



PARKES SHIRE COUNCIL

MINUTES

TUESDAY 6 OCTOBER 2009

Minutes of the Ordinary Meeting of Parkes Shire Council held at the Peak Hill Ex Services and Citizens Club, Caswell Street Peak Hill , commencing at 1.30pm for the purpose of considering the items included on the Agenda.

GENERAL MANAGER: Alan McCormack

Ordinary Meeting

Minutes of the Ordinary Meeting held at the Peak Hill Ex Services and Citizens Club Caswell Street Peak Hill on 6 October 2009 at 1.30pm.

PRESENT

Councillor J H Magill (in the Chair)
Councillor K M McGrath
Councillor G W Pratt
Councillor A J Ward

Councillor R C Haddin
Councillor L A O'Leary
Councillor W W Scott

IN ATTENDANCE

General Manager - A McCormack
Director Corporate Service - L Finn
Director Infrastructure - K Boyd
Manager Development Services - A Johns
Works Manager - B Howard
Finance Manager - P McFarlane
Economic Development Manager – M Greenwood
Minutes Secretary - D Ehsman/S Henry

MEETING COMMENCEMENT

The Meeting commenced at 1.30pm.

16 CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

The meeting of the Ordinary Council meeting was closed to the public at 1.30pm.

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 - 539 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 Wayne Scott, seconded Councillor Ken McGrath.

CARRIED

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

Prepared By: Director Planning & Environment

Executive Summary

An update on legal proceedings which have occurred in a Class 1 action taken against Council for the refusal of Development Application No. DA08112.

Recommendation

1. That the information be noted.

09 - 540 Resolution

1. That the information be received and noted.

Moved Councillor Alan Ward, seconded Councillor George Pratt.

CARRIED

16.2 (DPE) NetWaste Tender 145/534/989/3 – Tender for NetWaste Regional Household Chemical Collection

Prepared By: Director Planning & Environment

Executive Summary

NetWaste recently undertook a selective tender process on behalf of the NetWaste Councils for the upcoming NetWaste Regional Household Chemical Collection campaign.

Parkes expressed an interest in being involved in this Contract and was therefore included in the tender process. Some 17 of the 28 NetWaste Councils registered interest in participating in a regional campaign.

The purpose of this report is to seek Council's endorsement to engage a contractor to collect, transport and dispose/recycle household hazardous chemicals collected from the nominated Collection Centres throughout the region.

Recommendation

1. That the NetWaste Tender 145/534/989/2 – Tender for NetWaste Regional Household Chemical Collection Contract be awarded to Chemsal Pty Ltd.
2. That Council confirm it's involvement in the Contract and execute the Contract documents as appropriate.
3. That Council's insurer be notified about the upcoming service.
4. That Council will not accept intractable waste as part of the collection.

09 - 541 Resolution

1. That the recommendations be adopted.

Moved Councillor Bob Haddin, seconded Councillor Wayne Scott.

CARRIED

16.3 (DO) Tenders for Replacement of Banks Crossing Bridge on The Renshaw McGirr Way

Prepared By: Director of Operations

Executive Summary

Tenders closed on Monday 21 September 2009 for the Design, Demolition and Construction of Banks Crossing Bridge over Goobang Creek on The Renshaw McGirr Way. Five (5) tenders were received.

Recommendation

1. That the tender for the Design, Demolition and Construction of Banks Crossing Bridge over Goobang Creek on The Renshaw McGirr Way be awarded to DEARNU Constructions.

09 - 542 Resolution

1. That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

CARRIED

There being no further business the Mayor declared the Closed meeting closed at 1.40pm.

Moved Councillor Ken McGrath, seconded Councillor Wayne Scott.

09 - 543 Resolution

1. That Council move into the open session of the ordinary meeting.

Moved Councillor Ken McGrath, seconded Councillor Wayne Scott.

CARRIED

MEETING COMMENCEMENT

The Open Meeting commenced at 1.41pm.

1 PRAYER

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

2 APOLOGIES

09 - 544 Resolution

That Councillor Ken Keith be granted leave of absence (REASON: Absent from Parkes).

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

That Councillor Pat Smith be granted leave of absence (REASON: Ill Health).

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

CARRIED

At this stage the Deputy Mayor Councillor John Magill stood in respect, to record the passing of former Parkes Mayor Mr Robert Wilson OAM on Tuesday 15 September 2009 in a motor vehicle accident.

Councillor Magill acknowledged Mr Wilson's dedication and commitment to the Parkes Shire community. Councillor Magill acknowledged and extended Council's sympathies to Mr Wilson's family especially Robert's wife Vicki, and children Trudy and Ben. Councillor Magill also acknowledged the close personal and working relationship Mr Wilson enjoyed with his nephew and Council's Director Infrastructure Mr Kent Boyd. Councillor Magill also paid tribute to the close working relationship enjoyed with Robert by Council staff, Councillors and former Councillors over a number of years, with many considering him a friend as well as work colleague.

Councillor Magill also acknowledged the "behind the scenes" generosity of Robert.

Councillor Magill then called on all Councillors, staff and those present in the gallery to stand and observe a minutes silence and reflection on the life of Robert I Wilson OAM.

The Deputy Mayor then welcomed all those present in the public gallery to the meeting and congratulated the Peak Hill residents on the presentation of their town which was evident on the tour of Peak Hill enjoyed by the Councillors prior to this Council meeting.

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

09 - 545 Resolution

That the Minutes of the Ordinary Meeting of Parkes Shire Council held on 15 September, copies of which have been forwarded to Councillors, be confirmed.

Moved Councillor Alan Ward, seconded Councillor Louise O'Leary.

CARRIED

4 DECLARATIONS OF INTEREST

Councillor Louise O'Leary declared an interest in Item 8.6 and Item 12.2 (REASON: 8.6 - Employee of organisation mentioned in the report and Item 12.2 - Executive Member of organisation mentioned in the report).

5 MAYORAL MINUTES

5.1 Mayoral Minute - Robert Wilson OAM

Executive Summary

It is with great sadness that I formally report on the passing of former long serving Mayor of Parkes Robert Wilson OAM on September 15 2009 at the age of 67.

It is also appropriate that the first Council meeting since Robert's passing is being held in his home town of Peak Hill.

Robert joined the Peak Hill Municipal Council in December 1965 and served briefly as Mayor before amalgamation with Goobang Shire. He served Goobang Shire until 1981 and was elected to the first Parkes Shire eventually being elected Mayor in September 1985, a position he retained unopposed until July 15 2009. His 43 year service as Councillor and 23 as Mayor is considered a unique double in Australian Local Government history.

During the NSW Cabinet meeting in Parkes in July 2008, the Premier (Morris Iemma MP) described Robert as the "Bradman of Local Government".

Appreciation is extended to Council's staff for their assistance to the Wilson family during this very difficult time.,

Recommendation

1. That Council observe a minutes silence at the outset of the meeting as a mark of respect for the late Robert Wilson OAM;
2. That Mr Wilson's significant contribution to Council and the Parkes Shire community be formally acknowledged; and
3. That consideration be given to the development of an appropriate strategy to recognise Mr Wilson's contribution and legacy to the Shire community.

09 - 546 Resolution

That the recommendations be adopted.

Moved Councillor George Pratt, seconded Councillor Ken McGrath.

CARRIED

5.2 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 - 547 Resolution

That the information be received and noted.

Moved Councillor Wayne Scott, seconded Councillor Bob Haddin.

CARRIED

5.3 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 - 548 Resolution

That the information be received and noted.

Moved Councillor Bob Haddin, seconded Councillor George Pratt.

CARRIED

5.4 Mayoral Minute - Higher Education Facilities for Parkes

Executive Summary

The Western Research Institute (WRI) has provided an update of its 2004 Report regarding access to higher education facilities in Parkes.

Recommendation

1. That Council enthusiastically adopt the recommendations of the Report.

09 - 549 Resolution

That the recommendation be adopted.

Moved Councillor Alan Ward, seconded Councillor Bob Haddin.

CARRIED

6 NOTICES OF MOTION/RESCISSION

Nil.

7 COUNCILLORS' REPORTS

Nil.

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 are from Moree Plains Shire Council, Tullamore Multipurpose Service, Trevor & Kath Beuzeville, St John Ambulance Australia, Peak Hill Advancement Association, Frazer Court Committee, Breastscreens NSW and Parkes and Districts Landcare.

Recommendation

That the information be received and noted.

09 - 550 Resolution

That the information be received and noted.

Moved Councillor Wayne Scott, seconded Councillor Louise O'Leary.

CARRIED

8.2 (ICR) Lord Mayor of the City of Coventry

Executive Summary

The newly elected Lord Mayor of the City of Coventry (Councillor Jack Harrison MBE. JP) has written to Council seeking suggestions on the way in which the Parkes/Coventry Sister City link can be further enhanced.

Details are outlined in the attached mayoral letter.

Recommendation

1. That Council extend an invitation to the Lord Mayor of Coventry to visit Parkes (at his own expense) during his term of office (which concludes in May 2010) to view the development of the Henry Parkes Centre and for further discussion on the manner in which the Parkes/Coventry link can be further strengthened.

09 - 551 Resolution

1. That the information be received and noted.
2. That Council further investigate the most appropriate way to further strengthen the Parkes/Coventry link.

Moved Councillor George Pratt, seconded Councillor Alan Ward.

CARRIED

8.3 (ICR) Resolution by Parkes Shire at Shires Association of NSW Conference Receives Reply

Executive Summary

Cr Bruce Miller President of the Shires Association of NSW has written to Council advising that a reply has been received from the Federal Government in response to Resolution 55 of the 2009 Shires Conference instigated by Parkes Shire "That Shires Association lobby future funding to be allocated in a fair and equitable way."

This letter includes a copy of the reply to this resolution received from the Honourable Anthony Albanese, Minister for Infrastructure, Transport, Regional Development and Local Government.

Recommendation

1. For the information of Council

09 - 552 Resolution

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor Wayne Scott.

CARRIED

8.4 (ICR) Regional Local and Community Infrastructure Program Funding

Executive Summary

The Hon. Maxine McKew MP Parliamentary Secretary for Infrastructure, Transport, Regional Development and Local Government has written to Council in appreciation of works being carried out under funding from the Local Community Infrastructure Program (RLCIP). The Minister also stresses the importance of completing the projects and reporting on the relevant expenditure.

Recommendation

1. For the information of Council

09 - 553 Resolution

1. That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor Alan Ward.

CARRIED

8.5 (ICR) Parkes Airport Proposal for Jobs Fund Rejected

Executive Summary

Council recently applied for funding from the Federal Department of Education, Employment and Workplace Relation's Jobs Fund, to assist with the reconstruction of main runway, apron and upgrade lighting of Parkes Regional Airport.

The Department has written to Council rejecting the application.

Recommendation

1. For the information of Council.

09 - 554 Resolution

1. That the information be received and noted.

Moved Councillor Alan Ward, seconded Councillor Bob Haddin.

CARRIED

Councillor Louise O'Leary left the meeting temporarily at 2.24pm.

8.6 (ICR) Entry Point on Newell Highway for Peak Hill Hospital

Executive Summary

Council has received a request from the Peak Hill Health Service to assist in having the turning point on the Newell Highway for the Peak Hill Hospital made safer for Hospital users.

Recommendation

1. That the concerns raised by the Peak Hill Health Service OHS Committee be sent to the RTA in support of previous representations.

09 - 555 Resolution

1. That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

CARRIED

Councillor Louise O'Leary rejoined the meeting at 2.26pm.

9 GENERAL MANAGER'S REPORT

9.1 (GM) Pecuniary Interest Returns for Councillors and Designated Persons

Executive Summary

Pecuniary Interest Returns received for the financial year 1 July 2008 to 30 June 2009 for continuing Councillors and designated persons are tabled at this meeting in compliance with Section 450A of the Local Government Act, 1993. All required Pecuniary Interest Returns were received by the lodgement date of 30 September 2009.

Recommendation

1. That the tabling of Pecuniary Interest Returns received by 30 September 2009 for Councillors Keith, Magill, Haddin, McGrath, Newton, O'Leary, Pratt, Scott, Smith, Ward and the General Manager, Director of Corporate Services, Director of Planning and Environment, Director of Operations and Director of Infrastructure be noted.

09 - 556 Resolution

1. That the information be received and noted.

Moved Councillor George Pratt, seconded Councillor Wayne Scott.

CARRIED

9.2 (GM) Lehman Brothers Australia

Executive Summary

The Deed of Company Arrangement (DOCA) proposed by Administrators PPB has been rejected by the Australian Federal Court.

The Deed had been prepared to dispose of the assets of Lehman Brothers Australia, in administration.

Recommendation

1. That the information be noted.

09 - 557 Resolution

1. That the information be noted.
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2. That the General Manager and the Director of Corporate Services be recognised for their efforts in the various actions to secure the best outcome for Council's structured investments.

Moved Councillor Alan Ward, seconded Councillor Bob Haddin.

CARRIED

9.3 (GM) Failed Product - Local Government Financial Service

Executive Summary

The Shires Association has responded to motions passed at the Annual Shires Association Conference and follow up letters from Parkes Shire Council.

Recommendation

1. That the information be noted.

09 - 558 Resolution

That the information be received and noted.

Moved Councillor Bob Haddin, seconded Councillor Wayne Scott.

CARRIED

9.4 (GM) Local Government Superannuation Scheme

Executive Summary

Motion L2 at the recent Shires Association Conference expressed the collective view of the Conference that Councils were concerned with the performance of the Local Government Superannuation Scheme. (LGSS)

Recommendation

1. That the information be noted.

09 - 559 Resolution

1. That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

CARRIED

9.5 (GM) Community Building Partnerships Programme

Executive Summary

Advice has been received that decisions on the State Government's Community Building Partnerships Programme will not be known until December 2009.

An independent panel will assess the applications.

Recommendation

1. That the information be noted.

09 - 560 Resolution

1. That the information be received and noted.

Moved Councillor Wayne Scott, seconded Councillor Louise O'Leary.

CARRIED

9.6 (GM) Police Station for Parkes

Executive Summary

The Hon. Tony Kelly, the Minister for Police, has announced a new Police Station will be built in Parkes in 2013/2014.

Recommendation

1. That The Hon. Tony Kelly be thanked for his announcement.
2. That Mrs Dawn Fardell, member for Dubbo, be thanked for her assistance.

09 - 561 Resolution

That the recommendations be adopted.

Moved Councillor Alan Ward, seconded Councillor Wayne Scott.

CARRIED

9.7 (GM) Central West Group Apprentices (CWGA)

Executive Summary

Correspondence has been received from the Central West Group Apprentices seeking a nomination for a position on the Board before 9 October 2009.

Recommendation

1. That Council nominate Councillor Bob Haddin as a member of the Board.

09 - 562 Resolution

1. That the recommendation be adopted.

Moved Councillor Wayne Scott, seconded Councillor Ken McGrath.

CARRIED

9.8 (GM) Council Committees

Executive Summary

Council's Committee structures have been updated

Recommendation

1. That Council adopt the Committee Operating Procedures.
2. That the Committee currently named Parkes Museum Development Committee be renamed Henry Parkes Centre Development Committee to reflect the name change adopted by Council.
3. That Council advertise for a community representative on the Heritage Advisory Committee.

09 - 563 Resolution

1. That the recommendations be adopted.

Moved Councillor Ken McGrath, seconded Councillor Bob Haddin.

CARRIED

10 DIRECTOR OF CORPORATE SERVICES' REPORT

10.1 (DCS) Outcomes for Council's Future Directions 2006 - 2009

Executive Summary

Council has supported the implementation of the Integrated Planning and Reporting process proposed by the Department of Local Government. Integral to this process is to carry out meaningful community engagement and the review of Councils 10 year strategic plan. As a part of this review Council has measured it's performance against the identified "Future Directions" contained in the strategic plan.

Recommendation

1. For the information of Council

09 - 564 Resolution

1. That the information be received and noted.

Moved Councillor Wayne Scott, seconded Councillor Alan Ward.

CARRIED

10.2 (DCS) EFTPOS Utilisation

Executive Summary

This report provides a summary regarding the utilisation of EFTPOS facilities at Council's administration building since its installation on 1 July 2009.

Recommendation

1. That the report regarding the utilisation of EFTPOS facilities at Council's administration building be received and noted.

09 - 565 Resolution

1. That the information be received and noted.

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

CARRIED

10.3 (DCS) Frazer Court Committee Inc - Reduction in Rates

Executive Summary

The Frazer Court Committee have requested that Council consider a 50% reduction in the rates payable on the Peak Hill Doctors Residence at 86 Derribong Street, Peak Hill.

Recommendation

1. That Council make a contribution equivalent to 50% of the total rates and charges payable on the Peak Hill Doctor's Residence at 86 Derribong Street Peak Hill under Section 356 of the Local Government Act, 1993.

09 - 566 Resolution

1. That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

CARRIED

10.4 (DCS) Economic Development - Economic Development Forum

Executive Summary

Parkes Shire was represented at the annual Western Region Economic Development Forum in Cowra on September 29 and 30. The Economic Development Manager and Events Co-ordinator attended separate days and the Trundle Community Consultative Committee sent four delegates to examine the capacity of regional communities to deal with economic change.

Participation in the forum proved to be of considerable benefit to Council and the Trundle group.

Recommendation

1. That the information be received and noted.

09 - 567 Resolution

1. That the information be received and noted.

Moved Councillor Wayne Scott, seconded Councillor Alan Ward.

CARRIED

10.5 (DCS) Economic Development - Northparkes GP Cup

Executive Summary

The inaugural Northparkes GP Cup on 26 September 2009 proved an exceptional fundraising and community success, generating almost \$21,000 to fund programs to attract new doctors to Parkes.

Deputy Mayor John Magill received a cheque for \$20,000 on behalf of the GP Working Group and Council from the General Manager of Northparkes Mines Dr Craig Stegman at the event's conclusion.

Given the community response to the event, a similar competition in 2010 is considered likely, particularly if the doctor recruitment process proves productive.

Recommendation

1. That the information be received and noted and that letters of appreciation be forwarded to Jeremy Hastings (Northparkes Mines) and Katrina Dwyer (Parkes Shire Council), for their efforts in organising the GP Cup.

09 - 568 Resolution

1. That the information be received and noted and that letters of appreciation be forwarded to Jeremy Hastings (Northparkes Mines) and Katrina Dwyer (Parkes Shire Council), for their efforts in organising the GP Cup.
2. That the Economic Development Manager also be congratulated for his efforts in ensuring the success of the day.

Moved Councillor George Pratt, seconded Councillor Alan Ward.

CARRIED

10.6 (DCS) Economic Development - National Town Crier Championships

Executive Summary

Town Crier (Tim Keith) has provided a report on his participation in the 19th annual Australian Town Crier Championships in Toowoomba from September 11-13, 2009. Details are attached.

Recommendation

1. That the information be received and noted.
2. That Mr Keith be commended for his success in the national town criers titles and on his ongoing role as an important ambassador of Parkes Shire.

09 - 569 Resolution

1. That the recommendations be adopted.

Moved Councillor Ken McGrath, seconded Councillor Bob Haddin.

CARRIED

11 DIRECTOR PLANNING AND ENVIRONMENT'S REPORT

11.1 (DPE) DA09034: Stage 2 - Henry Parkes Centre at Lot 1 DP 1094720, 66-78 Peak Hill Road, Parkes

Development Application Information

Application No: DA09034

Applicant: Parkes Shire Council

Property: Lot 1 DP 1094720, 66-78 Peak Hill Road, Parkes

Proposal: Stage 2 - Henry Parkes Centre

Executive Summary

The development application is for the construction of a museum building, internal fit out of moat cottage and change of use to a Tourist Information Centre and associated works at the Parkes Museum located on the northern edge of the Parkes township.

Recommendation

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

09 - 570 Resolution

1. That the recommendation be adopted.

Moved Councillor Alan Ward, seconded Councillor Wayne Scott.

CARRIED

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

ABSENT FROM MEETING DID NOTE VOTE- Cr K J Keith, Cr B F Newton and Cr P J Smith

11.2 (DPE) DA09080: Proposed Dwelling at Lot 5 DP 1085775, 8 Monastery Close, Parkes

Development Application Information

Application No: DA09080

Applicant: Mr BW Swansbra & Ms LM Job

Property: Lot 5 DP 1085775, 8 Monastery Close, Parkes

Proposal: Dwelling

Executive Summary

An application has been received for the erection of a 243.51 metres squared, brick veneer, dwelling with hip roof on Lot 5, DP 1085775, 8 Monastery Close, Parkes.

At a point of the north-west corner, a triangular section of that portion of the dwelling is proposed to be constructed to extend to a position 1.500 metres inside the adjacent boundary of the property, facing Carmelite Close.

The proposed development contravenes the requirements of the Parkes Shire Councils' Residential Code Development Control Plan, 1998 with regard to the proposed setback from the Carmelite Close side boundary.

Recommendation

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

09 - 571 Resolution

1. That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Bob Haddin.

CARRIED

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

ABSENT FROM MEETING DID NOTE VOTE- Cr K J Keith, Cr B F Newton and Cr P J Smith

11.3 (DPE) DA09087: Proposed additions of front and rear decks to dwelling at 67 Cardigan Street, Tullamore

Development Application Information

Application No: DA09087

Applicant: Mr Greg Smith

Property: Lot 1 Sec A DP 5965, 67 Cardigan Street, Tullamore

Proposal: Additions to Dwelling (front & rear decks)

Executive Summary

An application has been received for the erection of roofed, 52 metres square deck to the front of an existing gable-roofed dwelling on Lot 1, DP 5965, 67 Cardigan Street, Tullamore.

The front deck addition is proposed to be constructed to extend to a position 5.40 metres inside the front boundary of the property, facing Cardigan Street.

The proposed development contravenes the requirements of the Parkes Shire Councils' Residential Code Development Control Plan, 1998 with regard to the proposed front building line setback from the boundary by 600mm.

Recommendation

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

09 - 572 Resolution

1. That the recommendation be adopted.

Moved Councillor George Pratt, seconded Councillor Wayne Scott.

CARRIED

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

ABSENT FROM MEETING DID NOTE VOTE- Cr K J Keith, Cr B F Newton and Cr P J Smith

11.4 (DPE) NetWaste Annual Report 2008-2009

Executive Summary

The Regional Waste Group NetWaste has furnished Council with a copy of their Annual Report and Executive Summary for 2008-2009. The report provides an overview of the completed and ongoing projects which continue to be of great benefit to participating Councils and their residents.

Recommendation

1. That the information be received and noted.

09 - 573 Resolution

1. That the information be received and noted.

Moved Councillor Wayne Scott, seconded Councillor George Pratt.

CARRIED

11.5 (DPE) NetWaste Regional Household Chemical Collection Tender 145/534/989/3

Executive Summary

NetWaste recently undertook a selective tender process on behalf of the NetWaste Councils for the upcoming NetWaste Regional Household Chemical Collection campaign.

Parkes expressed an interest in being involved in this Contract and was therefore included in the tender process. Some 17 of the 28 NetWaste Councils registered interest in participating in a regional campaign.

The purpose of this report is to seek Council's endorsement to engage a contractor to collect, transport and dispose/recycle household hazardous chemicals collected from the nominated Collection Centres throughout the region.

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

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 - 574 Resolution

1. That the recommendation be adopted.

Moved Councillor Alan Ward, seconded Councillor Louise O'Leary.

CARRIED

12 DIRECTOR OF OPERATIONS' REPORT

12.1 (DO) Parkes Shire Pool Strategy

Executive Summary

Strategic Leisure Group have prepared a preliminary report for the Pool Strategy following the stakeholder consultation and needs analysis. To proceed, a workshop has been arranged for Councillors and relevant Council staff on Tuesday 13 October 2009 from 11am to review and discuss the options identified. Following the review, it is intended to seek public comment on the preliminary report as Strategic Leisure proceed through the next stages of the strategy.

Recommendation

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

09 - 575 Resolution

1. That the information be received and noted.

Moved Councillor Alan Ward, seconded Councillor Bob Haddin.

CARRIED

Councillor Louise O'Leary left the meeting temporarily at 3.19pm.

12.2 (DO) Village Pool Report 2009/2010 Season

Executive Summary

The Village Pools (Peak Hill, Trundle and Tullamore) will open for the summer season on Saturday 31 October 2009.

Requests have been received from regular users of the Peak Hill, Trundle and Tullamore Pools for the 2009/2010 season.

Council has also received correspondence from regular users of Village Pools making comment on the price increase for these pools, as they have reduced operating hours compared to the Parkes Pool, however daily entry fee is the same. Village Pool season passes are discounted.

Recommendation

1. That the requested use of the pools at Trundle, Tullamore and Peak Hill by the respective organisations be approved.
2. That Council approves the operation of the village pool week days to include the extra week day from 3.00pm to 7.00pm during January 2010.
3. That the schools be advised that consecutive days will be facilitated provided relief staff can be arranged for the extra days.
4. That Community Health be advised that the early booking will be facilitated provided relief staff can be arranged for that time.

09 - 576 Resolution

1. That the requested use of the pools at Trundle, Tullamore and Peak Hill by the respective organisations be approved.
2. That Council approves the operation of the village pool week days to include the extra week day from 3.00pm to 7.00pm during January 2010.
3. That the schools be advised that consecutive days will be facilitated provided relief staff can be arranged for the extra days.
4. That Community Health be advised that the early booking will be facilitated provided relief staff can be arranged for that time.
5. That the writers be advised of the reasons for the increase in the pool fees and that they also be advised that school based programs will remain the same.

Moved Councillor George Pratt, seconded Councillor Alan Ward.

CARRIED

Councillor Louise O'Leary rejoined the meeting at 3.21pm.

12.3 (DO) Financial Assistance Grant - Road Component - Gravel Resheeting

Executive Summary

Roads requiring attention are identified by staff on regular inspections and also from the general public highlighting problem areas. It is intended to resheet the higher priority roads, with the remaining roads receiving gravel patching and grading only as part of the routine maintenance program.

The continuing dry conditions have resulted in very few problems areas on higher priority roads being reported. Staff are continuing to carry out inspections on all categories of road assessing maintenance needs.

Recommendation

1. That the following roads be approved for gravel resheeting funded from the Financial Assistance Grant – Roads Component:

Middle Trundle Road (SR83)	2.8 kilometres	\$53,000
Back Trundle Road (SR84)	2.0 kilometres	\$48,000
Hopetoun Lane (SR88)	1.4 kilometres	\$41,000
Mingerong Road (SR129)	1.0 kilometres	\$30,000
Crowley Road (SR1005)	2.7 kilometres	\$61,000
Roseholm Road (SR141)	4.9 kilometres	\$85,000
Kadina Street Alectown	0.2 kilometres	\$8,000
	15.0 kilometres	\$326,000

09 - 577 Resolution

1. That the recommendation be adopted.

Moved Councillor Alan Ward, seconded Councillor Wayne Scott.

CARRIED

12.4 (DO) Regional Road REPAIR Programme 2010/2011

Executive Summary

Submissions have been invited for projects for inclusion in the 2010/2011 Regional Road REPAIR Programme. The project intended to be submitted is for realignment and sealing works on The McGrane Way (MR354).

Recommendation

1. That a submission for funding under the 2010/2011 Regional Road REPAIR Programme be lodged for the realignment and sealing on McGrane Way (MR 354).

09 - 578 Resolution

1. That the recommendation be adopted.

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

CARRIED

13 DIRECTOR OF INFRASTRUCTURE'S REPORT

13.1 (DI) Licensing of Crown Land Adjoining and South of Peak Hill Apex Flora and Fauna Reserve

Executive Summary

Council may recall at its Meeting of 16 December 2008 resolving to establish a licence over Crown Land adjoining and south of the Peak Hill Flora and Fauna Reserve. The application was duly lodged and has now been returned for completion under seal of Council.

Recommendation

1. That the seal of Council be affixed to the licence over Crown Land adjoining and south of the Peak Hill Flora and Fauna Reserve.

09 - 579 Resolution

1. That the recommendation be adopted.

Moved Councillor George Pratt, seconded Councillor Louise O'Leary.

CARRIED

13.2 (DI) Parkes Shire Water Supply Planning for 2009/10 and Water Restrictions for Daylight Saving

Executive Summary

As the community is well aware record drought conditions are persisting. Town water allocations from the Lachlan River have been set at 50 percent of entitlement and in an unprecedented attempt to maintain critical human needs; flows in the Lachlan will be restricted from the end of October 2009, such that water will gradually cease to flow past Condobolin. A communiqué on the critical water planning for the Lachlan is attached.

Parkes is in a reasonably sound position as a consequence of investment in infrastructure over the past drought years, and has now access to six (6) groundwater bores, Lake Endeavour and the Lachlan River. Lake Endeavour is currently at 53% and will be held for peak summer demand, aside from minor flows to keep the trunk main fresh. Groundwater levels are declining across the entire aquifer as might be expected with little to no recharge occurring, however groundwater remains a robust and reliable water source. The brickpit water supply also provides significant volumes of non-potable water.

Wyangala Dam is currently at 6.3 percent, which is low for this time of year given the historic inflow period is July to October (see inflow graph in attached communiqué). Without substantial inflows the storage in Wyangala Dam will potentially decline to very low levels around February-March 2010.

Daylight saving commences on Sunday 4 October 2009 at 2 am (when clocks are put forward one hour). It is recommended that water restriction times be changed to accommodate daylight saving and be in accordance with the notice attached. In general domestic watering will be restricted to a two (2) hour period between 5pm and 8pm on alternate days.

It is suggested that level one restrictions be maintained initially, to be supported by widespread advertising and the use of enforcement. If however the drought conditions prevail it is probable that higher levels of restriction will be required.

Subject to Council concurrence water restriction notices will be posted in all the Shires newspapers and a householder letterbox drop will be arranged.

Legislative, Policy & Management Planning Implications

Nil

Recommendation

1. That the information be received and noted.
2. That daylight saving water restrictions be implemented in accordance with this report and the attached notice as of Friday 9 October 2009 at 2 am.

09 - 580 Resolution

1. That the recommendations be adopted.

Moved Councillor Wayne Scott, seconded Councillor George Pratt.

CARRIED

13.3 (DI) Peak Hill and Tullamore Television Retransmission

Executive Summary

Parkes Shire Council operates two Television Retransmission sites located at Tullamore and Peak Hill. Residents at both Tullamore and Peak Hill are missing out on the digital television rollout as there is currently no access to the new digital transmissions.

Various requests have been made of government to upgrade the facilities, several of which are attached.

A "frequently asked Questions" sheet has been prepared and is attached.

Recommendation

1. For Council information.

09 - 581 Resolution

1. That the information be received and noted.

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

CARRIED

13.4 (DI) Engineers Australia - Engineering Excellence Award 2009 - Finalist for Sir Henry Parkes Statue and surrounds, "Thinking Outside the Square".

Executive Summary

An application was lodged with Engineers Australia for the 2009 Engineering Excellence awards, for the Sir Henry Parkes Statue and surrounds. Council received recognition as a finalist in the 'Engineering for Regional Communities' division.

Recommendation

1. That the information be received and noted

09 - 582

1. That the information be received and noted.

Moved Councillor Alan Ward, seconded Councillor Louise O'Leary.

CARRIED

13.5 (DI) ALGA National Local Roads and Transport Congress 2009 - "Road to the Future"

Executive Summary

The Tenth National Local Roads and Transport Congress will be held in Mackay Queensland on 8-10 November 2009. The Congress, conducted by the Australian Local Government Association, continues to grow in stature and is a very important event for local government.

Mr John Anderson, former Deputy Prime Minister, Leader of the National Party of Australia, and Minister for Transport and Regional Services, was instrumental in the success of the first Congress. Mr Anderson will be the keynote speaker this year to review the significant achievements over the past decade.

Recommendation

1. That the Mayor, Cr Ken Keith, or delegate, and a senior staff member, be authorised to represent Council at the Tenth National Local Roads and Transport Congress in Mackay Queensland 8-10 November 2009.

09 - 583 Resolution

1. That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Wayne Scott.

CARRIED

14 CONSIDERATION OF COMMITTEE MINUTES

14.1 Minutes of Access Committee Meeting held on 4 August 2009

Executive Summary

A meeting of the Parkes Shire Council Access Committee was held on Tuesday, 4 August 2009.

Recommendation

1. That the Minutes of the Parkes Shire Council Access Committee held on 4 August 2009 be adopted.

09 - 584 Resolution

1. That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

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) Overhanging Trees

Councillor LA O'Leary advised a Parkes Shire constituent has raised serious concerns about the hazards posed by the trees overhanging the Newell Highway between Peak Hill and Parkes, particularly from Trewilga to Peak Hill. They have indicated that the canopy of trees located on the highway between the old camel park and Trewilga is likely to be very hazardous in storms where falling timber may result in seriously injured or a fatality to travellers on the Newell.

The Director Infrastructure advised the Roads and Traffic Authority are the Road Authority for the Newell Highway in Parkes Shire (except for within the urban limits of Parkes Township). Council should therefore alert the RTA to the potential hazards identified above so they may determine the nature and extent of the problems and the necessary rectification required.

Recommendation

That Council advise the RTA of the issue and request they investigate.

09 - 585 Resolution

1. That the recommendation be adopted.

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

CARRIED

15.2 (Q & M) Use of Parkes Pool

Councillor JH Magill had received the following comments from the Ladies Water Aerobics Club. This Club has traditionally commenced at 9.00am. This year the time allocated is later (10.00am) coinciding with access to school groups. The ladies feel this will not work as their group caters for Mums to be right through to elderly ladies.

Note from Director Operations

No formal application has been received for the use of the pool by the Ladies Water Aerobics despite several requests to submit an application. Tentative allowance was included at 10.00am pending receipt of an application. Staff are trying to save ratepayer additional expenses by adhering to normal operating hours. It should be noted that very few other patrons are using the pool at 10.00am apart from senior swimming and irregular other bookings.

Recommendation

For the information of Council.

09 - 586 Resolution

1. That Council, for a trial period, monitor the use of the Parkes Pool by the Ladies Water Aerobics with classes commencing at 9.00am.

Moved Councillor Wayne Scott, seconded Councillor Louise O'Leary.

CARRIED

15.3 (Q & M) Parkes Tip Charges

Councillor KM McGrath has received comments from ratepayers concerning the processes for applying tip fees and charges. Sometimes they are being charged and other times they are not. Is there a process or guidelines for the charging of tip fees?

Note from Director Planning and Environment

Garbage Depot Tipping charges are set by Council's Fees and Charges annually. Council is not aware of incidents of people not being charged when they should have been charged. The Director Planning and Environment is currently working on a review of the depot's operations.

Recommendation

For the information of Council.

09 - 587 Resolution

1. That prior to the next Council Meeting a meeting of the Waste Facilities Committee be convened.

Moved Councillor Ken McGrath, seconded Councillor Wayne Scott.

CARRIED

At this stage being 3.45pm the Deputy Mayor invited the gallery to address Council on any issues they would like to bring to Council's attention.

The following issues were raised:

Mr Dick Baxter - Peak Hill Advancement Association asked if Councillor Louise O'Leary could be included as a delegate to the Peak Hill Open Cut Committee.

Cr Magill advised that Cr O'Leary would be approached when Council representatives are next sought for the Peak Hill Open Cut Committee.

Mr Brian Byrne - long term Peak Hill resident, voiced his concerns over the condition of the Tullamore - Peak Hill Road. Mr Byrne asked if a high priority could be given to finalising the sealing of the road as other comparable roads in the Shire have received significant funding over the years for sealing works. Mr Byrne advised of the economic benefit for Peak Hill should the road be upgraded.

Mrs Bev Elliott - President Peak Hill Advancement Association, thanked Council for holding its meeting at Peak Hill and acknowledged the good relationship between Council and the Association which only worked to benefit the community of Peak Hill.

At this stage being 4.00pm the Deputy Mayor declared the meeting closed and invited all in the gallery to join the Councillors for afternoon tea.