDA REFERENCE: 9.2(B) FEB04

SUBJECT: Accounts for Payment

AUTHOR: J F Rowe

OFFICER: Deputy Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 4th February, 2004

COMMENT:

Attached statement consists of Vouchers **V563 to V647 plus Direct Bank Transactions** and totalling **\$239,343.06** attached.

RECOMMENDATION

That accounts as represented by Vouchers V563 to V647 inclusive plus Direct Bank Transactions totalling \$239,343.06 be authorised for payment.

VOTING REQUIREMENTS

Simple Majority

moved Cr Heather seconded Cr Demasson

That accounts as represented by Vouchers V563 to V647 inclusive plus Direct Bank Transactions totalling \$239,343.06 be authorised for payment.

CARRIED (7 VOTES TO 0)

9.0 REPORTS OF OFFICERS

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

9.2 (C) SWIMMING POOL – RESERVE FUND

SUBMISSION TO: Meeting of Council
Meeting Date: 17th February, 2004

AGENDA REFERENCE: 9.2(B) FEB04

SUBJECT: Reserve Fund

AUTHOR: J F Rowe

OFFICER: Deputy Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 4th February, 2004

BACKGROUND

In the 2003/2004 Adopted Budget, Council allocated the following for the construction of a swimming pool in Leonora:

Capital Expenditure-	\$ 2,267,272.00
Income – Grants-	\$ 1,068,091.00

This meant that some \$1,199,161.00 of Councils Municipal Fund has been allocated to be expended – that is Councils own contribution.

Following meetings with architects and the project manager in the first six months of 2003/2004 it has now become increasingly likely that very little of this money will be expended in the 2003/2004 financial year. It is now proposed that estimated unexpended funds be allocated to the Community Amenities Reserve in 2003/2004 and brought forward for allocation to the Swimming Pool Project in the 2004/2005 Budget.

STATUTORY ENVIRONMENT

As an amount was allocated to be spent in the 2003/2004 Budget and it is now to be spent in 2004/2005, a Council authorisation to create a Reserve Fund in 2003/2004 is required.

FINANCIAL IMPLICATIONS

Creation of a Reserve Fund will not adversely impact on Councils operating result in 2003/2004.

STRATEGIC IMPLICATIONS

In Councils Principal Activity Plan it was intended to complete the swimming pool project in 2003/2004 with the major project for 2004/2005 being the combined sporting club construction.

POLICY IMPLICATIONS

Nil

RECOMMENDATION

The Finance Officer be authorised to transfer an amount to the Community Amenities Reserve Fund prior to the 30th June 2004 equal to the unexpended funds for the Swimming Pool Project in the 2003/2004 accounts.

VOTING REQUIREMENTS

Simple Majority

9.0 REPORTS OF OFFICERS

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

9.2 (C) SWIMMING POOL – RESERVE FUND (Continued)

moved Cr Hewson seconded Cr Craig

The Finance Officer be authorised to transfer an amount to the Community Amenities Reserve Fund prior to the 30th June 2004 equal to the unexpended funds for the Swimming Pool Project in the 2003/2004 accounts.

CARRIED (7 VOTES TO 0)

The meeting adjourned for morning tea 9.49am and resumed at 10.10am with attendance identical to that at Item 2.1

9.0 REPORTS OF OFFICERS

9.3 ENVIRONMENTAL HEALTH OFFICER

9.3(A) LOCAL GOVERNMENT FUNDRAISING EVENT

SUBMISSION TO: Meeting of Council
Meeting Date: 17th February, 2004

AGENDA REFERENCE: 9.3 (A) FEB04

SUBJECT: Local Government Fundraising Event

LOCATION / ADDRESS: Leonora

NAME OF APPLICANT: Not Applicable

FILE REFERENCE: WALGA 19.7.0

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: Timothy James Young

OFFICER: Environmental Health Officer

INTEREST DISCLOSURE: Nil

DATE: 30th January, 2004

BACKGROUND

The WA Local Government Association is canvassing member support for a fundraising campaign that will raise awareness of the plight of health services in rural communities and also benefit the Country Medical Foundation and St John Ambulance services.

The awareness and charity event will be in the form of an Ambulance Rally. A decommissioned St John Ambulance will be utilised by WALGA to drive throughout the state, aiming to raise funds through sponsorship and community activities. The target being \$100,000. The campaign has been named "Rambo the Ambo" and it is expected that it will attract significant state-wide and local media coverage and sponsorship during the tour across WA, starting with the Metropolitan region. The Rally is expected to be launched in May 2004.

WALGA are asking member Council's to commit to the event, which would require a Council representative to drive 'Rambo' through the Shire to the next destination while involving the local community in some activity to assist in fundraising. Suggested activities are raffles, free dress day, school competitions etc. It is requested that the Shire provide fuel for the journey through the district.

It is anticipated that the itinerary of 'Rambo' will be devised in conjunction with a major event within the Shire.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

WALGA is seeking commitment to the event and to provide fuel for the ambulance as it travels through the district. The provision of fuel costing approximately \$200 would be a donation by the Shire to this fundraising event.

STRATEGIC IMPLICATIONS

To project a positive image for Local Government while assisting to raise the profile of rural health service and raising funds for the Country Medical Foundation and St John Ambulance.

9.0 REPORTS OF OFFICERS

9.3 ENVIRONMENTAL HEALTH OFFICER

9.3(A) LOCAL GOVERNMENT FUNDRAISING EVENT (continued)

RECOMMENDATIONS

That Council consider participating in the 'Rambo the Ambo Rally' fundraising event with the view of initiating local community events to assist in fund raising.

VOTING REQUIREMENT

Simple majority required.

moved Cr Carter seconded Cr Demasson

That Council consider participating in the 'Rambo the Ambo Rally' fundraising event with the view of initiating local community events to assist in fund raising.

CARRIED (7 VOTES TO 0)

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 March, 2004 commencing at 9.00am in the Council Chambers, Leonora.

12.0 CLOSURE OF MEETING

Cr Taylor declared the meeting closed at 10.15am.