

SHIRE OF LEONORA

MINUTES OF THE ORDINARY COUNCIL MEETING



LEONORA

Star of the West

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

SHIRE OF LEONORA

Minutes of the Ordinary Meeting held in Council Chambers, Leonora 16th December commencing at 1.30pm.

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

- 1.1 Cr Dawes declared the meeting open at 1.30pm and announced visitors at 2pm as per Agenda.
- 1.2 Financial Interest Disclosure- Crs Dawes, Demasson and Hewson all declared interests in all reports contained in Agenda Item 9.3. Crs Dawes and Demasson as Directors and CR Hewson as an employee of the company involved in these applications.

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
	J F Carter
Chief Executive Officer	J G Epis
Deputy Chief Executive Officer	J F Rowe

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

Cr Johnson submitted applications for the January and February 2004 meetings.

Moved Cr Demasson Seconded Cr Taylor

That these applications be approved.

CARRIED (8 VOTES TO 0)

6.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

Cr Craig submitted an application for the January 2004 meeting.

Moved Cr Demasson Seconded Cr Taylor

That this application be approved

CARRIED (8 VOTES TO 0)

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 18th November, 2003 be confirmed as a true and accurate record.

CARRIED (9 VOTES TO 0)

8.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Cr Dawes advised he attended a Chamber of Minerals and Energy meeting in Leonora.

9.0 REPORTS OF OFFICERS
9.1 CHIEF EXECUTIVE OFFICER
9.1(A) LEINSTER TELECENTRE

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

AGENDA REFERENCE: 9.1 (A) DEC03

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: 24th November, 2003

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(A) 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 Carter Seconded Cr Taylor

That this item be deferred to the January 2004 meeting.

CARRIED (9 VOTES TO 0)

9.0 REPORTS OF OFFICERS

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

9.2 (A) MONTHLY FINANCIAL STATEMENTS – NOV 2003

SUBMISSION TO:	Meeting of Council Meeting Date: 16 th December, 2003
AGENDA REFERENCE:	9.2(A) DEC03
SUBJECT:	Monthly Financial Statements – NOV 2003
AUTHOR:	J F Rowe
POSITION:	Deputy Chief Executive Officer
INTEREST DISCLOSURE:	Nil
DATE:	8 th December 2003
COMMENT:	Monthly Statements submitted for adoption include: (a) Financial Position as at 8 th December 2003 (b) Operating Statement Summary 30 November, 2003 (c) Operating Statement - Detail – 30 November, 2003 (d) Operating Statement - Nature/Type– 30 th November, 2003 (e) Balance Sheet as at – 30 November, 2003 (f) Statement of Fixed Assets – 30 November, 2003 (g) Statement of Outstanding Debtors – 30 November, 2003

RECOMMENDATION

The Monthly Financial Statements for the month ended 30 November, 2003 consisting of Operating Statements (3), Balance Sheet, Statement of Fixed Assets, Lists of Outstanding Debtors, and the Financial Position as 8th December, 2003 showing balances of:-

	\$	
Municipal	\$376948.55	Credit
Long Service Leave Reserve	\$56773.40	Credit
Fire Disaster Reserve	\$3248.60	Credit
Building Reserve	Nil	Credit
Plant Replacement Reserve	Nil	Credit
Community Amenities Reserve	Nil	Credit
Municipal Investment	\$1800000.00	Credit

be adopted.

VOTING REQUIREMENTS

Simple Majority

Moved Cr Carter Seconded Cr Johnson

The Monthly Financial Statements for the month ended 30 November, 2003 consisting of Operating Statements (3), Balance Sheet, Statement of Fixed Assets, Lists of Outstanding Debtors, and the Financial Position as 8th December, 2003 showing balances of:-

	\$	
<i>Municipal</i>	<i>\$376948.55</i>	<i>Credit</i>
<i>Long Service Leave Reserve</i>	<i>\$56773.40</i>	<i>Credit</i>
<i>Fire Disaster Reserve</i>	<i>\$3248.60</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>\$1800000.00</i>	<i>Credit</i>

be adopted.

CARRIED (9 VOTES TO 0)

9.0 REPORTS OF OFFICERS

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

9.2 (A) MONTHLY FINANCIAL STATEMENTS – NOVEMBER 2003

SHIRE OF LEONORA		
FINANCIAL POSITION AS AT 8th DECEMBER, 2003		
		MUNICIPAL
		\$
Balance as at 30 th November, 2003		\$375,995.22
Receipts to 4 th December, 2003		\$ 24,555.78
Balance		\$400,551.00
Less Accounts since 30 th December, 2003		\$23,602.45
Balance 8th December, 2003		\$376,948.55
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 – NOVEMBER 2003

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

AGENDA REFERENCE: 9.2(B) DEC03

SUBJECT: Accounts for Payment

AUTHOR: J F Rowe

OFFICER: Deputy Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 10 December, 2003

COMMENT:

Attached statement consists of Vouchers V360 to V444 plus Direct Bank Transactions and totalling \$261,596.86 attached.

RECOMMENDATION

That accounts as represented by Vouchers V360 to V444 inclusive plus Direct Bank Transactions totalling \$261,596.86 be authorised for payment.

VOTING REQUIREMENTS

Simple Majority

Moved Cr Hewson Seconded Cr Demasson

That accounts as represented by Vouchers V360 to V444 inclusive plus Direct Bank Transactions totalling \$261,596.86 be authorised for payment.

CARRIED (9 VOTES TO 0)

9.0 REPORTS OF OFFICERS
9.2 DEPUTY CHIEF EXECUTIVE OFFICER
9.2 (C) ANNUAL REPORT

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

AGENDA REFERENCE: 9.2(C) DEC03

SUBJECT: Annual Report 2003

AUTHOR: J F Rowe

OFFICER: Deputy Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 2nd December 2003

COMMENT:

In each financial year a local government is to prepare an Annual Report.

The draft Annual Report for the year ended 30th June 2003 is attached for consideration and adoption, and a date for the annual meeting of electors should be set.

BACKGROUND

Section 5.54(1&2) of the Local Government Act states that the Annual Report for a financial year is to be accepted by the Local Government no later than 31st December in that year, or where the auditor's report is not available until after that date, no later than two (2) months after the auditor's report becomes available.

The auditor's report was received on 27th November, 2003.

Section 5.27 of the Local Government Act states that at least fourteen (14) days public notice must be given and the meeting must be held no later than 56 days after Council accepts the Annual Report.

Therefore the earliest this meeting could be held is 5th January, 2004 and it must be held prior to 10th February, 2004, should this report be adopted.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

RECOMMENDATION

That the Annual Report as presented for the year ended 30th June, 2003 be accepted and the General Meeting of Electors be scheduled for Tuesday 20th January, 2004 commencing at 6:00pm in the Council Chambers, Leonora.

VOTING REQUIREMENTS

Simple Majority

Moved Cr Johnson Seconded Cr Carter

That the Annual Report as presented for the year ended 30th June, 2003 be accepted and the General Meeting of Electors be scheduled for Tuesday 20th January, 2004 commencing at 6:00pm in the Council Chambers, Leonora.

CARRIED (9 VOTES TO 0)

At 2.05pm Mr Rick Mirams joined the meeting.

Mr Mirams informed Council of a proposed plant purchase of a 10 tonne truck. When the current truck is replaced it needs to be replaced with a heavier, more powerful version to comply with new laws.

Mr Mirams left the meeting at 2.17pm.

Mr Tim Young joined the meeting at 2.19pm.

Cr Dawes, Demasson and Cr Hewson having declared an Interest in reports contained in 9.3 left the meeting at Cr Johnson took the chair.

9.0 REPORTS OF OFFICERS

9.3 CHIEF EXECUTIVE OFFICER

9.3(A) APPLICATION FOR PLANNING CONSENT – TOURIST DEVELOPMENT

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

AGENDA REFERENCE: 9.3 (A) DEC03

SUBJECT: Application for Planning Consent – Tourist Development

LOCATION / ADDRESS: Lot 1127 Tower Street, Gwalia

NAME OF APPLICANT: The Leonora Gwalia Museum Ltd

FILE REFERENCE: Development Approvals 21.1.0

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: Timothy James Young

OFFICER: Environmental Health Officer

INTEREST DISCLOSURE: Nil

DATE: 2nd December, 2003

BACKGROUND

Council resolved on 17th September 2002 to adopt Amendment No. 9 of Shire of Leonora Town Planning Scheme No.1. This amendment included the addition of a new land use class in the Gwalia Historical Precinct; that being 'Tourist Development'. Council's reasoning for this change was to seek wider discretion to permit tourist related activities in the Gwalia Historical Precinct and to provide support facilities for people visiting Gwalia's historic attractions.

Application has been received from The Leonora Gwalia Historical Museum to change the use of the building on Lot 1127 Tower Street Gwalia from 'Residential', which is a non conforming use, to 'Tourist Development'. The suggested activities of which this building will be used are guest house accommodation, function centre and tea rooms. These three activities are within the definition of 'Tourist Development'.

STATUTORY ENVIRONMENT

This application is pursuant to Shire of Leonora Town Planning Scheme No.1 (as amended).

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

9.0 REPORTS OF OFFICERS

9.3 CHIEF EXECUTIVE OFFICER

9.3(A) APPLICATION FOR PLANNING CONSENT (continued)

RECOMMENDATIONS

That Council resolve to approve this application to change the use of the building, namely Hoover House, situated on Lot 1127 Tower Street Gwalia from the non-conforming use of 'Residential' to that of 'Tourist Development', thus approving the use of the building for the proposed purposes of Accommodation, Function Centre and Shop.

This approval being subject to compliance of the building with all relevant legislation, namely Health Act 1911 and its regulations, before commencement of operations as Tourist Development.

VOTING REQUIREMENT

Simple majority required.

Moved Cr Carter

Seconded Cr Kemp

That Council resolve to approve this application to change the use of the building, namely Hoover House, situated on Lot 1127 Tower Street Gwalia from the non-conforming use of 'Residential' to that of 'Tourist Development', thus approving the use of the building for the proposed purposes of Accommodation, Function Centre and Shop.

This approval being subject to compliance of the building with all relevant legislation, namely Health Act 1911 and its regulations, before commencement of operations as Tourist Development.

CARRIED (6 VOTES TO 0)

9.0 REPORTS OF OFFICERS
9.3 ENVIRONMENTAL HEALTH OFFICER
9.3(B) APPLICATION FOR LODGING HOUSE REGISTRATION

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

AGENDA REFERENCE: 9.3 (B) DEC03

SUBJECT: Application for Lodging House Registration

LOCATION / ADDRESS: Lot 1127 Tower Street

NAME OF APPLICANT: The Leonora Gwalia Museum Ltd

FILE REFERENCE: Public Accommodation 33.6.0

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: Timothy James Young

OFFICER: Environmental Health Officer

INTEREST DISCLOSURE: Nil

DATE: 9th December, 2003

BACKGROUND

Application has been submitted by The Leonora Gwalia Historical Museum Ltd for registration of a lodging house at Lot 1127 Tower Street Gwalia.

Council has previously approved the use of the building as "Tourist Development" as per the Shire of Leonora Town Planning Scheme, which included such specific uses as tourist lodges/guest house.

The application is for the utilisation of the building known as 'Hoover House' with providing accommodation for up to a total of 12 people within the three existing bedrooms. The Lodging House Manager (Museum Manager) will continue to be accommodated in the building known as 'White House' located on the edge of the reserve boundary in close proximity to the guest accommodation building.

The 'Hoover House' has recently been restored and complies with the requirements of the Building Code of Australia and the Health Act 1911 and associated regulations.

STATUTORY ENVIRONMENT

This application is pursuant to Shire of Leonora Town Planning Scheme No.1 as amended.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

RECOMMENDATIONS

That Council resolve to approve this application to operate as a lodging house with the condition that the building and the management continues to comply with the requirements of Part 8 of the Shire of Leonora Health Local Laws 1999.

VOTING REQUIREMENT

Simple majority required.

9.0 REPORTS OF OFFICERS

9.3 ENVIRONMENTAL HEALTH OFFICER

9.3(B) APPLICATION FOR LODGING HOUSE REGISTRATION (continued)

Moved Cr Craig

Seconded Cr Carter

That Council resolve to approve this application to operate as a lodging house with the condition that the building and the management continues to comply with the requirements of Part 8 of the Shire of Leonora Health Local Laws 1999.

CARRIED (6 VOTES TO 0)

9.0 REPORTS OF OFFICERS

9.3 ENVIRONMENTAL HEALTH OFFICER

9.3(C) APPLICATION FOR CERTIFICATE OF APPROVAL

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

AGENDA REFERENCE: 9.3 (C) DEC03

SUBJECT: Application for Certificate of Approval - Public Building

LOCATION / ADDRESS: Lot 1127 Tower Street

NAME OF APPLICANT: The Leonora Gwalia Museum Ltd

FILE REFERENCE: Public Building 33.3.0

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: Timothy James Young

OFFICER: Environmental Health Officer

INTEREST DISCLOSURE: Nil

DATE: 9th December, 2003

BACKGROUND

Application has been submitted by The Leonora Gwalia Historical Museum Ltd for certificate of approval to operate as a public building.

Council has previously approved the use of the building as "Tourist Development" as per the Shire of Leonora Town Planning Scheme, which included such specific uses as restaurant and function centre.

The application is for the utilisation of the building known as 'Hoover House' as a restaurant and function centre. Approval has also been previously sought for the use of this building as a lodging house.

Toilet facilities available to patrons attending the building at a function will adequately provide for a 100 guests, as per the Building Code of Australia. The limitations on the maximum occupancy of the rooms will be related to 1m² per person. Maximum occupancy of the 'Family Room' is 35 people, Combined Dinning/Drawing Room is 48 people, and the combined west and south veranda can accommodate the total 100 maximum number.

With regard to the commercial kitchen within Hoover House, it is recommended that the production of food for the public not be permitted at any time that lodgers are present and have approval to utilise the kitchen themselves. During operation as a restaurant or function centre, management should ensure that lodgers do not have access to the kitchen.

STATUTORY ENVIRONMENT

Health Act 1911
Shire of Leonora Health Local Laws 1999
Building Code of Australia

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

RECOMMENDATIONS

That Council resolve to approve this application for certificate of approval in accordance with the Health (Public Buildings) Regulations 1992 as amended and subject to the following conditions.

The maximum accommodation is 100 people at any one time. Specific maximum accommodation numbers in the separate rooms/areas of Hoover House will be assigned as follows:

9.0 REPORTS OF OFFICERS

9.3 ENVIRONMENTAL HEALTH OFFICER

9.3(C) APPLICATION FOR CERTIFICATE OF APPROVAL (continued)

Family Room 35 people
Combined Dinning/Drawing Room 48 people,
Combined West and South Veranda 100 people.

During operation as a function centre and/or restaurant, no one other than appropriately trained staff is to have access to the kitchen. Lodgers are not to have access to the kitchen facilities during such times.

VOTING REQUIREMENT

Simple majority required.

Moved Cr Carter Seconded Cr Craig

That Council resolve to approve this application for certificate of approval in accordance with the Health (Public Buildings) Regulations 1992 as amended and subject to the following conditions.

The maximum accommodation is 100 people at any one time. Specific maximum accommodation numbers in the separate rooms/areas of Hoover House will be assigned as follows:

*Family Room 35 people
Combined Dinning/Drawing Room 48 people,
Combined West and South Veranda 100 people.*

During operation as a function centre and/or restaurant, no one other than appropriately trained staff is to have access to the kitchen. Lodgers are not to have access to the kitchen facilities during such times.

CARRIED (6 VOTES TO 0)

Crs Dawes, Demasson and Hewson returned to the meeting at 2.37pm and were advised of Councils decisions.
Cr Dawes resumed the Chair.

Mr Young left the meeting at 2.37pm.

The meeting adjourned for afternoon tea at 2.39pm and resumed at 2.58pm with attendance identical to that at Item 2.1 of these minutes.

At 2.58pm the newly appointed GEDC Officer for the North Eastern Goldfields, Karen Hayes joined the meeting and outlined her previous experience.
Karen left the meeting at 3.06pm.

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 20th January commencing at 9.00am in the Council Chambers, Leonora.

12.0 CLOSURE

Cr Dawes declared the meeting closed at 3.07pm.