



# PARKES SHIRE COUNCIL

## MINUTES

TUESDAY 7 JULY 2009

Notice is hereby given that an Ordinary Meeting of Parkes Shire Council will be held at the Council Administration Centre, 2 Cecile Street, Parkes, commencing at 2.00 pm for the purpose of considering the items included on the Minutes.

**GENERAL MANAGER:** Alan McCormack



---

## Ordinary Meeting

**Minutes of the Ordinary Meeting held in the Council Chambers, 2 Cecile Street on 7 July 2009 at 2.00pm.**

---

### PRESENT

Councillor K J Keith, (in the Chair)  
Councillor R C Haddin  
Councillor L A O'Leary  
Councillor P J Smith

Councillor J H Magill  
Councillor K M McGrath  
Councillor G W Pratt  
Councillor A J Ward

### IN ATTENDANCE

General Manager - A McCormack  
Director Corporate Service - L Finn  
Director Planning & Environment - S Campbell  
Director Operations - S Barry  
Director Infrastructure - K Boyd  
Administration Manager - Brad Byrnes  
Finance Manager - P McFarlane  
Economic Development Manager – M Greenwood  
Minutes Secretary - D Ehsman

### MEETING COMMENCEMENT

The Meeting commenced at 2.00pm.

### 1 PRAYER

The Mayor asked the General Manager to open proceedings with a prayer.

### 2 APOLOGIES

#### 09 - 332 Resolution

That Councillor Barbara Newton be granted leave of absence (REASON: Absent from Parkes).

That Councillor Wayne Scott be granted leave of absence (REASON: Absent from Parkes).

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

**CARRIED**

### **3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

#### **09 - 333 Resolution**

That the Minutes of the Ordinary Meeting of Parkes Shire Council held on 16 June 2009, copies of which have been forwarded to Councillors, be confirmed.

Moved Councillor Alan Ward, seconded Councillor Ken McGrath.

**CARRIED**

### **4 DECLARATIONS OF INTEREST**

Councillor Ken Keith declared an interest in Item 10.7 (REASON Related to an individual mentioned in the report).

### **5 MAYORAL MINUTES**

#### **5.1 Mayoral Minute - Functions Attended**

---

##### **Executive Summary**

A report on the functions recently attended by the Mayor, Councillors or Senior Staff in relation to community events or civic matters.

##### **Recommendation**

1. That the report of recent functions attended by the Mayor, Councillors or Senior Staff be received and noted.

#### **09 - 334 Resolution**

That the information be received and noted.

Moved Councillor Pat Smith, seconded Councillor Bob Haddin

**CARRIED**

## 5.2 Mayoral Minute - Coming Known Events

---

### Executive Summary

A report on the upcoming functions requiring the attendance of the Mayor, Councillors or Senior Staff in relation to community events or civic matters.

### Recommendation

1. That the report of upcoming functions for the Mayor, Councillors or Senior Staff be received and noted.

### 09 - 335 Resolution

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor Pat Smith.

**CARRIED**

## 5.3 Mayoral Minute - Lord Mayor Coventry

---

### Executive Summary

Coventry City Council have advised that Councillor Jack Harrison MBE JP was inaugurated as the new Lord Mayor of the City of Coventry on 20<sup>th</sup> May 2009. The new Deputy Lord Mayor is Councillor Brian Kelsey.

### Recommendation

1. That Council acknowledge the inauguration of Coventry City Council's new Lord Mayor and Deputy Lord Mayor with a letter of congratulations .

### 09 - 336 Resolution

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Alan Ward.

**CARRIED**

---

## **5.4 Mayoral Minute - Newell Highway Taskforce**

---

### **Executive Summary**

The recently appointed Newell Highway Taskforce held its first meeting in Parkes yesterday. Given Parkes' location and its links with the RTA and Newell Promotions Committee, it was felt that Parkes Shire Council should assume the important secretariat role at least in the short term, with the Mayor to act as the Taskforce Chair.

### **Recommendation**

1. That the information be received and noted and that the Mayor's actions in nominating as Chair of the Newell Highway Taskforce be endorsed.

### **09 - 337 Resolution**

That the recommendation be adopted.

Moved Councillor Alan Ward, seconded Councillor Louise O'Leary

.

**CARRIED**

## **6 NOTICES OF MOTION/RESCISSION**

Nil.

## **7 COUNCILLORS' REPORTS**

### **7.1 Report from Councillor Alan Ward - Regional Industry Consultative Meeting**

---

#### **Executive Summary**

Together with the Facility and Emergency Management Officer, I attended The Department of Infrastructure, Transport, Regional Development and Local Government Regional Industry Consultative meeting held in Sydney on 19 June 2009. Issues covered at the meeting related to security of the entire aviation industry.

The impact of aviation security across the industry is significant and it is important that the Department continues to engage the participants through these meetings. I would like to thank Council for the opportunity to attend.

#### **Recommendation**

1. That the information on the Regional Industry Consultative meeting be noted.

#### **09 - 338 Resolution**

That the information be received and noted.

Moved Councillor Alan Ward, seconded Councillor George Pratt.

**CARRIED**

## **8 INWARDS CORRESPONDENCE**

### **8.1 (ICR) Letters of Appreciation**

---

#### **Executive Summary**

During the exercise of its various functions, Council frequently receives letters of appreciation for services rendered or actions taken by Councillors and staff. The most recently received were from Parkes College for Seniors and Parkinson's New South Wales Inc.

#### **Recommendation**

That the information be received and noted.

---

**09 - 339 Resolution**

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor Pat Smith.

**CARRIED**

**8.2 (ICR) Letter of thanks from Mr John Cobb MP.**

---

**Executive Summary**

Correspondence has been received from Mr John Cobb MP, thanking Council for advising him of the establishment of an Australian themed play park in the lane to the Moat Cottage in Coventry.

**Recommendation**

1. For the information of Council.

**09 - 340 Resolution**

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor Bob Haddin.

**CARRIED**

**8.3 (ICR) Ministers response regarding Sydney Airport Charges**

---

**Executive Summary**

Correspondence has been received from Mr John Cobb MP, containing a response from the Federal Minister for Transport Mr Anthony Albanese, to recent representations made by Council regarding affordable access to Sydney Airport.

**Recommendation**

1. For the information of Council

**09 - 341 Resolution**

That the information be received and noted.

Moved Councillor Bob Haddin, seconded Councillor Alan Ward.

**CARRIED**

**8.4 (ICR) LGSA invites Councillors and Staff to attend 2009 Water Management Conference**

---

**Executive Summary**

The Local Government and Shires Association of NSW has invited Councillors and staff to attend the Water Management Conference to be held in Deniliquin from Wednesday 9 September - Friday 11 September 2009.

**Recommendation**

1. For the information and consideration of Council.

**09 - 342 Resolution**

That a reservation be made for a Councillor and staff member to attend the Water Management Conference held in Deniliquin.

Moved Councillor John Magill, seconded Councillor Ken McGrath.

**CARRIED**

**8.5 (ICR) LGSA workshop into Natural Resource Management for Councillors**

---

**Executive Summary**

Council has received an invitation from the Local Government Shires Association of NSW (LGSA) to attend a workshop series "Integrating Natural Resource Management (NRM) into Local Government Operations".

---

### **Recommendation**

1. For the information of Council

### **09 - 343 Resolution**

That the information be received and noted.

Moved Councillor John Magill, seconded Councillor Bob Haddin.

**CARRIED**

### **8.6 (ICR) Controller reappointments for Parkes Shire SES members.**

---

#### **Executive Summary**

Bob Evans, Lachlan Region Controller for the NSW State Emergency Service has requested Council to confirm re appointment of a number of its local members.

#### **Recommendation**

1. For the consideration of Council.

### **09 - 344 Resolution**

That the recommendations for reappointment made by SES be supported by Council.

Moved Councillor George Pratt, seconded Councillor Bob Haddin.

**CARRIED**

## **9 GENERAL MANAGER'S REPORT**

### **9.1 (GM) Federal Government Infrastructure Funding**

---

#### **Executive Summary**

The Federal Government has allocated a further \$220 million to local government for infrastructure funding.

#### **Recommendation**

1. That a Councillor Workshop be arranged to consider both Federal and State Infrastructure Grants.

#### **09 - 345 Resolution**

That the recommendation be adopted.

Moved Councillor Alan Ward, seconded Councillor George Pratt.

**CARRIED**

### **9.2 (GM) Purchase 30 Welcome Street (Former DOC's Building)**

---

#### **Executive Summary**

At a public auction on 27 June 2009 Council purchased 30 Welcome Street for \$450,000.

#### **Recommendation**

1. That this information be noted and the purchased endorsed.
  2. That Council apply for loan funding of \$500,000, and the Mayor and the General Manager be authorised to seek the funds and execute necessary documentation under Seal.
  3. That negotiations be held with the party who indicated they would seek to lease the building and if deemed satisfactory the Mayor and General Manager be authorised to enter into a lease agreement.
  4. That the land be declared Operational Land.
-

**09 - 346 Resolution**

That the recommendations be adopted.

Moved Councillor Ken McGrath, seconded Councillor Pat Smith.

**CARRIED**

**9.3 (GM) Brisbane to Melbourne Inland Rail**

---

**Executive Summary**

Council representatives met with parties involved in the Melbourne to Brisbane Rail Alignment Study in Canberra on 24 June 2009.

**Recommendation**

1. That this information be noted and Council continue to liaise with Australian Rail Track Corporation (ARTC) and make a submission on the information published to date.
2. That Council raise the initial report at the next meeting of the Newell Highway Task Force.
3. That Council seek re-invigoration of the Melbourne to Brisbane Inland Rail Association \*(MBIRA).

**09 - 347 Resolution**

That the recommendations be adopted.

Moved Councillor Ken McGrath, seconded Councillor Pat Smith.

**CARRIED**

**9.4 (GM) Community Building Partnership**

---

**Executive Summary**

Under the Community Building Partnership program each State Electorate will receive either \$300,000 or \$400,000 for local projects.

## **Recommendation**

1. That a Councillor Workshop be arranged to discuss both Federal and State Infrastructure Grants.

### **09 - 348 Resolution**

That the recommendation be adopted.

Moved Councillor Louise O'Leary, seconded Councillor Bob Haddin.

**CARRIED**

## **9.5 (GM) Council Meetings**

---

### **Executive Summary**

It is suggested Council's Meeting Schedule be altered as contained in the following Report.

### **Recommendation**

1. That the September 1<sup>st</sup>, 2009 meeting be abandoned and Council meet at Peak Hill on 6 October 2009.

### **09 - 349 Resolution**

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Ken McGrath.

**CARRIED**

## **9.6 (GM) Policy Development and Review**

---

### **Executive Summary**

An important component of Council's corporate governance responsibility is the progressive development and review of Council's policies.

Under the rolling policy development program the Plant and Vehicle Replacement Policy, Procurement and Disposal Policy, Fire and Emergency Evacuation Policy, Busking Policy, Time in Lieu of Overtime Policy, and Gifts Benefits and Bribes Policy have been reviewed and updated.

---

## **Recommendation**

1. The following policies to be adopted in line with Council's Policy Review Program:
  - Plant and Vehicle Replacement Policy
  - Procurement and Disposal Policy
  - Fire and Emergency Evacuation Policy
  - Busking Policy
  - Time in Lieu of Overtime
  - Gifts Benefits and Bribes Policy

### **09 - 350 Resolution**

That the recommendation be adopted subject to a review by Councillors.

Moved Councillor George Pratt, seconded Councillor Bob Haddin.

**CARRIED**

## **10 DIRECTOR OF CORPORATE SERVICES' REPORT**

### **10.1 (DCS) Investments as at 31 May 2009**

---

#### **Executive Summary**

Due to a delay in obtaining valuations, the 31 May 2009 investment report has just been completed. At 31 May 2009, Council held investments with a carrying value of \$25,710,930.00.

#### **Recommendation**

1. That the information in relation to investments held at 31 May 2009 be received and noted.
2. That it be noted that the 30 June 2009 Investment Report will be presented to Council in August 2009 when outstanding matters related to valuations are resolved.

### **09 - 351 Resolution**

That the recommendations be adopted.

Moved Councillor Alan Ward, seconded Councillor George Pratt.

**CARRIED**

---

## **10.2 (DCS) Financial Contribution to Local State Emergency Services**

---

### **Executive Summary**

The NSW State Emergency Service (SES) were brought under the same funding scheme as the NSW Rural Fire Service (RFS) and the NSW Fire Brigades (NSWFB) from 1 July 2009.

### **Recommendation**

1. That the information be noted and Council write to the Local Government and Shires Association seeking clarification of expected impact of the new funding method.

### **09 - 352 Resolution**

1. That the information be noted and Council write to the Local Government and Shires Association seeking clarification of expected impact of the new funding method.
2. That Council write to local member, Ms Dawn Fardell, making representations on Council's behalf.

Moved Councillor John Magill, seconded Councillor Ken McGrath.

**CARRIED**

## **10.3 (DCS) Parkes/Forbes Family Day Care Scheme - Department of Education, Employment and Workplace Relations - Funding Agreement**

---

### **Executive Summary**

The Department of Education, Employment and Workplace Relations (DEEWR) provides family day care network support funding as a contribution towards the operational expenses of the Family Day Care Services.

The Department has forwarded a funding agreement which requires completion under Seal of Council.

### **Recommendation**

1. That the Parkes/Forbes Family Day Care Long Form Funding Agreement for 2009/2010 be completed under Seal of Council.

**09 - 353      Resolution**

That the recommendation be adopted.

Moved Councillor Louise O'Leary, seconded Councillor Pat Smith.

**CARRIED**

**10.4 (DCS) Section 355 Committees - Review of Parkes Shire Tourism Board**

---

**Executive Summary**

Following the 2008 elections Council made appointments to its internal and external committees under the provisions of the Local Government Act, 1993. In October 2008 the Department of Local Government released its updated Guidelines for a Model Code of Conduct for Local Councils in NSW. That document placed particular emphasis on the need for Section 355 committees to adhere to Council's Code of Conduct. A review of the section 355 committees has been undertaken in light of the requirements of the model Code of Conduct. Of the committees reviewed, the functions performed by the Parkes Shire Tourism Board were identified as posing difficulties in satisfying the conflict of interest requirements of the Model Code of Conduct. As such it is deemed appropriate that the Board as a Committee of Council be dissolved and the functions previously delegated be fully carried out by the Tourism Unit of Council.

**Recommendation**

1. That Council formally resolve to dissolve the Parkes Shire Tourism Board as a Section 355 Committee of Council.
2. That the revenue stream from the sale of souvenirs and like items from the Parkes Visitor Centre continue to be preserved and used for the encouragement of new events and tourism generating festivals.
3. That appropriate recognition be given to long serving Parkes Shire Tourism Board members for their many years of assistance in guiding and advising Council in matters relating to tourism within the Parkes Shire.

**09 - 354      Resolution**

1. That Council formally resolve to dissolve the Parkes Shire Tourism Board as a Section 355 Committee of Council.
  2. That the revenue stream from the sale of souvenirs and like items from the Parkes Visitor Centre continue to be preserved and used for the encouragement of new events and tourism generating festivals.
-

3. That appropriate recognition be given to long serving Parkes Shire Tourism Board members for their many years of assistance in guiding and advising Council in matters relating to tourism within the Parkes Shire.
4. That at least an annual stakeholders meeting be held and the outcomes reported back to Council.

Moved Councillor John Magill, seconded Councillor Alan Ward.

**CARRIED**

## **10.5 (DCS) Financial Assistance Grants - 2009/10**

---

### **Executive Summary**

Advice has recently been received from the NSW Local Government Grants Commission of Council's Financial Assistance Grant preliminary allocations for 2009/10.

### **Recommendation**

1. That the Report in relation to the 2009/10 Financial Assistance Grant allocations be noted.

### **09 - 355 Resolution**

1. That the Report in relation to the 2009/10 Financial Assistance Grant allocations be noted.
2. That Council write to the NSW Grants Commission seeking clarification as to the decline in the grant allocation.

Moved Councillor John Magill, seconded Councillor Alan Ward.

**CARRIED**

## **10.6 (DCS) Peak Hill Sports Council - Community Infrastructure Project Policy Application**

---

### **Executive Summary**

The Peak Hill Sports Council has requested Council to consider two projects being completed in accordance with Council's Community Infrastructure Projects Policy. (CIPP)

### **Recommendation**

1. That Council approve the projects submitted by Peak Hill Sports Council for completion pursuant to Council's Community Infrastructure Projects Policy.

### **09 - 356 Resolution**

That the recommendation be adopted.

Moved Councillor Bob Haddin, seconded Councillor George Pratt.

**CARRIED**

Councillor Ken Keith left the meeting temporarily at 3.21pm and Councillor John Magill took the Chair.

### **10.7 (DCS) Town Crier National Championships**

---

#### **Executive Summary**

Long serving Town Crier (Tim Keith) has been invited to represent Council and the Shire of Parkes at the 19<sup>th</sup> National Town Criers Championships in Toowoomba from 11 - 13 September 2009.

#### **Recommendation**

1. That Council provide appropriate reimbursement of expenses incurred by the Town Crier in attending the 19<sup>th</sup> National Town Criers Championships in Toowoomba from 11 - 13 September 2009.

### **09 - 357 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Bob Haddin.

**CARRIED**

Councillor Ken Keith rejoined the meeting at 3.23pm and resumed the Chair.

## **10.8 (DCS) Economic Development - NSW Hockey Titles**

---

### **Executive Summary**

Hockey NSW has advised of the allocation of two state titles in Parkes in July 2010, further testament of hockey's capacity to generate a substantial economic dividend for Parkes.

### **Recommendation**

1. That Hockey NSW be thanked for the allocation of the two 2010 titles to Parkes and that the resources of Council and the Sports Council be made available where appropriate to assist Parkes Hockey in the organisation and conduct of both events.

### **09 - 358 Resolution**

That the recommendation be adopted.

Moved Councillor Louise O'Leary, seconded Councillor Pat Smith.

**CARRIED**

## **10.9 (DCS) Economic Development - Regional Development Board**

---

### **Executive Summary**

The Economic Development Manager attended the 166<sup>th</sup> and final meeting of the Central Western Regional Development Board in Orange on June 24. Meeting outcomes are attached.

### **Recommendation**

1. That the information be received and noted.

### **09 - 359 Resolution**

That the information be received and noted.

Moved Councillor John Magill, seconded Councillor Alan Ward.

**CARRIED**

---

## **10.10 (DCS) Economic Development - RioTinto Annual Report**

---

### **Executive Summary**

Council has been provided with copies of the RioTinto NorthParkes Mines 2008 Sustainable Development Report, reflecting the industry's importance on the local, regional and international stage.

Copies of the report will be circulated with the business paper for the information of Councillors. Its contents will provide an understanding of the Mine's philosophy, intent and economic significance.

### **Recommendation**

1. That the Report be received and noted and that Northparkes Management be commended on the content and presentation of the 2008 Sustainable Development Report.

### **09 - 360 Resolution**

That the recommendation be adopted.

Moved Councillor Pat Smith, seconded Councillor Ken McGrath.

**CARRIED**

---

## **10.11 (DCS) Economic Development - School Sporting Fixtures**

---

### **Executive Summary**

On the back of the highly successful NSW PSSA 11 Years Rugby League State carnival in Parkes from June 16 to 18, Parkes has been allocated the NSW Combined High Schools 2010 girls touch event from June 29 to July 1.

### **Recommendation**

1. That the information be received and noted and that Western Schools Sports Association be thanked for the allocation of the 2010 NSW Combined High Schools girls touch carnival.

### **09 - 361 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Alan Ward.

**CARRIED**

---

At this stage of the meeting the Mayor invited Karen Hartley and Julie Webb, to afternoon tea and acknowledged them as joint winners of the Parkes NAIDOC Week Indigenous Person of the Year.

At this stage the meeting adjourned at 3.32pm for afternoon tea.

The meeting resumed at 3.52pm.

## **11 DIRECTOR PLANNING AND ENVIRONMENT'S REPORT**

### **11.1 (DPE) Impounding Report April, May & June 2009**

---

#### **Executive Summary**

A report is provided to Council on Ranger activities including impounding statistics. During the months of April, May and June some 91 animals were impounded. A break up of the activities has been detailed in the report.

#### **Recommendation**

1. That the information be noted.

#### **09 - 362 Resolution**

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor Alan Ward.

**CARRIED**

### **11.2 (DPE) Tender Netwaste 145/534/989/2 – For Collection of Scrap Metal for Councils in the NetWaste Region, with optional collection of lead acid batteries**

---

#### **Executive Summary**

NetWaste recently undertook an open tender process on behalf of 22 NetWaste Councils for the collection and recycling of scrap metal, with an optional service for collection of lead acid batteries.

Parkes expressed an interest in being involved in this Contract and was therefore included in the tender process. A contract from this agreement, if awarded would result in participating Councils being paid directly for the material collected under the contract.

A further report on this subject is included for determination in Closed Council which deals with confidential matters and information which is recommended for determination by Council in a meeting closed to the public.

### **Recommendation**

1. That Council determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (d) of the Local Government Act 1993 on the grounds that the matter and information is (d) commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.

### **09 - 363 Resolution**

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Bob Haddin.

**CARRIED**

### **11.3 (DPE) Modification to DA05141: Variation to side boundary setback at Lot 15 DP 270513, 5-26/80 Close Street, Parkes**

---

#### **Development Application Information**

**Application No:** DA05141

**Applicant:** Steeco Property Pty Ltd

**Property:** Lot 15 DP 270513, 5-26/80 Close Street, Parkes

**Proposal:** Dwellings (x38) and Community Title Subdivision

#### **Executive Summary**

A modification to Development Consent No: DA05141 has been received from Rawson Homes Pty Ltd. The modification requests a variation to the original approved side boundary setback adjoining a proposed residential unit.

#### **Recommendation**

It is recommended that the application be approved subject to the conditions contained in the report.

It is further recommended that Condition 1 of Development Consent No: DA05141 be modified to read:

1. Development shall take place in accordance with the Parkes Shire Council stamped plan(s) and supporting documentation lodged in respect of Development Application No DA05141, and the modified plans submitted on 14 May 2008 and modified plans submitted on 25 June 2009, in relation to Development Consent No: DA05041, except where varied by the following conditions.

## **09 - 364 Resolution**

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Alan Ward.

**CARRIED**

FOR VOTE - Cr R C Haddin, Cr K J Keith, Cr J H Magill, Cr K M McGrath, Cr L A O'Leary, Cr G W Pratt, Cr P J Smith, Cr A J Ward

ABSENT FROM MEETING DID NOTE VOTE- Cr B F Newton and Cr W W Scott

## **11.4 (DPE) DA09040: Proposed Meeting Hall - Place of Public Worship at Lot 141 DP 750179 Molong Road, Parkes**

---

### **Development Application Information**

**Application No:** DA09040

**Applicant:** Mr N Pridham

**Property:** Lot 141 DP 750179, Molong Road, Parkes

**Proposal:** Meeting Hall - Place of Public Worship

### **Executive Summary**

The Development Application is for the construction and use of a hall for the purposes of a place of public worship on land situated on the eastern outskirts of Parkes.

### **Recommendation**

It is recommended that the application be approved subject to the conditions contained in the report.

**09 - 365 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor John Magill.

**CARRIED**

FOR VOTE - Cr R C Haddin, Cr K J Keith, Cr J H Magill, Cr K M McGrath, Cr L A O'Leary, Cr G W Pratt, Cr P J Smith, Cr A J Ward

ABSENT FROM MEETING DID NOTE VOTE- Cr B F Newton and Cr W W Scott

**11.5 (DPE) DA09020: Proposed Beauty Therapy Business at Lot 6 DP 542336, 21 Church Street, Parkes**

---

**Development Application Information**

**Application No:** DA09020

**Applicant:** Ms Rebecca Miller

**Property:** Lot 6 DP 542336, 21 Church Street, Parkes

**Proposal:** Change of Use - Beauty Therapy Business

**Executive Summary**

The Development Application is for a change of use of an office building to a professional consulting business (Beauty Therapy Business).

**Recommendation**

It is recommended that the application be approved subject to the conditions contained in the report.

**09 - 366 Resolution**

That the recommendation be adopted.

Moved Councillor Pat Smith, seconded Councillor George Pratt.

**CARRIED**

FOR VOTE - Cr R C Haddin, Cr K J Keith, Cr J H Magill, Cr K M McGrath, Cr L A O'Leary, Cr G W Pratt, Cr P J Smith, Cr A J Ward

ABSENT FROM MEETING DID NOTE VOTE- Cr B F Newton and Cr W W Scott

---

---

## **11.6 (DPE) DA09057: Proposed Machinery Shed at Lot 18 DP 1055871 Deep Lead Road, Parkes**

---

### **Development Application Information**

**Application No:** DA09057

**Applicant:** Mr J Kennedy

**Property:** Lot 18 DP 1055871 Deep Lead Road, Parkes

**Proposal:** Machinery Shed

### **Executive Summary**

An application has been received for the erection of a steel-framed, gable roof machinery shed on Lot 18 DP 1055871, Deep Lead Road, Parkes.

The proposed development contravenes the requirements of the Parkes Shire Councils' Rural Small Holdings Development Control Plan, 1988 with regard to the setbacks from the side and rear boundaries, and the height of the shed measured at the uppermost eaves line.

### **Recommendation**

It is recommended that the application be approved subject to the conditions contained in the report.

### **09 - 367 Resolution**

That this matter be deferred pending a future report to Council regarding substantiation of the location of the shed.

Moved Councillor Ken McGrath, seconded Councillor John Magill.

**CARRIED**

FOR VOTE - Cr R C Haddin, Cr K J Keith, Cr J H Magill, Cr K M McGrath, Cr L A O'Leary, Cr G W Pratt, Cr P J Smith, Cr A J Ward

ABSENT FROM MEETING DID NOTE VOTE- Cr B F Newton and Cr W W Scott

---

## 11.7 (DPE) Western Region Joint Regional Planning Panel

---

### Executive Summary

Councillor's will recall a recent report outlining Joint Regional Planning Panels (JRPPs) and the introduction of them across the state in the second half of 2009. The Deputy Mayor, Director of Planning & Environment and Manager Development Services attended a workshop on JRPPs in Dubbo on 6 July 2009. Council must now decide if two nominations for inclusion on the panel will be made by Council. Joint Regional Planning Panels are to commence operation on 1 July 2009 for the rest of NSW (later in 2009 for the Western Region) and they will be determining all developments over \$10 million as well as applications where Council is the applicant or where Council has a conflict of interest.

### Recommendation

1. Subject to further advice from the Local Government and Shires Association that Council nominate Cr \_\_\_\_\_ and Cr \_\_\_\_\_ as Council representatives on the Western Region Planning Panel.

### 09 - 368 Resolution

1. Subject to further advice from the Local Government and Shires Association that Council nominate Cr K Keith and Cr J Magill as Council representatives on the Western Region Planning Panel.

Moved Councillor Pat Smith, seconded Councillor Ken McGrath.

**CARRIED**

## 12 DIRECTOR OF OPERATIONS' REPORT

### 12.1 (DO) Roads to Recovery Programme

---

#### Executive Summary

Parkes Shire Council has been allocated \$4,411,930 over the next five years under the extended Roads to Recovery Programme (R2R3) which will conclude 30 June 2014.

Council has generally used R2R funds to carry out works that would not be possible under normal circumstances from Council's funds. It is intended to continue the practice with the initial projects being the continuation of widening of narrow seals, including those previously approved but deferred, and the next stage of the Bogan Road works in conjunction with Northparkes Mines.

---

## Recommendation

1. That the Roads to Recovery funds for 2009/10 be allocated as follows:

Widening (2.5km) of Numalla Road (SR125)	\$100,000
Widening and reseal (2km) of Back Peak Hill Road (SR126)	\$140,000
Rehabilitation/widening (2km) of Yarrabandai Road (SR175)	\$220,000
Widening and reseal (5.2km) of Bulgandramine Road (SR1162)	\$300,000
Bogan Road (SR76) rehabilitation (with Northparkes Mine)	\$100,000
Bogan Road (SR76) reseal (with Northparkes Mine)	\$20,000

## 09 - 369 Resolution

That the recommendation be adopted.

Moved Councillor George Pratt, seconded Councillor Pat Smith.

**CARRIED**

## 12.2 (DO) Financial Assistance Grant - Roads Component

---

### Executive Summary

Council has been advised that the indicative Financial Assistance Grant – Road Component funding levels for 2009/10 will be \$1,569,468. It is suggested that the funding be allocated predominantly in line with strategies adopted in previous years to concentrate on preservation of existing assets by gravel resheeting and reseals.

Council has also committed to share the cost of a culvert upgrade at Cookamidgera. It is considered that the Financial Assistance Grant – Road Component is the only available funding source for the project.

### Recommendation

1. That the 2009/10 Financial Assistance Grant - Road Component be allocated as follows:

Road Construction	\$230,000
Culvert Construction	\$100,000
Gravel Resheeting	\$889,468
Reseals - Urban	\$70,000
- Rural	\$230,000
- Villages	\$50,000

2. That the \$185,000 from the 2009/10 Financial Assistance Grant - Road Component be allocated for Road Construction projects as follows:

Lee Street	\$40,000
Emerton Road	\$90,000
Wangara Lane	\$55,000

**09 - 370 Resolution**

That the recommendation be adopted.

Moved Councillor Alan Ward, seconded Councillor Ken McGrath.

**CARRIED**

**12.3 (DO) Parkes Laneway Sealing Programme**

---

**Executive Summary**

Council has been undertaking a program of laneway sealing in Parkes over the past nine years to reduce the ongoing maintenance costs and to alleviate dust problems for adjoining residents. To date approximately 6.2 kilometres of the 7.4 kilometres of unsealed laneways have been sealed.

It is proposed to seal a further five laneways this financial year with a total estimated cost of \$64,000. The six laneways remaining are proposed to be completed in the 2010/11 financial year.

**Recommendation**

1. That \$64,000 be allocated from the 2009/10 Urban Construction vote in the Operations Plan for laneway sealing and that the following lanes be constructed:

Victoria to Mitchell St (between High and Albert)	\$20,000
Lane off Victoria St (between Currajong and Hill)	\$7,000
Kingsford Ave to Close St	\$9,000
Rawson St to EW lane (between Coleman and Phoenix)	\$8,000
Powter St to unnamed lane (between Station and Alluvial)	\$20,000

**09 - 371 Resolution**

That the recommendation be adopted.

Moved Councillor George Pratt, seconded Councillor Alan Ward.

**CARRIED**

## **12.4 (DO) Parkes Shire Pool Strategy Update**

---

### **Executive Summary**

The Parkes Shire Pool Strategy consultation stage has been progressing well. Strategic Leisure Group have held well received public meetings in the major towns, community surveys sent to 1500 random property owners, and meetings with particular user groups and relevant Council staff held.

The closing date for the return of the surveys was 6 July 2009. However, access will be available for continued comment until 13 July 2009 through the on line survey, Facebook, email and telephone, with links to them found on Council's website.

Following the collation of the information a preliminary report will be submitted to Council for review. The preliminary report could also be placed on exhibition to ensure that the main issues raised during the consultation stage were included.

### **Recommendation**

1. That the information on the Parkes Shire Pool Strategy progress be noted.

### **09 - 372 Resolution**

That the information be received and noted.

Moved Councillor Louise O'Leary, seconded Councillor Bob Haddin.

**CARRIED**

## **12.5 (DO) Requests for Pool Use Out of Normal Hours**

---

### **Executive Summary**

Each year Council has continual challenges with accommodating requests to use the Shire's Swimming Pools, with some requesting that the pools be opened outside the core times. In the past Council has attempted to accommodate the requests where possible and where staff are available.

It is becoming increasingly difficult to accommodate requests due to increasing occupational health and safety issues, the need to preserve staff personal time, and increasing costs of compliance.

### **Recommendation**

1. That pool users be requested to ensure that pool bookings are within the normal operating hours of the pool concerned.

### **09 - 373 Resolution**

1. That pool users be requested where possible, to ensure that pool bookings are within the normal operating hours of the pool concerned.

Moved Councillor Louise O'Leary, seconded Councillor John Magill.

**CARRIED**

## **12.6 (DO) Aviation Green Paper - Release of Safeguarding Discussion Paper**

---

### **Executive Summary**

The Minister for Infrastructure, Transport, Regional Development and Local Government, the Hon Anthony Albanese MP, released the National Aviation Policy Green Paper, 'Flight Path to the Future' in late 2008. The Aviation Green Paper included proposals relating to a more effective planning regime around airports.

A discussion paper has been prepared to generate feedback from stakeholders on how a safeguarding policy could be implemented. Comments are requested to be submitted by Friday 31 July 2009.

### **Recommendation**

1. That the information on the discussion paper "Safeguards for airports and the communities around them" be noted.

### **09 - 374 Resolution**

That the information be received and noted.

Moved Councillor George Pratt, seconded Councillor Pat Smith.

**CARRIED**

## **13 DIRECTOR OF INFRASTRUCTURE'S REPORT**

### **13.1 (DI) Parkes Water Supply - Drought Contingency Plan 2009/10**

---

#### **Executive Summary**

Water allocations have recently been announced for the Lachlan Valley, which provides 50 percent of entitlement for local water utilities (that is of Lachlan River allocations), which is down from 70 percent in the 2008/09 water year. Wyangala Dam is at the lowest level it has been for a number of years, at approximately 6%, and groundwater in the Lachlan area is also under stress, but continuing to demonstrate robustness as a water supply.

The expansion of the borefield and connection of pipe work to the Northparkes Mines Bore 6, together with a good yield from Lake Endeavour over the past 12 months, provides a high level of security for the Parkes Water Supply.

Notwithstanding the above, major storages and groundwater remain under stress, and constraint by sensible water use needs to be maintained until these major storages are replenished.

#### **Recommendation**

1. That the drought contingency information be received and noted.
2. That Level 1 water restrictions be maintained but re-evaluated prior to the summer period.

#### **09 - 375 Resolution**

That the recommendations be adopted.

Moved Councillor Ken McGrath, seconded Councillor Alan Ward.

**CARRIED**

### **13.2 (DI) Road Safety and Injury Prevention Officer Report - April and May 2009**

---

#### **Executive Summary**

The attached report outlines the monthly activities and programs of the Lachlan, Parkes, Forbes Road Safety and Injury Prevention Officer (RSIPO) for the months of April and May 2009.

#### **Recommendation**

That the information be received and noted.

**09 - 376 Resolution**

That the information be received and noted.

Moved Councillor Louise O'Leary, seconded Councillor Bob Haddin.

**CARRIED**

**14 CONSIDERATION OF COMMITTEE MINUTES**

**14.1 Minutes - Parkes Shire Library Committee**

---

**Executive Summary**

The Parkes Library Committee met on 18 June 2009.

The Minutes of the meeting are attached.

**Recommendation**

1. That the Minutes of the Parkes Library Committee meeting held on 18 June 2009 be adopted.

**09 - 377 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor John Magill.

**CARRIED**

At this stage the Mayor advised that the Parkes Shire Library Committee Meeting scheduled for earlier in the day was unable to proceed due to a quorum not being present. The Mayor suggested that as all Councillors on the Library Committee (with the exception of Councillor Newton) were now present, the meeting of the Parkes Shire Library Committee be held.

In accordance with Clause 17(4) of Council's Code of Meeting Practice the following business was allowed by the Chairperson.

**09 - 378 Resolution**

1. That Council move into Library Committee and that Councillors not appointed to the Committee be acknowledged as observers.

Moved Councillor Louise O'Leary, seconded Councillor Ken McGrath.

---

---

## 14.2 Parkes Shire Library Committee Meeting

---

**Present:** Mayor, Cr Ken Keith  
Cr Ken McGrath  
Cr Louise O'Leary  
Cr Pat Smith

**Non-voting Councillors:**

Cr John Magill  
Cr Bob Haddin  
Cr George Pratt  
Cr Alan Ward

**Apologies:** Shellie Buckle

Meeting commenced at 5.15pm.

### **Village Library Services:**

The Committee considered a report from the Library Services Manager relating to the findings of the Village Libraries Section of the current Parkes Shire Library Services Review. The Committee discussed the level of response from the communities in relation to the proposal to introduce a mobile library service to accommodate the smaller centres. The report contained a number of recommendations which after due consideration, were altered as follows:

### **Recommendation**

1. That the current method of library service at the villages, buildings, be retained at this point in time.
2. That a further Review of the village library services be carried out in January 2011.
3. That the Peak Hill Advancement Association, Trundle Community Consultative Committee and Tullamore & District Community Consultative Committee be approached with a suggestion of funding for Peak Hill, Trundle and Tullamore libraries from the Town Improvement Vote or the Village Special Grants Program.
4. That Council apply for a Library Development Grant to enhance collections at Bogan Gate, Peak Hill, Trundle and Tullamore libraries.
5. That Council investigate managing Tullamore and Bogan Gate libraries with permanent part-time staff members.
6. That Council clarify the relationship between the Trundle Community Technology Centre and Trundle Library, ensuring they operate independently.
7. That the Library Manager be congratulated on her efforts in relation to the Library Review.

**09 - 379 Resolution**

1. That the foregoing be recommended to Council for adoption.

Moved Councillor Pat Smith, seconded Councillor Louise O'Leary.

**CARRIED**

Meeting concluded at 5.30pm.

**09 - 380 Resolution**

1. That Council move back into open meeting.

Moved Councillor Ken McGrath, seconded Councillor Louise O'Leary.

**09 - 381 Resolution**

1. That the recommendations of the Parkes Shire Library Committee held on the Tuesday, 7 July 2009 be adopted.

Moved Councillor John Magill, seconded Councillor George Pratt.

### **14.3 Minutes of Access Committee Meeting held on 9 June 2009**

---

#### **Executive Summary**

A meeting of the Parkes Shire Council Access Committee was held on Tuesday, 9 June 2009.

#### **Recommendation**

1. That the Minutes of the Parkes Shire Council Access Committee held on 9 June 2009 be adopted.

#### **09 - 382 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor John Magill.

**CARRIED**

### **15 QUESTIONS AND MATTERS OF URGENCY**

In accordance with Clause 17(4) of Council's Code of Meeting Practice the following business was allowed by the Chairperson.

#### **15.1 (Q&M) Elvis Committee Meeting - Motor Cycles in Parade**

---

Councillor A Ward attended the most recent meeting of the Elvis Revival Inc. Concerns were expressed as to the decision of the Local Area Command to prevent motor cycles being allowed in the 2010 parade.

#### **Recommendation**

1. That the matter be referred to the next PACT meeting with the Lachlan Area Command and Council representatives.

#### **09 - 383 Resolution**

1. That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Alan Ward.

**CARRIED**

---

## **16 CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS**

The meeting of the Ordinary Council meeting was closed to the public at 5.44pm.

The Mayor asked the Meeting whether it agreed that the items listed by the General Manager appeared to be items which should be discussed in closed session for the reasons given.

The General Manager advised that there were no written representations from the public on the proposed closure of the Council Meeting.

### **09 - 384 Resolution**

That the meeting be closed for consideration of the listed items as they involve: information that would, if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business, personnel matters concerning particular individuals (other than Councillors) and commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

**CARRIED**

### **16.1 (DCS) Elvis Co-ordinator - Hours of Employment**

**Prepared By: Director of Corporate Service**

---

#### **Executive Summary**

Elvis Revival Inc. has previously requested that Council consider extending the hours of the Elvis Co-ordinator under the current arrangement to enable the current workload to be adequately addressed. A meeting between Council representatives and Elvis Revival Inc. was held on 2 July 2009 to discuss the proposal.

#### **Recommendation**

1. That with the co-operation and agreeance of the Co-ordinator, Council accede to the Co-ordinator's hours being increased to 26 hours per week for an interim period until the Co-ordinator's hours are increased to 26 hours 13 weeks before the Festival under the current arrangement.
  2. That the Co-ordinator's work commitments be amended so that at least two days a week are worked from the Council offices to better utilise meeting venues, office equipment and other resources.
  3. That the arrangement be subject to Elvis Revival Inc supporting the initiative by encouraging and providing a strong commitment to the volunteer base to allow the two days a week to be worked from the Council offices.
-

**09 - 385 Resolution**

1. That with the co-operation and agreeance of the Co-ordinator, Council accede to the Co-ordinator's hours being increased to 26 hours per week for an interim period until the Co-ordinator's hours are increased to 26 hours 13 weeks before the Festival under the current arrangement.
2. That the Co-ordinator's work commitments be amended so that at least two days a week are worked from the Council offices to better utilise meeting venues, office equipment and other resources.
3. That the arrangement be subject to Elvis Revival Inc supporting the initiative by encouraging and providing a strong commitment to the volunteer base at Kings Castle to allow the two days a week to be worked from the Council offices.
4. That the Elvis Revival Inc pay for the additional hours including on-costs.

Moved Councillor Alan Ward, seconded Councillor George Pratt.

**CARRIED**

**16.2 (DPE) DA08112: Land and Environment Court Appeal by Eighty Fourth Patriot Pty Ltd**

**Prepared By: Director Planning & Environment**

---

**Executive Summary**

On 30 June 2009 Council received notice from representatives of Eighty Fourth Patriot Pty Ltd that a Class 1 action has been taken against Council for the refusal of Development Application No. DA08112.

**Recommendation**

1. That the information be noted.

**09 - 386 Resolution**

That the information be received and noted.

Moved Councillor Bob Haddin, seconded Councillor Alan Ward.

**CARRIED**

---

### **16.3 (DPE) NetWaste Tender 145/534/989/2 – For Collection of Scrap Metal for Councils in the NetWaste Region, with optional collection of lead acid batteries**

**Prepared By: Director Planning & Environment**

---

#### **Executive Summary**

The purpose of this report is to seek Council's endorsement to engage a contractor to collect and recycle scrap metal material from the nominated Council Waste Facilities.

#### **Recommendation**

1. That in relation to the report NetWaste Tender 145/534/989/2 – Tender for Collection of Scrap Metal for Councils in the NetWaste Region, with optional collection of lead acid batteries:
  - The Contract be awarded to Sims Metal Management.
  - That Council confirm it's involvement in the Contract and execute the Contract documents as appropriate.

#### **09 - 387 Resolution**

That the recommendation be adopted.

Moved Councillor Bob Haddin, seconded Councillor John Magill.

**CARRIED**

### **16.4 (DO) Sale of Bushfire Trucks**

**Prepared By: Director of Operations**

---

#### **Executive Summary**

Council periodically calls quotations for the sale of Bushfire trucks as replacement tankers are provided. The Rural Fire Service has progressively been removing petrol tankers from the Service, and the fleet is now entirely made up of diesel tankers.

#### **Recommendation**

1. That the information be noted.
-

**09 - 388 Resolution**

That the information be received and noted.

Moved Councillor John Magill, seconded Councillor Alan Ward.

**CARRIED**

**16.5 (DI) Drought Contingency Planning, Parkes Water Supply**

**Prepared By: Director of Infrastructure**

---

**Executive Summary**

The Department of Water and Energy have recently announced the Local Water Utility Regulated Lachlan water allocation as 50 percent for the 2009-2010 water year. The proposed restrictions have been used as the basis for a risk analysis on the water supply system and a careful consideration of the apportionment of water for the 2009-10 water year.

**Recommendation**

1. For Councils information.

**09 - 389 Resolution**

That the information be received and noted.

Moved Councillor Bob Haddin, seconded Councillor Alan Ward.

**CARRIED**

**16.6 (DI) Acquisition of Land for Stormwater Management Purposes**

**Prepared By: Director of Infrastructure**

---

**Executive Summary**

An opportunity has arisen to procure land ideal for the management of stormwater in the northern areas of Parkes. The land is owned by the crown and therefore it is intended to proceed with the acquisition by compulsory processes.

---

## **Recommendation**

1. That Council proceed with the acquisition by compulsory process of Lot 351 DP 750152, Lot 352 DP 750152 and 7010 DP 1019801 in accordance with provisions of section 186 of the Local Government Act 1993 and the Land Acquisition (Just Terms Compensation) Act 1991 for the purpose of Stormwater Management.
2. That Council make necessary application to the Minister and/or Governor and that upon acquisition, the land be classified as "Operational".
3. That documentation be signed under the seal of Council where necessary to facilitate the acquisition.
4. That a licence over the land be applied for in the interim to allow survey, investigation, design and stormwater management to occur in parallel to the acquisition process.

## **09 - 390 Resolution**

That the recommendations be adopted.

Moved Councillor Pat Smith, seconded Councillor Bob Haddin.

**CARRIED**

There being no further business the Mayor declared the meeting closed at 6.16pm.