

TABLE OF CONTENTS

MINUTES

Item		Page
1	DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS	1
2	RECORD OF ATTENDANCE / APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED	1
3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	1
4	PUBLIC QUESTION TIME	1
5	APPLICATIONS FOR LEAVE OF ABSENCE	1
6	PETITIONS AND DEPUTATIONS	1
7	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	1
8	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	1
9	REPORTS OF COMMITTEES AND OFFICERS	2
9.1	Chief Executive Officer Reports	2
	9.1.1 Status Report	2
	9.1.2 New Wiluna Community School	3
9.2	Manager Finance & Administration Officer Reports	4
	9.2.1 Accounts paid by Authority	4
	9.2.2 Financial Report	5
	9.2.3 Proposed Property Local Law	6
	9.2.4 Proposed Cemetery Local Law	8
9.3	Manager Works & Services Officer Reports	9
	9.3.1 Verbal Report	9
9.4	Principal Environmental Health Officer Reports	9

9.5	Community Development Officer Reports	9
9.5.1	Arts, Tourism & Heritage	9
9.6	Youth, Sports & Recreational Officer Reports	10
9.6.1	Sports & Recreation	10
10	ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	11
11	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION OF COUNCIL	11
11.1	Motion to Admit Urgent Business	11
12	MATTERS BEHIND CLOSED DOORS	12
12.1	Motion to Close Meeting to the Public	12
12.1.1	Confidential Item	12
12.1.2	Confidential Item	12
12.2	Motion to Re-open the Meeting to the Public	13
13	CLOSURE	13

Appendix A – Accounts paid by Authority – Blue Pages

Appendix B – October Financial Report – Green Pages

Appendix C – New Wiluna Community School – Pink Pages

Appendix D – Proposed Property Local Law – Yellow Pages

Appendix E – Proposed Cemetery Local Law – Mauve Pages

MINUTES

1 Declaration of Opening and Announcement of Visitors

This meeting was declared open at 10:00AM

**2 Record of Attendance / Apologies and Leave of Absence
Previously Approved**

Attendance

Cr Kerrie Johnston (Council President)

Cr John Kyanga (Deputy President)

Cr Anne Geary

Cr Catherine Carton

Cr Kenny Farmer

Anthony Kirwan (Chief Executive Officer)

Jean Alagappan (Manager Admin & Finance)

Tom Milo (Works Foreman / Supervisor)

3 Response to Previous Public Questions Taken on Notice

Nil

4 Public Question Time

Nil

5 Application for Leave of Absence

Nil

6 Petitions and Deputations

Nil

7 Confirmation of Minutes of Previous Meeting

The Minutes of the Meeting Held on 19th October 2006 be accepted as a true record of that meeting.

93/06 Council Decision

MOVED Cr J Kyanga

SECONDED Cr C Carton

CARRIED 5/0

8 Announcements by Presiding Member without Discussion

President's Report

Cr Kerrie Johnston

Mineral Resources Minister John Bowler was here on 8 November to have a meeting with us, checking the progress we are making in Wiluna and to facilitate the project on Magellan Mines. I thank Cherry Hayward, Farley Garlett and A Lindsay for their contribution and input in the

meeting. I have also had discussions with Federal Member of Parliament Barry Haase later in the day.

A letter was received from Libby Mitchell and Peter MacDonald, which was responded to by the Chief Executive Officer. I would like to point out that some of the facts in that letter are not correct.

On behalf of Council, I would like to extend our condolences to Cr. John Kyanga, the Ashwin and Riley families for their recent loss.

There was another house fire recently. I thank our volunteer fire brigade members, the Shire Works Supervisor and the Wiluna Gold Fire Brigade. It was unfortunate that the house could not be saved. Once again, thank you to all who helped.

Lastly, I thank all the Councillors, the CEO, the office and works staff for their input this whole year. It has been a very busy year with many dignitaries visiting our town and we have done very well.

Today will be our last ordinary council meeting for the year. On behalf of Council, I would like to wish everyone a Merry Christmas and a Happy and Safe New Year!

9 Reports of Committees and Officers

9.1 Chief Executive Officer Reports

9.1.1 Subject/Applicant:	Status Report
Reporting Officer:	A. Kirwan, Chief Executive Officer
Date of Report:	06 th November 2006
Disclosure of Interest:	Nil

Wiluna Training Centre

Furniture has begun arriving and the computers have been ordered.

English Language Training

English language courses for Shire staff are continuing with two staff continuing the course. The Shire is talking to Newmont about further English language training for people in the town to assist with 'job readiness'.

Sewerage System

Work on the new sewerage system has begun and it is expected to be complete by Christmas. Most of the pipe work in town has been completed and the sewerage pond is well under way.

Toilet Block

Construction of the toilet block is expected to begin in the next month. There has been a delay because local contractors are so busy.

Homemaker Program

We are seeking someone to fill this position. We have found a possible and are checking up on references.

Nominated Justice of Peace Candidates:

Cr Anne Geary
Cr Catherine Carton
Cr Kenny Farmer

Construction of Triplex

The buildings have arrived and it is expected that they will be completed by Christmas.

Project Manager

The position has been advertised and interviews will be conducted over the next 2-3 weeks.

Airport Runway

The aerodrome runway will be upgraded during December.

Staffing

There has been a change over of administration staff.

Officer Recommendation / Draft Motion

For information and discussion only

9.1.2 Subject/Applicant:	New Wiluna Community School
Reporting Officer:	A Kirwan, Chief Executive Officer
Date of Report:	09 th November 2006
Disclosure of Interest:	Nil

Summary

At the meeting of 13th July 2006 Council resolved to reclassify land bounded by Castle, Scotia and Forrest Streets from 'Special Use' for holiday accommodation to Local Reserve for Public Purpose. This was done in case the Education Department decided to build a new school which has since occurred.

In April 2006 Council resolved to recommend that final approval be granted to Amendment 2 to Town Planning Scheme 1.

On 11th September 2006 Council agreed to close the roads surrounding the site including castle Street, an unnamed road south of Castle Street and sections of Wotton and Forrest Streets. Appendix C (pink pages)

Background

In order to close the named streets and under the Land Administration Act 1997 the proposal had to be advertised and the various service providers contacted for comment.

Comment

Various submissions were received and Horizon Power has indicated a problem with the proposal. If the road is closed and the area proposed is included in the Local Reserve for a school the power lines will have to be moved. The result will be that the size of the area will be decreased to remove Wotton Street and Forrest Streets from the proposal.

Consultation

There has been extensive consultation with the agencies involved and a town planning consultant.

Voting Requirement

Simple majority

Officer Recommendation / Draft Motion

That the Council:

Recommend to the Minister for Planning and Infrastructure that:
Castle Street, and an unnamed road south of castle Street, Wiluna, be closed pursuant to Section 58 of the *Land Administration Act 1997*;
Portion of Wotton Street and Forrest Street NOT be closed because of the location of underground and overhead services and the possibility that Horizon Power may require that the existing overhead power lines be relocated if the road is closed.

Send the Minister a copy of the notice of proposed road closure, details of publication of the notice, letters sent to service providers, and all submissions received.

Send the Minister a copy of advice received from Horizon Power with respect to closure of section of Wotton Street.

Confirm to the Minister that the requirements of the *Land Administration Act 1997* with respect to advertising the proposed road closure have been met.

94/06 Council Decision

MOVED Cr C Carton

SECONDED Cr A Geary
CARRIED 5/0

9.2 Manager Finance and Administration Officer Reports

9.2.1 Subject/Applicant:	Accounts paid by Authority
File:	Finance
Reporting Officer:	J. Alagappan, Manager Finance & Admin
Date of Report:	10 th November 2006
Disclosure of Interest:	Nil

Summary

In accordance with the Financial Management Regulations a list of accounts paid by the Chief Executive Officer is presented to Council.

Background

The list of accounts for the period ending 31st October 2006 is listed as Appendix A (blue pages).

Comment

Nil

Consultation

Nil

Statutory Environment

Local Government Financial Management Regulations 1996 –
Regulations 34-35

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirement

Simple majority

Officer Recommendation/Draft Motion

That the accounts paid by authority for the period ended 31st October 2006 totalling \$566,188.08 received, noted and incorporated in the Minutes of the meeting.

95/06 Council Decision

MOVED Cr J Kyanga

**SECONDED Cr K Farmer
CARRIED 5/0**

9.2.2 Subject/Applicant:	Financial Report
File:	Finance
Reporting Officer:	J. Alagappan, Manager Finance & Admin
Date of Report:	10 th November 2006
Disclosure of Interest:	Nil

Summary

Section 6.4 of the Local Government Act 1995 requires the CEO to prepare monthly/quarterly financial reports in accordance with the provisions of regulation 34 and 35 of the Local Government Act (Financial Management) Regulations 1996.

Background

The reports for the period ending 31st October 2006 are listed as Appendix B (green pages).

Comment

Nil

Consultation

Nil

Statutory Environment

Local Government Financial Management Regulations 1996 –
Regulations 34-35

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirement

Simple majority

Officer Recommendation/Draft Motion

That the Financial Reports for the period ending 31st October 2006 be received noted and incorporated in the Minutes of the Meeting.

96/06 Council Decision

MOVED Cr J Kyanga

SECONDED Cr A Geary

CARRIED 5/0

9.2.3 Subject/Applicant:	Notice to Council of the Purpose and Effect of the Proposed Property Local Law
File:	19.0.05.01
Reporting Officer:	J Alagappan, Manager Finance & Admin
Date of Report:	22 nd November 2006
Disclosure of Interest:	Nil

Summary

To repeal and replace the Aerodrome Local Law with the proposed Property Local Law based on a contemporary WALGA model. The Local Government Property Local Law can deal with all the property of a local government (other than thoroughfares). This model has been subjected to public benefit testing to satisfy the requirements of the National Competition Policy. Appendix D (yellow pages).

Comment

1. Section 3.12 of the LG Act 1995 requires the presiding officer to notify the Council of the purpose and effect of the proposed local law. This notification is the first step. Enumerated below are the succeeding steps in order for this local law to be applicable within the Shire of Wiluna.
2. State-wide and local public notice is to be given stating that:
 - a) The local government proposes to make the local law (a summary of the purpose and effect of the local law is included in the notice);
 - b) A copy of the proposed local law can be inspected or obtained from the local government and
 - c) Submissions about the proposed local law may be made to the local government, before a date given in the notice, being not less than six weeks after the publication of the notice (excluding publishing and closing days, public holidays and Saturday and Sunday).
3. As soon as the notice is given, a copy of the proposed local law, together with the public notice and the National Competition Policy (NCP) form, must be given to both the Minister for Local Government

- and Regional Development and to any other Minister administering the Act under which the local law is made;
4. A copy of the proposed local law is to be provided to any person requesting it;
 5. After the last day for submissions, the local government must consider any submissions and may, by an absolute majority, proceed with the local law as proposed or make alterations that are not significantly different from what was first proposed;
 6. The adopted local law is published in the Government Gazette and a copy is provided to the Minister(s).
 7. Another local public notice is given:
 - a) Stating the title of the local law;
 - b) Summarising its purpose and effect;
 - c) Specifying the date on which it comes into operation; and
 - d) Advising that copies of the local law may be inspected or obtained from the office of the local government.
 8. Documents (Explanatory Memorandum, checklist, etc) are sent to the Parliament's Joint Standing Committee on Delegated Legislation.

Consultation

Lance Croft

Statutory Environment

Local Government Act 1995

Policy Implications

Nil

Strategic Implications

Nil

Voting Requirement

Absolute Majority required

Officer Recommendation / Draft Motion

That Council accept notification by the presiding officer of the following purpose and effect of the proposed Property Local Law:

Purpose:

To regulate the care, control and management of all property of the local government except thoroughfares.

Effect:

To control the use of local government property. Some activities are permitted only under a permit or under a determination and some activities are restricted or prohibited. Offences are created for inappropriate behaviour in or on local government property.

97/05 Council Decision

MOVED Cr J Kyanga

**SECONDED Cr K Farmer
CARRIED 5/0**

9.2.4 Subject/Applicant:	Notice to Council of the Purpose and Effect of the Proposed Cemetery Local Law
File:	19.0.05.01
Reporting Officer:	J Alagappan, Manager Finance & Admin
Date of Report:	22 nd November 2006
Disclosure of Interest:	Nil

Summary

To repeal and replace the Cemetery Local Law with a 1998 model as the current one is outdated in its structure and format. The proposed Cemetery Local Law has regard for the provisions of the Cemeteries Act 1986 and has been subjected to public benefit testing required by the National Competition Policy. Appendix E (mauve pages).

Comment

1. Section 3.12 of the LG Act 1995 requires the presiding officer to notify the Council of the purpose and effect of the proposed local law. This notification is the first step. Enumerated below are the succeeding steps in order for this local law to be applicable within the Shire of Wiluna.
2. State-wide and local public notice is to be given stating that:
 - a) The local government proposes to make the local law (a summary of the purpose and effect of the local law is included in the notice);
 - b) A copy of the proposed local law can be inspected or obtained from the local government and
 - c) Submissions about the proposed local law may be made to the local government, before a date given in the notice, being not less than six weeks after the publication of the notice (excluding publishing and closing days, public holidays and Saturday and Sunday).
3. As soon as the notice is given, a copy of the proposed local law, together with the public notice and the National Competition Policy (NCP) form, must be given to both the Minister for Local Government and Regional Development and to any other Minister administering the Act under which the local law is made;
4. A copy of the proposed local law is to be provided to any person requesting it;
5. After the last day for submissions, the local government must consider any submissions and may, by an absolute majority, proceed with the local law as proposed or make alterations that are not significantly different from what was first proposed;
6. The adopted local law is published in the Government Gazette and a copy is provided to the Minister(s).
7. Another local public notice is given:
 - a) Stating the title of the local law;
 - b) Summarising its purpose and effect;
 - c) Specifying the date on which it comes into operation; and
 - d) Advising that copies of the local law may be inspected or obtained from the office of the local government.
8. Documents (Explanatory Memorandum, checklist, etc) are sent to the Parliament's Joint Standing Committee on Delegated Legislation.

Consultation

Lance Croft

Statutory Environment

Local Government Act 1995

Policy Implications

Nil

Strategic Implications

Nil

Voting Requirement

Absolute Majority required

Officer Recommendation / Draft Motion

That Council accept notification by the presiding officer of the following purpose and effect of the proposed Cemetery Local Law:

Purpose:

The objective of this local law is to provide for the orderly management of the Wiluna Cemetery in accordance with established plans and to create offences for inappropriate behaviour within the cemetery grounds.

Effect:

All persons engaged in the administration of the cemetery, burying deceased persons in the cemetery, or otherwise providing services to or making use of the cemetery, are to comply with the provisions of this local law.

98/05 Council Decision

MOVED Cr C Carton

**SECONDED Cr J Kyanga
CARRIED 5/0**

9.3 Manager Works & Services Officer Reports

Verbal Report

9.4 Principal Environmental Health Officer Reports

No Report

9.5 Community Development Officer Reports

9.5.1 Subject/Applicant:	Arts, Tourism & Heritage
File:	
Reporting Officer:	C Kirwan, Arts, Tourism & Heritage Officer
Date of Report:	09 th November 2006
Disclosure of Interest:	Nil

Heritage

Any feedback from consultation with sculptor Jon Denaro regarding the Town Entry Statement would be appreciated.

Arts

The Tjukurba Gallery needs an outlet for the sale of work. There are now many painters and a good supply of paintings but the tourist season is finished and sales are less. Tourists this year have commented that the Gallery is a draw card and the work is unique. The tourism plan for the town is based on the expectation that given a reason to stay in town longer visitors will benefit local businesses (café, store, vehicle repairs, and accommodation)

There are now many painters and a good supply of paintings but the tourist season is finished and sales are less. Sale dates for paintings have been arranged with three local mines. Sales there will probably occur 2 or 3 times a year. However if local painters keep being as productive as they are now, the Tjukurba Gallery will need another outlet for the sale of paintings.

The next initiative is to have an exhibition of work and a sale through an art gallery in Geraldton. Helen Miller is currently making plans to open a gallery there and would be happy to act as a sale outlet for Wiluna paintings. Consultation is taking place with our artists to seek approval for such an arrangement.

Tourism

An area tourism meeting was held in Leonora on November 6 and 7. Tourism consultant Norm White was brought in to work with the group to create a joint tourism plan for the shires of Wiluna Laverton, Sandstone, Leonora, Menzies and Warburton. This plan will be put to council when it is finalised.

Officer Recommendation / Draft Motion

For information and discussion only

9.6 Youth Sports & Recreational Officer Reports

9.6.1 Subject/Applicant:	Sports & Recreation
File:	
Reporting Officer:	L Ratabua, Swimming Pool Manager
Date of Report:	09 th November 2006
Disclosure of Interest:	Nil

Youth, Sports & Recreation

Mr. John Massaga will be coordinating all sports activities for the summer months as I Lai Ratabua will be managing the pool and its activities.

Kalgoorlie NAIDOC

The women's basketball team – Wiluna Cats went down to Kalgoorlie on the 15th of October to compete with other communities.

Meeka Muster

Wiluna Cats, All Stars and Windidda Basketball team are preparing for the Meeka Muster on the 25th of November.

Wiluna Swimming Pool

On the 31st of October, meeting was held at the Child Care Centre to plan for the usage of pool for the summer months. These were the representative of each department that attended; Child Care – Renae Chidlow, HACC – Mary Reece, Women’s Centre – Ane Koroi, BHC – Zach Koroi each department talked about swimming pool activities that will enable the better usage of the pool during the summer months.

Austswim Classes were held at Mt Magnet this week, Ane Koroi attended the class and will start running her program for the women in two weeks. Renae Chidlow and Regina Ashwin will be training for their Infant Austswim Instructors course in Perth next month.

Christmas Party

This year the Christmas party will be held at the Swimming Pool for the young people of Wiluna. These are children at the age of 16 and under, there will be music, games, BBQ and presents provided by Child Care Centre and Agincourt Mine.

Christmas carols performed by the church which will be held outside the pool area.

Officer Recommendation / Draft Motion

For information and discussion only

10 Elected Members Motion of Which Previous Notice Has Been Given

Nil

11 Urgent Business Approved by the Person Presiding or by Decision of Council

11.1 Subject/Applicant:	Motion to Admit Urgent Business
Reporting Officer:	A Kirwan, Chief Executive Officer
Date of Report:	17 th November 2006
Disclosure of Interest:	Nil

Summary

One additional report that was not included in the agenda papers circulated to Council prior to the meeting is proposed for consideration.

Statutory Environment

Standing orders Local Laws, item 3.11 provides that –

- (1) In cases of urgency or other special circumstances, matters may, with the consent of the persons presiding be raised without notice and decided by the meeting.
- (2) Any member may move that the urgent business proposed to be raised by the presiding person not be accepted and if carried by a majority of members present, the urgent business is not to be accepted.

Voting Requirement

Simple Majority

Officer Recommendation

Presiding Member.....Date.....

That Item 9.2.3, 9.2.4, 12.1, 12.1.1, 12.1.2 and 12.2 be admitted to the meeting.

99/06 Council Decision

MOVED Cr C Carton

**SECONDED Cr J Kyanga
CARRIED 5/0**

12 Matters Behind Closed Doors

12.1 Subject/Applicant:	Motion to Close Meeting to the Public
Reporting Officer:	A Kirwan, Chief Executive Officer
Date of Report:	17 th November 2006
Disclosure of Interest:	Nil

Summary

This item proposes to close the meeting to the public to consider item 9.1.1

Statutory Environment

Item 9.1.1 deals with a matter, for which the meeting may be closed to the public

Section 5.23 (2) (c) of the Local Government Act 1995 provides: “.....*the Council...may close to members of the public the....part of the meeting....(which) deals with.....A contract entered into, or which may be entered into, by the Local Government and which relates to a matter to be discussed at the meeting;*”

Voting Requirement

Simple majority

Officer Recommendation / Draft Motion

That the meeting be closed to the public

100/06 Council Decision

MOVED Cr C Carton

**SECONDED Cr A Geary
CARRIED 5/0**

President Cr Kerrie Johnston declared interest in the following matter, removing her self from the meeting.

12.1.1 Subject/Applicant:	Confidential Item
Reporting Officer:	A Kirwan, Chief Executive Officer
Date of Report:	17 th November 2006
Disclosure of Interest:	Nil

12.1.2 Subject/Applicant:	Confidential Item
Reporting Officer:	A Kirwan, Chief Executive Officer
Date of Report:	17 th November 2006
Disclosure of Interest:	Nil

12.2 Subject/Applicant:	Motion to Re-open the Meeting to the Public
--------------------------------	--

Reporting Officer:	A Kirwan, Chief Executive Officer
Date of Report:	17 th November 2006
Disclosure of Interest:	Nil

Summary

Having been closed to the public to consider the confidential report Item 9.1.1 the meeting is to be re-opened to the public

Voting Requirement

Simple majority

Officer Recommendation / Draft Motion

That the meeting be re-opened to the public

103/06 Council Decision

MOVED Cr A Geary

**SECONDED Cr C Carton
CARRIED 4/0**

President Cr Kerrie Johnston re-entered the meeting.

13 Closure

This meeting was declared closed at 11:00AM