



PARKES SHIRE COUNCIL

MINUTES

TUESDAY 19 FEBRUARY 2008

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 19 February 2008 at 2.00pm.

PRESENT

Councillor K J Keith (in the Chair)
Councillor Y Hutton
Councillor B J Laing
Councillor W Scott

Councillor J H Magill
Councillor K McGrath
Councillor G Pratt
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
Finance Manager - P McFarlane
Economic Development Manager – M Greenwood
Library Services Manager - S Buckle
Tourism Manager - K Hendry
Minutes Secretary - D Ehsman

MEETING COMMENCEMENT

The Meeting commenced at 2.00pm.

1 PRAYER

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

2 APOLOGIES

08 - 82 Resolution

That Councillor Robert I Wilson, OAM be granted leave of absence (REASON: Absent from Parkes).

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

CARRIED

08 - 83 Resolution

That Councillor Patrick Byrne be granted leave of absence (REASON: Absent from Parkes).

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

CARRIED

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

08 - 84 Resolution

That the Minutes of the Ordinary Meeting of Parkes Shire Council held on 5 February 2008, copies of which have been forwarded to Councillors, be confirmed.

Moved Councillor Ken McGrath, seconded Councillor Wayne Scott.

CARRIED

4 DECLARATIONS OF INTEREST

Nil.

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

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

08 - 85 Resolution

1. That the information be received and noted.
2. That it be also noted that Councillor Magill attended a Drought Alliance meeting in Ganmain on Wednesday, 13 February with the Mayor of Weddin Shire, Councillor Maurice Simpson.

Moved Councillor Bev Laing, 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.

08 - 86 Resolution

1. That the information be received and noted.
2. That it be further noted that the Tourism Awards Launch scheduled for the 25 February 2008 has been postponed until a date to be fixed.

Moved Councillor Bev Laing, seconded Councillor Wayne Scott.

CARRIED

6 NOTICES OF MOTION/RESCISSION

Nil.

7 COUNCILLORS' REPORTS

Nil.

8 INWARDS CORRESPONDENCE

8.1 (ICR) Letters of Appreciation

Executive Summary

During the exercise of its various functions, Council frequently receives letters of appreciation for services rendered or actions taken by Councillors and staff. The most recently received congratulatory letters are attached.

Recommendation

That the information be received and noted.

08 - 87 Resolution

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor Bev Laing.

CARRIED

8.2 (ICR) Dick Smith Elvis Festival

Executive Summary

Congratulating the Parkes Community on the success of the 2008 Elvis Festival.

Recommendation

1. That the information be received and noted.

08 - 88 Resolution

That the information be received and noted.

Moved Councillor Bev Laing, seconded Councillor Barbara Newton.

CARRIED

8.3 (ICR) Katrina Westcott - Update on Jack Scoble Scholarship

Executive Summary

Providing Council with a summary of the benefits derived from the Jack Scoble Scholarship.

Recommendation

1. That the information be received and noted.

08 - 89 Resolution

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor Wayne Scott.

CARRIED

8.4 (ICR) Greater Western Area Health Service - Community Stakeholder Meeting

Executive Summary

The GWAS advises that a Community Stakeholder Meeting to discuss the Parkes and Forbes Health Services will be held at the Parkes Hospital Education Centre on Wednesday, 20 February 2008 commencing at 6.30pm.

Recommendation

1. That the information be received and noted.

08 - 90 Resolution

1. That the information be received and noted.
2. That Councillors Keith, Magill, Laing, Hutton and Pratt be authorised to attend.

Moved Councillor Yvonne Hutton, seconded Councillor George Pratt.

CARRIED

8.5 (ICR) Australian Local Government Women's Association - NSW 2010 Conference

Executive Summary

The Australian Local Government Women's Association (ALGWA) is calling for expressions of interest to host the 2010 NSW Branch Conference.

Recommendation

1. For the decision of Council

08 - 91 Resolution

1. That Council not apply on this occasion.

Moved Councillor Bev Laing, seconded Councillor Ken McGrath.

CARRIED

8.6 (ICR) Aus-Meat Limited - Livestock Production Assurance Program

Executive Summary

Forwarding for the information of Council details of the Livestock Production Assurance Program.

Recommendation

1. That the information be received and noted.

08 - 92 Resolution

That the information be received and noted.

Moved Councillor John Magill, seconded Councillor Barbara Newton.

CARRIED

8.7 (ICR) Centrelink Drought Assistance - Mobile Service in Caswell Street, Peak Hill

Executive Summary

The Centrelink Drought Support Team has requested permission to locate their Mobile Support Unit in Caswell Street, Peak Hill on Friday, 7 March 2008.

Recommendation

1. That the approval granted to Centrelink Drought Support Service to locate their Mobile Support Unit in Peak Hill on 7 March 2008 be endorsed.

08 - 93 Resolution

That the recommendation be adopted.

Moved Councillor Barbara Newton, seconded Councillor John Magill.

CARRIED

8.8 (ICR) Australian Red Cross Parkes - Development Application Fees

Executive Summary

The Parkes Branch of Australian Red Cross have recently incurred Development Application fee costs associated with having a compliant 'A' frame advertising sign in Clarinda Street. Reimbursement of the fee is sought on the grounds of community benefit.

Recommendation

1. That Council deny the request due to the precedent that would be created by such a decision.

08 - 94 Resolution

That the recommendation be adopted.

Moved Councillor Bev Laing, seconded Councillor George Pratt.

CARRIED

8.9 (ICR) TAFE NSW - Western Institute - Annual Graduation

Executive Summary

Requesting financial support for the Annual Graduation Ceremony to be held at the M & D Theatre on 12 March 2008.

Recommendation

1. That a contribution of \$60.00 be made to TAFE NSW Western Institute in support of the Parkes Campus Annual Graduation Ceremony.

08 - 95 Resolution

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Wayne Scott.

CARRIED

9 GENERAL MANAGER'S REPORT

9.1 (GM) Inland Rail

Executive Summary

There has been some recent publicity given to the Inland Rail Project.

Recommendation

1. That the information be noted.

08 - 96 Resolution

That the information be received and noted.

Moved Councillor Wayne Scott, seconded Councillor Barbara Newton.

CARRIED

9.2 (GM) Country Labor

Executive Summary

NSW Country Labor visited Parkes on 6/7 February 2008. A meeting was held with the E Division Councils and Parkes Council separately.

Recommendation

1. That the Chair of Country Labor, Steve Whan, be thanked for bringing the party to Parkes.
2. That Council agree to match the \$25,000 grant for the HUB prospectus.

08 - 97 Resolution

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

CARRIED

9.3 (GM) E Division Conference

Executive Summary

The Annual E Division Conference was held in Parkes on 6 February 2008. Councillor Keith presided at the Conference.

Recommendation

1. That the information be noted.
2. That Council advise the Minister it would prefer the Local Government Election to be held in September 2008.

08 - 98 Resolution

That the recommendations be adopted.

Moved Councillor Barbara Newton, seconded Councillor Bev Laing.

CARRIED

9.4 (GM) Quarterly Report to 31 December 2007 - Implementation of the 2007/2008 to 2009/2010 Management Plan

Executive Summary

The General Manager is required to report each quarter on the progress of the current Management Plan.

Recommendation

That the December 2007 Quarterly Report of the 2007/2008 - 2009/2010 Management Plan be adopted.

08 - 99 Resolution

That the recommendation be adopted.

Moved Councillor Wayne Scott, seconded Councillor Barbara Newton.

CARRIED

10 DIRECTOR OF CORPORATE SERVICES' REPORT

10.1 (DCS) Financial Information - 31 January 2008

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 January 2008 be received and noted.

08 - 100 Resolution

That the information be received and noted.

Moved Councillor George Pratt, seconded Councillor Barbara Newton.

CARRIED

10.2 (DCS) Investments as at 31 January 2008

Executive Summary

As at 31 January, 2008 Council held \$42,215,419.31 in investments.

Recommendation

That the information be received and noted.

08 - 101 Resolution

That the information be received and noted.

Moved Councillor John Magill, seconded Councillor Bev Laing.

CARRIED

10.3 (DCS) Budget Review as at 31 December 2007

Executive Summary

The quarterly budget review to 31 December 2007 is submitted for Council's consideration.

Recommendation

1. That the budget review report to 31 December, 2007 be adopted.

08 - 102 Resolution

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Wayne Scott.

CARRIED

10.4 (DCS) Peak Hill Radio Station - Financial Contribution

Executive Summary

Council has received requests from the operator of the Community Radio Station at Peak Hill for financial assistance with annual broadcasting licences, as well as other start up costs.

Recommendation

1. That Council make a once-only payment of \$150.00 from the Peak Hill Village Improvement Vote to the Peak Hill Community Radio Station to assist with costs associated with the licensing of the project.

08 - 103 Resolution

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Wayne Scott.

CARRIED

10.5 (DCS) Tourism and Event Update February 2008

Executive Summary

A brief update of general Shire tourism and event activities.

Recommendation

1. That Council subsidise inclusion in the Newell Highway brochure, matching local advertising dollars on a fifty-fifty basis.
2. That Council become a 'Casino Royale' sponsor for the Inland Tourism Awards, based on a \$2,500 cash contribution plus \$2,500 in-kind support.
3. That the Tourism and Event Update be received and noted.

08 - 104 Resolution

That the recommendation be adopted.

Moved Councillor Bev Laing, seconded Councillor George Pratt.

CARRIED

10.6 (DCS) Library Services Statistics and Monthly Update January 2008

Executive Summary

Library usage statistics and activities for the month of January 2008 are provided for the information of Council.

Recommendation

1. That the information be noted

08 - 105 Resolution

That the information be received and noted.

Moved Councillor Wayne Scott, seconded Councillor Barbara Newton.

CARRIED

10.7 (DCS) Economic Development - Central Western Regional Development Board

Executive Summary

The Economic Development Manager attended a meeting of the Central Western Regional Development Board in Orange on February 13, 2008 where a range of relevant local and regional issues were addressed.

Recommendation

1. That the information be received and noted.
2. That Council express appreciation to the Central Western Regional Development Board for its role in securing grant funds for the Transport and Logistics Industry Skills Network Project and the Parkes Transport HUB Investment Prospectus.

08 - 106 Resolution

That the information be received and noted.

Moved Councillor Yvonne Hutton, seconded Councillor George Pratt.

CARRIED

10.8 (DCS) Economic Development - 2008 Sporting Fixtures

Executive Summary

Parkes Sports Council's meeting of February 12, 2008 approved, on the Shire's behalf, the allocation of a wide range of sporting fixtures during 2008 reinforcing the value of sports tourism as an integral part of Parkes Shire's promotional attributes.

Recommendation

1. That the information be received and noted.

08 - 107 Resolution

That the information be received and noted.

Moved Councillor Barbara Newton, seconded Councillor Yvonne Hutton.

CARRIED

11 DIRECTOR PLANNING AND ENVIRONMENT'S REPORT

11.1 (DPE) January 2008 Building Statistics

Executive Summary

During the month of January 2008 there were thirteen (13) Development Applications received totalling \$1,163,708.75 and 8 consents issued.

Eight (8) Complying Development Certificates were received totalling \$428,735.00 and 9 consents issued.

Recommendation

1. That the information be received and noted.

08 - 108 Resolution

That the information be received and noted.

Moved Councillor Yvonne Hutton, seconded Councillor John Magill.

CARRIED

11.2 (DPE) Protocol for the Review of Development Applications referred to the New South Wales Police Force by Parkes Shire Council

Executive Summary

For some time Council has forwarded certain Development Applications to the NSW Police Force for a Crime Prevention Through Environmental Design assessment (CPTED). This allows the Service's Crime Prevention Officer to provide comment to Council to be considered in the assessment of applications on matters relating to crime minimisation and prevention.

Recommendation

1. That the protocol be adopted by Council.
2. That the protocol be signed by the General Manager and Superintendent Clint Pheaney.
3. That the protocol be put into effect immediately upon it being signed by both parties.

08 - 109 Resolution

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Barbara Newton.

CARRIED

11.3 (DPE) DA07211: Proposed Subdivision at Lot 13, 130, 33, 34 DP 750160 Maguire Road, Parkes

Development Application Information

Application No: DA07211

Applicant: Mr Edward Lowe

Property: Lots 13, 130, 33, 34 DP 750160, Maguire Road, Parkes

Proposal: Subdivision

Executive Summary

Council has received an application for the subdivision of an existing rural property into three new lots. The existing holding is located on the northern outskirts of Parkes.

Recommendation

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

08 - 110 Resolution

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Wayne Scott.

CARRIED

11.4 (DPE) DA08012: Proposed Carport at 37 Victoria Street, Parkes

Development Application Information

Application No: DA08012

Applicant: DC & RL Knights Pty Ltd

Property: Lot 1 DP 946682, 37 Victoria Street, Parkes

Proposal: Carport

Executive Summary

A galvanised steel-framed, open-gable, corrugated colourbond steel roof, attached double carport, having a floor area of 49m² and an overall height of approximately 3.1 metres at the ridge, is the subject of a development application to Council.

In locating the carport on the site, the proponent seeks approval to encroach one (1) metre into Councils' minimum three (3) metre side boundary setback requirement, and 0.4 metres into Councils' 6.0 metre front building alignment requirement.

Recommendation

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

08 - 111 Resolution

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor George Pratt.

CARRIED

11.5 (DPE) DA08014: Proposed Front Fence at 92 Currajong Street, Parkes

Development Application Information

Application No: DA08014

Applicant: Brett Harvey Constructions Pty Ltd

Property: Lot 9 Sec 21 DP 758827, 92 Currajong Street, Parkes

Proposal: Front Fence

Executive Summary

An application has been received for the erection of an 1.8 metre high masonry and steel front boundary fence. The proposed fence is to provide security to the subject premises in an area opposite a school and adjacent to commercial premises. 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 1200 mm for open fencing, which is fencing that is 50% transparent.

Recommendation

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

08 - 112 Resolution

That the recommendation be adopted.

Moved Councillor Bev Laing, seconded Councillor Yvonne Hutton.

CARRIED

12 DIRECTOR OF OPERATIONS' REPORT

12.1 (DO) Major Works Status as at February 2008

Executive Summary

Other than routine maintenance, major works that have been carried out over the past month are reported below. Flood damage resulting from the storms of 21/22 December 2007 was inspected with the RTA on 14/15 February 2008 and the claim will now be assessed by the Roads and Traffic Authority and referred to the Minister for consideration. Urgent repairs are being carried out progressively.

Recommendation

1. That the information on Major Works Status as at February 2008 be noted.

08 - 113 Resolution

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

CARRIED

12.2 (DO) Parkes Regional Airport - Water Storage for Fire Fighting

Executive Summary

A letter has been received from Dawn Fardell, MP Independent Member for Dubbo, advising that the Minister for Emergency Services, the Hon Nathan Rees, has allocated funds for the installation of a water storage tank at Parkes Regional Airport for the purposes of supporting aerial fire fighting. The Member for Dubbo made representations to the Minister on behalf of the members of the Mid Lachlan Valley Team of the Rural Fire Service. The tank will enable refilling, including incorporation of retardants, with a constant water supply and without adversely affecting the water supply of other users.

Works have commenced on the installation.

Recommendation

1. That a letter be forwarded to Dawn Fardell, MP Independent Member for Dubbo, thanking her for her continued support.

08 - 114 Resolution

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Bev Laing.

CARRIED

12.3 (DO) Suggested Naming of Bridge - Main Road 348

Executive Summary

Council considered a request at the 4 December 2007 meeting for the bridge over Genaren Creek on Main Road 348 (Peak Hill - Tullamore Road) to be named "Lindsays Bridge" in recognition of the Lindsay family who have lived on the adjoining property since 1901.

It was resolved that the name "Lindsays Bridge" be advertised for public comment.

Two submissions were received. One from the Geographical Names Board advising that the naming of a bridge is a matter for Council, and the other suggesting the alternate name "Harris-Rawson Bridge" in recognition of two families that had lived in the area for generations.

Recommendation

1. That the name "Lindsays Bridge" be used for the bridge over Genaren Creek on Main Road 348 (Peak Hill - Tullamore Road).

08 - 115 Resolution

That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor Yvonne Hutton.

CARRIED

At this stage the meeting adjourned at 3.00pm for afternoon tea.

The meeting resumed at 3.35pm.

Councillor Wayne Scott left the meeting temporarily at 3.35pm.

13 DIRECTOR OF INFRASTRUCTURE'S REPORT

13.1 (DI) Concept Plan for Chamberlain Square

Executive Summary

In November 2007 Council resolved to engage Plowright Studios to proceed with a feature artwork of Sir Henry Parkes to be located in Chamberlain Square. To ensure the sculpture is appropriately presented from all vistas a new concept plan for the Square has been developed. Additionally, a public process has been completed to allow the closure of the slip lane through the Square's traffic islands, thereby creating a platform for the feature development.

The new concept plan has a water feature with fountains intended to be representative of the constellation of the southern cross, tall eucalypts to provide a vertical presence and enhance the symbolism of Sir Henry Parkes in a profoundly Australian setting.

Recommendation

1. That the concept for Chamberlain Square be approved and the construction work scheduled as a matter of priority.

08 - 116 Resolution

1. That the recommendation be adopted.
2. That Council make investigations into appropriate trees for the location.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

CARRIED

13.2 (DI) Parkes and District Landcare "Communities Limiting Our Climate Crisis (CLOCC)" Project

Executive Summary

Parkes and District Landcare are proposing a major project aimed at climate change initiatives and opportunities. The project also, in part, is intended to be used to re-invigorate the Landcare movement which has been adversely affected by drought and lack of funding. The project outline is attached and includes the proposed employment of a full time Landcare Community Engagement Officer.

Recommendation

1. That Council agree to support the project subject to the grant being successful, to a value of \$5,000.

08 - 117 Resolution

That the recommendation be adopted.

Moved Councillor Yvonne Hutton, seconded Councillor Barbara Newton.

CARRIED

13.3 (DI) Higher Mass Limit Vehicle Access - Forbes-Tullamore Road (MR350), Bogan Street and Linder Avenue at Peak Hill, and Bogan Road, Parkes Shire

Executive Summary

An application has been received for the use of higher mass limited vehicles on MR 350 (Forbes-Tullamore Road), Bogan Street and Linder Avenue at Peak Hill, and Bogan Road, Parkes Shire. The freight is generally to be grain and fertiliser.

Recommendation

1. It is recommended that approval be granted, subject to compliance with RTA regulations, to the operation of higher mass limited vehicles on;
 - **Forbes-Tullamore Road (MR350)** **From Bogan Gate to Tullamore**
 - **Bogan Street, Peak Hill** **From Newell Highway to Linder Avenue**
 - **Linder Avenue, Peak Hill** **From Bogan Street to GrainCorp**

08 - 118 Resolution

1. That the recommendation be adopted.
2. That Council write to the State and Federal Governments pointing out the dire consequences of additional costs caused by damage to local road infrastructure which will result if the rail network is not utilised to move the forthcoming grain harvest across the State.

Moved Councillor John Magill, seconded Councillor Barbara Newton.

CARRIED

13.4 Development Consent to Install Pipeline at Forbes

Executive Summary

At a Council meeting held on 17 October 2006 Council approved drought contingency measures for the 2006/07 summer period. One measure was the construction of a 1700 metre pipeline connecting Bore 5 with the Eugowra Road pumping station reservoir.

A development application was subsequently lodged with Forbes Shire Council. Recent legal advice has been received which indicated a development application is not permitted for water utility work of this nature, but rather should be done under Councils own regulatory powers.

Recommendation

1. For Councils information.

08 - 119 Resolution

That the information be received and noted.

Moved Councillor John Magill, seconded Councillor George Pratt.

CARRIED

14 CONSIDERATION OF COMMITTEE MINUTES

14.1 Local Traffic Committee Meeting Minutes

Executive Summary

The Parkes Local Traffic Committee Meeting was held on 13 February 2008 at 10.00am. The Minutes of the Meeting are attached.

Recommendation

1. That the Minutes of the Parkes Local Traffic Committee Meeting held on 13 February 2008 be adopted.

08 - 120 Resolution

1. That the Minutes of the Parkes Local Traffic Committee Meeting held on 13 February 2008 be adopted.
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2. That Council make investigations into the possible removal of the bus stop in Bogan Street (adjacent to Target shopping centre) and to include seeking comment from the relevant bus operator.
3. That no action be taken at this stage in relation to item 5.6 pending proposed works at Parkes East School.

Moved Councillor George Pratt, seconded Councillor Barbara Newton.

CARRIED

15 QUESTIONS AND MATTERS OF URGENCY

15.1 (Q&M) Local Government Elections

Councillor Yvonne Hutton requests any information on decisions in regards to dates of the upcoming Local Government elections.

The General Manager advises that no new information has emerged which changes the original date - 27 September 2008

Recommendation

That the information be received and noted.

08 - 121 Resolution

1. That the information be received and noted.

Moved Councillor Yvonne Hutton, seconded Councillor George Pratt.

CARRIED

15.2 (Q&M) Cheque Warrant

Councillor Ken McGrath requested that a copy of the Council cheque warrant, including names, be made available for Councillors to view prior to Council meetings.

The Director of Corporate Services advises that the provision of a cheque warrant to Councillors which included the names was discontinued in December 2004 following advice from the Department of Local Government.

In response to questions raised by Council the Department advised that "Councils must not make the cheque warrant a public document and, as such a supply of a copy of the warrant must be for a legitimate reason in terms of the Personal Information Protection Act 1998.

The Department is of the opinion that the expenditure of money within a budget approved by Council is a day to day management function, which section 335 of the Local Government Act 1993 specifically reserves for the General Manager. Ultimately, it is the decision of the General Manager whether Councillors should be given access to the cheque warrant and whether a confidential copy should be supplied to Councillors.

For Councillors to receive personal information in cheque warrants, without breaching any of the privacy principles, Council would be required to determine whether the information is sensitive personal information. If so, such information could not be disclosed. If not Council would be required to obtain the express consent from each person to release the information. In the Departments view, such practice would clearly be unworkable.

Councils are still bound by the obligations set out in the PPIP Act and are still liable to substantial penalties from unlawful disclosure of personal information to which access has been obtained in the course of official duties."

On receipt of this information for the Department of Local Government Council resolved that expenditure details be provided to Councillors in general format with no personal details included. As previously advised should Councillors require additional information in relation to specific items included within the warrant that information can be obtained by approaching the appropriate Director.

Recommendation

That the information be received and noted.

08 - 122 Resolution

1. That the information be received and noted.

Moved Councillor Barbara Newton, seconded Councillor Yvonne Hutton.

CARRIED

15.3 (Q&M) School Swimming Carnivals

Councillor Yvonne Hutton advising that she has received queries from parents attending school swimming carnivals regarding schools "renting" the swimming pool during the carnival hours.

The Director of Corporate Services advises the current arrangement for school swimming carnivals involves a payment of a reduced fee of \$2.00 for children attending the school related activity with parents paying the normal swimming pool entry fee.

Depending of the size of the school holding the carnival, the pool takings on the particular days vary from \$210.00 to \$1,100.00 involving 100 to over 500 children and spectators. Should the individual schools wish to pay the Council a lump sum for the use of the swimming pool facilities for their carnivals the fee would need to be calculated for individual schools to ensure that the pool income was maintained.

If Council wishes to consider this proposal for possible inclusion in the 2008/09 Management Plan enquiries could be made with the respective schools to determine their interest in paying a lump sum for the use of the pool facilities and recovering the costs from students and parents rather than individuals paying their pool entrance fee as currently applies.

Recommendation

Submitted for Council's consideration.

08 - 123 Resolution

1. That Council contact the respective Schools to comment on the proposal.

Moved Councillor Yvonne Hutton, seconded Councillor Ken McGrath.

CARRIED

15.4 (Q&M) Drum Muster

Councillor John Magill asks

1. Is it possible to increase the number of days per year that chemical drums are collected?
2. What is local Councils relationship with the Drummuster organisation?

The Director of Environment and Planning advises that DrumMuster is the national program for the collection and recycling of empty, cleaned, non refundable crop production and on-farm animal health chemical containers.

1. *Discussions have been held with Jim Allen, Southern NSW Consultant for DrumMuster regarding alternative inspection and collection arrangements. This would involve participation by groups such as Landcare as a collection agency.*
2. *Council's prime role is the responsible waste management of such materials and has worked with DrumMuster in the past under regional contract arrangements with Netwaste*

Recommendation

That the information be received and noted.

08 - 124 Resolution

1. That Mr Jim Allen be invited to address the next meeting of Council in relation to the DrumMuster program.

Moved Councillor John Magill, seconded Councillor Yvonne Hutton.

CARRIED

15.5 (Q&M) Woolworths Carpark

Councillor Yvonne Hutton requests progress report on extra car park area in Currajong Street. It is currently a fire hazard - empty, full of rubbish and dry grass.

The Director of Infrastructure advises there are two parcels of land in Currajong Street identified for car parking. The land adjacent to Woolworths car park is privately owned and therefore development will be entirely at the discretion of the owner. The adjacent Council owned land is scheduled in the works program

Recommendation

The information be received.

08 - 125 Resolution

1. That the owners of the private land be approached with a request to rectify problems associated with rubbish and dry grass.

Moved Councillor Yvonne Hutton, seconded Councillor George Pratt.

CARRIED

15.6 (Q&M) Heavy Vehicle Amenities - Orange Road

Councillor John Magill advises there has been increasing local concerns about inadequate amenities for heavy vehicles on the Orange Road. Is there any potential to develop a truck parking area with toilet block on the Orange Road, close to the outskirts of Parkes?

The Director of Infrastructure advises Council could make a submission to the Roads and Traffic Authority on this issue

Recommendation

For the decision of Council.

08 - 126 Resolution

1. That the matter be placed on the agenda for the meeting with the RTA in the near future.

Moved Councillor John Magill, seconded Councillor Bev Laing.

CARRIED

Councillor Wayne Scott rejoined the meeting at 4.54pm.

15.7 (Q&M) Past Issues

Councillor Ken McGrath requests that progress on issues raised at past meetings such as Clarinda St Give Way, Bus Stop at Target, closing end of Coronation Street, be reported back to Councillors.

The Director of Infrastructure advises

1. *Clarinda Street Give Way is under active consideration by the RTA. Preliminary advice would indicate that some intersection re arrangement may be required.*
2. *An onsite meeting was held with Local Traffic Committee to consider moving the bus stop. The unanimous recommendation of the Committee which was supported by the bus operator was not to move the bus stop.*
3. *Design brief being prepared for cul de sacs at Coronation, Lawson, Patterson and Blaxland Streets. Blaxland Street design is complete, however it is likely to be sometime before designs for the other cul de sac will be completed.*

Recommendation

For Council's consideration

08 - 127 Resolution

1. That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor Barbara Newton.

CARRIED

15.8 (Q&M) Incorporation of Community Consultative Committees

Councillor Barbara Newton asks if correspondence has been sent to each Community Consultative Committee (CCC)/Advancement Association regarding incorporation or is Council doing a blanket incorporation of the Shire CCC's?

The General Manager advises that at a Council Meeting held on 6 November 2007, Council considered a request from the Peak Hill Business & Tourism Association for Council's viewpoint on the most appropriate body for Council to deal with in the Peak Hill community.

Council resolved to inform the Association that Council was of the view that traditionally the representative body has been the Consultative Committee in each of the villages and that this practice would continue. At the same time Council also resolved to ask each Consultative Committee to provide their current incorporated status. Prior to writing to the Committees, legal advice was sought regarding the benefits and costs associated with incorporation.

Council's Solicitors have recently advised that the main reason for Associations and Committees becoming incorporated is to provide protection against personal liability for members. Application for incorporation is made through the Department of Fair Trading with associated applications fees being applicable. Council's Solicitors can assist in the process for a fee. The advice also states that Public Liability Insurance is required.

Council will now write to the Committees seeking their incorporation status. Council may wish to contemplate assisting the Committees by meeting application costs and yearly insurance and renewal costs for the respective Village's Improvement fund. This may necessitate an increase in the annual Vote allocation for each village to meet the costs.

Recommendation

That the information provided by the General Manager be received and noted and that Council continue to liaise with the Committees in relation to incorporation.

08 - 128 Resolution

1. That the information be received and noted.

Moved Councillor Barbara Newton, seconded Councillor George Pratt.

CARRIED

15.9 (Q&M) Usage of Pola Park

Councillor Barbara Newton advises that the Tullamore Kennel Club wish to hold a dog show on Pola Park but this may clash with soccer. Does soccer have precedence or is it on first in with the bookings?

The Economic Development Manager advises that in the case of the Parkes Sports Council, existing users take precedence over new application. It would appear benefit would be derived from dialogue between the two groups and Tullamore Sports Council

Recommendation

That the matter be referred to Tullamore Sports Council for analysis and decision in conjunction with the two groups.

08 - 129 Resolution

1. That the recommendation be adopted.

Moved Councillor Barbara Newton, seconded Councillor Wayne Scott.

CARRIED

15.10 (Q&M) District Agronomist

Councillor Keith advises that the re-employment of the District Agronomist for the Parkes region has not yet occurred. The position of district agronomist is very important to a farming region such as Parkes. Strong representations should be made to ensure that an agronomist is appointed as soon as possible.

The Director of Corporate Services advises that Council initially made representations for the vacant Agronomist position to be filled on 24 August 2007. A reply was received from the Minister for Primary Industries on 20 December 2007 advising that the vacancy caused by the incumbent officer being on leave, was being filled by District Agronomists from neighbouring areas under the auspice of a Project Officer. The Minister advised that it was a temporary measure and considered it to be a good training opportunity for the Project Officer. No further correspondence has been received regarding the position.

Recommendation

That Council follow up on the status of the vacancy through further representations to the local member with a view to having the situation rectified.

08 - 130 Resolution

1. That the recommendation be adopted.

Moved Councillor John Magill, seconded Councillor George Pratt.

CARRIED

16 CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

The meeting of the Ordinary Council meeting was closed to the public at 5.03pm.

The Deputy 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 - 131 Resolution

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

Moved Councillor Wayne Scott, seconded Councillor Bev Laing.

CARRIED

16.1 (DPE) Demolition of Building - Lot 148, DP750177, Nelungalong Parish, Parkes

Prepared By: Director Planning & Environment

Executive Summary

Complaints have been received from residents in the Gunningbland area over an extended period, seeking Council execution of a demolition order for the dilapidated old timber framed dwelling on Lot 148, DP750177, in the village of Gunningbland.

The premises appear to have been unoccupied for approximately two years, and the building envelope and fitments have been vandalised, and/or rendered hazardous by a combination of the ravages of time and weather, coupled with a lack of maintenance.

As a result the deterioration of the structure from the elements and associated neglect and vandalism, the building and contents currently present a significant fire and vermin hazard, and a risk to public safety.

Recommendation

1. That Council enter upon the land on the terms indicated in the Order issued upon the current owner, and carry out the demolition of the dwelling and the clean-up of the surroundings.
2. That Council seek recovery of costs.

08 - 132 Resolution

That the recommendations be adopted.

Moved Councillor George Pratt, seconded Councillor Barbara Newton.

CARRIED

16.2 (DI) Litigation Advise Concerning Land and Environment Court Proceedings No: 40129 of 2008

Prepared By: Director of Infrastructure

Executive Summary

Council has been served notice as the second respondent in the Land and Environment Court of New South Wales by solicitors acting for the NSW Aboriginal Land Council in relation to compulsorily acquired land the subject of Aboriginal Land Claims 9556, 9861, 9862, and 9864, being land adjoining South Parkes Industrial Estate (Lot19 DP1047309, Lot 725 DP837505, and Lots 7022 and 7023 DP1054934).

Recommendation

1. That the information be noted.

08 - 133 Resolution

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor Wayne Scott.

CARRIED

16.3 (DCS) South Parkes Industrial Estate - Lot 1 Saleyards Road Parkes

Prepared By: Director of Corporate Service

Executive Summary

The lessee of Lot 1 Saleyards Road Parkes has written to Council submitting a proposal for the purchase of an adjoining allotment in order to facilitate his proposed development on the site.

Recommendation

1. That Council agree to both the purchase of Lot 14 under the same lease/purchase agreement as applies to Lot 1 Saleyards Road Parkes and to the consolidation of the allotments into one parcel.
2. That the purchase price for Lot 14 Boyd Circuit be the normal price for land in the South Parkes Industrial Estate of \$33.00 per square metre.
3. That the applicant be allowed to lodge the development application for the proposed industrial units which will incorporate the two allotments.
4. That Council not agree to transferring the title of the allotments on the submission of the development application and that the option to purchase be subject to the normal requirements of the lease/purchase agreement that the proposed development be substantially commenced prior to the sale of allotments being approved.
5. In view of the need for additional time in relation to the submission of the development application, the finalisation of the subdivision of Lot 14 Boyd Circuit and the commencement of the proposed development that the lease/purchase agreement be extended to the 31 December 2008 and that any necessary documentation be completed under the Seal of Council.

08 - 134 Resolution

That the recommendations be adopted.

Moved Councillor Ken McGrath, seconded Councillor Wayne Scott.

CARRIED

16.4 (DPE) Environmental Monitoring and Investigation Program for the Parkes Waste Depot

Prepared By: Director Planning & Environment

Executive Summary

Council is looking to implement Best Practice Management at its Licensed Waste Landfill Depot in Parkes. It therefore wishes to establish an environmental monitoring program and management system which it is envisaged will also satisfy the NSW Department of Environment and Climate Change licence conditions for the site.

Proposals were invited from selected firms of consultants and two comprehensive submissions were received covering surface and ground water monitoring, gas and dust monitoring, baseline reporting including the preparation of an annual report. A remediation strategy is also included for potential surface and groundwater pollution events.

Recommendation

1. That Council accept the proposal from GHD to undertake the Environmental Monitoring and Investigation Program for the Parkes Waste Depot for the next twelve months.

08 - 135 Resolution

That the recommendation be adopted.

Moved Councillor Barbara Newton, seconded Councillor Yvonne Hutton.

CARRIED

16.5 (DO) Damage to Internal Sewer Lines

Prepared By: Director of Operations

Executive Summary

Council considered a report at the 15 January 2008 meeting concerning correspondence received from a resident in Pearce Street Parkes requesting assistance with the replacement of internal sewer lines that are being continually choked by tree roots.

Council resolved "that legal advice be initially sought in relation to this issue and for future reference before instigating any actions in this matter and a further report be submitted to Council."

Recommendation

1. That the legal advice be noted and the appropriate action taken.

08 - 136 Resolution

That the recommendation be adopted.

Moved Councillor George Pratt, seconded Councillor Bev Laing.

CARRIED

There being no further business the Mayor declared the meeting closed at 5.48pm.