

SHIRE OF LEONORA

MINUTES OF THE ORDINARY COUNCIL MEETING



LEONORA

Star of the West

**HELD IN COUNCIL CHAMBERS,
LEONORA ON TUESDAY,
16TH SEPTEMBER, 2003**

SHIRE OF LEONORA

Minutes of the Ordinary Meeting held in Council Chambers, Leonora on Tuesday 16th september, 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 9.02am and announced visitors at 11.00am and 12 noon.

1.2 Financial Interest Disclosure –
Cr Demasson declared an interest in Item 10.1(B).

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
	J F Carter
	P J Craig
	T C Demasson
	S J Heather
Chief Executive Officer	J G Epis
Deputy Chief Executive Officer	J F Rowe
Councillor	T Hewson arrived later at 9.07am

2.2 APOLOGIES Nil

2.3 LEAVE OF ABSENCE Nil

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 Carter seconded Cr Craig that the Minutes of the Ordinary Meeting held on Tuesday 19th August, 2003 be confirmed as a true and accurate record.

CARRIED (8 VOTES TO 0)

8.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Cr Dawes advised of a presentation to Council by the Mayor of Gorno in Italy.

Cr Dawes advised of a meeting of the Department of Environment in Coolgardie.

Cr Dawes advised of the meeting held 15th September in relation to the Weekend Celebration/Atheletics Event in 2004.

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1(A) CLOSURE – PEDESTRAIN ACCESSWAY

SUBMISSION TO: Meeting of Council
Meeting Date: 16th September, 2003

AGENDA REFERENCE: 9.1 (A) SEPT03

SUBJECT: Closure – Pedestrian Accessway

LOCATION / ADDRESS: Leonora

NAME OF APPLICANT: Shire of Leonora

FILE REFERENCE: Road Closure & Dedication

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: James Gregory Epis

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 25th August, 2003

BACKGROUND

Council at its meeting on the 15th July, 2003 resolved to close at its cost that portion of the Pedestrian Access Way between Rochester and Stuart Street between adjacent freehold properties 954 and 458 Rochester Streets and 955 and 467 Stuart Streets, and that 35 days public notice be provided to allow objections or submissions to be received. Reasons for the proposed closure relate to the increasing levels of anti-social behaviour and vandalism in the accessway.

The Pedestrian Accessway Closure notice was published in the Kalgoorlie Miner on the 17th July, 2003. No objections on submissions were received within the 35 day period which expired on the 20th August, 2003.

STATUTORY ENVIRONMENT

Section 58 of the Land Administration Act and Section 20 of the Town Planning and Development Act 1928 (as amended) need to be complied with

FINANCIAL IMPLICATIONS

Some costs in regards survey and administrative expenses are to be expected.

STRATEGIC IMPLICATIONS

Throughout the State there are ongoing requests for the closure of Pedestrian Access Ways on security and amenity grounds. This closure will address those problems.

RECOMMENDATIONS

That Council resolve that the accessway between Rochester and Stuart Streets be closed and that the matter be referred to the Minister for Planning and Infrastructure for further consideration with request for closure.

VOTING REQUIREMENT

Simple majority required.

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1(A) CLOSURE – PEDESTRIAN ACCESSWAY (continued)

Moved Cr Johnson seconded Cr Kemp

That Council resolve that the accessway between Rochester and Stuart Streets be closed and that the matter be referred to the Minister for Planning and Infrastructure for further consideration with request for closure.

CARRIED (9 VOTES TO 0)

9.0 REPORTS OF OFFICERS
9.1 CHIEF EXECUTIVE OFFICER
9.1(B) SAFER WA WORKING GROUP

SUBMISSION TO: Meeting of Council
Meeting Date: 16th September, 2003

AGENDA REFERENCE: 9.1 (B) SEPT03

SUBJECT: Safer WA Working Group

LOCATION / ADDRESS: Leonora

NAME OF APPLICANT: Not Applicable

FILE REFERENCE: Safer WA Committee 8.26

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: James Gregory Epis

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 4th September, 2003

BACKGROUND

Western Australians live in a State renowned for its magnificent environment, lifestyle and high standard of living.

However, along with other States around Australia, in recent years, Western Australia has experienced a rise in some property crime and violent crime. The State Governments SAFER WA initiative is aimed at reducing offending and reinforcing the States traditional reputation as a safe and secure place.

SAFER WA is a partnership between the key areas of the public and private sectors, the State Government, Local Government, the Police, professionals, business people, community groups and every Western Australian. It requires the partners to accept their responsibility to work together to build a safer and more secure environment; to harness every possible resource in order to provide the solutions which will significantly reduce crime.

The critical component is the wholehearted participation of the community, working together, in partnership with the Police, other government agencies and local government.

A SAFER WA working group in Leonora has been attempted in the past, however, because a number of members lacked commitment, the committee was doomed to failure from day one.

A meeting held on the 3rd September, 2003 to re-establish a SAFER WA Committee was Chaired by Sergeant John Leach. Representation at the meeting included:

Leonora Police	Aboriginal Hostels Limited
Centre Care	Leonora Hospital
Community Health	Other Community Interests
Leonora School	Shire of Leonora
Community Services	

I sought approval to have two Councillors, one being the delegate, the other a proxy in the absence of the delegate on the Committee. I further suggested that a staff member from the Shire of Leonora be included on the Committee, also with a nominated proxy.

It is planned that meetings be held monthly or as the need arises.

9.0 REPORTS OF OFFICERS
9.1 CHIEF EXECUTIVE OFFICER
9.1(B) SAFER WA WORKING GROUP (continued)

STATUTORY ENVIRONMENT

The key components in the SAFER WA structure are the Cabinet Standing Committee on Law and Order, the SAFER WA Council, the SAFER WA Committee's Executive Inc and 22 SAFER WA District Committees in the suburbs and country.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

SAFER WA has a number of strategies and funding avenues to assist Police and the Community to work together in implementing programs to assist in effective solutions.

STRATEGIC IMPLICATIONS

SAFER WA has three goals:

- Preventing Crime
- Reducing Crime
- Tackling the causes of crime

To do this, SAFER WA builds partnerships between the State Government, local councils, the community and Police. These partnerships work to help communities find local solutions to local crime problems.

RECOMMENDATIONS

That Council appoint from amongst its members one Councillor as a delegate to the Leonora SAFER WA Committee, and that in the absence of the delegate, a proxy be authorised.

VOTING REQUIREMENT

Simple majority required.

Moved Cr Craig seconded Cr Johnson that Cr Dawes and Mr W Hernaman as proxy be appointed as Councils delegates

That Council appoint from amongst its members one Councillor as a delegate to the Leonora SAFER WA Committee, and that in the absence of the delegate, a proxy be authorised.

CARRIED (9 VOTES TO 0)

9.0 REPORTS OF OFFICERS

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

9.2 (A) MONTHLY FINANCIAL STATEMENTS – AUG 2003

SUBMISSION TO:	Meeting of Council Meeting Date: 16 th September, 2003
AGENDA REFERENCE:	9.2(A) SEPT 03
SUBJECT:	Monthly Financial Statements – SEPT 2003
AUTHOR:	J F Rowe
POSITION:	Deputy Chief Executive Officer
INTEREST DISCLOSURE:	Nil
DATE:	4 th September, 2003
COMMENT:	Monthly Statements submitted for adoption include: (a) Financial Position as at 4 th September, 2003 (b) Operating Statement Summary 31 August, 2003 (c) Operating Statement - Detail – 31 st August, 2003 (d) Operating Statement - Nature/Type– 31 st August, 2003 (e) Balance Sheet as at – 31 st August, 2003 (f) Statement of Fixed Assets – 31 st August, 2003 (g) Statement of Outstanding Debtors – 31 st August, 2003

RECOMMENDATION

The Monthly Financial Statements for the month ended 31st August, 2003 consisting of Operating Statements (3), Balance Sheet, Statement of Fixed Assets, Lists of Outstanding Debtors, and the Financial Position as 4th September, 2003 showing balances of:-

	\$	
Municipal	\$1,388,263.34	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 Craig seconded Cr Demasson

That the Monthly Financial Statements for the month ended 31st August, 2003 consisting of Operating Statements (3), Balance Sheet, Statement of Fixed Assets, Lists of Outstanding Debtors, and the Financial Position as 4th September, 2003 showing balances of:-

	\$	
<i>Municipal</i>	<i>\$1,388,263.34</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 (9 VOTES TO 0)

9.0

REPORTS OF OFFICERS

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

9.2 (A) MONTHLY FINANCIAL STATEMENTS – SEPTEMBER 2003

SHIRE OF LEONORA		
FINANCIAL POSITION AS AT 4TH SEPTEMBER, 2003		
		MUNICIPAL
		\$
Balance as at 31 st August, 2003		\$1,246,741.91
Receipts to 4 th September, 2003		\$192,022.36
Balance		\$1,438,764.27
Less Accounts since 31 st August, 2003		\$50,500.93
Balance 4th September, 2003		\$1,388,263.34
AMOUNT HELD ON TERM DEPOSIT - NATIONAL AUSTRALIA BANK		
		\$
A) PLANT REPLACEMENT RESERVE	Nil	CREDIT
B) LONG SERVICE LEAVE	\$55,298.56	CREDIT
C) FIRE DISASTER RESERVE	\$3,164.21	CREDIT
D) BUILDING RESERVE	Nil	CREDIT
E) COMMUNITY AMENITIES RESERVE	Nil	CREDIT
F) MUNICIPAL INVESTMENT	Nil	CREDIT

9.0 REPORTS OF OFFICERS

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

9.2 (B) ACCOUNTS FOR PAYMENT – AUGUST 2003

SUBMISSION TO: Meeting of Council
Meeting Date: 16th September, 2003

AGENDA REFERENCE: 9.2(B) SEPT03

SUBJECT: Accounts for Payment

AUTHOR: J F Rowe

OFFICER: Deputy Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 10th September, 2003

COMMENT:

Attached statement consists of Vouchers 117 to 212 plus Direct Bank Transactions and totalling \$361,555.50 attached.

RECOMMENDATION

That accounts as represented by Vouchers 117 to 212 inclusive plus Direct Bank Transactions and totalling \$361,555.50 be authorised for payment.

VOTING REQUIREMENTS

Simple Majority

Moved Cr Demasson seconded Cr Hewson

That accounts as represented by Vouchers 117 to 212 inclusive plus Direct Bank Transactions and totalling \$361,555.50 be authorised for payment.

CARRIED (9 VOTES TO 0)

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

(A) ELECTED MEMBERS

Nil

(B) OFFICERS

Moved Cr Carter seconded Cr Hewson that this matter be treated as of an urgent nature

CARRIED (8 VOTES TO 0)

Cr Demasson having declared an interest left the meeting at 9.32am.

10.0 BUSINESS OF AN URGENT NATURE

10.1(B) CHIEF EXECUTIVE OFFICER

10.1(B) TENDER GENERAL- CHILDCARE CENTRE

SUBMISSION TO: Meeting of Council
Meeting Date: 16th September, 2003

AGENDA REFERENCE: 10.1 (B) SEPT03

SUBJECT: Tender General - Childcare Centre

LOCATION / ADDRESS: Leonora

NAME OF APPLICANT: Not Applicable

FILE REFERENCE: Tenders General 10.7

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: James Gregory Epis

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 15th September, 2003

BACKGROUND

Tenders were called on the 21st August, 2003 for the relocation of existing transportable building modules and verandahs from the Harbour Lights site immediately north of Leonora to a site within the Leonora Townsite as detailed in plans and specifications.

A notice of proposed works was published in the Kalgoorlie Miner on Thursday 21st August, 2003. Tenders closed on Friday 12th September, 2003 at 4.00pm.

Tenders were opened by the Chief Executive Officer in the presence of the Shire President, Cr G R Dawes.

Tenders received were as follows:

(i)	Butson Building Services	\$206,888.00 (exc GST)
(ii)	Majstrovich Building Company	\$234,545.46 (exc GST)

Both tenderers have included inkind support in their price. This cost is to be deducted from the tender price.

Marlou Contracting Pty Ltd	\$5,000.00
Mais Plumbing Pty Ltd	\$3,500.00
Leonora Painting Services	<u>\$2,000.00</u>
	\$10,500.00

Design Works Kalgoorlie Pty Ltd who have been involved in the Concept Design, Design Development and Tender Documentation has provided a tax invoice for \$10,461.00 for their services, however have discounted this amount to \$5,296.50. (inkind contribution of \$5,164.50)

10.0 BUSINESS OF AN URGENT NATURE

10.1(B) CHIEF EXECUTIVE OFFICER

10.1(B) TENDER GENERAL- CHILDCARE CENTRE (continued)

STATUTORY ENVIRONMENT

Section 3.57(1) of the Local Government Act 1995 provides that a local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods and services.

Local Government (Functions and General) Regulation 11 states that tenders must be invited if the consideration under the contract is expected to be worth more than \$50,000.00.

POLICY IMPLICATIONS

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 and the Department of Family and Community Services however these grants will be dependant on final tender submissions.

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

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.

RECOMMENDATIONS

That subject to additional funding of \$129,886.50 being made available from other sources, then the tender submitted by Butson Building Services amounting to \$196,388.00 (excluding GST) be accepted.

VOTING REQUIREMENT

Simple majority required.

The CEO advised of the tenders received in:

- (i) **Butson Building Service**
- (ii) **Majstrovich Building Co**

Moved Cr Carter seconded Cr Taylor that subject to funding being obtained Council accept the tender submitted by Butson Building Service

CARRIED (8 VOTES TO 0)

Cr Demasson returned to the Meeting at 9.39am and was advised of Councils decision.

The Meeting was adjourned for morning tea at 9.40am.

The Meeting resumed at 11.00am with the attendance identical to that at Item 1.3 of these minutes.

At 11.01am Cr Dawes welcomed Mr Peter Satie, Mr Cliff Hughes of Australian Railroad Group and Mr Mike Landell representing ARG also.

Cr Dawes explained Councils concerns regarding trains on level crossing in Leonora holding up traffic. Mr Satie explained the position from ARG in that he would like instances of crossing closures detailed and they were at present opposed to a new crossing at Rochester Street because of costs.

Mr Satie committed to resolving the problem and would further investigate and report to Council.

Cr Dawes thanked the visitors and they departed at 11.20am.

11.0 NEXT MEETING

The next Ordinary Meeting was set for Tuesday 21st October, 2003 in the Council Chambers Leonora, commencing at 9.00am.

12.0 CLOSURE

Cr Dawes declared the meeting closed at 11.33am.

PRESIDENT

DATE