



# PARKES SHIRE COUNCIL

## MINUTES

TUESDAY 6 NOVEMBER 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

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## Ordinary Meeting

**Minutes of the Ordinary Meeting held in the Council Chambers, 2 Cecile Street on 6 November 2007 at 2.00pm.**

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### PRESENT

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

Councillor K J Keith  
Councillor Y Hutton  
Councillor K McGrath  
Councillor B Newton

### 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  
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 - 836 Resolution

That Councillor Bev Laing be granted leave of absence (REASON: Absent from Parkes).

Moved Councillor Ken Keith, seconded Councillor John Magill.

**CARRIED**

The Mayor advised the meeting that Councillor Yvonne Hutton had commitments as a result of her Higher School Certificate supervisory role and would join the meeting as soon as time permits.

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

#### **07 - 837 Resolution**

That the Minutes of the Ordinary Meeting of Parkes Shire Council held on 16 October 2007, copies of which have been forwarded to Councillors, be confirmed.

Moved Councillor John Magill, seconded Councillor George Pratt.

**CARRIED**

### **4 DECLARATIONS OF INTEREST**

Councillor Wayne Scott declared an interest in Item 8.9 (REASON Related entity to an individual mentioned in the report).

Councillor Ken Keith declared an interest in Item 8.4 and 11.3 (REASON Executive member of organisation mentioned in report)

Director of Infrastructure Kent Boyd declared an interesting Item 11.1 (REASON Interest in land mentioned in report - adjoining property owner)

Moved Councillor Patrick Byrne, seconded Councillor Barbara Newton.

### **5 MAYORAL MINUTES**

Nil.

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

Nil.

### **7 COUNCILLORS' REPORTS**

Nil.

## **8 INWARDS CORRESPONDENCE**

### **8.1 (ICR) Appreciation letters**

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#### **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**

1. That the information be received and noted.
2. That permission be granted to the Central West Car Club for their Car Show on 11 October 2008 subject to appropriate insurances being held and a risk assessment being undertaken prior to the event.

#### **07 - 838 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Wayne Scott.

**CARRIED**

### **8.2 (ICR) MR354 Committee - Update on Works**

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#### **Executive Summary**

The Committee has expressed appreciation for the completion of the "Wilga Park" section of the MR354 roadworks. The Committee has also asked for an update in relation to the works to be carried out under Auslink funding.

#### **Recommendation**

1. That the information be received and noted and that the Committee be advised of the programmed works.

#### **07 - 839 Resolution**

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor Barbara Newton.

**CARRIED**

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Councillor Yvonne Hutton joined the meeting at 2.06PM

### 8.3 (ICR) Department of Local Government - Meeting Procedure

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#### Executive Summary

Following recent changes to the Local Government (General) Regulations, 2005 the Department of Local Government advises that Council does not have to read Closed meeting resolutions to empty public galleries.

#### Recommendation

1. That the information be received and noted.
2. That the Code of Meeting Practice be altered to accommodate the manner in which the Council advises the public, as soon as possible, of the Resolutions of the Closed Session of Council.

#### 07 - 840 Resolution

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor Wayne Scott.

**CARRIED**

Councillor Ken Keith left the meeting temporarily at 2.07pm.

### 8.4 (ICR) Public Holidays - 2008

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#### Executive Summary

Council has received applications from the Parkes, Peak Hill and Trundle P A & H Associations for the days required to be gazetted as local public holidays in 2008. The dates to be submitted are as follows:

<b>Time</b>	<b>Date</b>	<b>Place</b>
Half Day from noon	Tuesday, 26 August 2008	Town of Parkes
Half Day from noon	Wednesday, 13 August 2008	Town of Trundle
Full Day	Wednesday, 20 August 2008	Town of Peak Hill

## **Recommendation**

1. That Council make application to the Department of Industrial Relations for the gazettal of public holidays and half holidays for the Shows in the Parkes district for 2008 as requested by the various P A & H Associations.

### **07 - 841 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Ken Keith.

**CARRIED**

Councillor Ken Keith rejoined the meeting at 2.08pm.

## **8.5 (ICR) Peak Hill Business and Tourism Association - Peak Hill Community Representative Body**

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### **Executive Summary**

Discussing Council's view of the most appropriate body to deal with in the Peak Hill Community.

### **Recommendation**

1. That Council receive and note the letter and advise the Peak Hill Business and Tourism Association of Council's viewpoint.

### **07 - 842 Resolution**

1. That Council receive and note the letter and advise the Peak Hill Business and Tourism Association of Council's viewpoint that traditionally the representative body for each village is the Consultative Committee and all other bodies should liaise with their respective Consultative Committee on matters of relevance to the Village and their organisation.
2. That the Community Consultative Committees and other peak bodies from each of the Villages be asked to provide information relating to their incorporation status.

Moved Councillor Barbara Newton, seconded Councillor John Magill.

**CARRIED**

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## **8.6 (ICR) McDonald's, Parkes - 2007 McHappy Day**

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### **Executive Summary**

Seeking Council support, either financially or promotionally for the 2007 McHappy Day.

### **Recommendation**

1. That Council maintain its traditional support for McHappy Day.

### **07 - 843 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Ken Keith.

**CARRIED**

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## **8.7 (ICR) Apex Christmas Carnival Committee - Request for Financial Assistance**

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### **Executive Summary**

The Apex Christmas Carnival Committee requests financial support from Council for the hire of a stage for the evening's festivities.

### **Recommendation**

1. That Council make a financial contribution of \$400.00 to the Apex Christmas Carnival Committee to help with the costs of the evenings events.

### **07 - 844 Resolution**

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor Barbara Newton.

**CARRIED**

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## **8.8 (ICR) Returned Services League of Australia - Parkes Sub Branch - Remembrance Day**

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### **Executive Summary**

Seeking permission to hold a Remembrance Day commemoration service in Cooke Park on Sunday 11 November 2007

### **Recommendation**

1. That the Director of Operations' approval for the requested use be endorsed.

### **07 - 845 Resolution**

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor George Pratt.

**CARRIED**

Councillor Wayne Scott left the meeting temporarily at 2.14pm.

## **8.9 (ICR) Parkes Tennis Club - Request for Assistance - Shade Shelters**

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### **Executive Summary**

The Parkes Tennis Club requests Council's assistance with the installation of four Picnic/Shade Shelters at the Woodward Oval Tennis Complex. The Club requests the installation of the associated cement pads for the Shelters to be erected upon.

### **Recommendation**

1. For the decision of Council.

### **07 - 846 Resolution**

1. That it be suggested that the Parkes Tennis Club contact the local State Member in first instance seeking discretionary funding for the project.
2. That Council investigate funding sources for the installation of cement slabs if grant funding is not forthcoming.
3. That the location of the proposed shelter, near the cricket practice nets on Woodward Oval, does not conflict with that facility.

Moved Councillor Patrick Byrne, seconded Councillor George Pratt.

**CARRIED**

Councillor Wayne Scott rejoined the meeting at 2.18pm.

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## **8.10 (ICR) Parkes Leagues Club - Catering Van For Elvis Festival 2008**

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### **Executive Summary**

The Parkes Leagues Club seeks permission to locate a coffee vending trailer in front of their premises in Clarinda Street during the Elvis Festival in 2008. The Club wishes to utilise up to two (2) car parks with the van serving towards the footpath.

### **Recommendation**

1. That Council not accede to the request to locate a coffee vending trailer in front of the Parkes Leagues Club during the Elvis Festival and that alternate locations be suggested to the applicant.

### **07 - 847 Resolution**

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor Ken McGrath.

**CARRIED**

## **8.11 (ICR) Parkes Apex Christmas Parade and Carnival - Request for Further Assistance**

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### **Executive Summary**

The Committee assigned to administer the Street Parade component of this year's Annual Carnival has asked Council for further assistance.

### **Recommendation**

1. That Council accept two group applications for busking and street stalls for the Christmas Parade and Carnival subject to the applications being coordinated by the organising committee and all requirements such as insurance coverage being met.
  2. That Council agree to the extension of time to 8.00pm for the roadblocks.
  3. That Council advise that funds are not available for additional Christmas decorations and that the light pole Christmas banners will be installed as per previous years.
  4. That Council place a float in the parade subject to the availability of a suitable item of plant and staff being available.
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**07 - 848      Resolution**

That the recommendations be adopted.

Moved Councillor Ken Keith, seconded Councillor John Magill.

**CARRIED**

**8.12 (ICR) Economic Development - Australia Day 2008 Arrangements**

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**Executive Summary**

A letter has been received from the Australia Day Committee requesting free entry to the Shire pools on Australia Day 2008 and use of Cooke park for the Parkes ceremony.

**Recommendation**

1. That Council provide assistance as required in the conduct of the Shire's Australia Day celebrations in Cooke Park and that free entry be authorised to the Shire pools between 3.00 and 6.00pm on 26 January 2008.

**07 - 849      Resolution**

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor George Pratt.

**CARRIED**

**9      GENERAL MANAGER'S REPORT**

**9.1 (GM) Staff Changes - 1 July 2007 to 30 September 2007**

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**Executive Summary**

A periodic report on the movement in staff numbers as one of a number of measures of organisational health, stability and employee satisfaction.

**Recommendation**

1. That the information regarding staff changes for the period 1 July 2007 to 30 September 2007 be noted.

**07 - 850      Resolution**

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor Wayne Scott.

**CARRIED**

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## 9.2 (GM) Probity Policy - Parkes Airport Sale

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### Executive Summary

A Probity Policy has been prepared in relation to the possible sale and development of the Parkes Airport.

### Recommendation

1. That the policy (with some minor drafting errors corrected) be adopted by Council.

### 07 - 851 Resolution

That the recommendation be adopted.

Moved Councillor Wayne Scott, seconded Councillor Patrick Byrne.

**CARRIED**

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## 9.3 (GM) Business Continuity Policy

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### Executive Summary

The Business Continuity Plan for Council, Part 1 - Analysis and Part 2 - Operational, was been adopted by Council at the 21 November 2007 meeting. The process continues towards Part 3 - Operating Procedures, which will be the guide for ramping Council's operations back to normal following an incident.

Part of the process is the adoption of a Business Continuity Policy. The Draft Policy is attached to this report.

### Recommendation

1. That the Business Continuity Policy be adopted.

### 07 - 852 Resolution

That the recommendation be adopted.

Moved Councillor Barbara Newton, seconded Councillor John Magill.

**CARRIED**

## 9.4 (GM) REX Service

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### Executive Summary

Council has received copies of complaints forwarded to REX. Complaints centre around delays and cancellations of services. REX has responded by reference to staff shortages.

### Recommendation

1. That Council advise REX that the flight delays and cancellations are not enhancing the service's reputation and ask that the previously reliable services be reinstated as soon as possible.

### 07 - 853 Resolution

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor Barbara Newton.

**CARRIED**

## 9.5 (GM) Councillor Professional Development and Training Plan

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### Executive Summary

The Local Government and Shires Association has written to all Councils, urging them to introduce a formalised Councillor Professional Development and Training Plan, based on the Association's model.

### Recommendation

1. That the Councillor Professional Development and Training Policy be adopted.

### 07 - 854 Resolution

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Ken McGrath.

**CARRIED**

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

### **10.1 (DCS) Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy**

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#### **Executive Summary**

Under the provisions the Local Government Act 1993 Council is required to adopt or amend a policy annually for the Payment of Expenses and 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 adopts the Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy and that a copy of the amended policy and a copy of the public notice be forwarded to the Director General in accordance with the provisions of Section 253 of the Local Government Act 1993.

#### **07 - 855 Resolution**

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Patrick Byrne.

**CARRIED**

### **10.2 (DCS) Economic Development - Industry Skills Development Project**

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#### **Executive Summary**

The Central Western Regional Development Board has secured \$60,000 under the Department of State and Regional Development Innovation Program designed to equip Orange City and Parkes Shire Councils with additional resources to further develop mining, engineering, transport and logistics, aged care and child care sectors.

Details are outlined in the attached letter from the Board

#### **Recommendation**

1. That the information be received and noted.

#### **07 - 856 Resolution**

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor George Pratt.

**CARRIED**

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### **10.3 (DCS) Economic Development - DORE Program**

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#### **Executive Summary**

Representatives of the Dore Program and the Economic Development Manager attended a meeting of Parkes Shire School Principals in Bogan Gate on 1<sup>st</sup> November for an update on the way in which the Dore Program continues to evolve and to discuss ways in which surplus funds held in trust on Council's behalf could be more effectively disbursed across the community.

#### **Recommendation**

1. That the information be received and noted.

#### **07 - 857 Resolution**

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor Barbara Newton.

**CARRIED**

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## 11 DIRECTOR PLANNING AND ENVIRONMENT'S REPORT

Director of Infrastructure Kent Boyd left the meeting temporarily at 2.43pm.

### 11.1 (DPE) DA07135: Proposed Subdivision at Lot 106, 107, 179, 75 DP 750132, Lot 34, 42, 88 DP 750135 'Spring Glen' Beargamil Parish, Parkes Shire

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#### Development Application Information

**Application No:** DA07135

**Applicant:** Mr G Duffy

**Property:** Lot 106 DP 750132, Lot 107 DP 750132, Lot 179 DP 750132, Lot 34 DP 750135, Lot 42 DP 750135, Lot 75 DP 750132, Lot 88 DP 750135, 'Spring Glen' Beargamil Parish, Parkes Shire

**Proposal:** Subdivision

#### Executive Summary

The application is for the subdivision of a rural property in the Bindogundra area.

#### Recommendation

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

#### 07 - 858 Resolution

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor Ken McGrath.

**CARRIED**

Director of Infrastructure Kent Boyd rejoined the meeting at 2.45pm.

## **11.2 (DPE) DA07149: Proposed Brick and Timber panelled rear fence and attached timber deck at 5 Ward Street, Parkes**

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### **Development Application Information**

**Application No:** DA07149

**Applicant:** Mr B Cowling

**Property:** Lot 1 Sec D DP 7552, 5 Ward Street, Parkes

**Proposal:** Brick and timber panelled rear fence, and attached timber deck

### **Executive Summary**

An application has been received for the erection of a 2.500mm high rear boundary brick fence, in conjunction with an attached open timber deck on Lot 1 Sec D, DP 7552, 5 Ward Street Parkes.

The proposed development breaches Parkes Shire Councils' Residential Code Development Control Plan 1998, for rear fences on residential land zoned 2(v) Urban and Village.

### **Recommendation**

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

### **07 - 859 Resolution**

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Patrick Byrne.

**CARRIED**

Councillor Ken Keith left the meeting temporarily at 2.46pm.

### **11.3 (DPE) DA07159: Conversion of Netball Courts to Public Carpark at Lot 1 DP 119739 Armstrong Street, Parkes**

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#### **Development Application Information**

**Application No:** DA07159

**Applicant:** Parkes Shire Council

**Property:** Lot 1 DP 119739, Armstrong Street, Parkes

**Proposal:** Conversion of Netball Courts to Carparks

#### **Executive Summary**

The development application is for the construction of a sixty nine (69) bay car park on former Armstrong Street netball courts adjoining the Parkes Early Childcare Centre.

#### **Recommendation**

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

#### **07 - 860 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor John Magill.

**CARRIED**

Councillor Ken Keith rejoined the meeting at 2.48pm.

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## **11.4 (DPE) DA07162: Front Building Line Variation for proposed Dwelling and Shed at 15 Hedgerow Avenue, Parkes**

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### **Development Application Information**

**Application No:** DA07162

**Applicant:** Mr Michael Baxter

**Property:** Lot 5 DP 717908, 15 Hedgerow Avenue, Parkes

**Proposal:** Dwelling and Shed

### **Executive Summary**

An application has been received to erect a single storey brick veneer dwelling with an iron roof on Lot 5 DP 717908, 15 Hedgerow Avenue, Parkes. The allotment is located at the end of a cul-de-sac, where the continuity of the 6 metre building line is broken due to the shape of a cul-de-sac. The shape of the block also impacts on the dwelling design. The applicant has requested a reduction in the building line to a setback of 5 metres.

### **Legislative, Policy & Management Planning Implications**

The property on which the development is proposed is zoned 2(v), Urban and Village under the Parkes Local Environmental Plan 1990.

The Parkes Shire Council Residential Code Development Control Plan 1998, requires that all dwellings on land zoned 2(v), Urban and Village, shall be setback a minimum of 6 metres from the front boundary.

### **Recommendation**

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

### **07 - 861 Resolution**

That the recommendation be adopted.

Moved Councillor Wayne Scott, seconded Councillor George Pratt.

**CARRIED**

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## 11.5 (DPE) DA07168: Proposed Brick and Steel Front Fence at 11 Vacluse Place, Parkes

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### Development Application Information

**Application No:** DA07168

**Applicant:** Mr T Martyn

**Property:** Lot 59 DP 1093640, 11 Vacluse Place, Parkes

**Proposal:** Brick and Steel Front Fence

### Executive Summary

An application has been received for the erection of an 1.8 metre high masonry and steel slat front boundary fence. The proposed fence is to provide privacy to the rear yard of the subject premises, however the continuation of the fence in line with the building setback of 6 metres would greatly reduce the area of backyard available for private purposes. This is due to the location of a 6 metre x 6 metre shed that has been erected in the rear yard. The proposed development contravenes the requirements of Parkes Shire Councils' Residential Code Development Control Plan, 1998 with regard to the height of 1.8 metres. The application requires a variation on the maximum fence height of 900 mm for solid fencing, which is fencing that is not 50% transparent.

### Recommendation

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

### 07 - 862 Resolution

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor John Magill.

**CARRIED**

At this stage the meeting adjourned at 2.55pm for afternoon tea.

At this stage the Mayor thanked those in the gallery for their applications under the Community Cultural Grants Program. The Mayor then called upon Councillor Barbara Newton to make presentations of grant funding to the recipients in her capacity as Chair of the Parkes Cultural Committee.

At this stage the Mayor and Councillors were introduced to Dr Mynt from Jamaica and Ms Georgina Dunham Health Services Manager Greater Western Area Health Service.

The meeting resumed at 3.35pm.

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## **11.6 (DPE) DA07170: Proposed Dwelling, Shed and Carport at Lot 22 DP 1109820 Apara Road, Parkes**

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### **Development Application Information**

**Application No:** DA07170

**Applicant:** Mr G & Mrs C Nash

**Property:** Lot 22 DP 1109820, Apara Road, Parkes

**Proposal:** Dwelling, Shed and Carport

### **Executive Summary**

An application has been received for the erection of a dwelling and a combined shed and carport at the above property on Apara Road.

It is proposed to locate the shed and carport, dimensions 6 metres x 18 metres x 2.7 metres high (at the eave), on the western side of the proposed dwelling with a setback of 7 metres to the western boundary. The 7 metre setback from the western boundary, is not consistent with the 10 metre building setback stipulated in Council's Development Control Plan for Rural Small Holdings 1998. There are considered to be justifiable grounds for the departures 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 conditions contained in the report.

### **07 - 863 Resolution**

1. That the recommendation be adopted
2. Further that Council officers consider the comments from the adjoining owners when considering the septic tank application under condition 27 of the consent.

Moved Councillor Patrick Byrne, seconded Councillor Ken McGrath.

**CARRIED**

## 11.7 (DPE) Australian Family Matters

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### Executive Summary

Australian Family Matters is a "not for profit" organisation who has established a web site as a new resource for families. The web page was launched by Senator Fiona Nash on Monday, 5 November 2007 and Parkes has been invited to list information on the "Family Friendly" page on the web site.

### Recommendation

1. That Council endorse listing of Parkes Shire information on the "Family Friendly" page on the Australian Family Matters web site.

### 07 - 864 Resolution

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Ken Keith.

**CARRIED**

## **12 DIRECTOR OF OPERATIONS' REPORT**

Councillor Yvonne Hutton left the meeting temporarily at 3.35pm.

### **12.1 (DO) Parkes Pool - Learn to Swim Classes**

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#### **Executive Summary**

A letter has been received from the Parkes Learn to Swim Instructional Club advising that they are unable to conduct its learn to swim programme. The Club has been conducting learn to swim classes for over 40 years and has provided a much needed and appreciated community service. The loss of the learn to swim classes will leave a massive hole in the community as the service had been well attended every year.

Efforts are being made to explore options to fill the void this season, and possibly into the future.

#### **Recommendation**

1. That the information from the Parkes Learn to Swim Instructional Club be noted.
2. That a letter of thanks and congratulations be sent to the Parkes Learn to Swim Instructional Club for their service to the community over the 40 years of its operation.

#### **07 - 865 Resolution**

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor John Magill.

**CARRIED**

Councillor Yvonne Hutton rejoined the meeting at 3.39pm.

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## 12.2 (DO) Categorisation of Swimming Pools

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### Executive Summary

The requirements and guidelines for the operation of public swimming pools are becoming more important. Many of Council's previous practices are no longer in line with the current guidelines and will need to be modified progressively.

Part of the requirements is for Council to categorise the swimming pools under its control based on configuration and patronage as defined in the Department of Local Government Practice Note No 15 - Water Safety.

### Recommendation

1. That all Council's public swimming pools be classified as Category 4 as defined in the Department of Local Government Practice Note No 15 - Water Safety.

#### **07 - 866 Resolution**

That the recommendation be adopted.

Moved Councillor George Pratt, seconded Councillor Ken McGrath.

**CARRIED**

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## 12.3 (DO) Parkes Pool - Light Standards

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### Executive Summary

Concerns have been raised over the deteriorating condition of the concrete light standards on the side of Parkes Pool. The concrete poles are continuing to crack and are becoming an increasing risk. The use of the seven concrete light standards became ornamental only following the installation of floodlighting. Power has been disconnected.

While the poles have been part of the character of Parkes Pool for many years, it is considered that they should now be removed given the increasing safety risk for pool patrons.

### Recommendation

1. That the concrete light standards at Parkes Pool be removed.

#### **07 - 867 Resolution**

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Yvonne Hutton.

**CARRIED**

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## 12.4 (DO) Use of Peak Hill Pool - Peak Hill Swimming Club

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### Executive Summary

Council considered a report at the 16 October 2007 meeting concerning a request from the Peak Hill Swimming Club for swimming training to be held when the pool is closed to the public. Council resolved that discussions be held with the Peak Hill Swimming Club and Pool Superintendent to determine the most suitable outcome for the Club and Council.

Discussions have been held with the Club and Pool Superintendent. It was considered that on one day the pool opening could be deferred from 11am until 12 noon with minimal impact on pool usage. The pool would close as normal at 7 pm with the extra hour then made available for exclusive use for swimming training, with no extra cost to Council. The preferred day would be Wednesday.

### Recommendation

1. That the Peak Hill Swimming Club be advised that exclusive swimming training will be made available where possible on Wednesdays from 7-8 pm, with the pool opening time on that day being moved back to 12 noon to accommodate the additional hour.

#### 07 - 868 Resolution

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor Wayne Scott.

**CARRIED**

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## 12.5 (DO) Survey and Design - The McGrane Way

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### Executive Summary

Tenders were sought from suitably qualified companies to undertake the completion of the survey and design of the unsealed sections of the McGrane Way (MR354) between Tullamore and the Bogan River, totalling approximately 20 kilometres. Eleven (11) tenders were received. Following consideration of the tenders, and the need to expedite the works, the contract was awarded to Casey Survey and Design Pty Ltd.

### Recommendation

1. That the awarding of the contract for the survey and design of the unsealed sections of The McGrane Way to Casey Survey and Design Pty Ltd be noted.

#### 07 - 869 Resolution

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor George Pratt.

**CARRIED**

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## 12.6 (DO) Request for Sealing - Willaroo Street Peak Hill

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### Executive Summary

Three letters have been received from residents of Peak Hill requesting the sealing of Willaroo Street Peak Hill. Both writers refer to local traffic using the road to access a nearby business, and the mine at Goonumbla, creating a dust problem to those living on or near the road. Three houses would be affected.

Funding for sealing works is not available in the current budget allocations.

### Recommendation

1. That Willaroo Street be closed to through traffic north of Whitton Park Road on a trial basis.

### 07 - 870 Resolution

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Patrick Byrne.

**CARRIED**

## 13 DIRECTOR OF INFRASTRUCTURE'S REPORT

### 13.1 (DI) Country Towns Water Supply and Sewerage Program

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### Executive Summary

A letter has been received from the Hon Nathan Rees, MP, Minister for Water Utilities advising funding for the Parkes Sewerage Upgrade, Parkes Water Supply Upgrade, Trundle and Tullamore Sewerage Schemes, will be available based on tender prices for eligible scope of works.

### Recommendation

1. That Council acknowledge the Ministers announcement and proceed with project planning for the work.

### 07 - 871 Resolution

That the recommendation be adopted.

Moved Councillor Barbara Newton, seconded Councillor Wayne Scott.

**CARRIED**

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## **13.2 (DI) Bogan Street, Hartigan Avenue, Welcome Street, Grenfell Street - Proposed Traffic Management Plan**

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### **Executive Summary**

Pursuant to Council resolution the concept plan for Hartigan Avenue, Welcome Street, Bogan Street and Grenfell Street was publicly advertised in the Parkes Champion Post on 24, 26 and 28 September 2007 and was subject of a feature article on 28 September 2007. Public submissions were requested. The submissions are summarised below and attached in full.

### **Recommendation**

1. That Council recommend to the Roads and Traffic Authority the Bogan Street, Hartigan Avenue, Welcome Street and Grenfell Street concept be implemented on a trial basis.
2. That the trial incorporate suitable signage to Welcome Street.
3. That the Roads and Traffic Authority be requested to critically review the issues raised in the submissions.

### **07 - 872 Resolution**

That the recommendations be adopted.

Moved Councillor Ken Keith, seconded Councillor John Magill.

**CARRIED**

## **14 CONSIDERATION OF COMMITTEE MINUTES**

### **14.1 Minutes of Access Committee Meeting held on 25 September 2007**

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### **Executive Summary**

A meeting of the Parkes Shire Council Access Committee was held on Tuesday, 25 September 2007. The minutes of the meeting are attached.

### **Recommendation**

1. That the Minutes of the Parkes Shire Council Access Committee held on 25 September 2007 be adopted.

### **07 - 873 Resolution**

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor Barbara Newton.

**CARRIED**

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## 14.2 Minutes of Waste Facilities Committee Meeting held on 16 October 2007

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### Executive Summary

The Parkes Shire Council Waste Facilities Committee meeting was held Tuesday, 16 October 2007.

### Recommendation

1. That the information be received and noted.

### 07 - 874 Resolution

1. That the recommendation be adopted.
2. That Council prominently advertise the introduction of waste disposal charges.

Moved Councillor Ken McGrath, seconded Councillor Wayne Scott.

**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) Price of LPG in Parkes

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Councillor Wayne Scott requested information on why there is such a difference in the pricing of LPG between suppliers in Parkes/Orange/Dubbo/Forbes?.

*The Director of Infrastructure advises - Liaison with a local fuel distributor would indicate that the local fuel pricing is largely a consequence of the volume of fuel sold and the degree of competition between retailers. Typically larger centres have much larger turnovers and therefore the margins can be less. For example, the volume sold through a fuel service station in Orange (for example) can easily be four (4) times greater than that of a similar site in Parkes. Cost of transport and other factors only play a minor role in pricing differentials.*

### Recommendation

1. That the information supplied by the Director of Infrastructure be received and noted.
2. That Council enquire of the ACCC as to outcomes of their investigations in relation to differences in pricing of LPG gas between regional centres.

### 07 - 875 Resolution

1. That the recommendations be adopted.

Moved Councillor Wayne Scott, seconded Councillor Patrick Byrne.

**CARRIED**

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## 15.2 (Q & M) Concerns regarding Gophers on Footpaths

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Councillor Ken McGrath has concerns regarding the use of motorised mobility aid (Gophers) on footpaths. Cr McGrath believes that some users pose a safety concern for pedestrians.

*The Director of Infrastructure advises that the Road Safety Officer has conducted a number of workshops for gopher drivers. The safe use of gophers in CBD areas will also be addresses in the Pedestrian Access and Mobility Plan (PAMP). The Road Safety Officer is available to discuss particular instances of concern confidentially with those users.*

### Recommendation

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

### 07 - 876 Resolution

1. That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor Patrick Byrne.

**CARRIED**

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## 15.3 (Q & M) Sheep Yards

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Councillor Patrick Byrne has advised that he has been requested by Local Stock Agents for Council to consider liaising with Forbes Shire Council to help facilitate new sheep yards which would be a huge benefit to Parkes District livestock producers.

*Note from General Manager: It is recommended the Mayor and Deputy Mayor meet with Forbes Council representatives for an update on the proposal.*

### Recommendation

That the information received from the General Manager be received and noted.

### 07 - 877 Resolution

1. That the information be received and noted.

Moved Councillor Patrick Byrne, seconded Councillor George Pratt.

**CARRIED**

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## 15.4 (Q & M) Alarm at Local Business Premises

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**Cr McGrath has received complaints about the alarm at the Target building sounding during the early hours of the morning. The alarm has sounded constantly in the past couple of weeks disturbing business' and residents in the close vicinity. The latest incident was in the early hours of yesterday morning.**

*The Director of Planning and Environment advises there has been an ongoing problem with the fire alarm to the Target/Coles building. Council has been in contact with the building's managers Jones Lang LaSalle. Consultants engaged by Coles (Wormald) and a regional firm engaged by the buildings managers (Wheeler Industries) has been working on the problem. The installation of a pump system to hopefully overcome the problem has been recommended to the building owners at a cost of \$5,000.00. To date the managing agents have spent some \$4,000.00 trying to resolve this problem.*

### Recommendation

1. That the information supplied by the Director of Planning and Environment be received and noted.
2. Council continue to pursue a satisfactory result with the building owners and report back to a future meeting of Council in relation to the outcome of discussions held.

### 07 - 878 Resolution

1. That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Yvonne Hutton.

**CARRIED**

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## 15.5 (Q & M) Concerns Regarding Development Application

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**Councillor Ken McGrath wishes to raise concerns regarding a development application refused at the last Council meeting. (DA07105 - Parkes Hydraulics - Parkes Industrial Estate)**

*The Director of Planning and Environment advises The application was for additions to an existing industrial shed in the Parkes Industrial Estate. The proponent was seeking a variation to Council's minimum front. building setback requirement of 7.5 metres back to 4.0 metres. Prior to reporting the matter to Council the proponent was given the opportunity to reassess the application and/or to justify the reduced setback but declined. Council will recall that it resolved to refuse the application at its last meeting.*

*The alternatives available to the applicant are:*

1. Apply to Council seeking a review of the determination (must be made within 40 day.
  2. Lodge a complying application or amended application providing justification for a reduced setback.
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3. *Lodge an appeal with the Land and Environment Court.*

### **Recommendation**

1. That developers and other interested parties be invited to participate in the consultative process associated with the review of Development Control Plans following the review of Council's Local Environmental Plan

### **07 - 879 Resolution**

1. That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor John Magill.

**CARRIED**

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

The meeting of the Ordinary Council meeting was closed to the public at 4.48pm.

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 - 880 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 George Pratt, seconded Councillor Wayne Scott.

**CARRIED**

## 16.1 (DO) Tenders for Replacement of The "White Bridge"

Prepared By: Director of Operations

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### Executive Summary

Tenders closed on Thursday 18 October 2007 for the Design, Demolition and Construction of the "White Bridge" on Back Yamma Road. Three (3) tenders were received.

### Recommendation

1. That the tender from DEARNU Pty Ltd be accepted for the Design Demolition and Construction of the "White Bridge" including a 1.2 footbridge.

### 07 - 881 Resolution

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Patrick Byrne.

**CARRIED**

## 16.2 (DO) Sale of Bushfire Trucks

Prepared By: Director of Operations

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### Executive Summary

Quotations closed on Thursday, 18 October 2007 for the sale of a Dodge Bushfire Truck, Registration Number BFO-7804 (Council plant number 8058) formerly housed by the Ormonde-Mungery Bushfire Brigade.

### Recommendation

1. That the quotation of Gavin Melville of \$300 be accepted for the purchase of the Dodge Bushfire Truck, Registration Number BFO-7804.

### 07 - 882 Resolution

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor George Pratt.

**CARRIED**

At this stage the Mayor asked that the meeting return to Open session of Council 4.51pm

Moved Councillor Wayne Scott, seconded Councillor Ken McGrath

There being no further business the Mayor declared the meeting closed at 4.53pm.

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