

SHIRE OF LEONORA

MINUTES OF THE ORDINARY COUNCIL MEETING



LEONORA

Star of the West

HELD IN COUNCIL CHAMBERS, LEONORA
ON TUESDAY,
21st January, 2003

SHIRE OF LEONORA

Minutes of the Ordinary Meeting held in Council Chambers, Leonora on Tuesday 21st January, 2003 commencing at 9:00am.

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

1.1 President Cr Dawes declared the meeting open at 9:08am

1.2 Financial Interest Disclosure - Nil

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

2.1 PRESENT

The President	G R Dawes
Councillors	T C Demasson
	M J Mulcahy
	S J Heather
	T P Hewson
Chief Executive Officer	J G Epis
Deputy Chief Executive Officer	J F Rowe

2.2 APOLOGIES

Councillors J F Carter

2.3 LEAVE OF ABSENCE

Cr N G Johnson
Cr B S D Taylor
Cr P J Craig

3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4.0 PUBLIC QUESTION TIME

Nil.

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Cr Taylor and Cr Craig submitted applications for leave for the January 2003 meeting.

Moved Cr Demasson Seconded Cr Mulcahy – That this leave be granted.

CARRIED (5 VOTES TO 0)

6.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

7.0 CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETING

Moved Cr Hewson seconded Cr Demasson that the Minutes of the Ordinary Meeting held on Tuesday, 17th December, 2002 be confirmed as a true and accurate record.

CARRIED (5 VOTES TO 0)

8.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Cr Dawes advised he attended the official opening of the Leinster – Mt Magnet Road.
Cr Hewson reported on the WA Tourism Commission meeting held in Leonora on 20/01/2003

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1 (A) COMPLIANCE AUDIT RETURN

SUBMISSION TO: Meeting of Council
Meeting Date: 21st January, 2003

AGENDA REFERENCE: 9.1 (A) JAN03

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: 3rd January, 2003

BACKGROUND

On the 30th December, 2002 all Councillors were provided with a completed copy of the Compliance Audit Return for the period 1st January, 2002 to 31st December, 2002.

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, 2002 to 31st December, 2002 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.

Cr Hewson congratulated the CEO on the compliance report.

Moved Cr Hewson seconded Cr Heather

That the Local Government Compliance Audit Return for the period 1st January, 2002 to 31st December, 2002 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 (5 VOTES TO 0)

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1 (B) TOWN PLANNING SCHEME No 1 AMENDMENT No 9

SUBMISSION TO: Meeting of Council
Meeting Date: 21st January, 2003

AGENDA REFERENCE: 9.1 (B) JAN03

SUBJECT: Town Planning Scheme No 1 Amendment No 9

LOCATION / ADDRESS: Not Applicable

NAME OF APPLICANT: Not Applicable

FILE REFERENCE: Town Planning 5.33

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: James Gregory Epis

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 31st December, 2002

BACKGROUND

Council at its meeting on the 17th September, 2002 resolved to approve of the Shire of Leonora Town Planning Scheme No 1 Amendment No 9 and that approval be sought from the Department of Planning and Infrastructure prior to advertising the Scheme Amendment. On the 4th November, 2002 the Western Australian Planning Commission advised that the Commission's approval to the grant of consent for the Amendment to be advertised was not required. The Commission further advised that as the Amendment was consistent with the requirements of Regulations and was adopted after 3rd May, 2002, Council could advertise the Amendment without seeking consent.

A notice was published in the Kalgoorlie Miner on the 9th November, 2002 advising that the Shire of Leonora had prepared a Scheme Amendment to carry out various modifications / amendments to the Town Planning Scheme including –

- Re-zoning properties in Kurrajong and Steel Streets.
- Re-zoning Reserve 41956 and portion of Reserve 41510
- Amending Table 1 – Zoning Table
- Introducing a new definition – Tourist Development.

The notice further advised that submissions in regards the Amendment should be lodged in writing on or before the 23rd December, 2002.

Adjoining and nearby land owners were notified of the proposed Amendment during the advertising period. The following authorities were consulted during the advertising period –

- Western Power
- Water Corporation
- Telstra Corporation
- Heritage Council of WA
- Environmental Protection Authority

The Heritage Council of WA, Water Corporation and then Environmental Protection Authority supported the proposed Amendments. Western Power and Telstra Corporation did not respond. Other than general comments supporting the Amendment, no submissions were received.

STATUTORY ENVIRONMENT

In accordance with Section 7 of the Town Planning and Development Act 1928 and the Shire of Leonora Town Planning Scheme No1.

9.0 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1 (B) TOWN PLANNING SCHEME No 1 AMENDMENT No 9 (CONTINUED)

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

An amount of \$10,824.00 is contained within the current budget to cover general town planning expenses.

STRATEGIC IMPLICATIONS

Nil

RECOMMENDATIONS

That the Shire of Leonora Town Planning Scheme No 1 Amendment No 9 as presented be adopted for final approval and that the proposed Amendment be forwarded to the Western Australian Planning Commission and the Minister for Planning and Infrastructure for their consideration and approval.

VOTING REQUIREMENT

Simple majority required.

Moved Cr Demasson seconded Cr Hewson

That the Shire of Leonora Town Planning Scheme No 1 Amendment No 9 as presented be adopted for final approval and that the proposed Amendment be forwarded to the Western Australian Planning Commission and the Minister for Planning and Infrastructure for their consideration and approval.

CARRIED (5 VOTES TO 0)

9.0 REPORTS OF OFFICERS

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

9.2 (A) QUARTERLY FINANCIAL STATEMENTS – DECEMBER 2002

SUBMISSION TO:	Meeting of Council Meeting Date: 21 st January, 2003
AGENDA REFERENCE:	9.2(A) JAN 03
SUBJECT:	Quarterly Financial Statements – DECEMBER 2002
AUTHOR:	J F Rowe
POSITION:	Deputy Chief Executive Officer
INTEREST DISCLOSURE:	Nil
DATE:	14 th January, 2003
COMMENT:	Quarterly statements submitted for adoption include: (a) Financial Position as at 14 th January, 2003 (b) Operating Statement Summary – 31 st December, 2002 (c) Operating Statement - Detail – 31 st December, 2002 (d) Operating Statement - Nature/Type– 31 st December, 2002 (e) Balance Sheet as at - 31 st December, 2002 (f) Statement of Fixed Assets – 31 st December, 2002 (g) Statement of Outstanding Debtors – 31 st December, 2002

RECOMMENDATION

The monthly financial statements for the month ended 31st December, 2002 consisting of Operating Statements (3), Balance Sheet, Statement of Fixed Assets, Lists of Outstanding Debtors, and the Financial Position as at 14th January, 2003 showing balances of:-

	\$	
Municipal	208,231.97	Credit
Long Service Leave Reserve	54,044.59	Credit
Fire Disaster Reserve	2,103.34	Credit
Building Reserve	143,789.61	Credit
Plant Replacement Reserve	80,27.45	Credit
Community Amenities Reserve	465,914.61	Credit
Municipal Investment	700,000.00	Credit

be adopted.

VOTING REQUIREMENTS

Simple Majority

9.0 REPORTS OF OFFICERS

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

9.2 (A) QUARTERLY FINANCIAL STATEMENTS – DECEMBER 2002

SHIRE OF LEONORA		
FINANCIAL POSITION AS AT 14 th January, 2003		
	MUNICIPAL	
	\$	
Balance as at 31 st December, 2002	204,085.40CR	
Receipts to 14 th January, 2003	56,100.05CR	
Balance	260,185.45CR	
Less Accounts since 31 st December, 2002	51,953.48DR	
Balance 14th January, 2003	208,231.97CR	
AMOUNT HELD ON TERM DEPOSIT - NATIONAL AUSTRALIA BANK		
	\$	
A) PLANT REPLACEMENT RESERVE	8,027.45	CREDIT
B) LONG SERVICE LEAVE	54,044.59	CREDIT
C) FIRE DISASTER RESERVE	2,103.34	CREDIT
D) BUILDING RESERVE	143,789.61	CREDIT
E) COMMUNITY AMENITIES RESERVE	465,914.61	CREDIT
F) MUNICIPAL INVESTMENT	700,000.00	CREDIT

Moved Cr Demasson seconded Cr Heather

The monthly financial statements for the month ended 31st December, 2002 consisting of Operating Statements (3), Balance Sheet, Statement of Fixed Assets, Lists of Outstanding Debtors, and the Financial Position as at 14th January, 2003 showing balances of:-

	\$	
<i>Municipal</i>	<i>208,231.97</i>	<i>Credit</i>
<i>Long Service Leave Reserve</i>	<i>54,044.59</i>	<i>Credit</i>
<i>Fire Disaster Reserve</i>	<i>2,103.34</i>	<i>Credit</i>
<i>Building Reserve</i>	<i>143,789.61</i>	<i>Credit</i>
<i>Plant Replacement Reserve</i>	<i>80,27.45</i>	<i>Credit</i>
<i>Community Amenities Reserve</i>	<i>465,914.61</i>	<i>Credit</i>
<i>Municipal Investment</i>	<i>700,000.00</i>	<i>Credit</i>

be adopted.

CARRIED (5 VOTES TO 0)

9.0 REPORTS OF OFFICERS

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

9.2 (B) ACCOUNTS FOR PAYMENT – DECEMBER 2002

SUBMISSION TO: Meeting of Council
Meeting Date: 31st January, 2003

AGENDA REFERENCE: 9.2(B) JAN 03

SUBJECT: Accounts for Payment

AUTHOR: J F Rowe

OFFICER: Deputy Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 14th January, 2003

COMMENT:

Attached statement consists of Vouchers 539 to 631 plus Direct Bank Transactions and totalling \$916,047.29 attached.

RECOMMENDATION

That accounts as represented by Vouchers 539 to 631 inclusive plus Direct Bank Transactions and totalling \$916,047.29 be authorised for payment.

VOTING REQUIREMENTS

Simple Majority

Moved Cr Hewson seconded Cr Demasson

That accounts as represented by Vouchers 539 to 631 inclusive plus Direct Bank Transactions and totalling \$916,047.29 be authorised for payment.

CARRIED (5 VOTES TO 0)

Mr Melville attended the meeting at 9:50am.

9.0 REPORTS OF OFFICERS

9.3 ENVIRONMENTAL HEALTH OFFICER

9.3 (A) TOWN PLANNING APPLICATION – HOOVER STREET – HOME OCCUPATION

SUBMISSION TO: Meeting of Council
Meeting Date: 21st January, 2003

AGENDA REFERENCE: 9.3(A) JAN 03

SUBJECT: Town Planning Application – Hoover Street – Home Occupation

LOCATION / ADDRESS: 20 Hoover Street, Leonora

NAME OF APPLICANT: Kylie Bottrell

FILE REFERENCE: 27.0.02

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: Andrew Douglas Melville

OFFICER: Environmental Health Officer

INTEREST DISCLOSURE: Nil

DATE: 8th January, 2003

BACKGROUND

Miss Bottrell has submitted an Application for Planning Consent to the Shire of Leonora with a proposal to conduct a Home Occupation from her place of residence 20 Hoover Street, Leonora.

The business to be conducted will be that of Nail Technician within the townsite of Leonora, and will operate from 2 – 5.30pm weekdays, 12.00 – 5.30 on Saturdays and approximately 4 hours on Sundays.

STATUTORY ENVIRONMENT:

Council may, at its discretion permit a home occupation to take place on a lot which is zoned Residential as defined in the Shire of Leonora Town Planning Scheme No. 1. Council should be satisfied that the proposed development will fall within the definition of Home Occupation as stated in the Shire of Leonora Town Planning Scheme No. 1.

The applicant will also be required to fully comply with the Health Act 1911 and all associated Regulations

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Nil

RECOMMENDATION:

That approval be granted for Miss Bottrell to conduct a nail technician facility at 20 Hoover Street, Leonora according to the provisions of the Shire of Leonora Town Planning Scheme No. 1.

9.0 REPORTS OF OFFICERS

9.3 ENVIRONMENTAL HEALTH OFFICER

9.3 (A) TOWN PLANNING APPLICATION – HOOVER STREET – HOME OCCUPATION

VOTING REQUIREMENT

Simple majority

Moved Cr Demasson seconded Cr Heather

That approval be granted for Miss Bottrell to conduct a nail technician facility at 20 Hoover Street, Leonora according to the provisions of the Shire of Leonora Town Planning Scheme No. 1.

CARRIED (5 VOTES TO 0)

Mr Melville left the meeting at 9:52am

The meeting adjourned for morning tea at 9:55am.

Meeting resumed at 10:40am.

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 18th February, 2003 in the Council Chambers Leonora, commencing at 9am.

12.0 CLOSURE

Cr Dawes declared the meeting closed at 10:42am

PRESIDENT

DATE