

SHIRE OF MENZIES

**MINUTES OF THE SPECIAL MEETING OF THE COUNCIL OF THE SHIRE OF
MENZIES, HELD IN THE COUNCIL CHAMBERS, MENZIES, ON TUESDAY
23th JANUARY 2007 COMMENCING AT 1.00 pm.**

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Meeting Opened at 1.02 pm and the President thanked all members who were able to attend the Special Meeting.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED

Present:

Cr. S. Tonkin	President
Cr. A. Kelly	Deputy President
Cr. J. Dwyer	Member
Cr. I Tucker	Member
Cr P Kennedy	Member
Cr K. Purchase	Member
Mr. P. Crawford	Chief Executive Officer
Mr. B. Pepper	Deputy Chief Executive Officer

Apologies: Cr. I. McGregor Member

3. PUBLIC QUESTION TIME

Nil

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5. CONFIRMATION OF MINUTES OF PREVIOUS SPECIAL MEETING

**5.1 MINUTES OF THE SPECIAL MEETING OF COUNCIL, HELD SATURDAY,
17 JULY 2004**

COUNCIL DECISION

ITEM 5.1

MOVED Cr J Dwyer

SECONDED Cr P Kennedy

That the minutes of the Special Meeting of Council held on Saturday 17th July 2004 as previously circulated be confirmed as a true and accurate record.

CARRIED 6/0

6. Chief Executive Officer's Report.

SUBMISSION TO: Special Meeting of Council Tuesday,
23 January 2007

LOCATION: Menzies

APPLICANT: N/A

FILE REF: 231

DISCLOSURE OF INTEREST: None

DATE: 9 January 2006

AUTHOR: Peter Crawford, Chief Executive Officer

SIGNATURE OF AUTHOR:

SUMMARY:

This Item is to request Council to propose an amendment to the Town Planning Scheme to allow the construction of the new caravan park in Menzies.

PROPOSAL TO AMEND A SCHEME

1. **LOCAL AUTHORITY:** Shire of Menzies
2. **DESCRIPTION OF TOWN PLANNING SCHEME:** Town Planning Scheme No. 1
3. **TYPE OF SCHEME:** District Zoning Scheme
4. **SERIAL NUMBER OF AMENDMENT:** Amendment No. 3
5. **PROPOSAL**
 - a) To rezone Lots 57-60 Reid Street and Lot 60 Brown Street, **Menzies** from 'Residential' zone to 'Special Use – CP - Caravan Park' zone,
 - b) To rezone Lots 41-44 Shenton Street, **Menzies** from 'Commercial' zone to 'Special Use – CP - Caravan Park' zone,
 - c) To rezone portion of the Right of Way adjacent to Lots 41-44 Shenton Street, **Menzies** to 'Special Use – CP - Caravan Park' zone, and
 - d) To rezoning Lot 45 Shenton Street, **Menzies**, from 'Commercial' zone to 'Residential' zone with an Residential Planning Code of 'R30'.

INTRODUCTION

The Shire of Menzies seeks the WA Planning Commission's support and the Hon. Minister's approval to a Scheme Amendment that seeks to a) rezone Lots 57-60 Reid Street and Lot 60 Brown

Street, **Menzies** from ‘Residential’ zone to ‘Special Use – CP - Caravan Park’ zone, rezone Lots 41-44 Shenton Street, **Menzies** from ‘Commercial’ zone to ‘Special Use – CP - Caravan Park’ zone, zone portion of the Right of Way adjacent to Lots 41-44 Shenton Street, **Menzies** to ‘Special Use – CP - Caravan Park’ zone, and rezone Lot 45 Shenton Street, **Menzies**, from ‘Commercial’ zone to ‘Residential’ zone with an Residential Planning Code of ‘R30’.

2 BACKGROUND

The Shire of Menzies Town Planning Scheme No 1 was gazetted on 18 December 1998 and covers the whole of the Shire district. The Shire has two major townsites of Menzies and Kookynie. The Shire measures around 128,353 square kilometres with over 2000 kilometres of unsealed roads as well as the sealed Highway that travels the breadth of the Shire. Menzies town is located 730 kilometres north of Perth and 130 kilometres north of Kalgoorlie.

Menzies is increasingly becoming popular as a destination for tourists in the region. The attraction of the Outback Highway from Kalgoorlie attracts tourists and travellers from both directions. There are serious prospects of increased mining activities in the area that will be required to accommodate a construction and setup workforce.

3 THE LAND

This amendment includes nine lots and portion of a right of way within the Menzies Townsite. The location plan is shown in **Figure 1** with the specific land areas shown in **Figure 2**. Shenton Street, shown as the red dotted line, is the Goldfields Highway connecting Kalgoorlie to Leonora, Laverton and Leinster.

PURPOSE OF THE AMENDMENT

The Shire is keen to establish the caravan park as soon as possible but requires this Scheme Amendment as a caravan park is not a permitted use in a Residential or a Commercial zone.

Lot 45 will be used for two single persons quarters that will not be part of the caravan park, but one of these units will be used for the caravan park manager’s dwelling. The other unit will be used for staff accommodation. The Country Housing Authority is funding these two units and will not permit them to be part of the caravan park site.

The Council will seek to acquire these properties and close the right of way to incorporate in the development site. The photograph below (**Figure 3**) shows the site (Lot 45) facing the Shire offices and Council chambers in Shenton Street.

PROPOSAL

The details of the Amendment include the creation Special Use – Caravan Park zone on the Scheme Map legend, insertion of the Special Use in Schedule 3 of the Scheme, the rezoning from Residential and Commercial to the new zone, as well as deletion of the R Code, the zoning of the portion of the Right of Way and Lot 45 Shenton Street to ‘Residential’. As the ROW area currently has no zone it is not considered a rezoning.

The owners of Lots 41-44 Shenton Street and 57-60 Reid Street have been contacted regarding the closure of the ROW and the closure procedures are currently progressing through DLI.

CONCLUSION

In view of the minor nature of this proposal and the current negotiations with land owners and nearby occupiers a reduced advertising period is applied.

CONSULTATION:

Paul Bashall – PLANWEST.

STATUTORY ENVIRONMENT:

*Planning and Development Act 2005
Part 5-Local planning schemes
Division 1-Continuation and formulation of local planning schemes*

75. Local planning scheme may be amended

A local government may amend a local planning scheme with reference to any land within its district, or with reference to land within its district and other land within any adjacent district, by an amendment —

(a) prepared by the local government, approved by the Minister and published in the Gazette; or

(b) proposed by all or any of the owners of any land in the scheme area, adopted, with or without modifications, by the local government, approved by the Minister and published in the Gazette.

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION/OFFICER RECOMMENDATION	ITEM 6.1
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MOVED Cr I Tucker

SECONDED Cr J Dwyer

Council Resolve that, in pursuance of Section 75 of the Planning and Development Act 2005, amend the above town planning scheme by:

- a) Rezoning Lots 57-60 Reid Street and Lot 60 Brown Street, **Menzies** from ‘Residential’ zone to ‘Special Use – CP - Caravan Park’ zone,
- b) Rezoning Lots 41-44 Shenton Street, **Menzies** from ‘Commercial’ zone to ‘Special Use – CP - Caravan Park’ zone,
- c) Zoning portion of the Right of Way adjacent to Lots 41-44 Shenton Street, **Menzies** to ‘Special Use – CP - Caravan Park’ zone, and
- d) Rezoning Lot 45 Shenton Street, **Menzies**, from ‘Commercial’ zone to ‘Residential’ zone with an Residential Planning Code of ‘R30’.

as more clearly shown on the Scheme Amendment Map

Dated this 23 day of ...January..2007

CARRIED 6/0

6.2	Tender MN 137 (A & B)	Supply of Motor Vehicles
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SUBMISSION TO: Special Meeting of Council Friday,
23 January 2007

LOCATION: Menzies

APPLICANT: N/A

FILE REF: 408

DISCLOSURE OF INTEREST: The author has an interest to the extent that one of
the vehicles forms part of his salary package.

DATE: 16 January 2006

AUTHOR: Peter Crawford, Chief Executive Officer

SIGNATURE OF AUTHOR:

SUMMARY:

As per Section 3.58 of the Local Government Act 1995, Council is required to advertise for public tender for goods and services if the supply is expected to exceed the \$50,000 threshold.

BACKGROUND:

Council policy has been to trade in the CEO's vehicle when it has reached 20,000 kilometres, which usually happens twice per financial year.

Also budgeted for is a vehicle for the Deputy Chief Executive Officer as advertised in the position description.

As the CEO's vehicle has reached 20,000 kilometres and the Deputy Chief Executive Officer has been appointed, tenders were called to supply both vehicles.

COMMENT:

Tender MN 137 (A & B) – Supply of Motor Vehicles was advertised in the West Australian newspaper on Wednesday, 6 December 2006 and closed at 4.00 pm on Friday, 5 January 2007.

Tenders were opened in the Shire of Menzies Council Office at 4.19 pm on Friday, 5 January 2007 in the presence of;

Mr Keith Purchase	Councillor
Mr Peter Crawford	Chief Executive Officer
Ms Carol McAllan	Customer Services Officer

and in the following order;

- Scarboro Toyota
- Westland Autos / Goldfields Nissan
- Accountants Choice

A summary of those tenders is as follows:

TENDERER	VEHICLE 137 A	VEHICLE 137 B	PRICE	TRADE IN	CHANGE OVER
SCARBORO TOYOTA	Toyota Prado ATM		\$50,244.84	\$43,600	\$6,644.84
	Toyota Prado MTM		\$46,198.50	\$43,600	\$2,598.50
		Toyota Aurion AT-X	\$28,885.36	N/A	\$28,885.36
		Toyota Aurion ZR6	\$35,593.16	N/A	\$35,593.16
GOLDFIELDS NISSAN / WESTLAND AUTOS	Nissan Patrol ST		\$51,306.62	\$40,000	\$11,306.62
		Falcon BF	\$29,200.30	N/A	\$29,200.30
		Falcon XR6	\$33,923.41	N/A	\$33,923.41
ACCOUNTANTS CHOICE	Nissan Patrol ST 24/80,000		\$1,543.45 per month	N/A	\$1,543.45 per month
	Nissan Patrol ST 30/100,000		\$1,535.20	N/A	\$1,535.20 per month
	Falcon XT 24/50,000		\$1,100.13 per month	N/A	\$1,100.13 per month
	Falcon XT 30/65,000		\$984.26 per month	N/A	\$984.26 per month
	Falcon XR 6 24/50,000		\$1,036.68 per month	N/A	\$1,036.68 per month
	Falcon XR 6 30/65,000		\$962.51 per month		\$962.51 per month

A late tender was received at 8.30 am on Monday, 8 January 2007 but as this was outside the closing time, it will not be presented to Council.

Trade in prices are varied and are below the expected figures that were expected, especially considering that the prices for new vehicles has increased by 3% but trade figures have reduced by 7.5%.

CONSULTATION:

Jenni Law, Darrel Forrest - DLGRD, Andrew Blitz - WALGA

STATUTORY ENVIRONMENT: As per Sections 2.7 and 3.1 of the Local Government Act 1995 relating to General Functions provisions.

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: All vehicles have been provided for in the current budget and all prices are within budget estimates.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION/OFFICER RECOMMENDATION

ITEM 6.2

MOVED Cr K Purchase

SECONDED Cr P Kennedy

That Council Resolve to decide Tender MN 137 (A & B) – Supply of Motor Vehicles in the following manner:

- (i) Award Tender MN 137 (A) to Scarboro Toyota to supply a Toyota Prado ATM for a price \$50,244.84 with a trade in price of \$43,600, both prices are GST inclusive
- (ii) Award Tender MN 137 (B) to Westland Autos to supply a Ford Falcon XR6 for a price of \$33,923.41, GST inclusive

CARRIED 6/0

6.3 Request for Donation – Tulku Putingkatja

SUBMISSION TO: Special Meeting of Council Tuesday,
23 January 2007
LOCATION: Morapoi
APPLICANT: North East Independent Body
FILE REF: 107
DISCLOSURE OF INTEREST: None
DATE: 5 January 2007
AUTHOR: Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:

SUMMARY:

This Item is to request Council consider a donation to the North East Independent Body towards a Tulku Putingkatja (Songs from the bush).

BACKGROUND:

A letter has been received from the North East Independent Body (NEIB) requesting a donation towards a festival of songs and stories that is to be held at the Morapoi Station from 11 to 13 January 2007 (See attached).

COMMENT:

This event is being held to enable the community elders to ensure that the traditional songs and stories will not be lost to the region. This event is attracting people from all areas and the cultural significance is of extreme importance.

Discussions have been undertaken with NEIB as to how assistance could be best delivered for the occasion.

One of the more pressing requirements will be potable water for the people and Council can provide the following resources; our water tanker trailer will be towed out to the site and left there with a tank containing 8,000 litres of drinking water.

The truck will also visit the following week to replenish fresh supplies. The trailer will remain on site until the festival is finished and will then be towed back to the depot.

As well, a cash donation of \$500 is suggested to assist the NEIB with costs involved in staging the event. After consulting with the Councillors individually, some concerns were raised and the following is a means by which some of those concerns could be addressed. Perhaps Council could make the donation conditional on the area being left in a clean state at the finish of the festival and with no damage or graffiti to Shire infrastructure.

While this donation has been formerly indicated to the NEIB, it is not a budgeted item and will require a Council Resolution to approve.

CONSULTATION:

Mr Laurence Thomas, Chairperson – NEIB; Cr Stephen Tonkin, President – Shire of Menzies

STATUTORY ENVIRONMENT: As per Section 2.7 and 3.1 of the Local Government Act relating to General Functions provisions.

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: Unbudgeted item and will require Council approval.

VOTING REQUIREMENTS: Simple Majority required.

COUNCIL DECISION/OFFICER RECOMMENDATION	ITEM 6.3
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MOVED Cr J Dwyer

SECONDED Cr P Kennedy

That Council Resolve to donate \$500 to the North East Independent Body to assist in the Tulku Putingkatja festival, with the proviso that Council does not incur any costs involved in either the cleaning up of rubbish or repairs to infrastructure as a result of the festival being held in the region.

CARRIED 6/0

7. CONFIDENTIAL BUSINESS TO BE HEARD BEHIND CLOSED DOORS:

1.36 pm The Deputy Chief Executive Officer Mr Brad Pepper left the Chambers

COUNCIL DECISION	ITEM 7.
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MOVED Cr J Dwyer

SECONDED Cr A Kelly

That Council go behind closed doors to discuss the Chief Executive Officer's Performance Appraisal

CARRIED 6/0

COUNCIL DECISION	ITEM 7.
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MOVED Cr J Dwyer

SECONDED Cr I Tucker

That Council come from behind closed doors.

CARRIED 6/0

COUNCIL DECISION/OFFICER RECOMMENDATION

ITEM 7.1.1

MOVED Cr P Kennedy

SECONDED Cr A Kelly

That Council Receive the report detailing the CEO Performance Appraisal

CARRIED 6/0

8. CLOSURE OF MEETING:

There being no further business to discuss, the President declared the Special Meeting closed at 1.52pm.

These minutes were Adopted as a true and accurate record of proceedings at the Ordinary Meeting of the Council held on the Friday, 16 February 2007,

UNCONFIRMED

SHIRE PRESIDENT.....