



# PARKES SHIRE COUNCIL

## MINUTES

TUESDAY 5 FEBRUARY 2008

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

**GENERAL MANAGER:** Alan McCormack



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## Ordinary Meeting Minutes

**Minutes of the Ordinary Meeting held in the Council Chambers, 2 Cecile Street on Tuesday 5 February 2008 at 2.00pm.**

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### PRESENT

Councillor R I Wilson, (in the Chair)  
Councillor Y Hutton  
Councillor J H Magill  
Councillor B J Laing  
Councillor B Newton

Councillor K J Keith  
Councillor W Scott  
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  
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

### 3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

#### 08 - 59 Resolution

That the Minutes of the Ordinary Meeting of Parkes Shire Council held on 15 January 2008, copies of which have been forwarded to Councillors, be confirmed.

Moved Councillor Ken Keith, seconded Councillor Wayne Scott.

**CARRIED**

## **4 DECLARATIONS OF INTEREST**

Councillor Wayne Scott declared an interest in Item 11.3 (REASON Interest in land mentioned in report).

## **5 MAYORAL MINUTES**

### **5.1 Mayoral Minute - Australia Day Celebrations**

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#### **Executive Summary**

Parkes Shire residents enthusiastically embraced Australia Day celebrations, with increased interest and attendances in all five centres.

#### **Recommendation**

1. That the Parkes Shire Australia Day Ambassador Ray Price OAM and his wife Sandy be thanked for the manner in which they performed their duties;
2. That congratulatory letters be forwarded to the five individual Australia Day Committees across the Parkes Shire;
3. That Council organise an appropriate Civic Function to acknowledge Dianna Corcoran's achievement in winning the Female Artist of the Year at the Tamworth Country Music Festival.

#### **08 - 60 Resolution**

That the information be received and noted.

Moved Councillor George Pratt, seconded Councillor Bev Laing.

**CARRIED**

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

## **7 COUNCILLORS' REPORTS**

## **8 INWARDS CORRESPONDENCE**

### **8.1 (ICR) Sing Australia - Trundle**

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#### **Executive Summary**

Sing Australia - Trundle have requested information concerning the availability of grants for events within the Shire.

#### **Recommendation**

1. For the consideration of Council.

#### **08 - 61 Resolution**

1. That Cr Newton investigate funding avenues with Arts Out West for the Group
2. That the Group be advised to contact the Parkes Tourism Board who may have suitable funding for the request.
3. That Council not accede to the request in paragraph (b) of the letter due to the proposal relating to a private function.

Moved Councillor John Magill, seconded Councillor Yvonne Hutton.

**CARRIED**

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

### **9.1 (GM) E Division Conference**

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#### **Executive Summary**

The E Division Conference will be held in Parkes on 6 February 2008. Councillor Keith will chair the Conference. A meeting with Country Labor will take place later on that day.

#### **Recommendation**

1. That the information be noted.

#### **08 - 62 Resolution**

That the information be received and noted.

Moved Councillor Wayne Scott, seconded Councillor Bev Laing.

**CARRIED**

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## 9.2 (GM) Policy Development and Review

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### Executive Summary

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

Under the rolling policy development program, The Plant and Vehicle Replacement Policy, The Hire of Plant and Equipment Policy and The Library Collection Development Policy have been reviewed and updated.

### Recommendation

1. That the following policies be adopted in line with Council's Policy Review Program:
  - The Plant and Vehicle Replacement Policy
  - The Hire of Plant and Equipment Policy
  - The Library Collection Development Policy

### 08 - 63 Resolution

That the recommendation be adopted.

Moved Councillor Barbara Newton, seconded Councillor George Pratt.

**CARRIED**

## 10 DIRECTOR OF CORPORATE SERVICES' REPORT

### 10.1 (DCS) Investment Ratings Downgrade

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#### Executive Summary

During January, 2008 Council received advice from Westpac Bank that the Hickory Trust Note was downgraded by the Fitch ratings agency from A+ Stable to A- Stable.

#### Recommendation

- 1) That Council note that the Hickory Note investment is now at a rating that is less than that required in the Ministerial Investment Order.
- 2) That Council continue to hold its investment in the Hickory Note.
- 3) That the advice from the Department of Local Government be noted.

### 08 - 64 Resolution

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor Wayne Scott.

**CARRIED**

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## **10.2 (DCS) Westpac Bank Facsimile Instruction Authority and Indemnity**

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### **Executive Summary**

Westpac Bank are the principal transactional banker for Council and have requested that the authority related to the communication of instructions by facsimile be updated.

### **Recommendation**

That the Westpac Bank Facsimile Instructions: Authority and Indemnity form be completed under Seal of Council.

### **08 - 65 Resolution**

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor Bev Laing.

**CARRIED**

## **10.3 (DCS) Alcohol Free Zone - Parkes**

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### **Executive Summary**

The Local Government Act 1993 includes provisions to restrict the consumption of alcohol on roads and footpaths and in car parks which would compromise the use of these areas by members of the public. The Department of Local Government has issued guidelines for the establishment and monitoring of Alcohol Free Zones to assist Councils when considering the establishment or extension of an Alcohol Free Zones.

### **Recommendation**

1. That the Alcohol Free Zone in the CBD area of Parkes bounded by Bushman Street, Currajong Street, May Street, Hartigan Avenue and Bogan Street be re-established in accordance with the provisions of the Local Government Act 1993 and that a public notice be placed in the local press advising of the establishment of an Alcohol Free Zone.

### **08 - 66 Resolution**

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor Barbara Newton.

**CARRIED**

## **10.4 (DCS) Council Minute Books**

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### **Executive Summary**

Amendments to the State Records Act 2005 produced new guidelines for Local Government to provide for the authorised disposal of records of Councils business and administration.

Under the new guidelines Parkes Shire Council's minute books from 1883 through to 1987 are classified as "An Open Public Record" and should be held and stored in the NSW Government Repository (GRR) at Kingswood Sydney.

Prior to the transfer of the minutes books to the GRR it would be advantageous for the minute books to be scanned into electronic formats (microfiche and image) for easy future accessing by both the public and Council officers.

### **Recommendation**

1. That Council continue investigations into the scanning of the minutes of Council.
- 2.. That provision be made over two financial years to allow for the binding, scanning and microfishing of minute books held by Parkes Shire Council..

### **08 - 67 Resolution**

That the recommendation be adopted.

Moved Councillor Yvonne Hutton, seconded Councillor Barbara Newton.

**CARRIED**

At this stage 2.30pm Mr David McConnell and Dr John Reynolds from the CSIRO made a presentation to Council on the continuing operations of the Parkes Radio Telescope.

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## **10.5 (DCS) Economic Development - Central Western Regional Development Board Membership**

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### **Executive Summary**

The Economic Development Manager has been re appointed for a further two year term to the Central Western Regional Development Board effective from September 30, 2007.

### **Recommendation**

1. That the information be received and noted.

### **08 - 68 Resolution**

That the information be received and noted.

Moved Councillor Ken Keith, seconded Councillor Yvonne Hutton.

**CARRIED**

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

### **11.1 (DPE) DA07160: Proposed Recreational Facility (Indoor Go Kart Track) at Lot 712 DP 705302 Alluvial Street, Parkes**

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#### **Development Application Information**

**Application No:** DA07160

**Applicant:** Mr D & Mrs T Cunningham

**Property:** Lot 712 DP 705302, Alluvial Street, Parkes

**Proposal:** Recreational Facility (Indoor Go Kart Track)

#### **Executive Summary**

The Development Application is for a Recreational Facility (Indoor Go-Kart Track) in an existing building in the Parkes Industrial Estate. Inadequate consideration of certain impacts, primarily noise related in the supporting documentation lodged with the application has resulted in the application being recommended for refusal by Council.

#### **Recommendation**

It is recommended that the application be refused.

#### **08 - 69 Resolution**

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor Ken McGrath.

**CARRIED**

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**11.2 (DPE) DA07177: Proposed Subdivision at Lot 1037 DP 750152, Lot 38 DP 750152, Lot 6 DP 113810, Lot 907 DP 750152, Lot 837 DP 750152 Bogan Road, Parkes**

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**Development Application Information**

**Application No:** DA07177

**Applicant:** DR Robin Arnheim

**Property:** Lot 1037 DP 750152, Lot 38 DP 750152, Lot 6 DP 113810, Lot 907 DP 750152, Lot 837, DP 750152, Bogan Road, Parkes

**Proposal:** Subdivision

**Executive Summary**

Council has received an application for the subdivision of rural land on the northern outskirts of Parkes.

**Recommendation**

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

**08 - 70 Resolution**

**08 - 71**

1. That the recommendation be adopted.
2. That the applicant be requested to document the history of the Slaughterhouse on the site as part of the conditions of consent.

Moved Councillor Ken Keith, seconded Councillor John Magill.

**CARRIED**

At this time 3.02pm the Deputy Mayor presented the 2008 Jack Scoble Memorial Scholarship Award to Jennifer Wild of Alectown.

At this time being 3.06pm the Mayor welcomed Judith R Fergin Consul General - U.S Consulate General Sydney to Parkes as part of her fact finding tour of the Central West. Gifts were exchanged between the Mayor and Mrs Fergin.

At this stage the meeting adjourned at 3.13pm for afternoon tea.

The meeting resumed at 3.47pm.

Councillor Wayne Scott left the meeting temporarily at 3.47pm.

### **11.3 (DPE) DA08006: Proposed Dwelling and Shed at Lot 2 DP 705765, 268 Nash Street, Parkes**

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#### **Development Application Information**

**Application No:** DA08006

**Applicant:** Mr P & Mrs M Cusack

**Property:** Lot 2 DP 705765, 268 Nash Street, Parkes

**Proposal:** Dwelling and Shed

#### **Executive Summary**

An application has been received for a dwelling and shed at the above-mentioned property on Nash Street. The proposed shed is located four (4) metres from the southern property boundary and five (5) metres from the western property boundary which contravenes Section 5.4 of Council's Rural Small Holdings Development Control Plan 1998.

#### **Recommendation**

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

#### **08 - 72 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Ken Keith.

**CARRIED**

Councillor Wayne Scott rejoined the meeting at 3.48pm.

## **11.4 (DPE) Proposed NSW Planning System Reforms on Exhibition**

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### **Executive Summary**

The NSW Government has proposed a series of reforms to the state's planning system. A discussion paper was released in late 2007 which outlines the proposed changes. All submissions in the proposed reforms are required to be lodged with the NSW Department of Planning by Friday, 8 February 2008. A report outlining the proposed changes was received by Council at its meeting of 15 January 2007. This attached draft submission is lodged for Council's information and endorsement.

### **Recommendation**

1. That Council endorse the submission on the discussion paper and that it be forwarded to the Department of Planning.

### **08 - 73 Resolution**

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor Wayne Scott.

**CARRIED**

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

Nil

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

### **13.1 (DI) Acquisition of Crown Land (formally Travelling Stock Reserve) adjoining South Parkes Industrial Estate (Lot 19 DP1047309, Lot 725 DP837505, and Lots 7022 and 7023 DP1059934)**

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#### **Executive Summary**

Pursuant to Council resolution of 15 January 2008 the acquisition notice for the above land was posted in the Government Gazette on 18 January 2008, effecting the transfer of the land to Council.

In accordance with Section 47 of the Land Acquisition (Just Terms Compensation) Act 1991 the Valuer-General has determined the amount of compensation to be offered for the land as \$261,000.

#### **Recommendation**

1. That Council make the offer of compensation as determined by the Valuer-General to relevant interested parties.

#### **08 - 74 Resolution**

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Wayne Scott.

**CARRIED**

At this stage the Mayor thanked Kaki Peru for talking to staff in regards to work safety issues at Toolbox meeting earlier in the day.

## **13.2 (DI) Tullamore and Trundle Sewerage Project**

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### **Executive Summary**

As part of the design work for the Tullamore and Trundle sewerage project, property audits will need to be conducted in every property to be connected.

PS Solutions Pty Ltd will be conducting the audits in Tullamore from Friday 8 February to Sunday 17 February 2008. The letter of advice sent to every property owner is attached for information.

### **Recommendation**

1. That the information on the Tullamore and Trundle Sewerage Project.

### **08 - 75 Resolution**

That the information be received and noted.

Moved Councillor Wayne Scott, seconded Councillor Barbara Newton.

**CARRIED**

### **13.3 (DI) Application to Convert Crown Roads to Council as Dedicated Public Road, Including the Northerly Extension of Danilenko Street and Road North of Lot 1-2 DP825714**

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#### **Executive Summary**

A request has been received seeking assistance to convert part of the northerly extension of Danilenko Street to public road, allowing the development of adjacent land. It is also opportune to convert the section of crown road linking Danilenko Street back to Renshaw-McGirr Way (being crown road north of lot 1-2 DP 827514), as it will assist with the provision of a linking road network. The subject road is shown hatched in the attached diagram.

#### **Recommendation**

1. It is recommended that Council make application to the Department of Lands to transfer ownership to Council (and dedicate as Public Road) of the Crown Road, generally west of lot 607 DP 750179 and lot 1 DP 827514 (being the northerly extension of Danilenko Street) and the crown road generally north of lot 1-2 DP 827514, Parkes.
2. That the seal of Council be affixed to the necessary applications to enable the roads to be transferred to Council ownership and dedicated as public road.

#### **08 - 76 Resolution**

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Yvonne Hutton.

**CARRIED**

## **14 CONSIDERATION OF COMMITTEE MINUTES**

Nil

## **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 Naming of Road**

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Councillor K McGrath suggested the road leading to the Memorial Hill be named the Betty Muzyczuk Drive.

#### **Recommendation**

Councillor Hutton advised that the name is ANZAC Drive. The Mayor suggested that the matter of naming a suitable Street, Road or Reserve after Mrs Betty Muzyczuk continue to be investigated.

#### **08 - 77 Resolution**

1. That Council investigate a suitable Street, Road or Reserve

Moved Councillor Ken McGrath, seconded Councillor Yvonne Hutton.

**CARRIED**

### **15.2 Distribution of Retail Store Catalogues**

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Councillor Robert Wilson advised of complaints received in relation to the manner in which retail catalogues are currently being distributed within the township of Parkes.

#### **Recommendation**

#### **08 - 78 Resolution**

1. That Council write to major retailers advising that the manner in which catalogues are delivered will be monitored and appropriate action taken if the practice of throwing catalogues from moving vehicles continues.

Moved Councillor Robert I Wilson, OAM, seconded Councillor Wayne Scott.

**CARRIED**

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

The meeting of the Ordinary Council meeting was closed to the public at 4.17pm.

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.

### **08 - 79 Resolution**

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

Moved Councillor Ken Keith, seconded Councillor Barbara Newton.

**CARRIED**

## **16.1 (DPE) Administration Centre Alterations**

**Prepared By: Director Planning & Environment**

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### **Executive Summary**

Negotiations have been held with suitable qualified and experienced contractors for alterations and refurbishment to Parkes Shire Administration Centre. Council must now decide to enter into a contract in relation to the matter.

### **Recommendation**

1. That Council resolve to accept the tender from G C McCabe & Co ( Parkes) Pty Ltd for the office refurbishment as documented.
2. That the Mayor and General Manager be authorised to sign the contracts for the works.

### **08 - 80 Resolution**

That the recommendation be adopted.

Moved Councillor Ken Keith, seconded Councillor John Magill.

**CARRIED**

## **16.2 Plant Procurement Minutes**

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A Parkes Shire Plant procurement meeting was held 5 February 2008. A Copy of the minutes has been distributed to Councillors.

### **Recommendation**

1. That the minutes of the Plant Procurement Committee meeting held on 5 February 2008 be received and noted.

### **08 - 81 Resolution**

1. That the recommendation be adopted..

Moved Councillor Ken McGrath, seconded Councillor Wayne Scott.

**CARRIED**

There being no further business the Mayor declared the meeting closed at 4.40pm.

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