



PARKES SHIRE COUNCIL

MINUTES

TUESDAY 18 SEPTEMBER 2007

Minutes of the Ordinary Meeting of Parkes Shire Council 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 Agenda.

GENERAL MANAGER: Alan McCormack

Ordinary Meeting

Minutes of the Ordinary Meeting held in the Council Chambers, 2 Cecile Street on 18 September 2007 at 1.30pm.

PRESENT

Councillor R I Wilson, (in the Chair)
Councillor P Byrne
Councillor J H Magill
Councillor B J Laing
Councillor W Scott

Councillor K J Keith
Councillor Y Hutton
Councillor K McGrath
Councillor G Pratt

IN ATTENDANCE

General Manager - A McCormack
Director Corporate Service - B Matthews
Director Planning & Environment - S Campbell
Director Operations - S Barry
Director Infrastructure - K Boyd
Administration Manager - L Finn
Economic Development Manager – M Greenwood
Events Coordinator - K Atkinson
Library Services Manager – S Buckle
Minutes Secretary - S Henry

MEETING COMMENCEMENT

The Meeting commenced at 2.00pm.

1 PRAYER

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

2 APOLOGIES

07 - 709 Resolution

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

Moved Councillor Ken McGrath, seconded Councillor Ken Keith.

CARRIED

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

07 - 710 Resolution

That the Minutes of the Ordinary Meeting of Parkes Shire Council held on 4 September 2007, copies of which have been forwarded to Councillors, be confirmed.

Moved Councillor Wayne Scott, seconded Councillor George Pratt.

CARRIED

4 DECLARATIONS OF INTEREST

Councillor Ken Keith declared an interest in Item 8.6 (REASON Related entity to an individual mentioned in the report)

Councillor Yvonne Hutton declared an interest in Item 11.2 (REASON Supplier of Information)

Councillor Wayne Scott declared an interest in Item 16.4 (REASON Supplier of Goods).

Moved Councillor Wayne Scott, seconded Councillor Bev Laing.

CARRIED

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.

07 - 711 Resolution

That the information be received and noted.

Moved Councillor Ken Keith, seconded Councillor Wayne Scott.

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

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

07 - 712 Resolution

That the information be received and noted.

Moved Councillor John Magill, seconded Councillor Yvonne Hutton.

CARRIED

5.3 Mayoral Minute - REX Airlines

Executive Summary

Discussion have been held with REX officials. The results of those negotiations should be known on Friday 21st September 2007.

Recommendation

1. That the Council Airport Committee be authorised to conclude an arrangement with REX if possible.

07 - 713 Resolution

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Yvonne Hutton.

CARRIED

6 NOTICES OF MOTION/RESCISSION

6.1 Notice of Rescission Motion

Executive Summary

A Notice of Rescission Motion duly signed has been submitted by Councillor KJ Keith. The Notice refers to Point 2 of Council Resolution No. 07-224 of the Parkes Shire Council meeting held 3 April 2007 in relation to Item Number 6.1 (Notice of Motion) Councillor Hutton - Code of Conduct.

Recommendation

1. For the Decision of Council

07 - 714 Resolution

1. **That the Notice of Motion to Rescind Resolution**

"That point 2 of Councils Resolution No 07-224 of 3 April 2007 relating to (Notice of Motion) Councillor Hutton - Code of Conduct and as reproduced below:

2. have no meeting with the Parkes and District Historical Society (PDHHS) when Cr Hutton is present:

Be and is hereby **RESCINDED**

Moved Councillor Ken Keith, seconded Councillor John Magill.

CARRIED

7 COUNCILLORS' REPORTS

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 congratulatory letters are attached.

Recommendation

That the information be received and noted.

07 - 715 Resolution

That the information be received and noted.

Moved Councillor Ken Keith, seconded Councillor Bev Laing.

CARRIED

8.2 (ICR) Newell Highway Promotions Committee - Inland Rail Route

Executive Summary

Responding to Council's request for support of the Melbourne to Brisbane Inland Rail Route.

Recommendation

1. That the information be received and noted

07 - 716 Resolution

That the information be received and noted.

Moved Councillor John Magill, seconded Councillor Wayne Scott.

CARRIED

8.3 (ICR) Arts Out West - Election of Board

Executive Summary

Advising that the new Arts out West Board was confirmed at an extraordinary meeting at the end of August. Cr Newton was appointed for her third term on the Board.

Recommendation

1. That the information be received and noted.

07 - 717 Resolution

1. That the information be received and noted.
2. That a letter be written to Cr Newton congratulating her on her appointment to the Arts Out West Board

Moved Councillor Ken Keith, seconded Councillor Bev Laing.

CARRIED

8.4 (ICR) Peak Hill Spit and Spud Assoc Inc - Request for Financial Assistance

Executive Summary

Council has received a request for financial assistance for a transportable amenities block to be stationed in the Peak Hill showground for the Peak Hill Spit and Spud event held on the weekend of 20th and 21st October 2007.

Recommendation

1. That an amount equivalent to last year's contribution be made to the Spit and Spud Committee for assistance with the staging of this year's festival.

07 - 718 Resolution

That the recommendation be adopted.

Moved Councillor George Pratt, seconded Councillor Yvonne Hutton.

CARRIED

8.5 (ICR) Tracey Lee - Request for Financial Assistance for Christina Noble Foundation

Executive Summary

A request has been received from Tracey Lee seeking financial assistance from Council for a philanthropic endeavour in Vietnam. Mrs Lee is raising funds to purchase pushbikes for children involved in the Sunshine Program of the Christina Noble Foundation in Ho Chi Mihn City

Recommendation

1. That Council make a contribution of \$57.00 to the Christina Noble Foundation for the purchase of a bicycle in conjunction with the Sunshine Program in Ho Chi Mihn City.

07 - 719 Resolution

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Wayne Scott.

CARRIED

Councillor Ken Keith left the meeting temporarily at 2.16pm.

8.6 (ICR) Parkes High School - Financial Assistance - SRC Leadership Seminar

Executive Summary

The Parkes High School has requested financial assistance for the forthcoming Young Leaders Conference to be held in Sydney in November.

Recommendation

1. That Council make a financial contribution of \$300.00 to assist with the costs associated with SRC representatives attending the Young Leaders Conference in November.

07 - 720 Resolution

That the recommendation be adopted.

Moved Councillor Yvonne Hutton, seconded Councillor Bev Laing.

CARRIED

Councillor Ken Keith rejoined the meeting at 2.17pm.

8.7 (ICR) Peak Hill Urban Landcare Group - Water Charges

Executive Summary

The Peak Hill Urban Landcare Group requests the waiver of their latest water usage account due to vandalism of their meter and theft of water from the area. The Reserve is Crown land under Council's care and control.

Recommendation

1. That in this instance, Council make a contribution equivalent to the water charges levied for water used in the Peak Hill Apex Reserve. To the most current reading.
2. That Council fit a locking device to the meter and provide the group with a key and that the group be requested to monitor consumption from the meter and immediately report any anomalies to Council.

07 - 721 Resolution

That the recommendations be adopted.

Moved Councillor John Magill, seconded Councillor Yvonne Hutton.

CARRIED

9 GENERAL MANAGER'S REPORT

9.1 (GM) Delegations

Executive Summary

Council's Delegations register is being revised. The first step is to make delegations under s.377 of the Local Government Act 1993 to the General Manager. The General Manager can then delegate further (s.378) to other staff.

Recommendation

1. That the revised Delegations Register be adopted, and the delegations contained therein be approved by Council.

07 - 722 Resolution

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor George Pratt.

CARRIED

9.2 (GM) Draft Plan of Management - Henry Parkes Museum Site

Executive Summary

A draft Plan of Management has been prepared for the Henry Parkes Centre (museum site)

Recommendation

1. That the draft Plan of management be advertised for 28 days and that a public hearing be held as required under the provision of the Local Government Act, 1993.
2. That Council formerly adopt the Name of Henry Parkes Centre for the site.

07 - 723 Resolution

That the recommendations be adopted.

Moved Councillor Bev Laing, seconded Councillor Patrick Byrne.

CARRIED

9.3 (GM) Central West Group Apprentices

Executive Summary

Advice has been received from Central West Group Apprentices that the term of Council's current nominee to the Board will expire at the Annual General Meeting to be held on 24 October 2007.

Recommendation

1. That Council nominates a suitable representative for election as a Director on the Central West Group Apprentices Board.

07 - 724 Resolution

1. That Council nominate Cr Wayne Scott for election as a Director on the Central West Group Apprentices Board.

Moved Councillor Ken Keith, seconded Councillor Bev Laing.

CARRIED

9.4 (GM) Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy

Executive Summary

Under the provisions of the Local Government Act, 1993 Council is required to adopt or amend a policy annually for the payment of expenses and the provision of facilities to Mayors, Deputy Mayors and other Councillors. Mayors and Councillors can only be reimbursed for expenses and provided with facilities in accordance with this policy.

Recommendation

1. That Council give public notice of its intention to adopt the draft policy of Payment of Expenses and Provision of Facilities to Mayor and Councillors allowing 28 days for the making of public submissions.
2. That any submissions received from members of the public be considered by Council at its 6th November 2007 meeting prior to the adoption of the amended policy.

07 - 725 Resolution

1. That Council give public notice of its intention to adopt the draft policy of Payment of Expenses and Provision of Facilities to Mayor and Councillors allowing 28 days for the making of public submissions.
2. That any submissions received from members of the public be considered by Council at its 6th November 2007 meeting prior to the adoption of the amended policy.
3. That an information session be held for Councillors prior to the Council meeting scheduled for 6 November 2007 in relation to the Policy and its operation.

Moved Councillor Ken Keith, seconded Councillor George Pratt.

CARRIED

9.5 (GM) Office Security

Executive Summary

The level of security continues to be updated within the Administration Centre. Additional cameras have been installed and electronic self locking doors have been implemented. Security of the Administration Centre is continuing with the installation of further self locking doors and a Visitors Pass System.

Recommendation

1. That the information be received and noted.

07 - 726 Resolution

That the information be received and noted.

Moved Councillor Ken Keith, seconded Councillor Yvonne Hutton.

CARRIED

9.6 (GM) 2nd October Council Meeting

Executive Summary

It is proposed to abandon the first Council meeting in October (2nd October 2007).

Recommendation

1. That the 2nd October 2007 meeting be abandoned.

07 - 727 Resolution

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Ken McGrath.

CARRIED

10 DIRECTOR OF CORPORATE SERVICES' REPORT

10.1 (DCS) Financial Information - August 2007

Executive Summary

A regular report is provided to Council in relation to a number of financial indicators, including investments, total monthly payments, receipting and collection of rate revenue.

Recommendation

That the report detailing accounts paid, rate revenue collected, receipts received and the bank reconciliation to 31 August 2007 be received and noted.

07 - 728 Resolution

That the information be received and noted.

Moved Councillor Ken Keith, seconded Councillor Wayne Scott.

CARRIED

10.2 (DCS) Investments as at 31 August 2007

Executive Summary

As at 31 August 2007 Council held \$41,854,769.83 in investments

Recommendation

That the information be received and noted.

07 - 729 Resolution

That the information be received and noted.

Moved Councillor John Magill, seconded Councillor Ken Keith.

CARRIED

10.3 (DCS) Village Special Grants

Executive Summary

Council has made provision within its annual budget for an amount of \$35,000.00 to be allocated to special projects within the Shire Villages.

A similar provision was made during 2006/07 financial year which has not been allocated to projects at this stage. This provides an allocation of \$70,000.00 towards projects within the Villages and Council has sought assistance from the Village Consultative Committees in nominating suitable projects for consideration for the allocation of these funds.

Recommendation

1. Submitted for Council's consideration.

07 - 730 Resolution

1. That priority be given to the projects as follows :

Trundle War Memorial Hall - amount equal to \$35,000.00 (subject to advertising under section 356 (2) of the Local Government Act 1993)

Trundle Solar Pump alternate supply - amount equal to \$8,000.00

Peak Hill shade shelter 'Commercial Block' - amount equal to \$27,000.00

2. Tullamore CBD Beautification to be marked as the priority for next round of funding

Moved Councillor Ken Keith, seconded Councillor Wayne Scott.

CARRIED

10.4 (DCS) Parkes Elvis Festival Coordinator

Executive Summary

Elvis Revival Inc has resolved to advertise a Festival Coordinator contract, as an outcome of Council's commitment in the 2007/2008 - 2009/2010 Management Plan to jointly fund the initiative.

Recommendation

1. That the information be received and noted.

07 - 731 Resolution

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor Ken Keith.

CARRIED

10.5 (DCS) Library Services Statistics and Monthly Update - August 2007

Executive Summary

Library usage statistics and activities for the month of August 2007 are provided for the information of Council.

Recommendation

1. That the information be noted

07 - 732 Resolution

That the information be received and noted.

Moved Councillor Patrick Byrne, seconded Councillor Ken Keith.

CARRIED

10.6 (DCS) Economic Development - National Touch Carnival

Executive Summary

The 16th Annual National Local Government Touch Carnival will be held at Cheney Park on Saturday 23 February 2008.

Early indications are that teams from Victoria and possibly New Zealand can be expected for the event.

Recommendation

1. That the information be received and noted.

07 - 733 Resolution

That the information be received and noted.

Moved Councillor Ken Keith, seconded Councillor George Pratt.

CARRIED

10.7 (DCS) Economic Development - Town Crier National Titles

Executive Summary

Parkes Shire Town Crier (Tim Keith) attended the National Town Crier titles in Moree from August 31 to September 2, using the occasion to promote the 2008 championships in Parkes from September 12 - 14 as part of the Parkes 125th celebrations for which a preliminary programme of events has already been established.

Recommendation

1. That the information be received and noted.

07 - 734 Resolution

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor John Magill.

CARRIED

10.8 (DCS) Economic Development - Australian Technical College

Executive Summary

The Federal Government has signed a funding agreement of almost \$16 million to establish an Australian Technical College in Dubbo.

From 2008, the College will give students an opportunity to undertake an apprenticeship while completing years 11 and 12.

The College will offer a certificate three in five trades, with identified skilled shortages including metals and engineering, building and construction and commercial cookery.

A training facility will be built in Dubbo, and four satellite learning centres established in Cobar, Parkes, Mudgee and Orange.

Recommendation

1. That the information be received and noted and that Council continue to monitor the manner in which the Australian Technical College Satellite learning centre is to be established in Parkes.

07 - 735 Resolution

That the recommendation be adopted.

Moved Councillor Yvonne Hutton, seconded Councillor Wayne Scott.

CARRIED

10.9 (DCS) Economic Development - Charles Sturt University Regional Consultative Committee

Executive Summary

The Economic Development Manager attended a meeting of the Dubbo Charles Sturt University (CSU) Regional Consultative Committee on 6 September as a formal committee member, reinforcing concerted endeavours by CSU to become a regional educational facility in its own right.

Recommendation

1. That the information be received and noted and that Council be represented at the CSU 10 year anniversary function of the Dubbo Campus on 6 December 2007 and at the Tony McGrane Memorial Inland Commemoration Dinner/Oration on June 1, 2008.

07 - 736 Resolution

That the information be received and noted.

Moved Councillor Ken Keith, seconded Councillor Bev Laing.

CARRIED

10.10 (DCS) Tourism and Event Update - September 2007

Executive Summary

A brief update of general Shire tourism and event activities.

Recommendation

1. That the Tourism and Event Update be received and noted.

07 - 737 Resolution

1. That the information be received and noted.
2. That a letter of congratulations on the success of the Tennis Carnival recently held in Parkes be sent to Mrs Helen Magill

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

CARRIED

11 DIRECTOR PLANNING AND ENVIRONMENT'S REPORT

11.1 (DPE) August 2007 Building Statistics

Executive Summary

During the month of August 2007 there were twenty-three (23) Development Applications received totalling \$5,063,661.00 and 19 consents issued.

Seven (7) Complying Development Certificates were received totalling \$148,190.00.00 and 7 consents issued.

Recommendation

1. That the information be received and noted.

07 - 738 Resolution

That the information be received and noted.

Moved Councillor John Magill, seconded Councillor Wayne Scott.

CARRIED

Councillor Yvonne Hutton left the meeting temporarily at 2.55pm.

11.2 (DPE) DA07122: Aldi Supermarket, Associated Signage and Carparking

Development Application Information

Application No: DA07122

Applicant: Milestone (Aust) Pty Limited

Property: Lot 1 DP 1069968, Lot 1 DP 343027, Lot 1 DP 652609, Lot 14 DP 664214, Lot 41 DP 775561, Lot 5 Sec 4 DP 758827, Lot 5A Sec 4 DP 758827, Lot 6 Sec 4 DP 758827, Lot 1, DP 310369, Caledonia and Clarinda Street, PARKES

Proposal: ALDI supermarket, associated signage & carparking

Executive Summary

An application has been received from Milestone (Aus) Pty Limited on behalf of ALDI for the demolition of existing structures and construction of a new ALDI store with associated carparking and advertising signage. The subject 5869 square metre site is bordered by Clarinda Street to east and Caledonia Street to the west and consists of the former Diggers Bowling Club and a car yard. It will be necessary to re-route an existing laneway that bisects the site. To close a length of 40 metres of this lane way.

The proposed new store will provide 1560 square metres of building area including a retail net floor area of 1029 square metres. The development also proposes to provide a total of 83 car parking spaces including two disabled spaces. The application proposes to erect four advertising signs consisting of a large pylon sign located near the entry/exit on Clarinda Street, a smaller pylon sign near the entry exit on Caledonia Street and projecting wall signs located on the north-west and south-east facades of the building.

Recommendation

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

07 - 739 Resolution

1. That the recommendation be adopted subject to the 167 conditions contained in the report with variations to conditions 134 and 161 as follows:

Condition 134 - CCTV to be installed inside of the premises and the installation of CCTV outside the premises be optional

Condition 161 - delete condition

Moved Councillor Ken Keith, seconded Councillor Bev Laing.

CARRIED

Councillor Yvonne Hutton rejoined the meeting at 3.08pm.

11.3 (DPE) DA06054:Variation to Front Fence Setback, 30 Paterson Street, Parkes

Development Application Information

Application No: DA06054

Applicant: Vince Facchi

Property: Lot 21, DP857053, 30 Paterson Street, Parkes

Proposal: Garage and Front Fence

Executive Summary

It was proposed to erect a 1.8 metre high colorbond fence to the front south-east corner of the subject property known as Lot 21, DP 857073, 30 Paterson Street, Parkes at a setback of 6 metres from the front boundary. The fence extends from the western boundary of the property to level with the south-west corner of the dwelling with side returns to the front of the dwelling under the subject application.

However, the applicant has erected the fence only 5 metres from the front boundary. The proposed development contravenes the requirements of Parkes Shire Councils' Residential Code Development Control Plan, 1998 with regard to the height of a front fence within the front 6 metre building line from the street thereby requiring a modification of the Development Consent and a variation to the Parkes Shire Council Residential Code Development Control Plan 1998.

Recommendation

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

07 - 740 Resolution

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Patrick Byrne.

CARRIED

11.4 (DPE) DA07006: Subdivision, Lot 174 DP750164. Eugowra Road

Development Application Information

Application No: DA07006

Applicant: D & R Glover Surveying

Property: Lot 174, DP 750164, Eugowra Road, PARKES

Proposal: Subdivision

Executive Summary

An application has been lodged by D & R Glover Surveying, on behalf of A.S. and C Thompson, for the subdivision of land known as Part lot 174 DP 750164 into two concessional allotments. It should be noted that the application, when made was for the subdivision of four concessional allotments but the application has since been modified.

Recommendation

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

07 - 741 Resolution

07 - 742 That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Ken Keith.

CARRIED

11.5 (DPE) DA07055: Proposed Subdivision at Lot 1 DP 1089460, Lot 1 DP 365871, Lot 2 DP 1089460, Lot 23 DP 661223, Lot 37, 38, 79, 84, 85, 145, 153, 154, 172, 182, DP 750135, Lot 190, DP 574209, 'Fairview' Orange Road, Parkes

Development Application Information

Application No: DA07055

Applicant: Mr M Merriman

Property: Lot 1 DP 1089460, Lot 1 DP 365871, Lot 2 DP 1089460, Lot 23 DP 661223, Lot 37, 38, 79, 84, 85, 145, 153, 154, 172, 182, DP 750135, Lot 190, DP 574209, 'Fairview' Orange Road, Parkes

Proposal: Subdivision

Executive Summary

An application has been received from Mr M Merriman for the subdivision of an existing holding into 5 small rural allotments and a 1326 hectare residual allotment.

Recommendation

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

07 - 743 Resolution

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor Patrick Byrne.

CARRIED

11.6 (DPE) DA07095: Proposed Residential Units at 24 Wentworth Street, Parkes

Development Application Information

Application No: DA07095

Applicant: Rawson Homes

Property: Lot 2 DP 586308, 24 Wentworth Street, Parkes

Proposal: Residential Units

Executive Summary

The application is for the demolition of an existing fibro residence and erection of 2 brick veneer residential units under the same roofline. The proponent is seeking a departure from Council's Residential Code 1998 (Section 5.2) - which requires a minimum site area of 830 metres squared.

Recommendation

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

07 - 744 Resolution

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor Ken McGrath.

CARRIED

11.7 (DPE) DA07107: Proposed Change of Use (Beauty Therapy Business) at Lot 1 DP 506335, 78 Clarinda Street, Parkes

Development Application Information

Application No: DA07107

Applicant: Mr SE Westcott

Property: Lot 1 DP 506335, 78 Clarinda Street, PARKES

Proposal: Change of Use - Beauty Therapy Business

Executive Summary

The Development Application is for a change of use of a shop (general store) 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.

07 - 745 Resolution

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor Bev Laing.

CARRIED

11.8 (DPE) DA07110: Model Air Craft Facility, Parkes Miniature Aeroplane Club

Development Application Information

Application No: DA07110

Applicant: Parkes Miniature Aeroplane Club

Property: Lot 1, 59, 60 DP 750140, Nelungalong Parish

Proposal: Model Air Craft Facility

Executive Summary

The application is for a Miniature Aircraft Facility/Club at the Nelungaloo Hall site.

Recommendation

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

07 - 746 Resolution

That the recommendation be adopted.

Moved Councillor George Pratt, seconded Councillor Yvonne Hutton.

CARRIED

11.9 (DPE) DA07130: Building Line Variation for proposed Tennis Court at 5 Davids Lane, Parkes

Development Application Information

Application No: DA07130

Applicant: Mr J Creith

Property: Lot 4 DP 1100254, 5 Davids Lane, PARKES

Proposal: Tennis Court

Executive Summary

An application has been received for the erection of tennis court on Lot 4 DP 1100254, 5 Davids Lane, Parkes. A separate application has been approved for the dwelling and pool.

The subject allotment with an area of approximately 4100m², was created prior to the implementation of the Council's Development Control Plan for Rural Small Holdings 1998, and therefore is of a smaller minimum size than specified in that code. This makes it difficult to comply with the setbacks required under the code.

The proposed development contravenes the requirements of Council's Development Control Plan for Rural Small Holdings 1998 with regard to the required 10 metre setback of a building from the side and rear boundary lines. The front boundary setback has been complied with.

Recommendation

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

07 - 747 Resolution

That the recommendation be adopted.

Moved Councillor Patrick Byrne, seconded Councillor John Magill.

CARRIED

11.10 (DPE) DA07136: Variation to Building Setback for proposed dwelling at Lot 107, DP 750179, 267 Nash St, Parkes

Development Application Information

Application No: DA07136

Applicant: Mr A Hubbard

Property: Lot 107 DP 750179, 'Home Lea' 267 Nash Street, PARKES

Proposal: Dwelling

Executive Summary

An application has been received for the erection of a dwelling at the above property on Nash Street.

It is proposed to locate the single storey brick veneer dwelling a distance of only 4 metres from the northern boundary, which is not consistent with the 10 metre building setback stipulated in Council's Development Control Plan for Rural Small Holdings 1998. It is considered that there are justifiable grounds for the departure from the side setback requirements and the application is referred to Council for determination

Recommendation

It is recommended that the application be approved subject to the 33 conditions contained in the report.

07 - 748 Resolution

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor Patrick Byrne.

CARRIED

At this stage the meeting adjourned at 3.30pm for afternoon tea.

The meeting resumed at 3.54pm.

12 DIRECTOR OF OPERATIONS' REPORT

12.1 (DO) Major Works Status as at September 2007

Executive Summary

Other than routine maintenance, major works that have been carried out over the past month are reported below.

Recommendation

1. That the information on Major Works Status as at September 2007 be noted.

07 - 749 Resolution

1. That the information be received and noted.
2. That the staff involved in the new roundabout project be congratulated.

Moved Councillor George Pratt, seconded Councillor Ken McGrath.

CARRIED

12.2 (DO) Parkes Laneway Sealing Programme

Executive Summary

Council has been undertaking a program of laneway sealing in Parkes over the past seven years to reduce the ongoing high maintenance costs and to alleviate dust problems for adjoining residents. To date approximately 4.6 kilometres of the 7.2 kilometres of unsealed laneway have been sealed.

It is proposed to seal a further four lanes this financial year with a total estimated cost of \$53,000.

Recommendation

1. That \$53,000 be allocated from the 2007/08 Urban Construction vote in the Operations Plan for laneway sealing and that the following lanes be constructed:

Medlyn Street to Forbes Road	\$17,000
EW lane to Hooley Street (between Close and Pearce)	\$13,000
Bogan Street to Talbot Street	\$10,000
Weston Street to lane off Clarinda Street	<u>\$13,000</u>
	\$53,000

07 - 750 Resolution

That the recommendations be adopted.

Moved Councillor Wayne Scott, seconded Councillor John Magill.

CARRIED

12.3 (DO) Financial Assistance Grant - Roads Component

Executive Summary

Council has been advised that the Financial Assistance Grant – Road Component, for 2007/08 will be approximately \$1,434,777. It is suggested that the FAG be allocated predominantly in line with strategies adopted in previous years to concentrate on preservation of existing assets by gravel resheeting and reseals. This is particularly important given the current state of the unsealed road network.

Council has also previously committed funding to Road Construction which has been allocated for sealing of developing areas surrounding Parkes as per the previously accepted priority listing. It is proposed to continue this practice and to allocate an additional amount for other construction projects that may be considered appropriate in the other towns in the Shire.

Recommendation

1. That the 2007/08 Financial Assistance Grant - Road Component be allocated as follows:

Road Construction	\$180,000
Gravel Resheeting	\$914,777
Reseals – Urban	\$70,000
- Rural	\$220,000
- Villages	<u>\$50,000</u>
	\$1,434,777

07 - 751 Resolution

That the recommendation be adopted.

Moved Councillor Wayne Scott, seconded Councillor John Magill.

CARRIED

12.4 (DO) Financial Assistance Grant - Road Construction

Executive Summary

Funds have previously been allocated for Road Construction from the Financial Assistance Grant - Road Component. The funds were to be used to continue the sealing of developing areas surrounding Parkes, as per the previously accepted priority listing, and for other construction projects that may be considered appropriate in the other towns in the Shire.

Funding had previously been earmarked for the sealing of Deep Lead and Heraghty Road over a three year programme. Several other projects have also been put forward.

Recommendation

1. That \$136,000 be endorsed from the 2007/08 and 2008/09 Financial Assistance Grant - Road Component for the completion of the sealing of Deep Lead Road and Heraghty Road.
2. That \$10,000 be allocated for the formation of North Street (proposed name) Bogan Gate.
3. That the remaining \$34,000 not be allocated at this time.

07 - 752 Resolution

1. That \$136,000 be endorsed from the 2007/08 and 2008/09 Financial Assistance Grant - Road Component for the completion of the sealing of Deep Lead Road and Heraghty Road.
2. That \$10,000 be allocated for the formation of North Street (proposed name) Bogan Gate.
3. That the remaining \$34,000 not be allocated at this time.
4. That a report be prepared to a future meeting of Council in relation to the costs associated with the requested works highlighted by residents for the Cookamidgera Road.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

CARRIED

12.5 (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. Some funds are proposed to be held over for allocation to high priority roads identified in future.

Recommendation

1. That the following roads be approved for gravel resheeting funded from the Financial Assistance Grant – Roads Component for the 2007/08 financial year, with the remaining available funds being held for high priority projects identified in future:

Middle Trundle Road (SR83)	6.0 kilometres	\$170,000
Cookamidgera Road (SR10)	4.0 kilometres	\$100,000
Back Trundle Road (SR82/84)	10.0 kilometres	\$270,000
Cooka Hills Road (SR12)	1.0 kilometres	\$25,000
Monumea Gap Road (SR70)	4.0 kilometres	\$100,000
Kadina Road (SR35)	5.0 kilometres	\$140,000
	30 kilometres	\$805,000

07 - 753 Resolution

That the recommendation be adopted.

Moved Councillor Patrick Byrne, seconded Councillor George Pratt.

CARRIED

12.6 (DO) Roads to Recovery Programme

Executive Summary

Parkes Shire Council has been allocated \$3,127,631 over four years under the extended Roads to Recovery Programme (R2R2) which will conclude June 2009. This equates to \$781,907 per year.

Council allocated the funding in the 2006/07 programme to Telescope Road reconstruction, replacement of the bridge over Bogan River at Coradgery, and gravel resheeting. It is proposed to allocate the funds this year to widening of some narrow seals that are causing maintenance and safety problems.

Recommendation

1. That the Roads to Recovery allocation for 2007/08 of \$781,907 be allocated as follows:

Continuation of the reconstruction of Telescope Road (SR29A)	\$150,000
Bogan Road (SR76) rehabilitation (with Northparkes Mine)	\$50,000
Complete widening of Fifield - Trundle Road (SR171)	\$250,000
Complete widening of Warrigal Road (SR42)	\$100,000
Continuation of widening of Bulgandramine Road (SR1162)	\$130,000
Continuation of widening of Numalla Road (SR125)	\$100,000

07 - 754 Resolution

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Ken McGrath.

CARRIED

13 DIRECTOR OF INFRASTRUCTURE'S REPORT

13.1 (DI) Tullamore Mobile Phone Coverage

Executive Summary

Verbal advice has been received from Telstra advising that funds have been approved to install a mobile phone (Next-G) repeater station at Tullamore. A repeater station (as compared with a base station) has a radial coverage of 5-7 kilometres. The cost of a repeater station is less than one third of a base station (and could be installed on a building in Tullamore). Council's comments are requested on the proposal.

Recommendation

1. That Council not object to the installation of a Next-G mobile phone repeater station at Tullamore.
2. That Telstra be requested to install the unit on the existing television retransmission tower to maximise coverage.
3. That Council advise Telstra that planning should continue for a full mobile phone base station at Tullamore in the future.

07 - 755 Resolution

That the recommendations be adopted.

Moved Councillor Ken Keith, seconded Councillor Patrick Byrne.

CARRIED

13.2 (DI) Road Safety and Injury Prevention Officer Monthly Report - August 2007

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 month of August 2007.

The RSIPO has predominantly been involved in implementing the "Hey Kids Protect Your Lids" project, the "Do or Die. Seatbelts Save Truckies Too!" project, and planning the "Don't Be a Fool on the Newell, Slow Down" project.

Recommendation

That the information be received and noted.

07 - 756 Resolution

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

CARRIED

13.3 (DI) Bogan Street, Hartigan Avenue, Welcome Street, Grenfell Street - Proposed Traffic Management Plan

Executive Summary

On 17 April 2007 Council considered submissions in relation to the proposed closure of Forbes Street at Hartigan Avenue to improve the operation of that intersection. Several submissions were received from local businesses in relation to the closure. Council resolved to refer those submissions to the Roads and Traffic Authority for advice on their likely impact to Newell Highway traffic movements.

Council further requested the Roads and Traffic Authority trial the closure of Hartigan Avenue, east of Bogan Street, forcing all east bound traffic to use Grenfell Street.

In response to Councils request the Roads and Traffic Authority have comprehensively investigated the matter and supplied the attached plan for Councils consideration.

Recommendation

1. That Council approve the plan in principle.
2. That prior to responding to the Roads and Traffic Authority, Council publicly advertise the concept plan for the Hartigan Avenue, Bogan Street, Grenfell Street, Welcome Street area, and call for written submissions.
3. That Council consider submissions received to assist in providing a formal response to the Roads and Traffic Authority.

07 - 757 Resolution

1. That Council approve the plan in principle.
2. That prior to responding to the Roads and Traffic Authority, Council publicly advertise the concept plan for the Hartigan Avenue, Bogan Street, Grenfell Street, Welcome Street area, and call for written submissions.
3. That Council consider submissions received to assist in providing a formal response to the Roads and Traffic Authority.
4. That the RTA be congratulated on the manner in which a solution for Bogan Street-Hartigan Avenue has been arrived at, including the public consultation process and cooperative approach with Council.

Moved Councillor Ken Keith, seconded Councillor Wayne Scott.

CARRIED

13.4 (DI) Cheney/McGlynn Park Draft Master Plan

Executive Summary

On 5 December 2006 Council resolved to adopt the Draft Plan of Management for Community Owned Land, following consideration of submissions and a Public Hearing, (which was held on 22 November 2006). The resolution included the requirement that a Masterplan be prepared for Cheney Park in accordance with the recommendations of the convenor of the Public Hearing.

A Draft Masterplan has been prepared to provide the basis for the second round of consultation. The plan in its current form is not intended to definitively address all the issues raised but rather, as indicated, to provide the basis for further consultation. The Draft Plan will be on display at the Council Administration Building.

The report below outlines the administrative and physical initiatives of the Plan with respect to the issues raised during a public meeting held on 28 June 2007, and consultation with the sporting clubs.

Recommendation

1. That a public meeting be held on 24 September 2007, followed by a minimum 28 day period for written submissions to further assist in the preparation of the Cheney/McGlynn Masterplan.

07 - 758 Resolution

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor Ken McGrath.

CARRIED

14 CONSIDERATION OF COMMITTEE MINUTES

14.1 Minutes of Museum Committee Meeting held 13 August 2007

Executive Summary

The Parkes Shire Council Museum Development Committee meeting was held Monday 13 August 2007

Recommendation

1. That the information be received and noted.

07 - 759 Resolution

That the information be received and noted.

Moved Councillor Ken Keith, seconded Councillor Bev Laing.

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) Magpies

Councillor K McGrath asked if there was anything Council could do about magpies attacking people

The Director of Planning and Environment advised that the management of native birds is the responsibility of the National Parks and Wildlife Service. A copy of the services policy on Management of Aggressive Native Birds has been attached together with a fact sheet distributed by Council. In certain circumstances Council's Ranger works with the NP&WS and the Police when a bird is considered to be a risk to public safety.

Recommendation

That the information supplied by the Director of Planning and Environment be received and noted.

07 - 760 Resolution

1. That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor Wayne Scott.

CARRIED

15.2 (Q & M) Waste Tipping Fees

Councillor K McGrath concerns regarding Council's Waste Tipping Fees - Suggest a set amount per truck to assist Commercial Contractors in quoting for work.

The Tip Contractor has 24 hour access to tip how can the amount of waste he tips into the tip be registered or policed.

The Director of Planning and Environment advised that a detailed report on the matters raised will be prepared and submitted for consideration by Council's Waste Facilities Committee prior to Council's next meeting.

Recommendation

That the information supplied by the Director of Planning and Environment be received and noted.

07 - 761 Resolution

1. That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor Patrick Byrne.

CARRIED

15.3 (Q & M) Joint Hospital

Cr Hutton and Cr Pratt advised they had attended a meeting of the Parkes/ Forbes Joint Hospital Advisory Committee to discuss the progress of the project. Those present at the meeting were advised that planning would commence on the project 2009/2010 at the earliest.

Recommendation

1. That a letter be written to Claire Blizzard CEO Greater Western Area Health, Trish Strachan Director Population, Planning and Performance Greater Western Area Health and the NSW Premier, the Hon. Mr Morris Iemma regarding Council's disappointment in the constant delays being experienced in the planning of the project.

07 - 762 Resolution

1. That the recommendation be adopted.

Moved Councillor Yvonne Hutton, seconded Councillor George Pratt.

CARRIED

15.4 (Q & M) Parkes East Public School Art Show

Councillor Scott advised that he had been approached with the request for Council support of the Parkes east Art Show by way of purchase of an artwork.

Recommendation

07 - 763 Resolution

1. That a contribution of \$50.00 be made to Parkes East Public School from Appeals and Donations Vote.

Moved Councillor Wayne Scott, seconded Councillor George Pratt.

CARRIED

07 - 764

16 CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

The meeting of the Ordinary Council meeting was closed to the public at 4.43pm.

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.

07 - 765 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 Bev Laing, seconded Councillor Yvonne Hutton.

CARRIED

16.1 (GM) Parkes Airport

Prepared By: General Manager

Executive Summary

The 11-11 Company (Director Mr Mark Smith) has submitted an offer to Council which includes purchase of "surplus" land at the Parkes Airport and a "development lease" over future runway land.

Recommendation

1. That Council not accept Mr Smith's proposal.

07 - 766 Resolution

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Patrick Byrne.

CARRIED

16.2 (DCS) Parkes Pool Kiosk and Turnstile Tenders - 2007/08

Prepared By: Director of Corporate Service

Executive Summary

Council received two (2) tenders for the operation of the Parkes Pool Turnstiles and Kiosk for the 2007/08 season following advertisements in the local press in early September.

Recommendation

1. That subject to satisfactory "Working with Children" checks being carried out and compliance with Council's Workers Compensation and Public Liability requirements the lowest complying tender be awarded.

07 - 767 Resolution

1. That the tender by Helen and Bruce Pearce be accepted.

Moved Councillor Ken McGrath, seconded Councillor Yvonne Hutton.

CARRIED

16.3 (DO) Parkes Regional Airport Landing Fees

Prepared By: Director of Operations

Executive Summary

A letter has been received from a commercial air freight operator requesting a bulk rate for landing charges at Parkes Regional Airport.

Recommendation

1. That landing charges be negotiated with the air freight operator.

07 - 768 Resolution

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Ken McGrath.

CARRIED

Councillor Wayne Scott left the meeting temporarily at 4.56pm.

16.4 (DI) Tenders for McGlynn Park Amenities

Prepared By: Director of Infrastructure

Executive Summary

As Council is aware a consultative approach has been taken between the various sporting clubs for the design of the McGlynn Park amenities building. The Development Application has been approved after a third party review by Bathurst City Council. Accordingly, tenders were subsequently called and are provided for consideration.

Recommendation

1. The information provided for McGlynn Park amenities is for Council's consideration.

07 - 769 Resolution

1. That the lowest tenderer, G C McCabe & Co (Parkes) P/L be accepted as the preferred tenderer.
2. That final negotiations and authority to determine the tender be delegated to the General Manager
3. That opportunities for contributions and opportunity for sponsorship be discussed with the stakeholder sporting clubs.
4. That requisite funds be allocated to complete the project.

Moved Councillor Ken Keith, seconded Councillor Patrick Byrne.

CARRIED

Councillor Wayne Scott rejoined the meeting at 5.18pm

16.5 (DPE) Health Related Infrastructure and Recruiting

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993 and Council's Code of Meeting Practice, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it

The Director Planning and Environment provided an update for Councillors in relation to a number of health related issues including recruitment and infrastructure/.

Recommendation

1. That Council agree to give in-principle support for a doctor recruitment program and that funds (not exceeding \$20,000.00) in the University Access Vote be used for the purpose.
2. That the Mayor, Deputy Mayor and Director Planning and Environment meet with the Principals of the Clarinda Street practice in the near future to discuss a number of general practitioner related issues.

07 - 770 Resolution

1. That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor John Magill.

CARRIED

16.6 Minutes of Plant Procurement Meeting held 18 September 2007

Executive Summary

The Parkes Shire Council Plant Procurement Meeting was held on Tuesday 18 September 2007. The Minutes of the Meeting will be available at the Council Meeting.

Background Information

The Parkes Shire Council Plant Procurement Meetings are held as required to determine Council's plant requirements and replacement programs.

Legislative, Policy & Management Planning Implications

Nil.

Budget & Financial Aspects

The Engineer's Plant and Equipment budget for 2007/08 is \$616,300.

Recommendation

1. That the Minutes of the Parkes Shire Council Plant Procurement Meeting held on 18 September 2007 be adopted.

Attachments

1. Minutes of the Plant Procurement meeting to be distributed at Council meeting

07 - 771 Resolution

1. That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor John Magill.

CARRIED

07 - 772 Resolution

That Council move back into Open Session of Council.

Moved Councillor Bev Laing, seconded Councillor Yvonne Hutton.

CARRIED

Council moved out of Closed Session of Council into Open Session of Council at 5.54 pm

At this stage of the meeting the Mayor read the resolutions of the Closed Session of Council for the benefit of the public.

There being no further business the Mayor declared the meeting closed at 6.00pm.