



PARKES SHIRE COUNCIL

Our Mission: To Deliver Progress and Value to our Community

Our Communities Vision:

*In 2022 the Parkes Shire will be a progressive regional centre,
embracing a national logistics hub with vibrant communities,
diverse opportunities, learning and healthy lifestyles.*

MINUTES

TUESDAY 1 DECEMBER 2015

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: Kent Boyd

Ordinary Meeting

Minutes of the Ordinary Meeting held in the Council Chambers, 2 Cecile Street on Tuesday 1 December 2015 at 2.00pm.

PRESENT

Councillor K J Keith OAM, (in the Chair)
Councillor M J Greenwood OAM
Councillor K M McGrath
Councillor G W Pratt
Councillor AJ Ward

Councillor B F Newton
Councillor R C Haddin
Councillor L A O'Leary
Councillor P J Smith

IN ATTENDANCE

General Manager - K Boyd
Director Technology and Corporate Services - L Finn
Director Planning and Environment - S Campbell
Director Engineering Services - B Howard
Director Infrastructure - A Francis
Manager Governance and Corporate Strategy - B Byrnes
Economic and Business Development Manager - A Wyllie
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

15 - 514 Resolution

That

Councillor Belinda McCorkell be granted leave of absence (REASON: Absent from Parkes).

Moved Councillor Michael Greenwood, seconded Councillor Pat Smith.

CARRIED



General Manager



Mayor

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

15 - 515 Resolution

That the Minutes of the Ordinary Meeting of Parkes Shire Council held on Tuesday 1 December 2015 copies of which have been forwarded to Councillors, be confirmed.

Moved Councillor George Pratt, seconded Councillor Michael Greenwood.

CARRIED

4 DECLARATIONS OF INTEREST

Nil.

5 NOTICES OF MOTION/RESCISSION

6 LATE BUSINESS

In accordance with Council's Code of Meeting Practice 3.7(c) a decision is now required to determine which, if any Late item/s submitted to the meeting will be dealt with at the meeting or deferred for further consideration at a future Ordinary Meeting of Parkes Shire Council.

15 - 516 Resolution

That Late Item/s 10.2, 17.3 and 17.4 be considered at this Council meeting.

Moved Councillor Barbara Newton, seconded Councillor Bob Haddin.

CARRIED



General Manager



Mayor

7 MAYORAL MINUTES

7.1 Mayoral Minute - Functions Attended by Mayor and Councillors

Executive Summary

A report on functions recently attended by the Mayor, Councillors or Senior Staff in relation to community events or civic matters.

Recommendation

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

15 - 517 Resolution

1. That the information be received and noted.
2. That a letter of appreciation be forwarded to Lucy White Central West Tourism on achievements during her time as CEO.

Moved Councillor Pat Smith, seconded Councillor Bob Haddin.

CARRIED

7.2 Mayoral Minute - Coming Known Events for Mayor and Councillors

Executive Summary

A report on the upcoming functions requiring the attendance of the Mayor, Councillors or Senior Staff in relation to community events or civic matters.

Recommendation

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

15 - 518 Resolution

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

CARRIED



General Manager



Mayor

7.3 Mayoral Minute - Visit by Governor of New South Wales

Executive Summary

The Governor of New South Wales His Excellency David Hurley and Mrs Linda Hurley visited the Parkes and Forbes area on Tuesday - Thursday 17 to 19 November 2015.

Recommendation

1. That the Governor of New South Wales His Excellency David Hurley and Mrs Linda Hurley be formally thanked for the dignified and embracing manner in which they engaged with the Parkes community during their visit and an invitation be extended to visit again in the future.

15 - 519 Resolution

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Barbara Newton.

CARRIED

8 COUNCILLORS' REPORTS

Nil.

9 INWARDS CORRESPONDENCE

9.1 (ICR) Letters of Appreciation

Executive Summary

During the exercise of its various functions, Council frequently receives letters of appreciation for services rendered or actions taken by Councillors and staff. The most recently received are from Office of the Mayor City of Canada Bay and St Joseph Primary School Peak Hill and Parkes Shire Council Band.

Recommendation

That the information be received and noted.

15 - 520 Resolution

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor Bob Haddin.

CARRIED



General Manager



Mayor

10 GENERAL MANAGER'S REPORT

10.1 (GM) State of the Shire

Executive Summary

In line with Council's commitment to community engagement, Council will be presenting Council's operations and achievements from the previous financial year (2014/15) by setting up displays and stalls at various community events around the Shire. The "State of the Shire" displays will provide residents and community members with an opportunity to converse with Council staff and receive information regarding Council's Delivery Program, operational works and programs as well as projects and upcoming initiatives.

The State of the Shire campaign aims to provide Council information to the community by "going to" the community and utilising existing community events rather than calling public meetings. It is hoped by utilising this format that Council will engage with a wider and more diverse audience.

Recommendation

1. That the information be received and noted.

15 - 521 Resolution

That the information be received and noted.

Moved Councillor Barbara Newton, seconded Councillor Louise O'Leary.

CARRIED



General Manager



Mayor

10.2 (GM) Request for Funding - Peak Hill Meet You Up the Street

Executive Summary

Correspondence has been received from the Peak Hill Business and Tourism Association requesting use of the Peak Hill Town Improvement Funds to assist with production and delivery of the 2015 Peak Hill Meet You Up the Street Festival to be held on Friday 4 December 2015.

Recommendation

1. That Council approve the use of \$500.00 from the Peak Hill Town Improvement Funds to assist with production and delivery of the 2015 Peak Hill Meet You Up the Street Festival.

15 - 522 Resolution

That the information be received and noted.

Moved Councillor Louise O'Leary, seconded Councillor Barbara Newton.

CARRIED

11 DIRECTOR TECHNOLOGY AND CORPORATE SERVICES REPORT

10.1 (DTCS) Donation of Shire Pool Family Season Ticket

Executive Summary

Parkes Swimming Club has requested the donation of a Family Season Ticket to be used for fundraising purposes

Recommendation

1. That a non-redeemable Family Season Ticket for the 2015/16 season be provided to the swimming clubs at each pool for their fundraising activities.

15 - 523 Resolution

1. That a non-redeemable Family Season Ticket be provided to the swimming clubs at each pool for their fundraising activities.

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

CARRIED



General Manager



Mayor

12 DIRECTOR PLANNING AND ENVIRONMENT'S REPORT

12.1 (DPE) October 2015 Building Statistics

Executive Summary

During the month of October 2015 there were nine (9) Development Applications received totalling \$1,464,588.00 and ten (10) consents were issued. Eleven (11) Complying Development Certificates were received totalling \$2,188,227.69 and nine (9) consents were issued.

Recommendation

1. That the information be received and noted.

15 - 524 Resolution

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

CARRIED



General Manager



Mayor

12.2 (DPE) DA15097: Erection of a Double Carport, Front Fence and Retaining Walls at 34 High Street, Parkes

Development Application Information

Application No: DA15097

Applicant: Mr Stuart & Mrs Elisa Hardy

Property: Lot 9A Sec 14 DP 758827, 34 High Street, Parkes

Proposal: Erection of a Double Carport, Front Fence and Retaining Walls

Executive Summary

Council received Development Application No. 15097 on 1 October 2015 seeking development consent for the erection of a double carport, front fence and retaining walls upon Lot 9A Section 14 DP 758827, 34 High Street, Parkes.

The application is presented to Council for determination as the double carport seeks dispensation for a 1.9 metre front (street) setback in lieu of being erected behind the front building line as required by Council's Development Control Plan 2013.

In accordance with Council's Development Control Plan 2013, the application was notified to adjoining land owners and neighbours from 15 October 2015 to 29 October 2015. As a result of the public exhibition process no public submissions were received.

Recommendation

It is recommended that the application be approved as a partial consent, which excludes the double carport and driveway, subject to conditions contained in the report.

Motion It is recommended that the application be approved, as put forward by the applicant subject to conditions set by Director Planning and Environment.

Cr McGrath, seconded Cr Greenwood

15 - 525 Resolution

It is recommended that the application be approved.

Moved Councillor Ken McGrath, seconded Councillor Michael Greenwood.

CARRIED

For: Cr PJ Smith, Cr KM McGrath, Cr MJ Greenwood, Cr LA O'Leary, Cr AJ Ward and Cr GW Pratt

Against: Cr KJ Keith, Cr BF Newton Cr RC Haddin

Cr BJ McCorkell did not vote – absent from meeting



General Manager



Mayor

At this stage being 3.07pm the Mayor adjourned the meeting and welcomed all in the public gallery to the meeting.

A presentation was made to Reverend Canon Brett Watterson for his dedicated service to the Parkes Shire community as Chair of the Parkes Ministers Association.

A presentation of surplus radios from Council vehicles was made to Mr Graeme Eggleston from Camp Quality as a donation from the Parkes Shire Council and community to assist with their tractor trek fundraising efforts.

Mrs Kath Swansbra was also thanked for the cake she has made acknowledging the 142nd anniversary of the name change from Bushman's to Parkes being 1 December 1873. The cake will be cut and served at afternoon tea.

The Mayor then invited all present to join Councillors for afternoon tea.

Afternoon Tea 3.20pm

Resumed 3.50pm



General Manager



Mayor

12.3 (DPE) DA15108: Change of use from office premises to mixed use development (office, shop, information & education facility) - 203 Clarinda Street, Parkes

Development Application Information

Application No: DA15108

Applicant: Mr Kent Boyd

Property: Lot 41 DP 787512, 203 Clarinda Street, Parkes

Proposal: Change of use from office premises to mixed use development (office, shop, information and education facility)

Executive Summary

Council received Development Application No. DA15108 on the 11 November 2015 seeking development consent for change of use from office premises to mixed use development (office, shop, information and education facility) at Lot 41 DP 787512, 203 Clarinda Street, Parkes.

The supporting documentation indicates that the proposal would create a 'Council shop front' used by Elvis Central, other mixed uses (pop-up shops, information displays and workshops) and major projects. The application is presented to Council for determination as it involves a Council building.

In accordance with Parkes Shire Development Control Plan 2013 the application was notified to adjoining land owners from 13 November 2015 to 27 November 2015. As a result of the exhibition process no public submissions were received.

Recommendation

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

15 - 526 Resolution

That the recommendation be adopted.

Moved Councillor Pat Smith, seconded Councillor Michael Greenwood.

CARRIED

For: Cr KJ Keith, Cr BF Newton, Cr MJ Greenwood, Cr RC Haddin, Cr KM McGrath, Cr LA O'Leary, Cr GW Pratt, Cr PJ Smith and Cr AJ Ward

Against: Nil

Cr BJ McCorkell did not vote – absent from meeting



General Manager



Mayor

13 DIRECTOR ENGINEERING SERVICES REPORT

13.1 (DES) ALGA National Local Roads and Transport Congress 2015

Executive Summary

The 2015 National Local Roads and Transport Congress was held in Ballarat, Victoria, from 13-15 November 2015. Cr Robert Haddin and Director Engineering Services, Ben Howard, attended the Congress on behalf of Council. This year's Congress was attended by over 400 delegates, again indicating that it is a very important event for local government and was themed **"Connecting Communities, Driving the Nation"**.

Council has previously noted correspondence from both sides of Australian politics pledging the continuation of the Roads to Recovery Program beyond 2014. It was previously announced at the 2014 Congress that the Roads to Recovery Program will continue until 2019, a clear indication of the success of the continuing lobbying of the Australian Local Government Association members through the Congress.

Recommendation

1. That the information on the 2015 National Local Roads and Transport Congress be noted.

15 - 527 Resolution

That the information be received and noted.

Moved Councillor Bob Haddin, seconded Councillor Barbara Newton.

CARRIED



General Manager



Mayor

13.2 (DES) Donation of Season Ticket for Breast Cancer Fundraising

Executive Summary

A request has been received from the organisers of the Tullamore Christmas Bingo to donate a Child Pool Season Ticket to raise money for Breast Cancer Research.

Recommendation

1. That Council provide a Child Season Ticket for the Tullamore Christmas Bingo as a fundraising activity for Breast Cancer.

15 - 528 Resolution

That the recommendation be adopted.

Moved Councillor George Pratt, seconded Councillor Barbara Newton.

CARRIED



General Manager



Mayor

13.3 (DES) Request for Use of Bushmans Dam - Christmas BBQ

Executive Summary

Council have received a request from the Central West Car Club requesting Council approval for conduct of the annual Christmas BBQ event proposed to be held at Bushman's Dam on Sunday 20 December 2015 from 6:00pm to 10:00pm.

Recommendation

That permission to use Bushmans Dam on Sunday 20 December 2015 for the Christmas BBQ be granted, subject to the organisers complying to the following conditions:

- Obtaining approval under Part D Community Land, Section 68 of the Local Government Act 1993;
 - That the erection of all temporary structures (including a stage) is conducted in accordance with State Environmental Planning Policy (Temporary Structures) 2007. Development consent will be required if criteria cannot be met.
 - Obtain approval for the Local Area Command - Schedule 1 - Notice of intention to hold a public gathering;
 - Complete a Risk Assessment and Management Plan to the satisfaction of Council;
 - Meet all obligations imposed by Council staff in relation to the abovementioned matters;
 - That no pegs or stakes be driven into the earth without prior consultation with the Parks and Gardens Supervisor;
 - Possess sufficient insurance (not less than \$20 million coverage) for the activities proposed and providing proof of same;
 - Leaving the Park in a clean and tidy condition at the conclusion of the event.
2. That Council provide extra bins, including recycling bins for the event and assist in waste management.
3. That Council make power available on the day of the event.

15 - 529 Resolution

That the recommendation be adopted.

Moved Councillor Alan Ward, seconded Councillor Bob Haddin.

CARRIED



General Manager



Mayor

13.4 (DES) Centroc Contract for the Supply of Fuel including Fuel Cards

Executive Summary

This report seeks Council's endorsement to participate in a regional purchase of fuel through Central NSW Councils (CENTROC) Compliance and Cost Savings program and Supply Management Team.

Recommendation

1. That Parkes Shire Council agree to participate in the next CENTROC regional fuel and fuel card contract process and that Council provide the necessary advice and support to CENTROC.

15 - 530 Resolution

That the recommendation be adopted.

Moved Councillor Bob Haddin, seconded Councillor George Pratt.

CARRIED

14 DIRECTOR INFRASTRUCTURE REPORT

14.1 (DI) Funding Offer - Lake Endeavour Safety Upgrade

Executive Summary

Council has received an additional funding offer for the Lake Endeavour Dam Safety Upgrade project. The offer is for 50% of \$1.45M and was awarded to cover additional scope requested by the dam designers NSW Public Works, as well as additional design and investigation costs and the installation of the Early Warning System.

Recommendation

1. That the seal of Council be applied to the acceptance for the subsidy offer.
2. That a letter be forwarded thanking the Minister for the additional funding

15 - 531 Resolution

That the recommendation be adopted.

Moved Councillor Barbara Newton, seconded Councillor George Pratt.

CARRIED



General Manager



Mayor

15 CONSIDERATION OF COMMITTEE MINUTES

15.1 Committee Minutes - Parkes Shire Cultural Advisory Committee Meeting held 17 November 2015

Executive Summary

The Parkes Shire Cultural Advisory Committee met on 17 November 2015. The Minutes of the meeting are attached.

Recommendation

1. That the Minutes of the Parkes Cultural Advisory Committee meeting held on 17 November 2015 be adopted.

15 - 532 Resolution

That the recommendation be adopted.

Moved Councillor Barbara Newton, seconded Councillor Bob Haddin.

CARRIED

16 QUESTIONS AND MATTERS OF URGENCY

Nil.

17 CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

The meeting of the Ordinary Council meeting was closed to the public at 4.12pm

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.

15 - 533 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 McGrath, seconded Councillor Bob Haddin.

CARRIED



General Manager



Mayor

17.1 (DTCS) Parkes Golf Club

Prepared By: Director of Technology Corporate Service

Executive Summary

The Parkes Golf Club's commitment to Council is due for review and the previous resolution of Council (14-215) requires repayments to re-commence from 1 July 2019. The Club has contacted Council about the matter.

Recommendation

1. That the finance facility provided to Parkes Golf Club be written off as the debt has become irrecoverable and the appropriate provision has been made within the sewer fund.

15 - 534 Resolution

That the recommendation be adopted.

Moved Councillor Alan Ward, seconded Councillor Bob Haddin.

CARRIED

17.2 Committee Minutes - Economic Development Committee Meeting held 17 November 2015

Prepared By: Economic & Business Development Manager

Executive Summary

Minutes of the Economic Development Committee Meeting held on Tuesday 17 November 2015 are attached for Council's consideration.

Recommendation

1. That the Minutes of the Economic Development Committee held on 17 November 2015 be noted and the recommendations be adopted.

15 - 535 Resolution

That the recommendation be adopted.

Moved Councillor Michael Greenwood, seconded Councillor George Pratt.

CARRIED



General Manager



Mayor

17.3 Committee Minutes - EDC Airport Sub-Committee Meeting held 17 November 2015

Prepared By: Economic & Business Development Manager

Executive Summary

Minutes of the Economic Development Committee (EDC) Airport Sub-Committee Meeting held on Tuesday 17 November 2015 are attached for Council's consideration.

Recommendation

1. That the Minutes of the Economic Development Committee (EDC) Airport Sub-Committee held on 17 November 2015 be noted and the recommendations be adopted.

15 - 536 Resolution

That the recommendation be adopted.

Moved Councillor Alan Ward, seconded Councillor Bob Haddin.

CARRIED

17.4 (GM) Former Parkes Hospital Site

Prepared By: General Manager

Executive Summary

Council would recall the report of 03 November 2015 (attached) outlining negotiations with Health Infrastructure in relation to the divestment of the former Parkes Hospital site. This report provides an update on the negotiations.

Recommendation

1. That Council execute the Heads of Agreement with Health Infrastructure and proceed in accordance with the Agreement as finally negotiated.

15 - 537 Resolution

That the recommendation be adopted.

Moved Councillor Barbara Newton, seconded Councillor Ken McGrath.

CARRIED



General Manager



Mayor

17.5 (GM) Procurement of Commercial Premises

Prepared By: General Manager

Executive Summary

On 17 November 2015 Council considered a report on the possible procurement of commercial business premises. The negotiations are outlined herein.

Recommendation

1. That the Report be received and noted.
2. That the proposed actions be endorsed.
3. That the seal of Council be applied as required to effect the proposed acquisition.

15 - 538 Resolution

1. That the Report be received and noted.
2. That the Mayor and General Manager be authorised to continue negotiations.

Moved Councillor Bob Haddin, seconded Councillor Ken McGrath.

CARRIED

There being no further business the Mayor declared the meeting closed at 5.05pm.



General Manager



Mayor

- 1 PRAYER**
- 2 APOLOGIES**
- 3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**
- 4 DECLARATIONS OF INTEREST**
- 5 NOTICES OF MOTION/RESCISSION**
- 6 LATE BUSINESS**



General Manager



Mayor

7 MAYORAL MINUTES

7.1 Mayoral Minute - Functions Attended by Mayor and Councillors

Executive Summary

A report on functions recently attended by the Mayor, Councillors or Senior Staff in relation to community events or civic matters.

Background Information

Nil.

Legislative or Policy Implications

Nil.

Budget & Financial Aspects

Nil.

Recommendation

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

Report

Date	Function
Tuesday - Thursday 17 - 19 November 2015	National Local Roads & Transport Congress Councillor RC Haddin and Director Engineering Services B Howard
Wednesday 18 November 2015	Vice Regal Community Reception hosted by His Excellency General The Honourable David Hurley AC DSC (Ret'd), Governor of New South Wales, and Mrs Linda Hurley All Councillors and Senior Staff
Tuesday - Thursday 19 - 20 November 2015	AusIntermodel 2015 Mayor KJ Keith, General Manager K Boyd (Panelist) and Economic and Business Development Manager A Wyllie
Friday 20 November 2015	NSW Rural Fire Service Tullamore Central School Cadet Graduation Deputy Mayor BF Newton
Saturday 21 November 2015	NSW State Emergency Services Lachlan Region Awards Ceremony Councillor KM McGrath
Monday 23 November 2015	Parkes Early Childhood Meeting at Neighbourhood Central Councillor PJ Smith



General Manager



Mayor

Date	Function
Monday 23 November 2015	Peak Hill Community Consultative Committee Meeting at AIF Hall Peak Hill Councillor LA O'Leary
Monday 23 November 2015	Australia Day Committee Meeting Mayor KJ Keith, Councillors MJ Greenwood and AJ Ward
Monday 23 November 2015	Talk by African Refugees at Lutheran Church Councillor KM McGrath
Tuesday 24 November 2015	Meals on Wheels Meeting Councillor PJ Smith
Tuesday - Thursday 24 - 26 November 2015	AusRail Forum 2015 General Manager K Boyd
Wednesday 25 November 2015	Annual General Meeting Central NSW Tourism Councillor MJ Greenwood, Marketing and Brand Manager K Dwyer
Wednesday 25 November 2015	Life Education Australia Board Meeting and Annual General Meeting Mayor K Keith
Wednesday 25 November 2015	White Ribbon Day - Domestic Violence Awareness Campaign Councillor KM McGrath
Thursday 26 November 2015	Centroc Board Meeting hosted by Cabonne Shire Council Mayor KJ Keith
Thursday 26 November 2015	Tourism NSW Awards Mayor KJ Keith and Elvis Festival Director E Mann
Thursday 26 November 2015	Trundle Community Consultative Committee Meeting Councillor GW Pratt
Saturday 28 November 2015	Henry Parkes Centre Open Day Open invitation to all Councillors - Councillor KM McGrath to represent Mayor at official proceedings
Saturday - Sunday 28 - 29 November 2015	Local Government NSW Executive Certificate for Elected members course Deputy Mayor BF Newton
Tuesday 01 December 2015	Council Meeting All Councillors and Senior Staff
	Meetings prior to Council meeting Tour to Lachlan River Pumping Station and Bore Fields and Parkes Regional Airport to view progress on works being undertaken. All Councillors & Senior Staff Presentation of Draft HPC Master Plan All Councillors & Senior Staff

Attachments

Nil.



General Manager



Mayor

7.2 Mayoral Minute - Coming Known Events for Mayor and Councillors

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.

Background Information

Nil.

Legislative or Policy Implications

Nil.

Budget & Financial Aspects

Nil.

Recommendation

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

Report

Date	Function
Wednesday 02 December 2015	Parkes College for Seniors End of year Christmas Luncheon Mayor or Councillor Representative
Thursday 03 December 2015	Local Government New South Wales President's Christmas Reception Mayor KJ Keith
Sunday 06 December 2015	Parkes School of Dance End of Year performance Mayor KJ Keith & Mrs. Sue Keith
Monday 07 December 2015	Welcome - Parkes Elvis Festival Volunteers Mayor KJ Keith
Monday 07 December 2015	Middleton Public School Presentation Evening Mayor KJ Keith & Mrs. Sue Keith
Monday 07 December 2015	Elvis Revival Committee meeting Mayor KJ Keith, Deputy Mayor BF Newton
Tuesday 08 December 2015	Lachlan Health Council Meeting Mayor KJ Keith and Deputy Mayor BF Newton
Tuesday 08 December 2015	Parkes Sports Council meeting Councillor MJ Greenwood and LA O'Leary



General Manager



Mayor

Date	Function
Tuesday 08 December 2015	Parkes Chamber of Commerce meeting Deputy Mayor AJ Ward (Councillor McCorkell is alternate)
Wednesday 09 December 2015	Elvis Festival Committee Meeting Mayor KJ Keith and Deputy Mayor BF Newton
Wednesday 09 December 2015	Tullamore & District Community Consultative Committee meeting Deputy Mayor BF Newton (alternate is Councillor GW Pratt)
Friday 11 December 2015	Lachlan Shire Mayor's Christmas Dinner Mayor KJ Keith and Mrs. Sue Keith
Sunday 13 December 2015	Parkes Community Event - Carols in the Park Mayor KJ Keith will be MC for the evening All Councillors
Monday 14 December 2015	Parkes High School Annual Presentation Evening Mayor KJ Keith and Mrs. Sue Keith
Tuesday 15 December 2015	Charles Sturt University - Dubbo Campus Graduation Ceremony Mayor KJ Keith and Councillor MJ Greenwood
Tuesday 15 December 2015	Council Meeting All Councillors and Senior Staff
	Meetings prior to Council meeting
	Waste Facilities <i>Cr KJ Keith, Cr BF Newton, Cr RC Haddin, Cr KM McGrath, Cr GW Pratt and Cr AJ Ward Together with Kent Boyd General Manager, Steven Campbell Director Planning and Environment, Manager Planning Service A Cummings, Senior Development Officer H Orr and Strategic Planner Michael Carter</i>
	Airport Sub Committee <i>Cr KJ Keith, Cr AJ Ward, Cr RC Haddin, Cr M Greenwood and Cr B McCorkell Together with Kent Boyd General Manager, Steven Campbell Director Planning and Environment, Les Finn Director Technology & Corporate Services, Director Engineering Services B Howard, Economic and Business Development Manager Anna Wyllie, Manager Support Services S Ross</i>
	Risk Review Committee <i>Cr BF Newton, Cr RC Haddin Together with General Manager Kent Boyd, Director Technology and Corporate Services L Finn, Manager Governance and Corporate Strategy B Byrnes, Chief Financial Officer O Jensen, Management Accountant L Nash</i>
	Workshop/Presentation on New Council Draft Contaminated Land Policy All Councillors
Tuesday 15 December 2015	Mayoral Christmas Reception All Councillors and Senior Staff

Attachments

Nil.



General Manager



Mayor

7.3 Mayoral Minute - Visit by Governor of New South Wales

Executive Summary

The Governor of New South Wales His Excellency David Hurley and Mrs Linda Hurley visited the Parkes and Forbes area on Tuesday - Thursday 17 to 19 November 2015.

Background Information

His Excellency and Mrs Hurley have been travelling throughout regional NSW to engage with local communities and to understand, promote and share their successes and concerns. As Governor of New South Wales, His Excellency intends to support the people and community organisations of New South Wales, through:

- assisting programs and organisations that promote inclusiveness, diversity and active citizenship
- recognising innovation, achievement and excellence
- promoting industry and regional development
- providing support in times of adversity
- advocating for marginalised members of our community

Legislative or Policy Implications

Nil.

Budget & Financial Aspects

Council budgeted for the visit and communications in the 2014/15 revenue policy.

Recommendation

1. That the Governor of New South Wales His Excellency David Hurley and Mrs Linda Hurley be formally thanked for the dignified and embracing manner in which they engaged with the Parkes community during their visit and an invitation be extended to visit again in the future.



General Manager



Mayor

Report

The Governor of New South Wales His Excellency David Hurley and Mrs Linda Hurley visited the Parkes and Forbes area on Tuesday - Thursday 17 to 19 November 2015.

It was a very casual informal visit which included:

- Visit to meet the residents of Rosedurnate Nursing home
- Meet and greet with Parkes Shire school students
- Viewing of the NSW Embroiders Guild ANZAC Postcards exhibition at the Parkes Library along with a meet and greet of Parkes and Dubbo members of the local Embroiders Guilds and Parkes RSL Sub branch representatives.
- Combined Parkes and Forbes Community Welcome at the Parkes Services Club
- Visit to the Parkes PCYC
- Mayoral dinner with leading community members
- Visit to the Parkes CSIRO Radio Telescope
- Meet and greet with business owners during informal walk through the main street of Parkes
- Visit to Foodservice Central on behalf of the NSW Small Business Commissioner
- Currajong Aboriginal Health Centre
- Inspection of redevelopment works at the Parkes Regional Airport

Attachments

1. Photos from the visit.



General Manager



Mayor



General Manager

Mayor



General Manager

Mayor



General Manager

Mayor

8 COUNCILLORS' REPORTS

9 INWARDS CORRESPONDENCE

9.1 (ICR) Letters of Appreciation

Executive Summary

During the exercise of its various functions, Council frequently receives letters of appreciation for services rendered or actions taken by Councillors and staff. The most recently received are from Councillor Maree Statham - Mayor Lithgow City Council, Office of the Mayor City of Canada Bay and St Joseph Primary School Peak Hill.

Background Information

Nil

Legislative, Policy & Management Planning Implications

Nil

Budget & Financial Aspects

Nil

Recommendation

That the information be received and noted.

Attachments

1. Correspondence received from Councillor Maree Statham - Mayor Lithgow City Council, Office of the Mayor City of Canada Bay and St Joseph Primary School Peak Hill.



General Manager



Mayor

3 November 2015



Mayor Ken Keith
Parkes Shire Council
2 Cecile Street
PARKES NSW 2870

Dear Ken

I write this letter to sincerely thank you, Kent and Barbara for visiting me whilst I was in hospital recently.

Your kindness meant a lot and really does show the camaraderie instilled in regional councils. I am very thankful to you all for taking the time to come and see me.

Thankfully I am on the mend and am feeling much better. With the silly season fast approaching I really can't afford to be unwell.

Please pass my appreciation on to Kent and Barbara also.

Yours sincerely

Clr Maree Statham
MAYOR



PO Box 19, LITHGOW NSW 2790
Tel: (02) 6354 9999 Fax: (02) 63514259
Web: www.lithgow.nsw.gov.au Email: council@lithgow.nsw.gov.au

General Manager

Mayor



OFFICE OF THE MAYOR

19 November 2015

Mayor Ken Keith
Parkes Shire Council
2 Cecile Street
PARKES NSW 2870

Dear Ken,

I would like to thank you, your Councillors and staff who accommodated us on our visit to Parkes on October 22, 2015.

The Councillors and I were impressed by the projects that have been completed in partnership with Parkes Shire Council.

In particular, it was pleasing to see that the solar heating installed at Peak Hill and Trundle pools had resulted in savings in running costs that flowed back into projects for the local communities.

Please pass on my thanks to Councillor Barbara Newton who gave her time to accompany our group on our tour. Her broad ranging knowledge of all things "Parkes" made for a very interesting and informative trip.

Also please pass on my thanks to your General Manager, Kent Boyd, who was most welcoming and ensured that our visit was a success.

I look forward to continuing our partnership in the year ahead and I would be more than happy to host any member of your council who wish to visit Canada Bay in the future.

Kind Regards

A handwritten signature in black ink, appearing to read "Angelo Tsirekas".

Mayor Angelo Tsirekas
City of Canada Bay

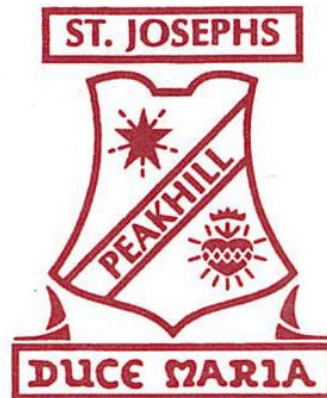
T 02 9911 6503 | F 02 9911 6550 | M 0414 785 497 | angelo.tsirekas@canadabay.nsw.gov.au
www.canadabay.nsw.gov.au | <https://twitter.com/MayorAngelo>
Canada Bay Civic Centre | 1A Marlborough Street, Drummoyne 2047 | Locked Bag 1470, Drummoyne 1470 | ABN 79 130 029 350

A handwritten signature in black ink, appearing to read "Kent Boyd".

General Manager

A handwritten signature in black ink, appearing to read "Ken Keith".

Mayor



Thank You

Parkes Shire Council

*The pupils and staff wish to
thank you very much
for the help you have given
to our school.*

General Manager

Mayor

Dear Parkes Shire Council,

Thank you so much for your
very kind donation of the
basket of goodies for our fete.

We really appreciate your
support and contribution.

Many thanks again.

Kind regards,

St Josephs Primary School Peak Hill
P & F Association.



General Manager



Mayor

10 GENERAL MANAGER'S REPORT

10.1 (GM) State of the Shire

Executive Summary

In line with Council's commitment to community engagement, Council will be presenting Council's operations and achievements from the previous financial year (2014/15) by setting up displays and stalls at various community events around the Shire. The "State of the Shire" displays will provide residents and community members with an opportunity to converse with Council staff and receive information regarding Council's Delivery Program, operational works and programs as well as projects and upcoming initiatives.

The State of the Shire campaign aims to provide Council information to the community by "going to" the community and utilising existing community events rather than calling public meetings. It is hoped by utilising this format that Council will engage with a wider and more diverse audience.

Background Information

Community workshops and engagement activities have been held around the Shire over the past 3 years to determine community wants and needs and report back to the community. The State of the Shire activities are also a key activity under Council's Community Engagement Continuum and represent an opportunity to further engage and inform our local community in Council's works.

Legislative or Policy Implications

Nil

Progressive Delivery Program Implications

The resolution in this report will primarily effect the Delivery Program Future Direction relating to:

3. *Promote, Support and Grow our Communities*

Predicted positive effect / opportunity for the Delivery Program: *Excellent*

Predicted negative / challenge to the Delivery Program: *Minor*

Quadruple Bottom Line



Economic

★★★★☆



Environmental

★★★★☆



Social

★★★★☆



Civic Leadership

★★★★☆

General Manager

Mayor

Budget & Financial Aspects

The community engagement budget will be used to fund the information session costs including promotion and advertising for the sessions. Staff costs associated with the information sessions will be covered by the respective staff wages budgets.

Recommendation

1. That the information be received and noted.

Report

Council will be holding displays at each of the Shire's townships to coincide with existing community gatherings and events. Council will be holding stalls at the Parkes Christmas Markets in Cooke Park and the Peak Hill Meet You Up The Street on the 4th of December.

Council is currently liaising with the Community Consultative Committees in Bogan Gate, Tullamore and Trundle to determine the most appropriate community event or gathering to attend.

Council will be advertising its presence at both the Parkes Christmas Markets and Peak Hill Meet You Up The Street.

Attachments

Nil.



General Manager



Mayor

10.2 (GM) Request for Funding - Peak Hill Meet You Up the Street

Executive Summary

Correspondence has been received from the Peak Hill Business and Tourism Association requesting use of the Peak Hill Town Improvement Funds to assist with production and delivery of the 2015 Peak Hill Meet You Up the Street Festival to be held on Friday 4 December 2015.

Background Information

Nil.

Legislative or Policy Implications

Nil.

Progressive Delivery Program Implications

The resolution in this report will primarily effect the Delivery Program Future Direction relating to: 3. *Promote, Support and Grow our Communities*

Predicted positive effect / opportunity for the Delivery Program: *Good*

Predicted negative / challenge to the Delivery Program: *Low*

Quadruple Bottom Line



Economic ★★★★★



Environmental ★★★★★



Social ★★★★★



Civic Leadership ★★★★★

Budget & Financial Aspects

Sufficient funds are available in the Peak Hill Town Improvement Vote to cover the costs of the request.

Recommendation

1. That Council approve the use of \$500.00 from the Peak Hill Town Improvement Funds to assist with production and delivery of the 2015 Peak Hill Meet You Up the Street Festival.

General Manager

Mayor

Report

Correspondence has been received from the Peak Hill Business and Tourism Association requesting use of the Peak Hill Town Improvement Funds to assist with production and delivery of the 2015 Peak Hill Meet You Up the Street Festival to be held on Friday 4 December 2015.

Under normal circumstances, requests for use of Town Improvement Funds would be referred to the Peak Hill Community Consultative Committee (CCC), however as the request is under urgent terms Council's consideration is requested.

Council staff has contacted the Peak Hill CCC President and have received verbal endorsement for the funds being utilised for the requested purpose.

Attachments

1. Correspondence received from Peak Hill Business and Tourism Association



General Manager



Mayor



ABN 82 428 442 506
PO BOX 46
PEAK HILL NSW2869
PH. 0407 072 813

29th November 2015

Parkes Shire Council
2 Cecile Street
PARKES NSW 2870
Attention: Kent Boyd

Dear Kent,

LATE ITEM FOR AGENDA 2ND DECEMBER 2015

RE: Peak Hill Meet you up the Street Festival (MYUTS) – URGENT ASSISTANCE-

We are excited about the prospect of presenting Our Festival Meet you up the Street again this year. Jason Owen Star of X-Factor will again make a guest appearance, as performer, and one of the judges for our Country Idol segment.

At this short notice however, we are urgently seeking an amount of \$500.00 from our Town Improvement fund; to assist with the running costs of our Festival.

An unforeseen expense with a sponsor last week withdrawing from providing the backing equipment for the Country Idol segment of MYUTS, has left us with no choice but to ask for urgent assistance.

Under normal circumstances PHBATA would have been able to cover this amount, but this year we have exhausted our budget by becoming partners in the Elvis Festival. This gave our town a half page advertisement for publicity and at the same time supported the Shire with their event.

We hope that you will be able to assist us in arranging release of the requested amount.

We apologise for the short notice, which was beyond our control.

Yours sincerely,

Betty Zdan
President

Peak Hill Business and Tourism Association

General Manager

Mayor

11 DIRECTOR TECHNOLOGY AND CORPORATE SERVICES REPORT

10.1 (DTCS) Donation of Shire Pool Family Season Ticket

Executive Summary

Parkes Swimming Club has requested the donation of a Family Season Ticket to be used for fundraising purposes

Background Information

In previous years Council has donated a Family Season Ticket to the Swimming Clubs at each of the Shire pools. A request has been received from the Parkes Swimming Club for the continuation of the practice for their fundraising activities. It is anticipated that the other clubs will also request the ticket.

It should be noted that the ticket will be non-redeemable and is for the current season only.

It is considered that the donation of the tickets provides the clubs with a much needed avenue to raise additional funds at minimal cost to Council.

Legislative or Policy Implications

Nil.

Progressive Delivery Program Implications

The resolution in this report will primarily effect the Delivery Program Future Direction relating to: 3. *Promote, Support and Grow our Communities*

Predicted positive effect / opportunity for the Delivery Program: *Good*

Predicted negative / challenge to the Delivery Program: *Very Low*

Quadruple Bottom Line



Economic

★★★★☆



Environmental

★★★★☆



Social

★★★★☆



Civic Leadership

★★★★☆

Budget & Financial Aspects

The cost of 4 Family Season tickets for the 2015/2016 season is \$1,050.00. The funds would be allocated from the Sec.356 Donations Fund

General Manager

Mayor

Recommendation

1. That a non-redeemable Family Season Ticket for the 2015/16 season be provided to the swimming clubs at each pool for their fundraising activities.

Attachments

Nil.



General Manager



Mayor

12 DIRECTOR PLANNING AND ENVIRONMENT'S REPORT

12.1 (DPE) October 2015 Building Statistics

Executive Summary

During the month of October 2015 there were nine (9) Development Applications received totalling \$1,464,588.00 and ten (10) consents were issued. Eleven (11) Complying Development Certificates were received totalling \$2,188,227.69 and nine (9) consents were issued.

Background Information

The report is furnished to Council on a monthly basis and provides a snapshot of development activity in the Shire during that period.

Legislative, Policy & Management Planning Implications

Nil.

Budget & Financial Aspects

N/A

Recommendation

1. That the information be received and noted.

Report

The figures shown in the table below are for Development Applications received during October 2015 with respect to the specified building types.

The figures in the shaded area of the table are October 2014.

Building Type	No.	Estimated Value	No.	Estimated Value
New Dwellings	5	\$1,380,883.00	1	\$341,000.00
Residential Flat Building	-	-	1	\$250,000.00
Addition/Alteration to Dwelling	-	-	1	\$4,900.00
Outbuildings (carport, pergola, garages, sheds)	2	\$28,705.00	3	\$42,800.00
Swimming Pools	-	-	-	-
Class 10b – Structures	-	-	-	-
Additions to Commercial Buildings	-	-	-	-



General Manager



Mayor

Building Type	No.	Estimated Value	No.	Estimated Value
Additions to Industrial Buildings	-	-	-	-
New Commercial / Industrial Buildings	-	-	-	-
Subdivision/Boundary Adjustment	-	-	-	-
Home Industry	-	-	-	-
Home Occupation	-	-	-	-
Change of Use	2	\$55,000.00	-	-
Demolition	-	-	-	-
Boarding House - Class 1b	-	-	-	-
Totals	9	\$1,464,588.00	6	\$638,700.00
Total 01/07/15 - 31/10/15	44	\$4,752,213.00	34	\$4,242,224.00

The following list of Development Consents were issued in the month of September 2014.

Application No.	Address	Description
DA15075	(Proposed Lot 80) Newell Highway, Peak Hill	Waste Transfer Station
DA15081	2b Weston Street, Parkes	Shed
DA15082	10 Field Road, Parkes	Shed and Carport
DA15084	422-424 Clarinda Street, Parkes	Swimming Pool
DA15086	5 Hazelbank Avenue, Parkes	Shed, Carport, Pergola and Retaining Walls
DA15087	'Harrison Park' Eugowra Road, Parkes	Temporary Use of Land (Caravan Park)
DA15088	200 Military Road, Parkes	Additions to Dwelling (Patio Cover)
DA15089	'Meadowbank' 250 Henry Parkes Way, Parkes	Subdivision (2 lots)
DA15091	34 Reid Street, Parkes	Storage Shed and Retaining Walls
DA15096	177 Cons Lane, Parkes	Additions to Dwelling (Pergola), Shed and Retaining Walls

The figures shown in the table below are for Complying Development Certificates received during October 2015 with respect to the specified building types.

The figures in the shaded area of the table are for October 2014.

Building Type	No.	Estimated Value	No.	Estimated Value
Urban Dwellings	6	\$1,496,391.00	2	\$755,639.00
Addition/Alteration to Dwelling	1	\$25,000.00	3	\$72,110.00
Outbuildings (carport, pergola, garages, sheds)	2	\$30,200.00	2	\$24,142.00
Swimming Pools	-	-	-	-



General Manager



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Building Type	No.	Estimated Value	No.	Estimated Value
Structures - Class 10b	1	\$110,851.00	-	-
Additions to Industrial/ Commercial Buildings	1	\$525,785.69	-	-
Commercial use and building alterations	-	-	-	-
Change of Use	-	-	-	-
Boundary Adjustment/Strata Subdivision	-	-	-	-
Demolition	-	-	-	-
Totals	11	\$2,188,227.69	7	\$851,891.00
Total 01/07/15 - 31/10/15	32	\$6,315,927.69	24	\$3,729,626.00

The following is a list of Complying Development Certificates which were issued in the month of October 2015.

Application No.	Address	Description	Certifying Authority
CDC15051	1 Wilga Street, Parkes	Shed	PSC
CDC15054	49-53 Coronation Avenue, Parkes	Garage	PSC
CDC15055	199 Back Yamma Road, Parkes	Dwelling-house	PSC
CDC15057	186-196 Clarinda Street, Parkes	Installation of Solar System	PC
CDC15058	2 Camellia Parade, Parkes	Dwelling with attached double garage, porch & alfresco	PC
CDC15059	5 Hydrangea Avenue, Parkes	Dwelling with attached double garage, porch & alfresco	PC
CDC15060	11 Hydrangea Avenue, Parkes	Dwelling with attached double garage, porch & alfresco	PC
CDC15063	46 Orange Street, Parkes	Install Automatic Sprinkler Systems in existing Aged Care building	PC
CDC15067	6 Camellia Parade, Parkes	Two storey dwelling with attached double garage, porch, alfresco & deck	PC

Note:

PSC - Parkes Shire Council; PC - Private Certifier



General Manager

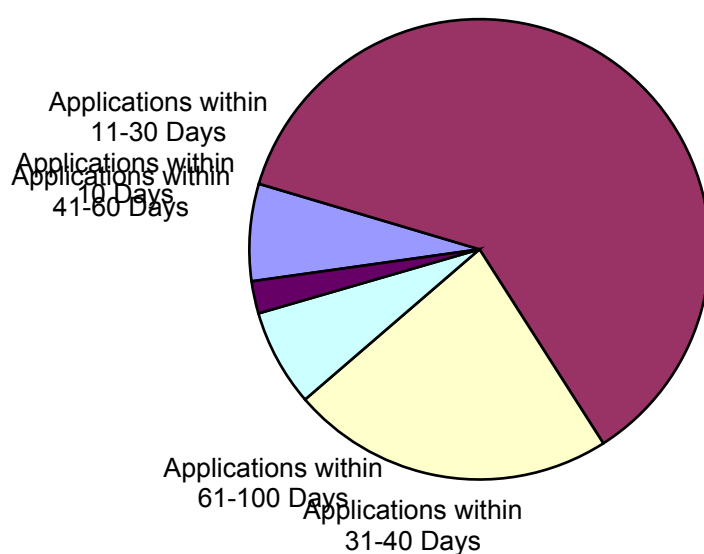


Mayor

DA Processing Times for Approvals

It should be noted that a total of 44 Development Applications have been approved for the period 1 July 2015 to 31 October 2015 with an average of 26.05 days.

DA Processing Times for Approvals



Attachments

Nil.

General Manager

Mayor

12.2 (DPE) DA15097: Erection of a Double Carport, Front Fence and Retaining Walls at 34 High Street, Parkes

Development Application Information

Application No: DA15097

Applicant: Mr Stuart & Mrs Elisa Hardy

Property: Lot 9A Sec 14 DP 758827, 34 High Street, Parkes

Proposal: Erection of a Double Carport, Front Fence and Retaining Walls

Executive Summary

Council received Development Application No. 15097 on 1 October 2015 seeking development consent for the erection of a double carport, front fence and retaining walls upon Lot 9A Section 14 DP 758827, 34 High Street, Parkes.

The application is presented to Council for determination as the double carport seeks dispensation for a 1.9 metre front (street) setback in lieu of being erected behind the front building line as required by Council's Development Control Plan 2013.

In accordance with Council's Development Control Plan 2013, the application was notified to adjoining land owners and neighbours from 15 October 2015 to 29 October 2015. As a result of the public exhibition process no public submissions were received.

Background Information

Nil.

Legislative, Policy & Management Planning Implications

The proposal can be assessed against Section 79c of the *Environmental Planning and Assessment Act 1979* and its Regulations, *Parkes Local Environmental Plan 2012* and relevant State Environmental Planning Policies and Council's Development Control Plan 2013. These instruments outline the permissibility and development standards for the proposed development within the R1 General Residential zone.

Budget & Financial Aspects

Nil.

Recommendation

It is recommended that the application be approved as a partial consent, which excludes the double carport and driveway, subject to conditions contained in the report.



General Manager



Mayor

Report

Details of Proposed Development

Locality and site description

The site is legally described as Lot 9A Sec 14 DP758827, being known as 34 High Street, Parkes. The land comprises a rectangular shaped allotment that has an area of approximately 1012 square metres, contains moderate vegetation coverage and steeply slopes west from High Street towards the rear laneway.

The site contains an existing dwelling-house, swimming pool and two rear garages. The construction of these buildings comprises brick and Colorbond materials. Site access is by a road opening onto the rear laneway.

Surrounding developments are predominately of a residential nature consisting of single storey dwellings with varied setbacks and open landscape settings. Neighbouring garages and carports are sited behind dwellings within the area. Notably, there is a single garage built to the front boundary opposite the property.

Proposal

The proposal involves the erection of:

- A double carport with length, width and height of 8 metre, 7 metre and 3.6 metre respectively and 1.9 metre front (street) setback;
- A 1.5 metre high front fence, consisting of horizontal spaced slates and rendered piers; and
- Front and rear retaining walls with 1 metre and 1.5 metre height and nil setback.

A copy of the submitted plans and documentation is provided in **Attachment 1**.

Location Map



General Manager

Mayor

Consultation

Parkes Shire Development Control Plan 2013

In accordance with Council's Development Control Plan 2013, the application was notified to adjoining land owners and neighbours from 15 October 2015 to 29 October 2015. As a result of the public exhibition process no public submissions were received.

Environmental Assessment

The following matters as listed under Section 79C of the *Environmental Planning and Assessment Act 1979* (the 'Act'), are relevant in considering this application:

79C Evaluation (1)(a) (i) any environmental planning instrument

State Environmental Planning Policy No 55 – Remediation of Land

Clause 7(1)(a) of SEPP 55 requires Council to consider whether land is contaminated. Council records indicate that the subject site is used for residential purposes with no known prior landuse. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7 (1)(b) and (c) of SEPP 55 and the land is considered to be suitable for residential development.

State Environmental Planning Policy - Infrastructure 2007

Clause 45 of SEPP Infrastructure requires Council to consider any development application (or an application for modification of consent) for any development carried out:

- Within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists),
- Immediately adjacent to an electricity substation,
- Within 5m of an overhead power line,
- Includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5m of an overhead electricity power line, or
- Placement of power lines underground.

The double carport is within proximity of a consumer mains overhead connection. Essential Energy advises that the clearance between consumer mains and the structure must comply with Australian Standard AS/NZS 3000:2007 Electrical Installations. This matter is irrelevant given the recommendation to refuse the double carport structure.

Parkes Local Environmental Plan 2012

The site is zoned R1 General Residential pursuant to the *Parkes Local Environmental Plan 2012*. The proposal is categorised as ancillary residential development which is permissible within this zone with consent of Council.

The objectives of the R1 General Residential zone are:

- a) To provide for the housing needs of the community.
- b) To provide for a variety of housing types and densities.
- c) To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- d) To provide attractive, affordable, well located and market-responsive residential land.
- e) To ensure that any non-residential land uses permitted within the zone are compatible with the amenity of the area.
- f) To ensure that housing densities are broadly concentrated in locations accessible to public transport, employment, services and facilities.



General Manager



Mayor

Clause 2.3 requires Council to have regard to whether the development is consistent with the R1 General Residential zone objectives. The proposal is consistent with the zone objectives given it would not limit the development potential of adjoining lands zoned for residential development.

Clause 5.10 requires Council to consider heritage matters. Accordingly, the development does not involve a heritage item nor is the development located within the vicinity of any items of environmental heritage adopted by Council.

Clause 6.1 requires Council to ensure that earthworks will not have a detrimental impact on the environment, neighbouring uses, heritage items or features of the surrounding land. In this regard, the proposed development will involve minor earthworks limited to footings with no other soil disturbance. It is recommended that a condition of consent be applied to ensure suitable measures are implemented on-site to minimise on and off-site impacts.

Clause 6.7 requires Council to consider whether the site is appropriately serviced for the proposed development. The documentation demonstrates that arrangements would be made for suitable stormwater management and vehicular access to service the development.

S79C(1)(a)(ii) Any draft environmental planning instrument

There are no draft Environmental Planning Instruments that apply to the development.

S79C(1)(a) (iii) any development control plan (DCP)

Parkes Shire Development Control Plan 2013

The Parkes Shire Development Control Plan 2013, General Principles for Development and Section 5 - Residential Development applies to the proposed development. The following is an assessment of compliance against the relevant development controls and objectives.

5.6.4 Carports and Garages

The proposed double carport seeks dispensation for a 1.9 metre front setback in lieu of being behind the building line as required by the carports and garages control. In assessing this non-compliant element of the proposal, it is necessary for Council to consider the underlying objective of the control. The relevant merit considerations are listed below:

- a) *Provide for a wider range of residential development to improve choice in living across the Shire.*

The proposal will not impact on housing choice or limit the development potential of adjoining land zoned for residential development.

- b) *Set appropriate criteria for energy efficiency, privacy, noise, vehicular access, parking and open space.*

The proposal complies with energy efficiency, privacy, noise and open space criteria, but seeks dispensation to vehicular access and parking criteria. Justification provided by the applicant indicates that existing off-street parking arrangements are dangerous and impractical to cater for a 4x4 vehicle and caravan. The justification provided is not considered sufficient to vary the carports and garages control for the following reasons:



General Manager



Mayor

- Two existing garages located behind the dwelling building line provide adequate off-street parking provision.
 - The existing rear access, while steep (1:20), is suitability designed and constructed for domestic purposes in accordance with AS2890.1-2004 Off-street Car Parking Facilities.
- c) *Encourage good design in residential development by providing and ensuring a comprehensive design orientated approach to new residential development; and Improve urban design and residential amenity in new housing developments.*
- The site steeply sloping along High Street and buildings are seen individually rather than as part of a group. In this design context, the double carport must respond to key elements within the locality to achieve 'good design' and residential amenity. These design elements include character, scale, form, siting, materials, colour and detailing.

Justification provided by the applicant states that the double carport has been designed to:

- Provide safe off-street parking for a 4x4 vehicle and caravan rather than utilising onstreet parking.
- Reduce its visual impact as an open structure, utilising a skillion roof design to minimise building height with a colour scheme matching the dwelling.
- Setback further than other carports and garages (15 High Street, 19 Gap Street and 34 Gap Street) in the established streetscape.

The justification provided is not considered sufficient to vary the carports and garages control on for the following reasons:

- No double carports or garages have been sited forward of dwelling building lines within the locality. The double carport would have an obtrusive and unacceptable impact on residential amenity within the locality.
- The double carport (7 metre width) will occupy 44% of the dwelling facade and would visually dominate the streetscape and detract interest in the dwelling. The double carport is out of scale and proportion and does not integrate into the established streetscape character within the locality.
- The double carport height (3.6 metre apex) will be higher than the gutter line of the dwelling (2.7 metre wall height) and neighbouring carports and garages (2.4 metre apex). The form of the double carport is not sympathetic to the predominant form within the locality.
- Neighbouring dwellings maintain an average 7.2 metre front setback and carports and garages are sited behind dwellings. The double carport sited at 1.9 metre from the front boundary would unduly disrupt streetscape harmony and street setback pattern within the locality.
- The single garage setback 1.5 metres from the front boundary at 15 High Street, Parkes was constructed prior to 1935. This property does not have rear laneway access and parking due to site constraints and is therefore unique in contrast to the proposed development.



General Manager



Mayor

- The double carport at 34 Gap Street, Parkes is located on a secondary street frontage (High Street) and is constructed behind the dwelling building line. The dwelling was constructed prior to 1936.
- The double garage at 19 Gap Street, Parkes is located on a rear laneway and is constructed behind the dwelling building line.

As detailed above the double carport is inconsistent with the underlying objectives of the carports and garages control and cannot be supported as proposed. Should consent be granted, it is recommended that a condition be applied stating that the proposed double carport and driveway is not approved.

5.6.5 Privacy

The rear earthworks will not result in sources of overlooking given the private open space would be adequately screened by a dividing fence.

5.6.7 Fencing

The proposed development seeks dispensation for a 1.5 metre front fence in lieu of 0.9 metre as required by the front fencing control. In assessing this non-compliant element of the proposal, Council must consider the impact of the fence on the streetscape and its aesthetics.

Justification provided by the applicant states that the front fence would be designed to match the existing front fence at 36 High Street, Parkes, approved by Council. This justification is sufficient to vary the front fence control, subject to infill slates being 50% visually permeable with a maximum 1.3 metre height to match approved fences in the streetscape. This matter is addressed by a condition of consent.

5.6.9 Stormwater Management

The submitted plans demonstrates that roofed and surface stormwater will be connected to an existing stormwater system and discharged in the rear laneway. Limited details have been provided on the design of the laneway discharge point. Accordingly, it is recommended that a condition of consent be applied to ensure compliance with Council's Engineering Standards.

S79C(1)(a) (iii) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F

There is no planning agreement applicable to the development that has been entered into under Section 93F of the *Environmental Planning and Assessment Act 1979*.

S79C(1)(a) (iv) matters prescribed by the regulations

The Act Regulations requires Council to consider the provisions of the Building Code of Australia. This matter has been addressed by a condition of consent.

S79C(1)(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality



General Manager



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Context and Setting

The established streetscape character exhibits residential dwellings all of similar scale and proportions, including carports and garages. Carports within the streetscape are located behind dwellings. The double carport within this context is unsatisfactory having regard to the character of the locality, surrounding developments and unduly impacts upon the continuity of the established streetscape.

Access, transport and traffic

The proposal involves the construction of a new road opening onto High Street. It is recommended that the access not be approved.

Utilities

The proposed use will not adversely impact existing utilities or public infrastructure.

Noise

Noise during construction will be controlled through appropriate conditions. The proposal will not result in any additional noise above the level of normal residential use.

Water

Roofed and surface stormwater would be managed by an existing stormwater system and discharged to Council's road drainage system. The proposal involves subsoil drainage along property boundaries and to ensure that such work is wholly contained within the property.

Soils

The implications for soil erosion can be addressed through the imposition of conditions of consent requiring soil erosion and sedimentation control during the construction phase of the development. The ongoing use of the development is unlikely to create impacts to soils given disturbed areas would be suitably revegetated.

Flora and Fauna

Established grasses and shrubs would be removed and disturbed areas would be revegetated. This matter is addressed by a condition of consent.

Waste

The proposal is likely to generate waste comprising fill and building materials which require disposal via landfill. These matters are addressed by conditions of consent to ensure compliance with NSW Environment Protection Authority's Waste Classification Guidelines and *Protection of the Environment Operations Act 1997*.

Hazards

There are no known risks to people, property or the biophysical environment from geologic or soil instability, flooding or bushfire.

Safety Security and Crime Prevention

The proposed front fence is likely to reduce casual surveillance of the street and property. It is recommended that a condition of consent be applied to ensure that front fence infill slates are at least 50% visually permeable to maintain casual surveillance.



General Manager



Mayor

Cumulative Impacts

The proposed earthworks, fencing and retaining walls are not expected to have any negative cumulative impacts. However, consent for the double carport would likely result in an undesirable precedent effect that would result in adverse cumulative effects on the environment from similar developments that would undermine the desired character and streetscape sought by Council's Development Control Plan 2013.

S 79C(1)(c) the suitability of the site for the development

There are two key heads of consideration in the assessment of site suitability:

Does the proposal fit in with the locality?

The proposed earthworks, fencing and retaining walls compliance with Council's Local Environmental Plan and compatibility with existing and desired development of the locality ensures that these developments are appropriate. However, the carport is expected to have negative impacts on the established streetscape and residential amenity of the locality. As such the carport does not 'fit' with surrounding developments and therefore is not suitable within the locality.

Are the attributes of the site conducive to the proposed development?

The site is considered to be suitable for the development as the proposal is likely to have moderate environmental impact.

S 79C(1)(d) any submissions made in accordance with the Regulation(s)

Nil.

S 79C(1)(e) the public interest

The double carport is considered to be prejudicial to the public interest as consent would set an undesirable precedent for similar development, which is not consistent with the desired character of the locality and planning objectives in Council's Development Control Plan 2013.

Conclusion

The application has been assessed as being partially satisfactory against Section 79C of the *Environmental Planning and Assessment Act 1979*, *Parkes Local Environmental Plan 2012* and the Parkes Shire Development Control Plan 2013. This assessment has taken into consideration the submitted plans and documentation.

The proposed double carport is considered to have a significant and detrimental impact on the environment and is unsuitable for the site, having regard to its compatibility with surrounding developments and compliance with relevant planning controls and objectives. Therefore, the application is recommended to be approved as a partial consent, which excludes the carport and driveway, subject to conditions.

Conditions



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Approved Plans and Documentation

1. The development shall be carried out in accordance with the approved plan(s) numbered DA15097 and stamped by Parkes Shire Council and attached to this consent except where amended by any of the following conditions. A copy of the stamped approved plans must be kept onsite for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.
2. No approval is granted by this development consent for the carport and associated driveway shown on the approved plans.

Prior to Works Commencing

3. No activity is to be carried out on site until a Construction Certificate has been issued, other than:
 - a) Site investigation for the preparation of the construction, and/or
 - b) Implementation of environmental protection measures, such as erosion control that are required by this consent.
4. The Applicant is to obtain a Construction Certificate from either Council or an Accredited Certifying Authority, certifying that the proposed works are in accordance with the Building Code of Australia prior to any building and/or subdivision works commencing.

Note. It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable Development and engineering standards in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.

5. The Applicant is to submit to Parkes Shire Council, at least two (2) days prior to the commencement of any works, the attached 'Notice of Commencement of Building or Subdivision Works and Appointment of Principal Certifying Authority'.
6. The Applicant is to obtain all relevant approvals to carry out sewerage work, to carry out stormwater drainage work and to carry out water supply work from Council prior to commencing such works and comply with any conditions of that permit.
7. The proposed front fence shall be modified as follows:
 - a) reduction in the height of the fence to a maximum of 1.5 metres when measured from existing ground level. The fence infill slates exceeding 0.9 in height must provide a minimum of 50% transparency in design; and
 - b) the vehicle access gates shall be removed.

All works are to be constructed wholly within the confines of the site. Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

8. All retaining walls, footings and associated drainage are to be located within the property boundary.

Prior to construction of the retaining walls, the structure and associated drainage works are to be set out by a Registered Surveyor to ensure:



General Manager



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- a) the proposed structures are located in accordance with the requirements of this condition; and
 - b) there is no encroachment onto neighbouring land and neighbouring buildings are not undermined during the earthworks and construction process.
9. Erosion and sedimentation controls must be in place prior to the commencement of site works and maintained throughout construction activities until the site is landscaped and/or suitably revegetated. The controls shall be in accordance with the details approved by Council and/or as directed by Council Officers. These requirements shall be in accordance with latest publication of Managing Urban Stormwater – Soils and Construction produced by Landcom.

During Works

10. All cutting and filling on the site shall be either battered at a maximum slope of one vertical to two horizontal (1V:2H) and revegetated or suitably retained by a retaining structure, designed and constructed to the appropriate engineering standards. All works are to be carried out within the boundaries of the property and without effecting the structural integrity of boundary fencing or neighbouring structures.
11. All fill must be virgin excavated material (such as clay, gravel, sand, soil and rock) that is not mixed with any other type of waste and which has been excavated from areas of land that are not contaminated, in accordance with the provisions of the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment (Waste) Regulation 2005*.
12. All excavated material to be removed from the site is to be assessed, classified, transported and disposed of in accordance with the NSW Department of Environment and Climate Change's (DECC) 'Waste Classification Guidelines Part 1: Classifying Waste' publication and disposed of at a lawful waste facility.
13. All plumbing and drainage work must be carried out by a licensed plumber and drainer in accordance with Australian Standard AS/NZS 3500 Plumbing and Drainage, the Plumbing Code of Australia and the following requirements:
 - a) All roof and impervious surfaces must be properly drained and directed to Council's stormwater infrastructure generally in accordance with the approved stormwater management system; and
 - b) All discharge points must be constructed in accordance with Council's Stormwater Drainage Design Guidelines and AUS-SPEC #1/Parkes Shire Council to the satisfaction of Council's Director Infrastructure.
14. Clearing of land, demolition, excavation and/or earthworks, building works, and the delivery of building materials shall be carried out between the following hours:
 - a) 7.00 am and 6.00 pm on weekdays,
 - b) 8.00 am and 5.00 pm on Saturdays, and
 - c) No work on Sundays or Public Holidays is permitted.
15. Building and construction materials, plant, equipment and the like must not be stored nor construction work carried out on the road reserve, footpath or roadway, unless associated with a separate approval under the *Road Act 1993*.



General Manager



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16. All building rubbish and debris, including that which can be windblown, shall be contained onsite in a suitable container for disposal at an approved Parkes Shire Council Waste Landfill Depot. The container shall be erected on the building site prior to work commencing and shall be maintained for the term of the construction to the completion of the project.
17. Throughout the course of building operations on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out. Toilet facilities are to be provided at a rate of one toilet for every 20 persons or part of 20 persons employed at the site.
18. Any damage caused to footpaths, roadways, utility installations and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction. The full cost of restoration/repairs of property or services damaged during the works shall be met by the Applicant.

Prior to Issue of an Occupation Certificate

19. Application for any Occupation Certificate must be submitted to and approved by the Principal Certifying Authority prior to occupation or use of the new building/works.
20. Prior to the issue of an Occupation Certificate a survey plan, prepared by a Registered Surveyor, setting out the boundaries of the site, in relation to the retaining wall structures, and verifying compliance with Condition 7 shall be submitted to the Principal Certifying Authority.

Prescribed conditions

21. The work must be carried out in accordance with the requirements of the *Building Code of Australia*.
22. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - c) stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

23. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance must be entered into and be in force before any building work authorised to be carried out by the certificate commences.



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24. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
- a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
 - b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing residential building work are changed while the work is in progress such that the information submitted to Council in accordance with this conditions is out of date, work must cease and no further work may be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council), has given the Council written notice of the updated information.

25. Where development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the certificate must at the person's own expense:
- a) protect and support the adjoining premises from possible damage from the excavation, and
 - b) where necessary, underpin the adjoining premises to prevent any such damage.

Attachments

1. Submitted plans and documentation
 - Site and Elevation Plans
 - Statement of Environmental Effects
 - Letter of Justification



General Manager



Mayor



Ken Keith
Mayor

LAURA MILLER BUILDING DESIGN

STATEMENT OF ENVIRONMENTAL EFFECTS

PROPERTY DETAILS

Lot No/s: 9a Section: 14 DP No/s 758827
Property No: 34 Street/Road Name: High Street
Property Name: n/a: Town/Locality: Parkes

APPLICANT DETAILS

Name/s S & E Hardy

DESCRIPTION OF DEVELOPMENT

Proposed Carport, front and rear retaining walls

USE OF DEVELOPMENT

Residential use only

DEVELOPMENT STANDARDS

What is the zoning of the land ? Residential
Is the proposal allowed within this zone ? Yes
Is the proposal consistent with the zone objectives ? Yes
Relevant Development Control Plans that apply to the development: Parkes Development Control Plan 2013
Is the proposal consistent with the selected Development Control Plans ? No
Reduced front setback, see attached owners letter

SITE SUITABILITY

Is the development in an area that would be prone to natural hazards such as bushfires or floods? No
Describe the physical features of the site such as, slope, vegetation, any waterways: Existing dwelling, pool and sheds, sloped landscaped block

CURRENT AND PREVIOUS USES

What is the current use of the site? Residential Date present use commenced n/a
Previous Use: Residential
What is the present use(s) of the adjoining land ? Residential only
Is it possible that the site could be contaminated from current or previous usage ? No



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OPERATIONAL DETAILS	N/A
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ACCESS, TRAFFIC & UTILITIES			
Will the development increase local traffic movements and volumes?			No
Has onsite parking been addressed in the design?			Yes
Is there vehicle access to a public road?			Yes
Are the following utilities readily available to the site?			
Water	Yes	Telecommunications	Yes
Electricity	Yes	Sewer	Yes
Comments:			

SOCIAL AND ECONOMIC IMPACTS	
Will the proposal have any social or economic consequence for the area?	No

CONTEXT AND SETTING	
Will the development:-	
• be visually prominent in the surrounding area ?	No
• be inconsistent with the existing streetscape	No
• be out of character with the surrounding area ?	No
Is there any impact on neighbouring properties relating to:	
<u>Visual Privacy</u>	No
<u>Acoustic Privacy</u>	No
<u>Views</u>	NO
<u>Overshadowing</u>	NO

ENVIRONMENTAL IMPACTS	
<u>Air and Noise</u>	
• Will any form of air pollution be created from the development?	No
• Will the development create any noise impacts?	No
<u>Soil and Water</u>	
• Does the development have the potential to result in any form of water pollution?	No
• Will the development require any significant excavation or filling? Max 600mm cuts	No
• During & after construction could the development cause erosion or sediment run-off?	No



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ENVIRONMENTAL IMPACTS (cont'd)

Heritage

Is the development a heritage item as listed in Council's LEP or DCP?	No
Is the development located in a heritage conservation area?	No
Will the development be adjoining a heritage item?	No
Will the development have an impact on any heritage item or item of cultural significance?	No
Will the development disturb any known Aboriginal artefacts?	No

Flora and Fauna

Will the development:

Result in any removal of vegetation on the site?	No
Be likely to have an impact on threatened species or a native habitat?	No
Be subject to any landscaping treatments?	No
Is the development in a koala habitat?	No

ENVIRONMENTAL IMPACTS (cont'd)

Waste

Will the development provide adequate waste facilities and controls?	Yes
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Comments:

Regular waste services. The construction of the carport and fence and retaining walls will require minimal waste, any will be disposed off at the local tip.

Energy

Is the development considered to be environmentally sustainable?	N/A
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Comments:



General Manager



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DEVELOPMENT APPLICATION



Property address: 34 High Street Parkes

Property reference: Lot 9A of Section 14
Deposit Plan 758827

Proposed development: Carport and retaining walls

Applicants: Elisa and Stuart Hardy
PO Box 411
Parkes NSW 2870

Contact Number: 0403 205 169

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Proposal

We purchased 34 High Street in July 2014. We would like to construct a carport to facilitate our large four-wheel drive and also a caravan. Unfortunately due to the slope of our block and the placement of the existing infrastructure it is not possible to locate the carport at the rear of our property and we therefore seek permission to construct the carport at the front of our house. In order to erect a front fence and increase our grassed area, we also seek permission to erect the retaining walls as set out in Attachment A. Our application requires a dispensation or variation from section 5.6.4 of the Parkes Shire Council's Development Control Plan (DCP), being Carports and garages are not permitted to be located in front of the front building line. We believe our application is a reasonable deviation from the Parkes Shire Council and we hope that the Council will agree after understanding the layout of our block and the reasons behind the proposed application. In addition to preparing this justification, we have had the relevant plans prepared (Attachments A, C and D) and a Statement of Environmental Effects prepared, which can be found at Attachment B.

Justification

Safety Concerns with Existing Infrastructure

We have two small non-school aged children and we have struggled with the existing sloped parking at the property. We have a large 4 wheel drive and it is impossible for both children to be able to be placed or removed from the car when parked in the carport/garage in the back yard. Although before purchasing the property we checked to see if the car would fit, we did not park the car in the existing car spaces and therefore did not recognise that it was not practical to allow the driver and two small passengers to exit the car whilst parked in the carport. It is not safe to get the children out of the car and then park the car, as the slope and the vehicle do not provide adequate visibility. As such, we currently park on the street. The existing carport and garage is not suited to our large 4 wheel drive and the car has already sustained damage after a collision with the carport. We therefore would like to erect a front fence and carport to allow us to park in the front yard. This would allow our cars to be undercover, the children can be placed in the vehicles away from the road and we will no longer need to park on the street.



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Safety concerns with High Street Parking

Parking on High Street has raised other safety concerns, as High Street is a steep sloping street and there is poor visibility when driving up or down High Street. It would be easy for our children to run out and not be seen by an on-coming car.

In addition, High Street is a particular busy street for school buses in the mornings and afternoons and we have always been concerned with getting children in and out of the car whilst parking on High Street. Therefore, it is imperative that we provide a safe location for our children to access the car and also fence the front yard to prevent them from running on to High Street.

Front Fence

As part of the proposed carport, we will be putting a front fence up which we have designed to complement neighbouring fences. This will improve the appearance of our house, as well as the street appeal. In addition, this will provide a safer environment with smaller children. With the proposed development we will gain use of our front yard, and will significantly reduce the risk of them running on to the road. The front fence will be erected on a retaining wall, as illustrated in Attachment A.

The front fence will enclose our proposed carport and will be in line with our neighbours at 36 High Street. The design of our fence will be similar to that of 36 High Street and therefore, this will help the proposed changes blend in with the street. Therefore the new fencing will be appealing from the street and will improve the aesthetics of the streetscape.



General Manager

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Justification of the Carport Size

Just before we purchased 34 High Street we were in the process of buying a caravan, however, we acknowledged that 34 High Street did not have adequate parking for a caravan and we did not proceed with this purchase. Although our primary concern is safe parking at our property, we would still like to purchase a caravan and therefore we have allowed sufficient height and space for a caravan to fit in the proposed carport. Therefore the proposed carport will eliminate us from having to keep our cars and caravan on the street. I believe a carport will improve the street appeal by reducing the number of vehicles on our street. Please refer to Attachment C for the Carport Plan.

Useable open space

The proposed development of our property will provide useable open space in an enclosed environment which the property currently lacks. This open (grassed) space will be a welcome addition to our family and makes the house more family friendly, especially with younger children wanting to play outside.

Rear Retaining Wall

The retaining wall proposed in the back yard, is required to allow us to level out the backyard to provide a grassed area for our children to play. The previous owner did not have young children and the area was kept sloped, as they wanted minimal grass. We would like to provide our children with a big enough grassed area to play on, with a fence to be erected above the retaining wall.

Setback

Our house is set further back than any other houses on our section of High Street and therefore an open carport will be less noticeable than if the house was built on the minimum boundary setback. An aerial view showing the large setback on our block is at Attachment E. The proposed setback will also be further back than other carports/garages on our street, as detailed below.



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Streetscape

34 High Street is a distinct house and may not be appealing to everyone, the proposed development will be done in conjunction with erecting a front fence. The front fence will secure our yard and the select design is to soften the appearance of the house, so it is less eye catching. The levelling of the front yard will provide a lovely grassed area, being both practical and visually appealing. These changes will allow us to landscape in a more structured way, providing for a modern look that is more appealing to the eye than the current design. This will not only improve the appearance of the house, but it will also improve the streetscape of our street.

Street Appeal

The proposed carport roof and trim will be in Colour bond Manner Red, which is the same colour as our house roof and detail. The proposed skillion roof has been selected to reduce the overall height of the carport, to ensure that it meets our requirements whilst still blending in with the house.

There are a number of garages and carports that already exist on our block, which are erected on the fence line. We have made thoughtful choices to ensure that our carport will blend in with our house. We believe that our proposed carport and new landscaping will have a positive impact on High Street's appeal.

Garages/Carports on High Street

There are a number of garages or carports within a block of our house that have garages/carports on their fence lines. We believe that our proposed carport will blend in with our street design and have less of an impact than some existing structures on our street.



General Manager



Mayor

15 High Street

Diagonally across from our property is 15 High Street. This property has a garage set on their fence line. In comparison, our carport will be set further back then this existing garage, with our house also being set further back than 15 High Street. Our proposed carport will not have a garage door or walls and we believe that our carport will be less obvious, compared to the garage at 15 High Street as it has a solid appearance.



34 Gap Street

34 Gap Street has a carport/garage with a garage door that fronts High Street. This carport/garage is in line with the fence line and from appearances this looks to be set further forward then the location of our proposed carport. In addition, our proposed carport will not have a garage door and will be set back behind our fence line.



General Manager

Mayor

19 Gap Street

19 Gap Street has a carport with a garage door that fronts High Street. This carport/garage is in line with their fence line, our proposed carport will not have a garage door and will be set back behind our fence line.



Privacy

Previously the front fence dividing the front yard of 32 High Street and our property was a small broken picket fence, approximately 60-80 cm high. Therefore, the block rendered fence we will be replacing it with will provide considerably more privacy.

Construction of Retaining Walls

All of the proposed retaining walls will comply with the National Construction Code and we have engaged an engineer, architect and a professional brick layer to design and undertake this work. Please refer to Attachment D for the Engineer's Structural Details Plan.

In addition, a fence will be erected on the proposed retaining wall in the back yard.

Further consideration

The proposed work will be undertaken by local trade's people and the materials where possible will be sourced locally, therefore providing work for local businesses.

General Manager

Mayor

Parkes Local Environmental Plan - Zone R1 -Objectives of Zone

To provide for the housing needs of the community

The proposed application will provide easier access and usable open spaces, which are more suited to a young family. Although we plan to live in the house for the foreseeable future, this house is ideally located with 3 schools within 2 blocks and would be appealing to other families if we make the proposed changes. Therefore we believe it is important for this house to work for our young family, however if we do move it will provide the community with another opportunity to have a well designed and functional family home.

To provide for a variety of housing types and densities

The proposed changes will not impact the housing density, however we believe it will help the house blend in better with the street, as our street has older and more traditional houses. These improvements will reduce the impact of our eye catching house, whilst still maintaining individuality.

To enable other land uses that provide facilities or services to meet the day to day needs of residents

Currently we have car parking areas which are not suitable to both of our vehicles. The proposed changes will provide us with a safe car parking option, which is required with small children who have little to no road or vehicle sense. In addition, the design of the current parking spaces prohibits us from having a caravan without having to store it in the elements on the street. Doing so would create an additional hazard on a steep sloped street, as it would reduce the visibility of pedestrians, which is obviously a concern with the many school children passing our house to get to school.

To provide attractive affordable, well located and market-responsive residential land.

The proposed changes will improve the appeal of our house to families.



General Manager



Mayor

To ensure that any non-residential land uses permitted within the zone are compatible with the amenity of the area

N/A

To ensure that housing densities are broadly concentrated in locations accessible to public transport, employment, services and facilities.

The proposed changes will remove a car and potentially a caravan from a street with poor visibility, which has a high volume of buses and school children.



General Manager



Mayor

Development Control Plan - 5.1 - Objectives

Provide for a wider range of residential development to improve choice in living across the Shire;

The proposed development application will provide safe car parking on our block and will provide improved living with more usable spaces. The proposed carport will certainly improve our living, as it is particularly stressful managing young children by yourself to a car parked on the street, as they are not always very co-operative. This is particularly important given the amount of children killed or injured by being run over on the street or in their own driveway. The current design of our infrastructure is simply dangerous for a four wheel drive and not practical.

Encourage good design in residential development by providing and ensuring a comprehensive design orientated approach to new residential development;

The proposed design will certainly improve the use of our home, as well as improving the appearance. The proposed set back of the carport will add to the interesting nature of our street, as all the houses and carports/garages have varying setbacks. Our proposed set back is further back than our neighbours across the road, our open design will blend in more with our house, whilst still complementing our streetscape.

Set appropriate criteria for energy efficiency, privacy, noise, vehicular access, parking and open space; and

The proposed application, will improve the privacy of both our house and our neighbours by providing a sufficient fence between properties. In addition, the vehicular access and parking will be improved, providing a safe and functional parking area. Currently the block has an extremely small amount of grassed area for our children to play, the proposed areas to be constructed within the retaining walls will provide open usable spaces.

Improve urban design and residential amenity in new housing development.

The amenities of our house will be improved with the proposed application, as it will provide a practical parking area, for both a four-wheel drive and a caravan. In addition, the proposed changes will provide grassed play areas which are important to a family.



General Manager



Mayor

Stuart and Elisa Hardy



RECEIVED
29.10.15

29 October 2015

Mr Andrew Raines
Parkes Shire Council
2 Cecile Street
Parkes NSW 2870

DEVELOPMENT APPLICATION NO: DA15097
CONSTRUCTION CERTIFICATE NO: CC075/15
PROPERTY: 34 HIGH STREET, PARKES

Dear Mr Raines,

I refer to your letter dated 15 October 2015, regarding the development application and construction certificate we have applied for with Council. I apologise for our delayed response, we needed to engage an Engineer to prepare the required certificate, which has only been received today. Please find below our response for the additional information you have requested.

1. Justification for the fence height

I apologise for not explaining providing justification for this height in our previous application, I was informed that we would be exempt from the Parkes Council height restrictions as provided for under the NSW Interactive Buildings Reports. However, if this is not the case, we have set the fence height at a height to match our neighbour's fence at 36 High Street. We believe that this will improve the streetscape, as our fence complements our neighbours. In addition, we have selected the height of the fence to help reduce the chance of our young children climbing over the fence, as High Street is a busy street at certain times of the day. The style and height of fence will also provide security and privacy for our family to enjoy our front yard.

General Manager

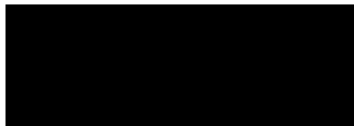
Mayor

2. Engineering Certificate

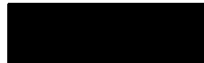
Please find attached the engineering certificate as requested.

I hope that you find our response satisfactory. If you do have any more questions please do not hesitate to contact me.

Kind regards,



Elisa Hardy



A handwritten signature in blue ink, likely belonging to the General Manager.

General Manager

A handwritten signature in blue ink, likely belonging to the Mayor.

Mayor

12.3 (DPE) DA15108: Change of use from office premises to mixed use development (office, shop, information & education facility) - 203 Clarinda Street, Parkes

Development Application Information

Application No: DA15108

Applicant: Mr Kent Boyd

Property: Lot 41 DP 787512, 203 Clarinda Street, Parkes

Proposal: Change of use from office premises to mixed use development (office, shop, information and education facility)

Executive Summary

Council received Development Application No. DA15108 on the 11 November 2015 seeking development consent for change of use from office premises to mixed use development (office, shop, information and education facility) at Lot 41 DP 787512, 203 Clarinda Street, Parkes.

The supporting documentation indicates that the proposal would create a 'Council shop front' used by Elvis Central, other mixed uses (pop-up shops, information displays and workshops) and major projects. The application is presented to Council for determination as it involves a Council building.

In accordance with Parkes Shire Development Control Plan 2013 the application was notified to adjoining land owners from 13 November 2015 to 27 November 2015. As a result of the exhibition process no public submissions were received.

Background Information

Nil.

Legislative, Policy & Management Planning Implications

The proposal can be assessed against Section 79c of the *Environmental Planning and Assessment Act 1979* and its Regulations, *Parkes Local Environmental Plan 2012* and relevant State Environmental Planning Policies and Parkes Shire Development Control Plan 2013. These instruments outline the permissibility and development standards for the proposed development within the B2 Local Centre zone.

Budget & Financial Aspects

Nil.

Recommendation

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



General Manager



Mayor

Report

Locality and site description

The site is legally described as Lot 41 DP 787512, being known as 203 Clarinda Street, Parkes. The land is a regular rectangular shaped allotment has an area of approximately 700 square metres with front and rear site access. The land is stepped and falls from the rear laneway towards to Clarinda Street.

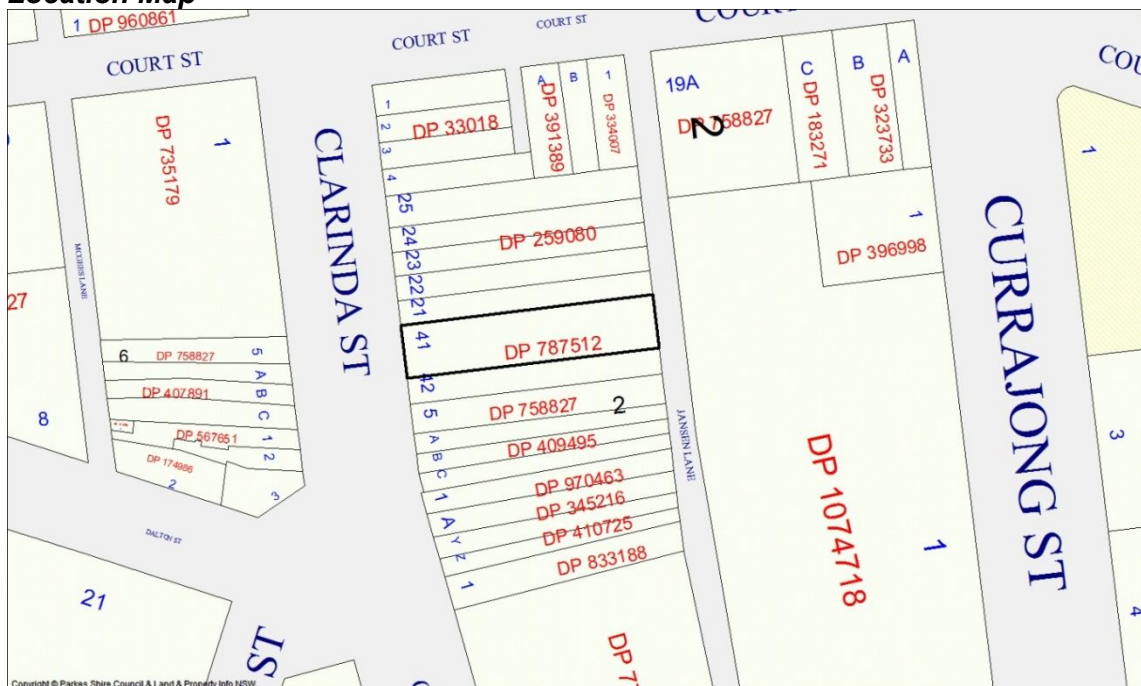
The site contains an existing office premises, sealed off-street carpark with significant tree and retaining structures with stairwell and landings. The retaining structure and off-street carpark is shared with 203A Clarinda Street, Parkes.

Surrounding developments are predominately of a commercial nature consisting of business and retail premises. There is shop top housing to the west and south and private off-street parking facilities to the north (205-209 Clarinda Street) and east (BigW) of the site.

Proposal

The proposal involves the change of use from office premises to mixed use development comprising office, shop and information and education facility. The shop and information and education facility would create a 'Council shopfront' with a floor area of 120 square metres. A copy of the submitted plans and documentation is provided in **Attachment 1**.

Location Map



Consultation

Parkes Shire Development Control Plan 2013

In accordance with Parkes Shire Development Control Plan 2013, the application was notified to adjoining land owners from 13 November 2015 to 27 November 2015. As a result of the exhibition process no public submissions were received.

General Manager

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Environmental Assessment

The following matters as listed under Section 79C of the *Environmental Planning and Assessment Act 1979* (the 'Act'), are relevant in considering this application:

S 79c(1)(a)(i) provisions of any environmental planning instrument(s)

State Environmental Planning Policy No 55 – Remediation of Land

Clause 7(1)(a) of SEPP 55 requires Council to consider whether land is contaminated. Council records indicate that the site is used for commercial purposes and was historically as a hotel and a bank. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7 (1)(b) and (c) of SEPP 55 and the land is considered to be suitable for commercial development.

State Environmental Planning Policy - Infrastructure 2007

Clause 45 of SEPP Infrastructure requires Council to consider any development application (or an application for modification of consent) for any development carried out:

- Within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists),
- Immediately adjacent to an electricity substation,
- Within 5m of an overhead power line,
- Includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5m of an overhead electricity power line, or
- Placement of power lines underground.

The proposal is not within or immediately adjacent to any of the above infrastructure; as such, the development satisfies Clause 45 SEPP Infrastructure.

State Environmental Planning Policy No. 64 – Advertising and Signage

Clauses 8 and 13 of SEPP 64 requires Council to determine whether signage is consistent with the objectives stipulated under Clause 3(1)(a) of the SEPP and to assess signage proposals against the assessment criteria of Schedule 1. The development does not involve signage and no further consideration is required under SEPP 64.

Parkes Local Environmental Plan 2012

The site is zoned B2 Local Centre under the *Parkes Local Environmental Plan 2012*. The proposed development is characterised as mixed use development comprising an information and education facility, office and shop (defined below) which are permissible with consent of Council.

mixed use development means a building or place comprising 2 or more different land uses.

information and education facility means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like.
transport depot with ancillary general industry and office (defined below) which are permissible with consent of Council.



General Manager



Mayor

office premises means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.

shop means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop, but does not include food and drink premises or restricted premises.

The objectives of the B2 Local Centre zone are:

- a) To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- b) To encourage employment opportunities in accessible locations.
- c) To maximise public transport patronage and encourage walking and cycling.
- d) To preserve the dominance of the town centre of Parkes as the key subregional retail and commercial centre in Parkes.
- e) To support the consolidation of commercial and retail development in the town centre of Parkes.
- f) To encourage the expansion of post-secondary education and training facilities within the town centre of Parkes to service the education needs of the region.
- g) To improve the quality of urban design in the town centre of Parkes to ensure that the pedestrian environment is attractive and safe.
- h) To minimise conflict between land uses within the zone and land uses within adjoining zones.

Clause 2.3 requires Council to have regard to whether the development is consistent with the B2 Local Centre zone objectives. The proposed development is considered consistent with these objectives, specifically objectives (a), (b) and (e), as the proposal would redevelop the site and provide an active retail frontage and local employment opportunities and consolidate retail development within the core of the Parkes town centre.

Clause 5.10 requires Council to consider heritage matters. Accordingly, the development does not involve a heritage item nor is the development located within the vicinity of any items of environmental heritage adopted by Council.

Clause 6.7 requires Council to consider whether the site is appropriately serviced for the development. The documentation demonstrates that site contains existing essential services that would adequately cater for the development.

S 79C(1)(a)(ii) provisions of any draft Environmental Planning Instrument(s)

There are no draft Environmental Planning Instruments that apply to the development.

S 79C(1)(a)(iii) provisions of any Development Control Plan(s)

Parkes Shire Development Control Plan 2013

The proposed development is considered acceptable in relation to the Parkes Shire Development Control Plan (DCP) 2013, with relevant development controls and objectives discussed below.



General Manager



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3.3.4 Car Parking and Access

Council's DCP prescribes parking rates for offices, shops and information and education facilities at 1 space per 40 square metres of Gross Floor Area (GFA), 1 space per 35 square metres of GFA and 1 space per staff respectively.

The office and shop GFA is 200 square metres and 120 square metres respectively. Based on the parking rates above, the proposed development would require provision of 9 parking spaces.

Section 3.3.4.2 provides provision of historic parking credits to be applied to any change of change or redevelopment where a lawfully establish use is established. Council's records indicate that the previous use of the building was a business premises with 345 square metres GFA. Therefore, the business premises has a historic parking credit of 9 spaces based on the parking rate of 1 space per 40 square metres of GFA.

After factoring historic parking credits of 9 spaces, the proposed development will not require additional parking under the car parking controls.

3.3.10 Waste Management

Limited details have been provided on waste management for the operational phase of the development. Accordingly, it is appropriate to apply standard waste conditions to ensure suitable waste management arrangements.

S 79C(1)(a)(iia) provisions of any Planning Agreement(s)

Nil.

S 79C(1)(a)(iv) any matters prescribed by the regulations

The Act Regulations requires Council to consider the provisions of the Building Code of Australia. This matter has been addressed by a condition of consent to ensure compliance.

Clause 93 of the Act Regulations requires Council to consider whether the fire protection and structural capacity of the building will be appropriate to the building's proposed use. In consideration, the building is suitable for its intended use (class 6) subject to compliance with a fire safety schedule. This matter has been addressed by a condition of consent to ensure compliance.

S 79C 1(b) the likely environment, social and economic impacts in the locality

Context and Setting

The site is currently occupied by a office premises. The proposed development would be compatible with the surrounding commercial landuses and would not have any significant impact upon neighbouring properties.

Access, transport and traffic

Access to the rear off-street parking area is by a sealed driveway and layback opening onto the rear laneway. Rear building access is restricted to staff and therefore, off-street parking is likely to be utilised by staff. Public access to the premises will be by the primary building entrance in Clarinda Street.

The proposal is likely to generate pedestrian and vehicular traffic and would have a minimal impact on the surrounding road network as there is adequate on-street parking to adequately cater for traffic generated as a result of the development.



General Manager



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Utilities

The existing building is connected to the reticulated water supply, electrical supply and reticulated sewerage system. No changes to utilities are proposed or required as a result of the development.

Air & Microclimate

There are no significant air quality or pollution issues arising from existing or proposed activities carried out on the site.

Noise and Vibration

The proposal is unlikely to result in noise above the level of normal commercial use.

Hazards

There are no known risks to people, property or the biophysical environment from geologic or soil instability, flooding or bushfire.

Safety Security and Crime Prevention

The proposal is unlikely to increase opportunities for criminal or anti-social behaviour as a result of the development.

Economic and Social Impact in the Locality

The proposed development will not have a detrimental economic or social impact on the locality considering the nature of the existing and proposed commercial landuse. It is likely that the proposal would have a positive impact and provide local employment opportunities.

Cumulative Impacts

It is considered that the proposal will not result in any detrimental impacts on the natural or built environment and that it is compatible within the locality.

S79C(1)(c) the suitability of the site for the development,

There are two key heads of consideration in the assessment of site suitability:

Does the proposal fit in with the locality?

The proposal's compliance with the Council's Local Environmental Plan and compatibility with existing and desired future development of the locality ensures that the development is appropriate.

Are the attributes of the site conducive to the proposed development?

The site is considered to be suitable for the development as the proposal is likely to have minimal environmental impact.

S79C(1)(d) any submissions

See discussion on 'consultation' in this report.

S79C(1)(e) the public interest

The proposed development does not present any issues that are contrary to the public interest.



General Manager



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Conclusion

The proposal has been considered against the relevant matters for consideration under Section 79C of the Environmental Protection and Assessment Act 1979. This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions.

The development is not considered likely to have a significant and detrimental impact on the natural or built environment and is suitable for the site, having regard to its compatibility with surrounding development and compliance with relevant planning controls. Therefore, the proposal is recommended to be approved subject to conditions.

Conditions

Approved Plans and Documentation

1. The development shall be carried out in accordance with the approved plan(s) numbered DA15108 and stamped by Parkes Shire Council and attached to this consent except where amended by any of the following conditions. A copy of the stamped approved plans must be kept onsite for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.

Limitations of Consent

2. All loading and unloading of delivery vehicles, is to take place off-street and must not inhibit the free flow of vehicles accessing the site or other premises in the area.
3. The location and facilities for the collection, storage and disposal of waste generated within the premises must be in such a manner that the waste materials/storage bins or refuse areas are not visible from any public place.
5. There must be no interference with the amenity of the area by reason of the emission of any "offensive noise" as defined in the Protection of the Environment Operations Act 1997, vibration, smell, fumes, smoke, vapour, steam, soot, ash or dust, or otherwise as a result of the development.
6. The owner/operator must submit to Parkes Shire Council an Annual Fire Safety Statement, each twelve (12) months after the final Fire Safety Certificate is issued.

Prior to Issue of an Occupation Certificate/Use Commencing

7. The Applicant must not commence occupation or use of the premises until an Occupation Certificate has been issued from Council for the subject development.
8. Prior to the issue of an Occupation Certificate, the building is to be upgraded to comply with the attached Fire Safety Schedule and fire exit doors are to comply with Part D of the Building Code of Australia.

Note: The attached Fire Safety Schedule supercedes any earlier Fire Safety Schedules and will cease to have effect when any later Fire Safety Schedule is issued.



General Manager



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9. Prior to the issue of an Occupation Certificate, the owner must submit to Council a final Fire Safety Certificate stating that each essential fire safety measure specified in the current Fire Safety Schedule for the building to which the certificate relates:
- has been assessed by a properly qualified person; and
 - was found, when it was assessed, to be capable of performing to a standard not less than that required by the current Fire Safety Schedule for the building.

Further, the assessment must be carried out within a period of three (3) months of the date on which the final Fire Safety certificate was issued. The owner of the building must forward a copy of the certificate to the New South Wales Fire Brigades and must prominently display a copy in the building.

Note: A final Fire Safety Certificate must be provided before a final Occupation Certificate can be issued for the building and must be provided if a Fire Safety Order is made in relation to the building premises.

Prescribed conditions

10. All works must be carried out in accordance with the requirements of the Building Code of Australia.
11. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- showing the name, address and telephone number of the principal certifying authority for the work, and
 - showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

Attachments

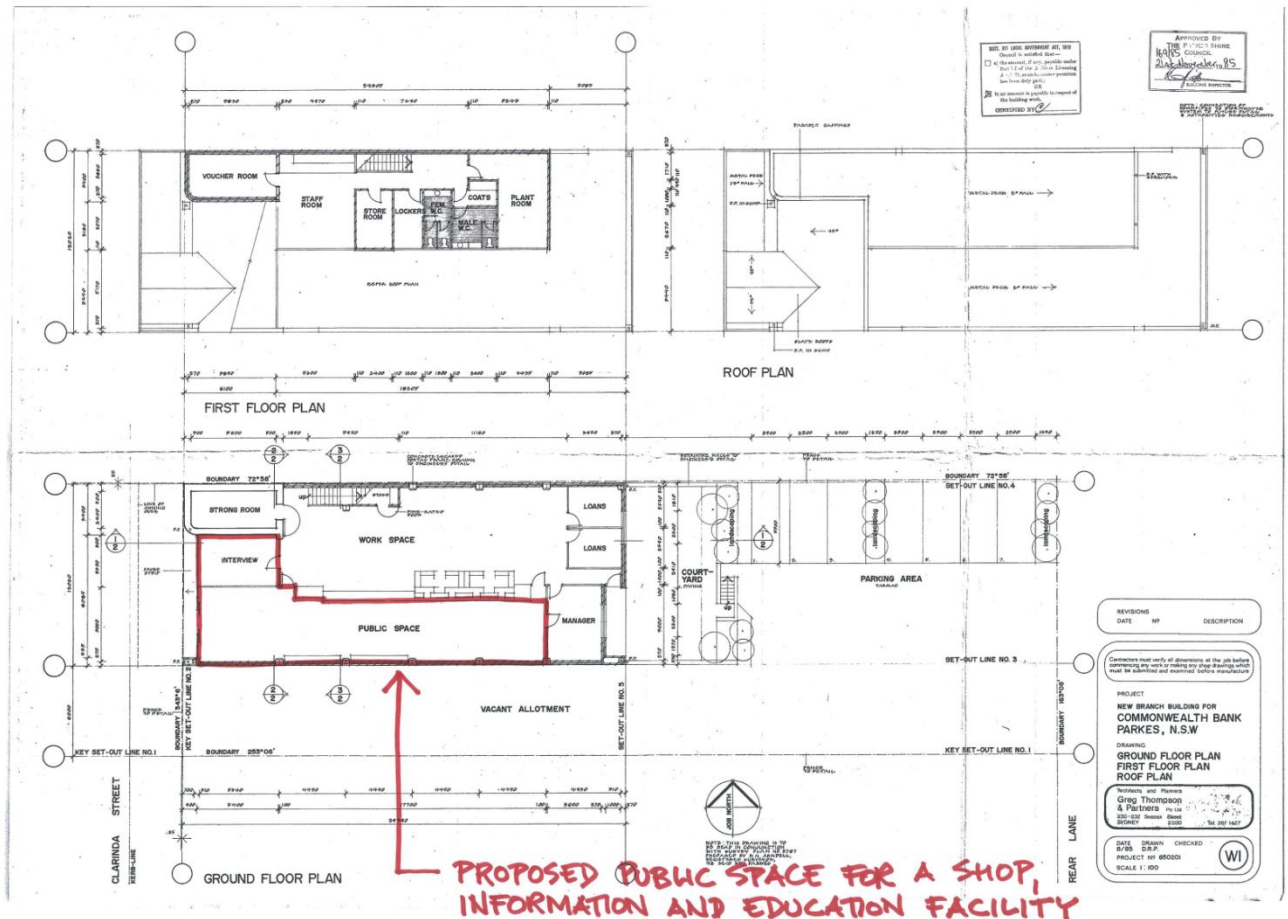
1. Submitted plans and documentation:
- Floor Plan
 - Statement of Environmental Effects



General Manager



Mayor




General Manager


Mayor

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10 Lowe Lane
Cowra NSW 2794
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E michaelpcarter@bigpond.com



STATEMENT OF ENVIRONMENTAL EFFECTS FOR

PARKES SHIRE COUNCIL

COUNCIL SHOP FRONT AT 203 CLARINDA STREET

November 2015



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General Manager

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Mayor



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General Manager

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1. EXECUTIVE SUMMARY

Parkes Shire Council has recently rented commercial premises at 203 Clarinda Street Parkes to accommodate the office and administration needs of its Major Projects Team. This team is responsible for the progression of a new water filtration plant and waste water treatment plant at Parkes, and do not need the 'front-of house' spaces at the existing premises, which comprises approximately 120m² of floor space. The floor space that is currently unused at the front of 203 Clarinda Street was previously used as the main customer service area of the Commonwealth Bank.

Parkes Shire Council wishes to gain consent for the use of the front customer area as a Council Shop Front, Information and Education Facility. Primarily, the approval will allow Elvis Central to establish in the building to service the Parkes Elvis Festival conducted every year in January. However, other mixed uses (pop-up shop uses, information displays and workshops) may also be conducted from the premises.

Approval is therefore being sought for the part use of the existing premises for a Mixed Use Development, including office, shop and information and education facility uses, as defined under Parkes Local Environmental Plan 2012.

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General Manager

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Mayor



2. INTRODUCTION

This Statement of Environmental Effects has been prepared to support a Development Application for the establishment of a Mixed Use Development (office, shop, information and education facility) in an existing office building located on Lot 41 DP 787512, 203 Clarinda Street, Parkes.

Primarily, the approval will allow Elvis Central to establish in the building to service the Parkes Elvis Festival conducted every year in January. However, other pop-up shop uses, Council Information Displays and Council Workshops may also be conducted from the premises.

The applicant for this Development Application is Parkes Shire Council. As a major sponsor of the Elvis Festival and the Consent Authority responsible for determining Development Applications in the Shire, Parkes Shire Council is taking this proactive step of lodging a Development Application for the proposed use of the front customer service area for a shop and information and education facility.

The proposal is permitted with the consent of Council in accordance with the Parkes Local Environmental Plan 2012. This Development Application aims to obtain Council's consent for the proposed development.

To address any perception of a potential conflict of interest between Parkes Shire Council's role as both the proponent and determining authority for this Development Application, the following steps are proposed to be incorporated into the DA Process:

- A town planning consultant has been engaged to prepare an independent assessment of the development proposal, including the completion of a Statement of Environmental Effects.
- Upon lodgement of the Development Application for the proposal, neighbour notification of the development proposal will be given to adjoining property owners, including a statement declaring Council's interests in the matter.
- No delegated authority will be used in the determination of the Development Application for the proposed shop, with a full assessment report to be tabled at a future Ordinary Meeting of Council for determination of the proposal.

This Statement of Environmental Effects describes the site, its environs and the proposed use of the premises. It also provides an assessment of the proposal in terms of the matters for consideration under Section 79C of the Environmental Planning and Assessment Act 1979.

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General Manager

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3. BACKGROUND

3.1 Parkes

The Parkes Shire has a population of around 15,250 people, spread over a relatively large area of 5,919 square kilometres. The shire is located approximately 360 kilometres west of Sydney, 700 kilometres north of Melbourne, 970 kilometres south of Brisbane and 300 kilometres north-west of Canberra. It is renowned for its strategic connections to mainland cities and ports via roads and railways, The Dish and Elvis.

Parkes is the largest town in the Parkes Shire and is located geographically in the centre of the shire. The Parkes township is well connected to other major centres in the Central West of NSW; being located approximately 20 kilometres north of Forbes, 115 kilometres south of Dubbo and 100 kilometres west of Orange.

Consistent with previous statistical growth patterns for the Central West of NSW, it is expected that the Parkes Shire will experience positive population growth (approximately 8.7 %) over the next 20 years. The majority of this growth is expected to occur in the township of Parkes. It is likely that rural areas of the Shire and some of the smaller towns may experience a marginal decline in population.

Parkes Shire Council has been a strong supporter of initiatives that grow and develop the Parkes Brand, including the annual Parkes Elvis Festival.

3.2 203 Clarinda Street

The site of Lot 41 DP787512, 203 Clarinda Street, Parkes was one of the first land titles created in the 1874 town survey. The land has been used for a range of commercial purposes, including a hotel and a bank. Improvements on the land parcel include a two storey commercial office building and a sealed car park at the rear of the site. The existing premises were constructed around 1985 to accommodate the Commonwealth Bank. The existing commercial building has recently been occupied by the Parkes Shire Council Major Projects Team, with approximately two thirds of the building being used for offices. The ground floor foyer of the building is currently not used by the Major Projects Team. This space has an area of approximately 120m² and was previously used as the main front foyer and customer service area of the Commonwealth Bank. It is ideal for temporary mixed uses by Council, such as Elvis Central, Council Main-street Displays and a Workshop Area.

3.3 Parkes Elvis Festival

Every year on the second weekend of January, Parkes hosts a festival to celebrate the life and music of Elvis Presley. From its modest beginnings in 1993, the Parkes Elvis Festival has grown into one of the largest festival events in the Central West of NSW.

Today, the Parkes Elvis Festival is held over five days on the second week of January each year. The program includes over 150 events and activities, including the headline Feature Concerts Series, the Elvis Gospel Service, the Northparkes Mines Street Parade, non-stop free entertainment in Cooke Park, the popular Renewal of Vows, the Miss Priscilla Dinner, Poets' Breakfast, busking, dancing, cake decorating and much more. The Elvis Express (train) between Sydney to Parkes is an annual highlight for Festival visitors. The Festival experience begins even before visitors arrive in Parkes, as they are serenaded by Elvis all the way from Sydney.

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A handwritten signature in black ink, appearing to read 'Ken Keith'.



More than 20,000 visitors attended the Parkes Elvis Festival in January 2015. Spending into the local economy during the Elvis Festival is significant (over \$9M in visitor spend each year). This revenue is important for the community of Parkes Shire, especially as the Festival is held in the town's tourism 'low season'.

As the Parkes Elvis Festival continues to grow, one of the biggest challenges for event organisers is providing a location for Elvis Central, which is the official outlet for Festival merchandise and souvenirs. Proceeds from Elvis Central go directly to the Festival and allow it to grow and improve each year.

3.4 What is a Council Shop Front

The part use of the commercial premises at 203 Clarinda Street is for a Council Shop Front, involving the following activities as defined under Parkes Local Environmental Plan 2012:

Shop means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop, but does not include food and drink premises or restricted premises.

information and education facility means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like.

The remaining floor space in the existing commercial building will be used as an **office premises**, which is a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.

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General Manager

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Mayor



4. DESCRIPTION OF PROPOSED SITE

The following section provides a general overview of the environment, which places the proposal in its local and regional context. A more detailed description of the site is provided in this section.

4.1 Locality Description

203 Clarinda Street is located in the Parkes Central Business District (CBD). This part of the CBD is very active and functions as part of the main commercial area of the centre. Shops, offices, cafes, restaurants and other commercial premises are located in this area. The Town Square is located less than 50 metres from the site of the proposed Elvis Central and a Big-W Discount Department Store is located approximately 100 metres south of the property. A Locality Plan is provided in Figure 1 below:

Figure 1: Location of Lot 41 DP 787512, 203 Clarinda Street, Parkes



4.2 Real Property Description

The site of the proposed shop is formally described as Lot 41 DP 787512, 203 Clarinda Street, Parkes.

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General Manager

A handwritten signature in black ink, likely belonging to the Mayor.

Mayor



4.3 Description of Property Improvements

A large two storey commercial office building is located on the site. The main pedestrian access to the office building is provided from Clarinda Street, however this access is currently closed to the general public. A secondary access is provided from Jensen Lane, which is currently used by the Major Projects Team as their access to the office spaces in the building. A sealed car park is located at the rear of the premises, which provides parking for six cars.

Plans of the property improvements on Lot 41 DP 787515 are provided as a separate attachment. Photographs of the improvements on the site are provided in Figure 2.

Figure 2: Property Improvements on Lot 41 DP 787512, 203 Clarinda Street, Parkes



Front entry to 203 Clarinda Street from Clarinda Street

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General Manager

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Mayor



Front entrance foyer of 203 Clarinda Street



A meeting room is available and provides additional floor space

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General Manager

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Approximately 120m² is available in the front foyer and meeting room space



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General Manager

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Existing customer counter and walls can be used for shop, display and workshop activities

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General Manager

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5. STRATEGIC CONTEXT

5.1 Parkes Shire Council Community Strategic Plan

The Parkes Shire Community Strategic Plan is a high level 10 year plan developed collaboratively by the Parkes Shire Council and the Parkes Shire community. This plan identifies the community's main priorities and aspirations for the Parkes Shire into the future. It contains the Vision for the Parkes Shire and eight key Future Directions in achieving this vision by 2022. These future directions are listed below:

1. Develop Lifelong Learning Opportunities.
2. Improve Health and Wellbeing.
3. Promote, Support and Grow Our Communities.
4. Grow and Diversify the Economic Base.
5. Develop Parkes as a National Logistics Hub.
6. Enhance Recreation and Culture.
7. Care for the Environment in a Changing Climate.
8. Maintain and Improve the Shire Assets and Infrastructure.

The following key future directions relating to the proposed development are taken directly from the Parkes Shire Community Strategic Plan:

Develop strategies to work with and support the township endeavours.

Develop and support the tourism industry in the Shire.

The development of a Council Shopfront in the Parkes CBD will provide valuable information and workshop accommodation options for the Council. The use of the space as Elvis Central in January each year will also provide valuable services to residents and visitors at the Parkes Elvis Festival.

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General Manager

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Mayor



6. DESCRIPTION OF PROPOSED DEVELOPMENT

The following section provides an overview of the proposed development, as defined under the NSW Environmental Planning and Assessment Act 1979. It also describes in detail the various components of the development proposal on the subject land.

6.1 Overview of Proposal

Parkes Shire Council proposes to use part of an existing commercial premises located on Lot41 DP 787512, 203 Clarinda Street, Parkes as a Council Shop Front. This approval will allow for the operation of a shop and an information and education facility within the existing office building.

Approximately 120m² of the existing building are proposed to be used for shop, information and education facilities.

For the duration of the Parkes Elvis Festival, it is proposed to establish Elvis Central in the front foyer of the Shop Front. An indication of the 2016 Elvis Central Opening Hours are provided below:

- Monday 4 January - 9.00am-4.00pm
- Tuesday 5 January - 9.00am-4.00pm
- Wednesday 6 January - 9.00am-4.00pm
- Thursday 7 January - 9.00am-7.00pm
- Friday 8 January - 9.00am-7.00pm
- Saturday 9 January - 9.30am-7.00pm
- Sunday 10 January - 8.30am-5.00pm
- Monday 11 January - 9.00am-3.00pm

The operation of Elvis Central will involve the use of existing counters, walls and shelves to display Elvis related merchandise and information. Several small tables, temporary shelving, cash register and chairs will be temporarily installed to display and sell merchandise. Staff will be employed at the shop to assist with all enquiries, including any assistance in and out of the building.

At other times of the year, the front foyer space is proposed to be used by Council as a shop-front to facilitate the display of information to Main-street customers. This may involve the static display of Council notices and information in the shop-front windows facing the Clarinda Street footpath through to the running of small community workshops inside the building in the foyer space.

No alterations to the existing building are required to be undertaken to accommodate the proposed development. The proposed new land-use activities will be carried out within the confines of the front foyer and customer areas originally established to service the previous banking activities.

The existing commercial premises has a rear car park that is available for use by staff and customers. In practice, it is envisaged that customers to Elvis Central and to other shop-front activities will access the premises as pedestrians from the main shop front entrance at Clarinda Street.

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General Manager

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Mayor



7. ENVIRONMENTAL PLANNING ASSESSMENT

This section provides an evaluation of the relevant matters for consideration under Section 79C of the EP&A Act 1979. The provisions of section 79C have been repeated in full below:

79C Evaluation

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

- (i) any environmental planning instrument, and*
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- (iii) any development control plan, and*
- (iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and*
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
- (v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,*
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) the suitability of the site for the development,*
- (d) any submissions made in accordance with this Act or the regulations,*
- (e) the public interest.*

The following sections address the matters for consideration listed under section 79C(1) of the EP&A Act 1979.

S79(C)(1)(a)(i) The provisions of any environmental planning instrument

Local Environmental Plans

The Parkes Local Environmental Plan 2012 applies to all land within the Parkes Local Government Area. The site of the proposed Council Shop Front is zoned B2 Local Centre under the Parkes Local Environmental Plan 2012. The Land Use Table for the B2 zone permits mixed use development, including offices, shops and information and education facilities with consent.

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General Manager

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State Environmental Planning Policies

The following State Environmental Planning Instruments (SEPPs) apply to the Parkes Local Government Area:

- State Environmental Planning Policy 1 - Development Standards
- State Environmental Planning Policy 4 - Development Without Consent & Miscellaneous Exempt & Complying Development
- State Environmental Planning Policy 6 - Number of Storeys in a Building
- State Environmental Planning Policy 21 - Caravan Parks
- State Environmental Planning Policy 30 - Intensive Agriculture
- State Environmental Planning Policy 32 - Urban Consolidation (Redevelopment of Urban Land)
- State Environmental Planning Policy 33 - Hazardous and Offensive Development
- State Environmental Planning Policy 36 - Manufactured Home Estates
- State Environmental Planning Policy 44 - Koala Habitat Protection
- State Environmental Planning Policy 50 - Canal Estate Development
- State Environmental Planning Policy 55 - Remediation of Land
- State Environmental Planning Policy 62 - Sustainable Aquaculture
- State Environmental Planning Policy 64 - Advertising and Signage
- State Environmental Planning Policy 65 - Design Quality of Residential Flat Development
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Major Development) 2005
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
- State Environmental Planning Policy (Rural Lands) 2008
- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007

There are no SEPPs that are specifically relevant to the assessment of the proposed development.

S79(C)(1)(a)(ii) The provisions of any proposed instrument

There are no draft planning instruments that apply to the site.

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General Manager

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Mayor



S79(C)(1)(a)(iii) Any development control plan

The Parkes Development Control Plan 2012 (DCP) applies to the proposal. Section 3 of the DCP specifies the controls for Commercial Development, including development on land zoned B2 Local Centre. The development proposal is generally consistent with the relevant matters for consideration under Section 3 of the DCP. In regards to Section 3.3.4.2 Change of Use or Redevelopment, there are historic parking credits applying to the approval of the Commonwealth Bank Building under BA 169/85. The proposed use of existing commercial floor spaces for limited shop, information and education facilities is not considered to generate additional car parking demand.

S79(C)(1)(a)(iiia) Any planning agreement

There are no planning agreements relating to the site.

S79(C)(1)(a)(iiia) The regulations

Environmental Planning & Assessment Regulations 2000

Division 8 of Part 6 of the Environmental Planning and Assessment Regulation 2000 specifies additional matters that must be taken into consideration by a consent authority in determining a development application. Consideration of these matters is included below:

Clause 92 - Government Coastal Policy

Not applicable to the Parkes Shire Local Government Area.

Clause 92 - Building Demolition

There are no buildings proposed to be demolished.

Clauses 93 & 94 – Fire Safety Upgrades

No alterations to the existing building are required to be undertaken to accommodate the proposed development. The proposed new land-use activities will be carried out within the confines of the front foyer and customer areas originally established to service the previous banking activities.

Clause 94A - Temporary Structures

Not relevant to the proposal.

Clause 95 – Deferred Commencement

Not relevant to the proposal.

Clause 96 – Ancillary aspects of development

Not relevant to the proposal.

Clause 96 – Ancillary aspects of development

Not relevant to the proposal.

Clause 97 – Modification or surrender of development consent or existing use

Not relevant to the proposal.

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General Manager

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Mayor



Clause 97A – Fulfilment of BASIX commitments

Not relevant to the proposal.

S79(C)(1)(b) The likely impacts of the development

The likely environmental impacts of the proposed development are assessed below:

Site Design

The proposed mixed use development activities will be carried out within the confines of the front foyer and customer area originally established to service the previous banking activities. No alterations to the existing building are required to be undertaken to accommodate the proposed development. The existing commercial premises has a rear car park that is available for use by staff and customers. In practice, it is envisaged that customers to Elvis Central and to other shop-front activities will access the premises as pedestrians from the main shop front entrance at Clarinda Street. Due to the infrequent nature of the shop-front activities within the confines of the existing building, it is not expected that the proposal will have an adverse impact on adjoining land uses, pedestrians on Clarinda Street or motorists travelling along Clarinda Street or Jensen Lane.

Context and Setting

The proposal involves the use of an existing commercial building in the Parkes CBD. The proposed development will result in minor physical changes to the shop front windows of the existing commercial building from time to time. This may involve the static display of Council notices and information in the shop-front windows facing the Clarinda Street footpath. The proposed shop front displays will not dominate the surrounding streetscape. The proposal is not expected to create significant impacts on adjoining land-use, streetscape or the context and setting of the area.

Land Use Conflict

The site of the proposed Council Shop Front is located in the Parkes CBD. The proposed shop front activities will be generally low intensity activities, with the exception of the Elvis Central shopfront which is expected to be busy with pedestrian traffic when it is open to the public in January. At other times of the year, the front foyer space is primarily proposed to be used by Council as a shop-front to facilitate the display of information to Main-street customers. This may involve the static display of Council notices and information in the shop-front windows facing the Clarinda Street footpath through to the running of small community workshops inside the building. Overall, it is not expected that the development will create significant impacts on adjoining land-use.

Access and Traffic

Pedestrian access to the proposed shopfront will be from Clarinda Street. The existing commercial premises has a rear car park that is available for use by staff and customers. In practice, it is envisaged that customers to Elvis Central and to other shop-front activities will access the premises as pedestrians from the main shop front entrance at Clarinda Street. There are historic parking credits applying to the original Commonwealth

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General Manager

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Mayor



Bank Building at 203 Clarinda Street, approved under BA 169/85. It is expected that the existing road network, street car parks and off-street car park are adequate to service the proposed development.

Public Domain

The proposed development will not have a negative impact on public opportunities in the locality. The proposed development will not have a negative impact on public opportunities in the locality. No changes to the access conditions on Clarinda Street or Jensen Lane are proposed. There are no long-term changes to the amount, location, design, use and management of public spaces in the area.

Utilities

The proposed development will have access to water supply, reticulated sewerage, storm water drainage, gas and centralised power supply.

Heritage

There are no Heritage Items listed under Parkes Local Environmental Plan 2012 or State Heritage Items listed on the State Heritage Register that relate to the site.

Other Land Resources

The proposed development is not expected to have a negative impact on primary production lands, mineral and extractive resources or water supply catchments.

Groundwater

The potential for ground water contamination and cumulative impacts on any aquifer system is minimal.

Surface Water and Drainage

The proposed development will have access to storm water drainage. No significant changes are required to the existing drainage arrangements for the site and on surrounding land.

Bushfire

A Bushfire Hazard Assessment is not required given the subject land is not identified by the NSW Rural Fire Service as being bush fire prone.

Air, Noise and Vibration

No significant noise impacts are likely as part of the development, given the temporary nature of the land-use activities and general day-time use of the premises.

Natural Hazards

There are no natural hazards which significantly affect the subject land.

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General Manager

A handwritten signature in black ink, likely belonging to the Mayor, which appears to read 'Ken Keith'.

Mayor



Technological Hazards

There are no technological hazards which affect the operation of the proposed development on the subject land.

Social and Economic Impact on the locality

It is anticipated that the proposed development will have a positive social and economic impact.

Flora and Fauna

The site of the proposed development is not identified as 'Biodiversity' as shown on the Biodiversity Map of the Parkes Local Environmental Plan 2012. The proposed development is not expected to create adverse impacts on flora and fauna in the locality. The proposal does not necessitate the removal of any existing vegetation and the subject site and surrounding land does not comprise critical habitat for threatened or endangered fauna species.

Cumulative Impacts

It is considered there will be no negative cumulative impacts as a result of the proposed development.

Section 79(C)(1)(c) The suitability of the site for the development

The proposal involves the development of a Council Shop Front within an existing commercial building located in the Parkes CBD. It is considered that the site is suitable for the proposed use. No alterations to the existing building are required to be undertaken to accommodate the proposed development. The subject land is not affected by any natural hazards, there are no indications of heritage sites, and there are no characteristics of the site that would render the proposal prohibitive. No significant impacts on environmental functions, neighbouring land-uses, cultural or heritage items or features of the surrounding land are assessed to occur.

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General Manager

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Mayor



8. CONCLUSION

The proposed development of a Council Shop Front on Lot 41 DP 787512, 203 Clarinda Street, Parkes is permitted under Parkes Local Environmental Plan 2012.

The applicant for this Development Application is Parkes Shire Council and the consent authority responsibilities also rest with the Council. An art-arms-length assessment process has been followed to ensure an objective assessment of the proposal.

The provision of temporary style shop front activities within the confines of the foyer space already established within the existing commercial building will assist in the promotion and growth of the Parkes Elvis Festival, as well as other community information and engagement projects and programs advocated by the Council.

Based on the information contained in this Statement of Environmental Effects, including particulars of the proposed development and the applicable statutory requirements, it is concluded that the proposal is consistent with the objectives and provisions of the relevant planning instruments and policies. The proposal is also acceptable in terms of section 79C of the Environmental Planning and Assessment Act 1979, with any potential impacts likely to be minor in nature.

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General Manager

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Mayor

13 DIRECTOR ENGINEERING SERVICES REPORT

13.1 (DES) ALGA National Local Roads and Transport Congress 2015

Executive Summary

The 2015 National Local Roads and Transport Congress was held in Ballarat, Victoria, from 13-15 November 2015. Cr Robert Haddin and Director Engineering Services, Ben Howard, attended the Congress on behalf of Council. This year's Congress was attended by over 400 delegates, again indicating that it is a very important event for local government and was themed **"Connecting Communities, Driving the Nation"**.

Council has previously noted correspondence from both sides of Australian politics pledging the continuation of the Roads to Recovery Program beyond 2014. It was previously announced at the 2014 Congress that the Roads to Recovery Program will continue until 2019. A clear indication of the success of the continuing lobbying of the Australian Local Government Association members through the Congress.

Background Information

See Report.

Legislative or Policy Implications

Nil.

Progressive Delivery Program Implications

The resolution in this report will primarily effect the Delivery Program Future Direction relating to: *8. Maintain and improve the Shires Assets and Infrastructure*

Predicted positive effect / opportunity for the Delivery Program: *Good*
Strong continued support has maintained the pressure on the Australian Government to continue the programme beyond 2014 and has therefore extended the program through to 2019.

Predicted negative / challenge to the Delivery Program: *Major*
A reduction in the continued support will also reduce the likelihood of the Australian Government continuing the programme in future years.

Quadruple Bottom Line



Economic ★★★★★



Environmental ★★★★★



Social ★★★★★



Civic Leadership ★★★★★

Road infrastructure is the most important asset Council maintains, serving the community, business, agriculture, and other key industries. Continued support of the Roads and Transport Congress has positive outcomes for Economic and Social aspects through gaining additional funding, demonstrates Council's positive Civic Leadership through lobbying for additional funding as a collective, while preserving the environmental aspects.

General Manager

Mayor

Budget & Financial Aspects

Continued support is required to keep pressuring the Australian Government to extend the Roads to Recovery Program and increase the level of funding.

Recommendation

1. That the information on the 2015 National Local Roads and Transport Congress be noted.

Report

The 2015 National Local Roads and Transport Congress was held in Ballarat, Victoria, from 13-15 November 2015. Cr Robert Haddin and Director Engineering Services, Ben Howard, attended the Congress on behalf of Council. This year's Congress was attended by over 400 delegates, again indicating that it is a very important event for local government and was themed **"Connecting Communities, Driving the Nation"**.

Council has previously noted correspondence from both sides of Australian politics pledging the continuation of the Roads to Recovery Program beyond 2014. It was previously announced at the 2014 Congress that the Roads to Recovery Program will continue until 2019. A clear indication of the success of the continuing lobbying of the Australian Local Government Association members through the Congress.

In June 2015, Council received correspondence from the Hon Warren Truss, Deputy Prime Minister Leader of the Nationals, Minister for Infrastructure and Regional Development, Member for Wide Bay, advising additional funding has been made available for the current and future Roads To Recovery programs.

Council's Roads to Recovery Program for the 15/16 Financial years was doubled from previous years and had \$1,772,000 allocated under the 15/16 financial year. This allocation has now increased to \$2,531,688, equating to an increase of \$759,312.

The additional funding has now increased the allocation for the 16/17 financial year from \$886,188 to \$2,923,679, equating to an increase of \$2,037,491.

This results in an additional \$2,796,803 for Parkes Shire Council over the 15/16 and 16/17 financial years.

The Roads Congress was first held in Moree in 2000 and was instrumental in the initial Roads to Recovery Programme being created. Parkes Council has been represented at, and contributed to, all previous National Roads and Transport Congress events by Cr Keith, together with the Director of Infrastructure, Operations and Engineering Services.

Councils have recognised the importance of maintaining a united voice and the Congress has attracted 300-400 delegates each year.

Through the continued attendance of the Congress by Local Government representatives across Australia, considerable influence has been exerted on the Australian Government to assist Councils with the significant backlog of works on road and transport infrastructure.



General Manager



Mayor

Keynote speakers for the event included but not limited to the following:

- Address by Deputy Prime Minister and Minister for Infrastructure and Regional Development, the Hon Warren Truss MP
- Minister for Territories, Local Government and Major Projects, the Hon Paul Fletcher MP
- Shadow Minister for Infrastructure and Transport, the Hon Anthony Albanese MP
- Sal Petrocitto, Chief Executive Officer for the National Heavy Vehicle Regulator (NHVR)
- Jeff Roorda, JRA presenting the State of the Assets Report for 2015
- Jessica Hall, Department Infrastructure and Regional Development
- Paul Retter, Chief Executive of National Transport Commission (NTC)
- Professor John Woodroffe, Michigan Transport Research Institute

There were also a number of Panel Sessions facing both Regional and Metropolitan Councils relating to:

- Boosting National Productivity
- Ongoing Policy Challenges
- Regional Council Groups

Attachments

Nil



General Manager



Mayor

13.2 (DES) Donation of Season Ticket for Breast Cancer Fundraising

Executive Summary

A request has been received from the organisers of the Tullamore Christmas Bingo to donate a Child Pool Season Ticket to raise money for Breast Cancer Research.

Background Information

A Family Season Ticket is generally donated to each shire Swimming Club for fundraising purposes and on occasions Council receives additional requests from Community groups for the supply of tickets as items to be included in raffles and other fundraising activities.

Legislative or Policy Implications

Nil

Progressive Delivery Program Implications

The resolution in this report will primarily effect the Delivery Program Future Direction relating to: 2. *Improve Health and Well Being*

Predicted positive effect / opportunity for the Delivery Program: *Good*

The fundraising activity could encourage additional members of the community to participate in aquatic sports.

Predicted negative / challenge to the Delivery Program: *Negligible*

There are no foreseen negative impacts

Quadruple Bottom Line



Economic ★★★★★



Environmental ★★★★★



Social ★★★★★



Civic Leadership ★★★★★

Budget & Financial Aspects

A child village pool season ticket is worth \$70.

Recommendation

1. That Council provide a Child Season Ticket for the Tullamore Christmas Bingo as a fundraising activity for Breast Cancer.

Attachments

1. Request received from the Tullamore Christmas Bingo organisers.

General Manager

Mayor

09/11/2015

Dear Mrs Ross,

I am writing on behalf of the Tullamore community as we are holding a Christmas Bingo on the 12th December 2015, to raise money for Breast Cancer Research, in honour of Leanne Porter who is one of your employees and a community mind resident who has recently been diagnosed with this horrible disease.

We were wondering if you would be able to donate a child season ticket for us to raffle to help raise more money.

Waiting on your reply.

Yours truly



General Manager



Mayor

13.3 (DES) Request for Use of Bushmans Dam - Christmas BBQ

Executive Summary

Council have received a request from the Central West Car Club requesting Council approval for conduct of the annual Christmas BBQ event proposed to be held at Bushman's Dam on Sunday 20 December 2015 from 6:00pm to 10:00pm.

Background Information

The Christmas BBQ is an annual event and generally the running of activities has not impinged greatly on Council resources.

Legislative or Policy Implications

Approval is required under Part D Community Land, Section 68 of the Local Government Act 1993

Progressive Delivery Program Implications

The resolution in this report will primarily effect the Delivery Program Future Direction relating to: 2. *Improve Health and Well Being*
3. *Promote, Support and Grow our Communities*

Predicted positive effect / opportunity for the Delivery Program: *Good*

Support of such an event contributes to Council's Delivery Program objectives.

Predicted negative / challenge to the Delivery Program: *Minor*

Minor cost associated with implementation of event may be the only negative aspect.

Quadruple Bottom Line



Economic ★★★★★



Environmental ★★★★★



Social ★★★★★



Civic Leadership ★★★★★

For minimal cost Council gives strong support for the Quadruple Bottom Line aspects of Social and Civic Leadership.

Budget & Financial Aspects

Minor staff costs will be incurred associated with the request to provide access to the amenities outside of the normal operating hours.

General Manager

Mayor

Recommendation

1. That permission to use Bushmans Dam on Sunday 20 December 2015 for the Christmas BBQ be granted, subject to the organisers complying to the following conditions:
 - Obtaining approval under Part D Community Land, Section 68 of the Local Government Act 1993;
 - That the erection of all temporary structures (including a stage) is conducted in accordance with State Environmental Planning Policy (Temporary Structures) 2007. Development consent will be required if criteria cannot be met.
 - Obtain approval for the Local Area Command - Schedule 1 - Notice of intention to hold a public gathering;
 - Complete a Risk Assessment and Management Plan to the satisfaction of Council;
 - Meet all obligations imposed by Council staff in relation to the abovementioned matters;
 - That no pegs or stakes be driven into the earth without prior consultation with the Parks and Gardens Supervisor;
 - Possess sufficient insurance (not less than \$20 million coverage) for the activities proposed and providing proof of same;
 - Leaving the Park in a clean and tidy condition at the conclusion of the event.
2. That Council provide extra bins, including recycling bins for the event and assist in waste management.
3. That Council make power available on the day of the event.

Attachments

1. Application for use of Bushmans Dam



General Manager



Mayor



CENTRAL WEST CAR CLUB INC

PO BOX 512
PARKES NSW 2870
centralwestcarclub@gmail.com
www.centralwestcarclub.com

23 November 2015

The General Manager
Parkes Shire Council
PO BOX 337
PARKES NSW 2870

Dear Sir

APPLICATION FOR USE OF BUSHMAN'S DAM AREA 20 DECEMBER 2015

I have attached our application for the above and request that the toilets remain open until a much later time than last year.

It became a little awkward last year when the toilets were locked at 6.00 pm. We have a wide range of ages attend our Christmas BBQ on the night from young children to very elderly adults. Toilet availability is a must.

The area is a wonderful resource and we would like to continue to make use of the parklands at Bushman's Dam but if the toilets are to be locked so early we may have to look elsewhere.

I realise that we may not have exclusive use of the area on the night, but if we could be supplied with a contact person to enable lock up the toilet area when we are done it would be appreciated.

Thank you for your consideration.

Secretary

General Manager

Mayor

13.4 (DES) Centroc Contract for the Supply of Fuel including Fuel Cards

Executive Summary

This report seeks Council's endorsement to participate in a regional purchase of fuel through Central NSW Councils (CENTROC) Compliance and Cost Savings program and Supply Management Team.

Background Information

Council has participated in a Centroc Fuel Contract since 2011.

Legislative or Policy Implications

Tendering requirements are prescribed in the Local Government Act 1993 and Local Government (General) Regulation 2005.

Progressive Delivery Program Implications

The resolution in this report will primarily effect the Delivery Program Future Direction relating to: *Function 7: Procurement*

Predicted positive effect / opportunity for the Delivery Program: *Good*

Participation in the CENTROC Fuel Contract will facilitate compliance with the Local Government (General) Regulation 2005.

Predicted negative / challenge to the Delivery Program: *Minor*

Using the CENTROC Contract may restrict Council's operations for remote site deliveries dependent on the chosen supplier/s.

Quadruple Bottom Line



Economic ★★★★★



Environmental ★★★★★



Social ★★★★★



Civic Leadership ★★★★★

Utilisation of the contract has positive implications for Council and Council's support of CENTROC.

Budget & Financial Aspects

CENTROC manages the process including all costs of advertising and tender assessment and takes a management fee from the supplier to cover these costs.

Historically, through participation in the CENTROC regional fuel contract over the past two years, Parkes Shire Council has enjoyed savings of approximately \$5,000 per annum.

General Manager

Mayor

Recommendation

1. That Parkes Shire Council agree to participate in the next CENTROC regional fuel and fuel card contract process and that Council provide the necessary advice and support to CENTROC.

Report

Council has participated in CENTROC's regional contract for the purchase of fuel for the past four (4) years and subject to Council's resolve, inclusion would be for the next contract which will commence 1 July 2016.

The following report provided by CENTROC, provides background advice regarding both CENTROC's Compliance and Cost Savings Program and the regional purchase of fuel.

Background on the CENTROC Compliance and Cost Savings Program

Central NSW Councils (CENTROC) represents over 236,000 people covering an area of more than 70,000sq kms comprising Bathurst Regional, Blayney, Boorowa, Cabonne, Cowra, Forbes, Harden, Lachlan, Lithgow City, Oberon, Orange City, Parkes, Upper Lachlan, Weddin, Mid-Western and Young Councils and Central Tablelands County Council.

CENTROC exists to do two things – advocate on behalf of the region and support member operations through regional co-operation and resource sharing.

To support member operations, a Compliance and Cost Savings Program has been created to add better value to members and generate more cost savings to individual councils. The program is being funded in part from the CENTROC surplus and comes at no extra cost to members.

The objective of the program is to drive initiatives across the region to reduce Council costs through:

- providing a regional approach to compliance with State and Federal legislation thereby reducing costs to member Councils;
- trialling with the intent to implement products and services to reduce costs and
- implementing regional contracts to reduce costs through group purchasing

The aim is to have the Compliance and Cost Savings Program be self funding through the revolving cost savings fund. A percentage (5%) of each member Council's savings will be placed back into the program in order to continue to provide further funds for CENTROC. The Board resolved to take this approach rather than increasing fees for members. A full report on how this works was provided to members in February 2009 and is available upon request.

The program has been in operation since 14 December 2009 and over \$1,000,000 of savings to the region have been realised through a variety of programs including desktop telephony audit, on site telephony audit at some councils, diesel tax rebate audit and a desktop electricity review.



General Manager



Mayor

Background on the CENTROC Supply Management Team

The Supply Management Team was established in June 2003. The objectives of this team are:

1. Networking of professional purchasing staff
2. Achieve savings through joint procurement of goods and services
3. Generate income through rebates to Central NSW Councils
4. Facilitate professional development and training of Council purchasing staff
5. Encourage use of the latest technology for communication and purchasing functions

The Supply Management Team has been successful in all of these areas over the past ten years and continues to provide ways for councils to save money and time through working together regionally.

In addition to fuel, the team has currently has regional tenders in road signs and bitumen emulsion and are continuously looking at ways that purchasing regionally can assist CENTROC members.

In 2015, the Supply Management Team changed its focus and became the Best Practice in Stores Management Group.

Background on developing a regional fuel contract

A report to the CENTROC General Managers Advisory Committee in July 2008 highlighted that petrol prices are a significant line item for Councils where the State contract is not regarded as competitive by supply team members and most are not buying from the State contract. This may have legal ramifications as each Councils spend is typically over \$150K even when separating diesel from unleaded as line items.

Feedback from the supply team suggests that staff are vigilant in monitoring petrol prices and that this leads invariably to local purchase. Under State legislation Councils are obliged to both seek best value and go to tender for spends over \$150K. As the State has a contract for petrol and it is not competitive, the DLG was approached about how Councils can best manage this situation and if it was possible to not have to go to tender as long as councils were purchasing better than prices the state contract has to offer. DLG responded and said that Councils must be purchasing under contract for fuel, due to the amount spent per annum.

The Supply Team has subsequently investigated possibilities for regional fuel purchase through either a regional approach or "zoned" approach to account for different distributors across CENTROC.

The Supply Management Team decided to do a regional contract for fuel in 2010 culminating in a two year regional contract in 2011. As we near the completion of the current contract, CENTROC seeks to repeat the process.



General Manager



Mayor

CENTROC members currently procuring under this arrangement are as follows:

Council	Participating in Current Regional Contract
Bathurst	Yes
Blayney	Yes
Boorowa	Yes
Cabonne	Yes
Cowra	Yes
Forbes	Yes
Lithgow	Yes
Lachlan	Yes
Oberon	Yes
Orange	Yes
Parkes	Yes
Upper Lachlan	Yes
Weddin	Yes
Wellington	Yes
Young	No

Advice received suggests that some members were using the State Government contract for purchase of fuel for fleet vehicles using fuel cards, and that this contract was ending in late 2015 and wouldn't be renewed. As such, GMAC resolved at their meeting of 29 October 2015 to include fuel cards in this process, along with the supply and delivery of bulk fuel.

Should council agree to participate in a regional contract, Centroc will put out an RFT (Request for Tender) and proceed to a contract. It is anticipated that the contract will be for a duration of two (2) years with an option for a 12 month extension.

A Tender Evaluation Panel will be initiated in the coming months, with staff from participating councils encouraged to be involved. Advice regarding service and pricing under a regional contract will be provided to members.

Benefits of a regional approach include:

- cost savings to members through bulk procurement;
- time saved by Supply team staff through centralised coordination and
- income stream to Centroc from the Contractor with a view to reducing fees

Council contribution

Centroc manages the procurement process including all costs of advertising and tender assessment and receives a management fee of 0.5% of the value of the spend from the supplier to cover these costs.

Council should also give consideration to future compliance with the contract.

Attachments

Nil



General Manager



Mayor

14 DIRECTOR INFRASTRUCTURE REPORT

14.1 (DI) Funding Offer - Lake Endeavour Safety Upgrade

Executive Summary

Council has received an additional funding offer for the Lake Endeavour Dam Safety Upgrade project. The offer is for 50% of \$1.45M and was awarded to cover additional scope requested by the dam designers NSW Public Works, as well as additional design and investigation costs and the installation of the Early Warning System.

Background Information

The project is funded under the NSW Country Towns Water and Sewerage Scheme and has received two previous subsidy offers for the pre-construction works and tendered contract sum.

Legislative or Policy Implications

Nil.

Progressive Delivery Program Implications

The resolution in this report will primarily effect the Delivery Program Future Direction relating to: *8. Maintain and improve the Shires Assets and Infrastructure*

Predicted positive effect / opportunity for the Delivery Program: *Excellent*

Demonstrated Civic leadership and environmental stewardship.

Predicted negative / challenge to the Delivery Program: *Low*

The project has been included in the current Delivery Program and has been funded by the NSW State Government.

Quadruple Bottom Line



Economic ★★★★★



Environmental ★★★★★



Social ★★★★★



Civic Leadership ★★★★★

Budget & Financial Aspects

The additional \$750,000 subsidy component will be claimed immediately as it has already been expended through the project delivery.

Recommendation

1. That the seal of Council be applied to the acceptance for the subsidy offer.
2. That a letter be forwarded thanking the Minister for the additional funding

Attachments

1. Subsidy offer letter

General Manager

Mayor



The Hon Niall Blair MLC

Minister for Primary Industries
Minister for Lands and Water

B15/4803

Mr Kent Boyd
General Manager
Parkes Shire Council
PO Box 337
PARKES NSW 2870

Dear Mr Boyd, *Kent*

Thank you for your letter of 15 September 2015 regarding financial assistance under the Country Towns Water Supply and Sewerage (CTWS&S) Program for the Lake Endeavour Dam Safety Upgrade project.

I am pleased to offer Council additional financial assistance of up \$725,215 (being 50 per cent of \$1,450,428 excluding GST) for the early warning system, risk allowance, site clearing and associated works of the Lake Endeavour Dam Safety Upgrade project under the CTWS&S Program. A schedule of costs is attached.

Under the Program rules, there are no provisions for revised estimates or additional costs. The standard conditions that will apply to this financial assistance are attached in duplicate. Council is requested to return a signed original of these conditions to Mr Glenn George, Acting Director, Urban Water, DPI Water, at the new postal address of Locked Bag 5123, Parramatta NSW 2124.

This financial assistance is contingent on timely completion of all approved works. All payments must be claimed by 30 June 2017. Financial assistance will not be available after this date.

I note that Council is working towards full compliance with Best Practice Management of Water Supply and Sewerage Guidelines, which were gazetted by the Government in May 2004 and revised in August 2007. Council is advised that an amount of \$910,377 is being withheld in the previous funding offer and will be released once Parkes Shire Council achieves full Best Practice compliance as set down in Schedule 3 of the previous funding offer.

Regarding an additional \$700,000 cost incurred due to unforeseen foundation conditions during the construction phase, this cost may be eligible for funding under the CTWS&S Program. Council should submit the costing details to DPI Water for eligibility assessment.

.../2

GPO Box 5341, Sydney NSW 2001

Phone: (61 2) 8574 7190 Fax: (61 2) 9339 5560 www.nsw.gov.au/ministercontactform/minister-blair

General Manager

Mayor

-2-

The Hon Niall Blair MLC

I have asked that Mr Matt Parmeter, DPI Water at the Dubbo office, be available to discuss this matter further if you wish. Mr Parmeter may be contacted on (02) 6841 7410 or via email at matt.parmeter@dpi.nsw.gov.au

Yours sincerely



The Hon Niall Blair MLC
Minister for Primary Industries
Minister for Lands and Water

Att. Schedule of Costs
Att. Standard Conditions

13 NOV 2015



General Manager



Mayor

**PARKES SHIRE COUNCIL
LAKE ENDEAVOUR DAM SAFETY UPGRADE
PROJECT COST SUMMARY**

Item	Description	Cost (\$)	Govt Subsidy Rate (%)	Govt Subsidy Amount (\$)
1	Previous Offer/s			
1.1	Pre-construction activities and dam construction works	9,850,000	50	4,925,000
	Sub-Total Previous Offer/s	9,850,000		4,925,000
2	This Offer			
2.1	Site Clearing	6,214	50	3,107
2.2	Risk Management	846,777	50	423,389
2.3	Early Warning System and Power Supply	244,000	50	122,000
2.4	Insurances	153,009	50	76,505
2.5	Project Management – Public Works	200,428	50	100,214
	Sub-Total This Offer	1,450,428		725,215
	TOTAL	11,300,428		5,650,215

Note:

- All figures for this offer exclude GST.



General Manager



Mayor

DPI WATER

Country Towns Water Supply and Sewerage Program

SCHEDULE 1 TO THE CONDITIONS

FOR COUNCIL MANAGED WATER SUPPLY AND SEWERAGE WORKS

	Parkes Shire Council
The Work:	Lake Endeavour Dam Safety Upgrade

The Work comprises:

1	Site Clearing and Insurances
2	Risk Management
3	Early Warning system and power supply
4	Project Management – Public Works

The Estimated Cost

The estimated cost for the Work is \$1,450,428 (excluding GST).

The Amount of Grant


The Upper Amount of this Grant, referred to in the Clause 9 of the Conditions is \$725,215 (excluding GST), which does not include the previously approved funds.

The Common Seal of Council
was hereunto affixed on

.....
Mayor

.....
General Manager


General Manager


Mayor

DPI WATER

Country Towns Water Supply and Sewerage Program

SCHEDULE 2 TO THE CONDITIONS

FOR COUNCIL MANAGED WATER SUPPLY AND SEWERAGE WORKS

**Lake Endeavour Dam Safety Upgrade
Grant Payments against Project Milestones**

Items and Components or Stages of the Work in Schedule 1	Project Milestones	Maximum Amount of Grant Payment and Term of Payment Subject to Note 1 below
1	Completion of site clearing and insurances	Payment of \$79,612
2	Completion of risk management	Payment of \$423,389
3	Completion of early warning system and power supply	Payment of \$122,000
4	Satisfactory progress on the project management works	Progressive payments at the rate of 50% of the eligible expenditure to a maximum amount of \$100,214
Total		\$725,215

NOTE 1:


Payments will be subject to satisfactory completion of the Works and compliance with the enclosed "Conditions for Using Government Funds for the Construction of Water Supply and Sewerage Scheme".

The Common Seal of Council
was hereunto affixed on

.....
Mayor

.....
General Manager


General Manager


Mayor

DPI WATER
Country Towns Water Supply and Sewerage Program

SCHEDULE 3 TO THE CONDITIONS
FOR COUNCIL MANAGED WATER SUPPLY AND SEWERAGE WORKS

Lake Endeavour Dam Safety Upgrade
Best Practice Criteria Requiring Completion

- Refers to previous funding offer IM14/10220.



General Manager



Mayor

DPI WATER
URBAN WATER

**CONDITIONS FOR USING GOVERNMENT FUNDS
FOR THE CONSTRUCTION OF WATER SUPPLY AND SEWERAGE SCHEME**

1: Definitions

"Act" means, unless otherwise indicated, the *Local Government Act, 1993*.

"Council" meansParkes Shire..... Council.

"Office" means DPI Water.

"General Manager" means the General Manager of Council.

"Fixed Grant" means the approved maximum amount of financial assistance which may be provided under this Agreement against the Work as set out in Schedule 1.

"Minister" means the Minister for Primary Industries, Lands and Water.

"Work" means the works set out in the Schedule 1 attached and includes:

- (a) The approved pre-construction activities after adoption of a preferred option. These are concept design, survey, project management, design, community consultation, environmental assessments, preparation of tender documents and risk management; and
- (b) Construction management and construction of the works and land acquisition in connection with the works.

"Scheme" means Council's overall system providing the water or sewerage service which is managed as a single financial entity and of which the Work will be part.

2: Recitals

Whereas:

- (i) Council has made application to the Minister for construction of the Work in accordance with Section 57(1) of the Act; and
- (ii) the Minister has, subject to this agreement, approved financial assistance to Council for the tendered cost of the Work set out in the covering letter attached hereto and the Schedule 1; and
- (iii) the Minister has appointed the Office to act on the Minister's behalf in relation to the matters set out in this agreement;

then subject to Council's acceptance of and compliance with the conditions set out herein, the Minister may make progress and final payments in relation to the Work strictly as described herein.

1



General Manager



Mayor

3: Background - Legislative Matters

- (i) The requirement under Section 60 of the Act for Council to seek the Minister's approval shall apply in respect of the Work.
- (ii) Council shall be the proponent of the relevant activity relating to the Work under Part 5 of the *Environmental Planning & Assessment Act 1979*.
- (iii) Council shall conduct the Work as determined by all the relevant determining authorities in the environmental impact assessment under Part 5 of the *Environmental Planning and Assessment Act 1979* for the activities associated with the Work.
- (iv) The Minister has charged Council with the care and management of the existing sewerage work in the Scheme under Section 58 of the Act.

4: Role of the Office

- (i) Anything that the Minister may do under this agreement, including but not limited to the giving of approval, directions and notification, may be done by the Office on behalf of the Minister as the Minister's representative.
- (ii) Any approval required to be sought from the Minister shall be sought from the Office acting on the Minister's behalf as the Minister's representative.
- (iii) Any thing required to be given to the Minister under this Agreement, including but not limited to notification, documents, and certificates, shall be given to the Office on behalf of the Minister as the Minister's representative.
- (iv) Any participation of the Minister which the Minister may undertake under this Agreement may be carried out by the Office, and any liaison required to be carried out with the Minister shall be carried out with the Office, as the Minister's representative.

5: Carrying Out of the Work

- (i) Prior to commencing the Work, Council shall satisfy itself as to the adequacy of the Work for its intended purpose.
- (ii) Council shall commence the Work as soon as practicable upon being advised by the Minister that funds under this Agreement are available.
- (iii) Council shall ensure that any agreed program of the Work is strictly observed.
- (iv) Council shall notify the Minister without delay of any circumstance relating to work that may reduce or increase the cost of the Work.



General Manager



Mayor

6: Responsibility for the Carrying Out and Operation of the Work

- (i) The Work shall be performed at Council's risk. Council accepts full responsibility for the Work including the design and construction.
- (ii) The Minister accepts no responsibility in relation to investigation, design or construction of the Work but relies on the Council and any professional person engaged by it to ensure proper standards are maintained at all stages of design and construction and that the design and construction comply with any instruction/directions, standards, criteria or benchmarks/policies as specified in this Agreement.
- (iii) The ongoing operation of the Work shall be the responsibility of Council which must be undertaken to proper standards, in compliance with all statutory requirements and so that the performance capacity of the Work is achieved. The Minister will not be liable for any failure of Council to perform its ongoing obligations following construction of the Work.

7: Liability for Cost of the Work

- (i) Subject to the contribution to the cost of the Work to be made by the Minister as hereinafter provided, all direct costs involved in the carrying out and completion of the components of the Work set out in the Schedule 1 shall be borne by Council.
- (ii) The amount of grant is fixed and cannot be varied. Council shall bear the full cost of any additional costs above the tendered contract price for individual components of the Work set out in the Schedule 1 in all circumstances.

8: Certification of the Work

- (i) As soon as practicable upon the completion of particular components of the Work as specified in the Schedule 1, Council shall submit to the Minister a Certificate, provided by a suitably qualified and competent professional person appointed by the General Manager, that the construction of the Work is satisfactory and complies with proper engineering standards of construction.
- (ii) As soon as practicable upon the completion of particular components of Work as specified in the Schedule 1, the General Manager shall provide certification of the moneys spent on the Work, referenced to the Work or part of the Work actually carried out. By the presentation of the Certificate of the General Manager, Council thereby represents that the Work or that part of the Work is being performed satisfactorily pursuant to these Conditions.
- (iii) As soon as practicable upon the completion of the whole of the Work the General Manager shall provide a Final Certificate to the Office certifying that the Work has been completed in accordance with the conditions herein and setting out the actual Final Cost of the items listed in the Schedule 1.
- (iv) These Certificates shall be relied on by the Minister for the purpose of ensuring the proper performance of the Work for the purpose of payments as provided for in this agreement.
- (v) Council shall retain all Certificates for inspection by an auditor of Council appointed pursuant to Chapter 13 Part 3 of the Act, or such persons as are authorised by the Minister.

3



General Manager



Mayor

9: Payment by the Minister

- (i) This financial assistance is contingent on timely completion of all approved works. All payments must be claimed by 30 June 2017. Financial assistance will not be available after this date.
- (ii) Financial assistance will be contingent on Council as the Local Water Utility achieving substantial compliance with the Best Practice Management of Water Supply and Sewerage Guidelines as gazetted in May 2004 and revised in August 2007. Failure to comply may result in financial assistance being reduced or withdrawn. Requirements to achieve this level of compliance are set out in the Schedule 3.
- (iii) Subject to the matters set out in this Clause, the Minister may make payments based on completion of the Project Milestones specified in the Schedule 2 for components of the Work.
- (iv) The Minister shall not make any Progress Payments based on part completion of the Project Milestones specified in the Schedule 2 for components of the Work unless otherwise agreed and specified in the Schedule 2. The making of such Progress Payments shall be at the complete discretion of the Minister.
- (v) Council shall not seek payment for the Work or part of the Work until the Minister is satisfied that the Council has complied with its obligations set out in Clause 8 above.
- (vi) If the Minister is at any time of the opinion that Council has failed to comply with the terms, conditions and provisions contained herein, the Minister may, at his/her complete discretion, withhold from Council for such period as he deems fit the payment of any or all of the sums agreed to be paid to Council by the Minister. Any such decision by the Minister shall not be a waiver of the rights set out in Clause 14 below.
- (vii) Council shall not be entitled to interest payments on any amounts due but unpaid by the Minister.
- (viii) Payment shall at all times be subject to continuance of available funding from the Government of New South Wales.

10: Minister's Final Payment towards Final Land Acquisition Costs and Closing off the Project.

- (i) Immediately upon commissioning of the assets in the final contract, the Council shall provide an estimate of all remaining land acquisition costs prepared by the Valuer General's Department or a valuer approved by the Valuer General's Department to the Minister.
- (ii) When all Payments that may be made for the completion of components of the Work under this agreement have been made, and all certifications required to be given to the Minister in accordance with Clause 8 have been given, and the Minister is satisfied that the Council has complied with all its obligations under this agreement, the Minister may make Final Payment towards the Approved Estimate of the Final Land Acquisition Costs.
- (iii) After the Minister's Final Payment is made, the Work is deemed to be finalised

4



General Manager



Mayor

and closed off.

11: Conduct of the Work

- (i) Council shall apply the relevant guidelines in the Total Asset Management Manual 2006 in the performance of the Work, and shall ensure participation of the Minister in any value management and risk management assessments.
- (ii) Council shall prepare a Project for the Work which shows Council's plan to implement obligations under the Conditions herein. The Plan shall provide for liaison with the Minister including the opportunity for review and concurrence at identified Project Milestones.
- (iii) Council shall at all times be able to demonstrate compliance with the Local Government (Tendering) Regulation 1999, and show support of the use of Codes of Practice and Tendering for the NSW Construction Industry (published by Construction Policy Steering Committee of New South Wales).
- (iv) Council shall at all times permit the Minister or his authorised officers to inspect the Work and any of Council's books of account, papers and other documents relating to the Work.
- (v) Council shall from time to time promptly furnish to the Minister all such information and particulars of and concerning the Work and the cost thereof as the Minister may from time to time require.

12: Records

- (i) Upon completion of the Work and precedent to the Final Payment, Council shall have construction records including a construction report, a complete set of drawings showing the Work as executed and documentation for proper operation and maintenance for the Work, and finalisation details for all associated service provider engagements and contracts.
- (ii) Council shall have records to demonstrate that the Work has been carried out in accordance with the Project Development Plan as approved, and has not contravened:
 - relevant environmental impact assessment documentation under the *Environmental Planning and Assessment Act 1979*; and
 - Local Government (Tendering) Regulation 1999.

13: Transparency of Government's Financial Assistance

At least one sign is to be displayed for the duration of the Work at a prominent location to acknowledge the Government's Financial Assistance towards the Work.



General Manager



Mayor

14: Breach of Condition

If Council fails to perform the Work or achieve the Project Milestones in the time specified in the Schedule 2, the Minister may terminate Government's financial assistance and Council shall, repay to the Minister the whole or any parts of any financial assistance made by the Minister. Council shall also repay any costs, charges and expenses incurred by the Minister in respect of the Work together with interest thereon at the interest rate specified in the gazette under Section 566 (3) of the *Local Government Act, 1993*, as determined by the Minister.

15: Notice

Any written notice or demand provided for in these conditions may be served on Council by ordinary prepaid post addressed to Council's Chambers or its postal address.

16: Minister's Letter of Funding Offer

Any conditions described in the Minister's letter of funding offer shall take precedence over these standard conditions.

The Common Seal of
the Council
of
was hereunto affixed
on

.....
Mayor

.....
General Manager



General Manager



Mayor

15 CONSIDERATION OF COMMITTEE MINUTES

15.1 Committee Minutes - Parkes Shire Cultural Advisory Committee Meeting held 17 November 2015

Executive Summary

The Parkes Shire Cultural Advisory Committee met on 17 November 2015. The Minutes of the meeting are attached.

Background Information

The Cultural Advisory Committee was established in 2004 as a key outcome of the original Cultural Plan. It advises Council on cultural activities, assists in determining the best uses of community cultural assets and resources, and acts as a coordinating group for cultural resources and activities and organisations around the Shire. The Committee meets on as needs basis.

Legislative, Policy & Management Planning Implications

Nil

Delivery Plan (Strategic Objective) Implications

The resolution in this report will primarily effect the Delivery Plan Future Direction relating to:
6. Enhance Recreation and Culture

Predicted positive effect / opportunity for the Delivery Plan: *Good*

Predicted negative / challenge to the Delivery Plan: *Minor*
Quadruple Bottom Line



Economic ★★★★★



Environmental ★★★★★



Social ★★★★★



Civic Leadership ★★★★★

Budget & Financial Aspects

Nil.

Recommendation

1. That the Minutes of the Parkes Cultural Advisory Committee meeting held on 17 November 2015 be adopted.

Attachments

1. Parkes Cultural Advisory Committee Meeting Minutes 17 November 2015.

General Manager

Mayor

Parkes Shire Cultural Advisory Committee

Minutes of the meeting held 17 November 2015 from 1.10pm

Attendance: Mayor Cr K Keith, Deputy Mayor Cr B. Newton, Cr M Greenwood, L Finn (Director Technology and Corporate Services), A Wyllie (Economic and Business Development Manager) and S Buckle (Manager Cultural, Education & Library Services).

Apologies: Cr P Smith, W Tom (nominated Community Representative), E Matthews (Parkes Arts OutWest Representative) and K Hendry (Destination Development Manager).

1. Welcome and apologies provided by Deputy Mayor Cr B Newton.

That the apologies be accepted.

Mvd Cr M Greenwood, 2nd Cr K

Keith.

2. Minutes of previous meeting

That the minutes were an accurate recording of the meeting held 21 July 2015.

Mvd Cr M Greenwood, 2nd S Buckle.

Business arising from the minutes:

"That S Buckle investigate the recognition of previous long serving Parkes Librarian Bob Thomas". *Investigation underway.*

5. General Business

Nil.

4. Public Art

\$50,000 has been allocated in the 2015/16 budget for a public art project. A Wyllie tabled seven submissions to Council's call for EOI for public art.

Recommendation -

That the public art submission from Morabon be accepted and recommended to Council.

That Elvis Revival Inc be approached to explore the installation of a permanent Elvis statue in Parkes for the 2017 Elvis Festival 25th anniversary celebrations, on a shared funding basis.

Mvd B Newton, 2nd Cr K

Keith.

7. Next meeting

Tuesday 19th January 2016.



General Manager



Mayor

16 QUESTIONS AND MATTERS OF URGENCY

17 CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

17.1 (DTCS) Parkes Golf Club

Prepared By: Director of Technology Corporate Service

Reason for Confidentiality

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

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

Executive Summary

The Parkes Golf Club's commitment to Council is due for review and the previous resolution of Council (14-215) requires repayments to re-commence from 1 July 2019. The Club has contacted Council about the matter.

Background Information

Council considered a report to the 6 May 2014 Council Meeting detailing a letter from the Parkes Golf Club regarding the impecunious financial circumstances of the Club. A thorough investigation was conducted by the General Manager and the Director Technology Corporate Services, as well as holding a meeting with the Golf Club Board. After considering the matter at length Council resolved;

1. That Council not forgive the loan and that in the alternative, Council investigate business improvement consultants to assist the Golf Club in assessing and adjusting its financial performance.
2. That Council extend the deferment of loan repayments until July 2019 to allow a level of comfort for auditors when assessing the Club's viability subject to the Club undertaking a five year business/strategic plan.

Legislative or Policy Implications

The current risk-assessed financial environment would no longer permit loans to community groups. This particular loan was made in a completely different financial environment over fourteen (14) years ago.



General Manager



Mayor

Progressive Delivery Program Implications

The resolution in this report will primarily effect the Delivery Program Future Direction relating to:

Function 1: Financial Sustainability

Predicted positive effect / opportunity for the Delivery Program: *Good*

Predicted negative / challenge to the Delivery Program: *Moderate*

Quadruple Bottom Line



Economic

★★★★☆



Environmental

★★★★☆



Social

★★★★☆



Civic Leadership

★★★★☆

Budget & Financial Aspects

The outstanding loan amount is \$132,299.00; the loan was made interest free in 2002. No repayments have been made by the Golf Club during this period.

Recommendation

1. The fiancé facility provided to Parkes Golf Club be written off as the debt has become irrecoverable and the appropriate provision has been made within the sewer fund.

Report

The Parkes Golf Club's commitment to Council is due for review and the previous resolution of Council (14-215) requires repayments to re-commence from 1 July 2019. The Club has contacted Council about the matter.

The President of the Golf Club Mr Roscoe Smith, references the current situation they are facing and the financial difficulties impacting the Club's ability to address their commitment to repay the significant debt.

Following the Resolution of Council on 17 July 2011, a letter of comfort was issued to the Golf Club's Auditor each year confirming Council would not be pursuing repayments until July 2014. This has had the effect of making the loan non-current in the Golf Club's books and allowed the Auditor to form positive opinion about the going concern of the Club.

Mr Smith advised that the Club has various opportunities available to moderate the trading costs of the Club and modernisation to the Clubhouse and Function Centre could advance the financial position of the Club. However, the ability to further upgrade these facilities is entirely dependent on grants as external parties who do not view the Club as financially viable due to the current position of the balance sheet. The implementation of a solar system would potentially reduce operating expenditure by \$18,000 per annum; however, the Club is unable to enter into a lease agreement due to the ongoing concern relating to their statement of financial position.

General Manager

Mayor

Council's decision to forgive the loan currently held by the Golf Club would ensure the Club remains sustainable and would ultimately progress the reputation of the course and facilities through infrastructure improvements. The Golf Club plays a significant role in providing a facility that ensures the community with opportunities for physical activity, social interaction and enjoyment. The Club is committed to ensuring the facility remains at a high standard to attract competitions and players to the town which in turn provides economic benefit for the shire and region.

In accordance with prevailing accounting standards, a provision has been progressively provided in the sewer fund which now allows for the debt to be written-off. Reasonable attempts have been made to recover the outstanding amount and regular reviews of the Loan Agreement have been conducted. The Club's inability to repay the loan since the implementation of the watering systems and the current financial hardship being faced by the Club underlines the unlikelihood of the repayment of the loan in the future. This decision would be a beneficial outcome for the wider community, with the continuation of golfing links in Parkes. Whilst the amount can be considered as material at face value, the backing of the amount by sufficient bad debt provisions and wider public benefit would seem to outweigh the commerciality of pursuing the debt.

Attachments

1. Letter from Parkes Golf Club, 13 October 2015



General Manager



Mayor



Parkes Shire Council

13th October 2015

2 Cecil Street

Parkes NSW 2870

Attention: Kent Boyd

Dear Kent,

Re: Parkes Golf Club water debt

On behalf of the Parkes Golf Club (PGC) I would like to request that the Parkes Shire Council review our current agreement and debt in relation to the recycled water supply that was undertaken a number of years ago.

Background

The Parkes Shire Council undertook in the late 1990's to provide an upgraded water supply to the Parkes Golf Club to enable the continued watering of the fairways and greens using "grey water". Historically, the payment arrangements for the implementation costs have been deferred by mutual agreement to assist the PGC to remain viable and provide a community resource.

The PGC has attempted to provide regular or annual payments, however due to ongoing financial constraints and maintenance issues to both the clubhouse and course machinery, we have not been able to reduce or repay any of the debt.

Current Situation

The PGC has a reputation as an excellent country golf course that brings a number of visitors to the area on a regular basis throughout the year. The PGC also provides a great social and sporting activity for the Parkes town and surrounds, however we are continually fighting a financial tightrope to survive.

The current committee is highly enterprising and energetic with a number of improvements being undertaken through the generosity of the members, however our ability to further upgrade the function areas and club house is totally reliant on financial grants.

The club house is at an age that it requires modernisation that will entice members and guests to undertake formal and social gatherings at a location that is both aesthetically pleasing and is professional. The clubhouse is either the cash cow if changes can be made or the financial deadweight in its current condition. We believe that if we can utilise the excellent vista and outdoor areas that is unique for our club in Parkes and we can provide regular functions and events then we will be in a much improved financial position.

The course playing area continues to meet its commitments and greens staff wages, however the operation of the actual club house and bar is currently losing money.

The Secretary | PO Box 241 | Parkes NSW 2870 | P 02 6862 2044 | F 02 6862 2509 www.parkesgolfclub.com.au
Affiliated with LVGA

General Manager

Mayor



Opportunities

The Parkes Golf Club has a number of opportunities to reduce our trading costs such as:

- a. Solar installation; the introduction of a 40Kw solar system would reduce our operating expenditure by \$18,000 per annum however we are not in a position to undertake a lease agreement with our current balance sheet.
- b. The removal of the full time bar manager and supplement with permanent casual staff and volunteer members.
- c. As mentioned above, the vista, looking south from the club house over the playing course is a great view and if we could incorporate a glass opening/ wall into the function centre this would encourage weddings and social gatherings that can enjoy an inside / outside venue that no one else in town can match or offer.
- d. The grass landing on the southern side of the club house is a perfect location for the installation of sails and an outdoor eating area during the warmer months.
- e. The installation of an improved practice, putting and pitching greens on the western side of the club.

Decision

The PGC is hugely committed to continuing to provide a great resource for Parkes and surrounds and we are especially grateful to all that the Parkes Shire Council has and continues to provide to our club.

The ability of our club to reduce our costs and improve our facility such as the opportunities itemised above, is currently hampered by the existing debt of the watering system on our balance sheet. Any opportunities that we could engage such as the solar installation or modernisation of the premises is not feasible when external parties view our financial position as bordering on insolvency.

The PGC would like to formally request the Parkes Shire Council to review any opportunities that it may provide to remove this outstanding liability from the PGC's balance sheet.

Please contact the undersigned if you would like clarification on any of the above.

Yours Faithfully

Rosscoe Smith

President - Parkes Golf Club

13th October 2015

The Secretary | PO Box 241 | Parkes NSW 2870 | P 02 6862 2044 | F 02 6862 2509 www.parkesgolfclub.com.au
affiliated with L.V.G.A.

General Manager

Mayor

17.2 Committee Minutes - Economic Development Committee Meeting held 17 November 2015

Prepared By: Economic & Business Development Manager

Reason for Confidentiality

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

- (d) commercial information of a confidential nature that would if disclosed:
 - (ii) confer a commercial advantage on a competitor of the council

Executive Summary

Minutes of the Economic Development Committee Meeting held on Tuesday 17 November 2015 are attached for Council's consideration.

Background Information

Nil.

Legislative or Policy Implications

Nil.

Budget & Financial Aspects

Nil.

Recommendation

1. That the minutes of the Economic Development Committee held on 17 November 2015 be noted and the recommendations be adopted.

Attachments

1. Minutes of the Economic Development Committee Meeting held Tuesday 17 November 2015



General Manager



Mayor



PARKES SHIRE COUNCIL

Our Mission: To Deliver Progress and Value to our Community

ECONOMIC DEVELOPMENT COMMITTEE

Our Communities Vision:

*In 2022 the Parkes Shire will be a progressive regional centre,
embracing a national logistics hub with vibrant communities,
diverse opportunities, learning and healthy lifestyles.*

MINUTES

TUESDAY 17 NOVEMBER 2015

Minutes of the meeting of the Parkes Shire Economic Development Committee held at the Council Administration Centre, 2 Cecile Street, Parkes, commencing at 12:00pm for the purpose of considering the items included on the Agenda.

GENERAL MANAGER: Kent Boyd

General Manager

Mayor

Parkes Shire Council
Economic Development Committee Meeting - 17 November 2015

Minutes

Economic Development Committee Meeting

**Minutes of the Economic Development Committee Meeting held in the Council Chambers,
2 Cecile Street on Tuesday 17 November 2015 at 12.00pm.**

PRESENT

Councillor KJ Keith (Chair)
Councillor AJ Ward
Councillor MJ Greenwood

Kent Boyd - General Manager
Les Finn - Director Technology & Corporate Services
Anna Wyllie - Economic and Business Development Manager

MEETING COMMENCEMENT

The Meeting commenced at 12:05pm

1 APOLOGIES

That the apologies of Councillor Belinda McCorkell, Councillor Robert Haddin and Steven Campbell - Director Planning and Environment be noted

Moved Councillor Alan Ward, seconded Councillor Michael Greenwood.

CARRIED

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

That the Minutes of the Parkes Shire Council's Economic Development Committee Meeting held on 8 September 2015 copies of which have been forwarded to Committee members, be confirmed.

As per Council Meeting Resolution 15 - 414

CARRIED

3 DECLARATIONS OF INTEREST

Nil.



General Manager



Mayor

4 AGENDA ITEMS

4.1 Economic and Business Development Manager - Strategy Progress Report

Prepared By: Director of Corporate Service

Executive Summary

The Economic and Business Development Managers (EBDM) report focuses on the strategies of the Economic Development Plan which includes:

1. Support Existing Local Businesses
2. Promotion and Marketing of the Parkes Shire
3. Investment Attraction
4. Lobbying

Recommendation

1. That this report be received and noted.

Resolution

That the information be received and noted.

Moved Councillor Michael Greenwood, seconded Councillor Alan Ward.

CARRIED

5 GENERAL BUSINESS

5.1 Strategic Land purchases

Numerous Strategic Land Purchases were discussed.

Recommendation of the Committee

1. That Council grant to the Mayor and General Manager a delegated authority to negotiate the purchase of the property Lot 14 DP758827 (Cnr Dalton and Bogan Streets).

Moved Councillor Ken Keith, seconded Councillor Michael Greenwood

CARRIED

5.1 Fisher Street Development

An update was given on the Fisher Street Sub-Division.



General Manager



Mayor

Parkes Shire Council
Economic Development Committee Meeting - 17 November 2015

Minutes

6 NEXT MEETING DATE

The next meeting of the Economic Development Committee is scheduled for 19 January 2016 commencing at 11:00am.

There being no further business the Chair declared the meeting closed at 12:45pm.

Page 3



General Manager



Mayor

17.3 Committee Minutes - EDC Airport Sub-Committee Meeting held 17 November 2015

Prepared By: Economic & Business Development Manager

Reason for Confidentiality

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

- (d) commercial information of a confidential nature that would if disclosed:
 - (ii) confer a commercial advantage on a competitor of the council

Executive Summary

Minutes of the Economic Development Committee (EDC) Airport Sub-Committee Meeting held on Tuesday 17 November 2015 are attached for Council's consideration.

Background Information

Nil.

Legislative or Policy Implications

Nil.

Budget & Financial Aspects

Nil.

Recommendation

1. That the minutes of the Economic Development Committee (EDC) Airport Sub-Committee held on 17 November 2015 be noted and the recommendations be adopted.

Attachments

1. Minutes of the Economic Development Committee (EDC) Airport Sub-Committee Meeting held Tuesday 17 November 2015



General Manager



Mayor



PARKES SHIRE COUNCIL

Our Mission: To Deliver Progress and Value to our Community

ECONOMIC DEVELOPMENT AIRPORT SUB COMMITTEE

Our Communities Vision:

*In 2022 the Parkes Shire will be a progressive regional centre,
embracing a national logistics hub with vibrant communities,
diverse opportunities, learning and healthy lifestyles.*

MINUTES

TUESDAY 17 NOVEMBER 2015

Minutes of the meeting of the Parkes Shire Council's Economic Development Committee - Airport Sub Committee held at the Council Administration Centre, 2 Cecile Street, Parkes, commencing at 10:30am for the purpose of considering the items included on the Agenda.

GENERAL MANAGER: Kent Boyd

A handwritten signature in black ink, appearing to be 'Kent Boyd', is written over a horizontal line.

General Manager

A handwritten signature in black ink, appearing to be 'Ken Keith', is written over a horizontal line.

Mayor

Parkes Shire Council
Economic Development Committee - Airport Sub-Committee Meeting - 17 November 2015

Minutes

Economic Development Committee - Airport Sub Committee Meeting

Minutes of the Economic Development Committee - Airport Sub Committee Meeting held in the Council Chambers, 2 Cecile Street on Tuesday 17 November 2015 at 10:30am.

PRESENT

Councillor KJ Keith
Councillor AJ Ward (Chair)
Councillor MJ Greenwood

Kent Boyd - General Manager
Les Finn - Director Technology & Corporate Services
Anna Wyllie - Economic & Business Development Manager
Sharon Ross - Manager Support Services

MEETING COMMENCEMENT

The Meeting commenced at 10:30am.

1 APOLOGIES

That the apologies of Councillor Belinda McCorkell, Councillor Robert Haddin, Steve Campbell - Director Planning & Environment and Ben Howard - Director Engineering Services be noted

Moved Councillor Michael Greenwood, seconded Councillor Ken Keith.

CARRIED

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

That the Minutes of the Parkes Shire Council's Economic Development Committee - Airport Sub Committee Meeting held on 8 September 2015 copies of which have been forwarded to Committee members, be confirmed.

As per Council Meeting Resolution 15 - 413.

CARRIED

3 DECLARATIONS OF INTEREST

Nil.



General Manager



Mayor

4 AGENDA ITEMS

4.1 Economic Development Progress Report - Airport Terminal

Executive Summary

The redevelopment of the Airport terminal is part of the Parkes Regional Airport Redevelopment which includes new runway lighting, connection of potable water, expanded carparking, entry treatment and upgrade of the airport terminal. It is a \$3.025 million redevelopment of which \$1.5 million is part of a RDAF grant.

The redevelopment of the Airport Terminal will provide contemporary facilities, replacing 1976 designs to meet passenger demands which have grown from 8,000 to 35,000pa with future projections of 40,000pa over the next 5 years. The airport services 4 LGAs (Lachlan LGA consist 20% of passengers, travelling up to 150km to access the airport) & is critical to the region's social & economic development. The project includes terminal refurbishment & expansion, infrastructure & technology improvements, accessible design, improved baggage handling & new security regime readiness.

Construction of the Terminal, which is Stage 2 of the project commenced Monday 27 July 2015.

Recommendation

1. That the information be received and noted.

Resolution

That the information be received and noted.

Moved Councillor Michael Greenwood, seconded Councillor Ken Keith.

CARRIED

5 GENERAL BUSINESS

5.1 - Site Visit

It was noted by Councillors that there has been good progress being made on site with the steel work for the roof having been installed.

Councillors raised an issue regarding the drainage. The GM undertook to ask the DI and DES to investigate.

Recommendation of the Committee

1. That the GM request the DES and DI to investigate the drainage issue



General Manager



Mayor

Parkes Shire Council
Economic Development Committee - Airport Sub-Committee Meeting - 17 November 2015

Minutes

5.2 - Opening of the New terminal

Councillors suggested an invitation be forwarded to the Deputy PM Mr Warren Truss MP, to invite him to the opening of the terminal and request dates that would compliment his diary.

5.3 - Solar Panels

Councillors requested that staff explore the option of solar panels being installed at the airport.

5.4 - Airport Variation Approvals

Councillors requested that any variations over \$5,000 to the airport terminal redevelopment be referred to the Airport Sub-Committee for approval. To ensure efficient approval time, this endorsement may be sought via email.

Moved Councillor Ken Keith, seconded Councillor Michael Greenwood

CARRIED

6 NEXT MEETING DATE

An Airport Site-Visit will be included on the Councillors Tour scheduled for 1 December 2015.

An un-official briefing/update meeting of the Airport Sub-Committee will be held on the 15 December 2015.

There being no further business the Chair declared the meeting closed at 12:05pm.



General Manager



Mayor

17.4 (GM) Former Parkes Hospital Site

Prepared By: General Manager

Reason for Confidentiality

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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

Executive Summary

Council would recall the report of 03 November 2015 (attached) outlining negotiations with Health Infrastructure in relation to the divestment of the former Parkes Hospital site. This report provides an update on the negotiations.

Background Information

Council has been in discussions for some time with Health Infrastructure regarding the best method of divesting the existing hospital site.

Legislative or Policy Implications

Potentially significant impact on future planning and budgets, however this will depend on the final negotiated position.

Progressive Delivery Program Implications

The resolution in this report will primarily effect the Delivery Program Future Direction relating to: 3. *Promote, Support and Grow our Communities*

Predicted positive effect / opportunity for the Delivery Program: *Good*

Predicted negative / challenge to the Delivery Program: *Moderate*



General Manager



Mayor

Quadruple Bottom Line



Economic ★★★★★



Social ★★★★★



Environmental ★★★★★



Civic Leadership ★★★★★

Budget & Financial Aspects

Budget implications.

Recommendation

1. That Council execute the Heads of Agreement with Health Infrastructure and proceed in accordance with the Agreement as finally negotiated.

Report

Council's Director Engineering Services has completed due diligence on demolition costs. The attached estimation of \$1,323,400 excluding GST provides a contingency of 34%, which we anticipate should cover any large unforeseen risks not identified in the investigations reports. Contracts have been let for the fencing works, which are anticipated to commence one week from today.

A draft media release - which will be tabled at the meeting - will be finalised with Health Infrastructure once agreements have been signed.

Attachments

1. Council Report of 03.11.2015

General Manager

Mayor

Subject: (GM) Parkes Current Hospital Site

Prepared By: General Manager

Reason for Confidentiality

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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

Executive Summary

Health Infrastructure, on behalf of the Ministry of Health and Western NSW Local Health Council, are progressing well with the redevelopment of the new Parkes Hospital and the refurbishment of the Forbes Hospital. This report outlines proposals in relation to the land presently occupied by the Parkes Hospital.

Background Information

Council has been in discussions for some time with Health Infrastructure regarding the best method of divesting the existing hospital site.

Legislative or Policy Implications

Potentially significant impact on future planning and budgets, however this will depend on the final negotiated position.

Progressive Delivery Program Implications

The resolution in this report will primarily effect the Delivery Program Future Direction relating to: *3. Promote, Support and Grow our Communities*

Predicted positive effect / opportunity for the Delivery Program: *Good*

Predicted negative / challenge to the Delivery Program: *Moderate*

May be some negative community response to demolition of old hospital, if that is the final result.

Quadruple Bottom Line

 <i>Economic</i> ★★★★★	 <i>Environmental</i> ★★★★★
 <i>Social</i> ★★★★★	 <i>Civic Leadership</i> ★★★★★

If a well negotiated position can be reached positive community outcomes will be ultimately received.



General Manager



Mayor

Budget & Financial Aspects

Budget implications are discussed below.

Recommendation

1. For the consideration of Council

Report

Council has been in discussions for some time with Health Infrastructure regarding the best method of divesting the existing hospital site.

At Council's meeting of 8 September 2015 Council resolved the following:

1. *Council formalises its interest in entering a period of "exclusive negotiation" with HI to investigate acquiring the site on agreed terms, to facilitate achieving a community focused solution for the site; and*
2. *Council agree in-principle to enter into a Heads of Agreement with HI, to establish the preferred option, necessary probity guidelines and a commercial framework to eventually divest the existing Parkes Site to Council for an agreed value.*

A meeting was subsequently held on 23 October 2015 with Deputy Mayor Councillor Barbara Newton, Council Senior staff and Health Infrastructure. As a result of that meeting the attached "draft" Commercial and Confidential correspondence from Health Infrastructure has been received at Council, which is self explanatory.

In essence the current draft proposal would permit;

- The entire site (excluding land under Aboriginal Land Claim) to be transferred to Council with a \$2,100,000 payment as described in the HI letter attached.
- HI has an REF (Review of Environments Factors) which they believe will permit the structures on the site to be immediately demolished.
- Council would project managed and pay for any demolition or site works
- The education Centre and Community Centre could be retained if Council desired to do so.
- Council would be responsible for the future management of the site.

HI are keen for a timely handover and community accepted outcome, which they believe could be best achieved by the attached proposal.



General Manager



Mayor

What is the proposed use, costs and benefits of this transfer?

The proposed use, demolition and development of the site will be discussed prior to the Council meeting, however it is conceptually proposed at this stage to -

1. Retain the existing Community Centre for potential relocation of the Family Day Care Unit, who are currently limited in their capacity to expand by the size of the Dalton Street premises, (Director Technology and Corporate Services with Manager Family Daycare will discuss).
2. Retain the Education Centre for hire and use as a public hall
3. Council to project manage the demolition of all other buildings on the site and levelling of terrain (Director Engineering Services will discuss).
4. Develop the residual land for residential sale (see concept plan below), with any future profit to be initially directed into the building refurbishment and site development. It should be noted that land sales can be very spasmodic and it may take years if not decades to sell all the land, which directly affects cashflow and realisation of any benefit.



A very rudimentary (high level) order of magnitude summary budget is provided below as an indication of costs and benefits.

General Manager

Mayor

Old Hospital Site			
	Cost per unit	No. Of Units	total cost
COST			
Cost of infrastructure per lot estimates	\$55,000	46	\$2,530,000
Refurbish Community Health Centre (say)			\$300,000
Refurbish Education Centre (say)			\$50,000
Demolish Old Hospital			\$2,000,000
Total Costs			\$4,880,000
INCOME			
Smaller lots (<650 sqm)	\$65,000	16	\$1,040,000
mid size (>600 sqm)	\$80,000	22	\$1,760,000
Large lots (>1000 sqm)	\$90,000	8	\$720,000
Demolition of Old Hospital (HI Payment)			\$2,000,000
Total Income			\$5,520,000
Net Result			\$640,000

Does not include O&M costs of buildings (say \$30,000 per/year)

One of the risks will be the public response to Council demolishing the old hospital. The actual cost of demolition of the old hospital will also be a significant risk.

If Council sees merit in this proposal the following course of action is suggested for consideration;

1. That the Council agree in principle to the Health Infrastructure proposal, subject to finalisation of due diligence and commercial terms.
2. That the Mayor and General Manager be authorised to finalise negotiations with Health Infrastructure
3. That subject to finalisation of commercial arrangements a community information program be developed

Attachments

1. Correspondence from Health Infrastructure dated 29 October 2015 re Divestment of the Existing Parkes Site.



General Manager



Mayor



Commercial and confidential communication

29 October 2015

Mr Kent Boyd
General Manager
Parkes City Council

Dear Sir,

Divestment of the Existing Parkes Hospital Site and Buildings

Thank you for meeting with our HI team at Council on 23rd October. We refer to our September letter exchanges and Council's Engineer's indicative calculations and development costings of 20 September. As previously discussed, part of the Lachlan Health Service redevelopment of the new Parkes and refurbished Forbes Hospital's means that land presently occupied by the existing Parkes Hospital will become surplus to NSW Health needs.

Council would be aware and has been of assistance in the significant planning undertaken by HI to investigate the potential reuse of the existing Parkes Hospital site, including architectural master planning, an economic research paper assessing the master planning and divestment options together with discussions with local real estate agents.

This research has now been augmented by site due diligence, including:-

- Site contamination Report
- Site plans including associated levels
- Trade quantities matrix of building materials and estimates
- Site plans in dwg. Format
- Demolition cost breakdown structure

We have shared these reports with Council.

At our meeting in August this year, HI and Council workshopped possible scenarios as to the 'highest and best' use of this land – coupled with discussions around the community benefit of retaining some of the existing facilities.

At that meeting in August and confirmed again last week on the 23rd October in Parkes, there is a view expressed that, subject to reasonable commercial conditions which would satisfy the TAM (NSW Treasury and Asset Management) guidelines for both parties, a community focused solution to re-use some of the existing structures on the site would achieve the most favourable long range outcome for Parkes and retain value within the community.

In particular, the existing Community Health Centre and Education Centre Buildings are in good condition (still being used at the date of this letter) and with reasonable refurbishment would be utilised by Council for leasing/offering to community and 'non-profit' making groups for community based purposes.

Whilst not clear at the moment – there may be a similar purpose for the old Nurses' quarters.

Recent working discussions between HI and Council's officers have ascertained that the site design may therefore have a number of permutations which need to be worked through, such as which buildings are retained and a final potential subdivision plan around these retained buildings which best suits the future public domain in this area of Parkes.

Council in its letter of 9 September confirmed its interest in entering into an agreement to acquire the existing Parkes Hospital site (by private treaty) on this basis, subject to agreeable commercial terms.

Health Infrastructure
ABN 89 600 377 397

Level 8, 77 Pacific Hwy, North Sydney NSW 2060
PO Box 1060 North Sydney NSW 2059
Tel. (02) 9978 5402 Fax. (02) 8904 1377
Website: www.hinfra.health.nsw.gov.au

A handwritten signature in black ink, appearing to be 'V. Ray'.

General Manager

A handwritten signature in black ink, appearing to be 'Ken Keith'.

Mayor



With these factors in mind, HI and Council have agreed to enter 'direct negotiations' and this letter sets out proposed terms that have been discussed and would be agreed between us.

As to timing – the new Hospital's 'go live' date is currently programmed to be 23 November 2015 after which a week's handover and vacant possession 'clean out' activities will occur on the old Parkes Hospital site – indicating a transfer date of 30 November 2015.

HI has therefore proposed that from this date – and for the payment of the amount outlined below – Council would take over the site as a Licensee until such point in time – ostensibly 4 months – at which the Transfer of Ownership would occur – i.e. 1 March 2016.

To formalise these arrangements, HI has suggested that a 'Heads of Agreement' be prepared to document the agreed commercial and community benefits of the arrangements discussed.

A Draft of that Heads of Agreement, consistent with the issues raised in this letter, is attached for Council's consideration.

Summary of Commercial terms for Payment:-

HI's Contribution to security, maintenance, handover and utilities	\$ 100,000
HI's Contribution to Demolition and decontamination of the site	\$2,000,000
Less value of the land and usable assets	<u>(\$ 900,000)</u>
Total funds transfer to Parkes Shire Council	\$2,100,000

The \$100,000 is proposed to be paid as a lump sum 21 days from the execution of the HoA, the \$2,000,000 will be paid on transfer of the land or as otherwise agreed.

We trust this is an agreeable reflection of the discussions and look forward to Council confirming the above at its earliest convenience.

Yours faithfully,

Sam Sangster
Chief Executive

DRAFT AND CONFIDENTIAL

Health Infrastructure
ABN 89 600 377 397
Level 8, 77 Pacific Hwy, North Sydney NSW 2060
PO Box 1060 North Sydney NSW 2059
Tel. (02) 9978 5402 Fax. (02) 8904 1377
Website: www.hinfra.health.nsw.gov.au

A handwritten signature in black ink, appearing to be 'V. Sangster'.

General Manager

A handwritten signature in black ink, appearing to be 'Ken Keith'.

Mayor

Subject: (GM) Parkes Current Hospital Site

Prepared By: General Manager

Executive Summary

Health Infrastructure, on behalf of the Ministry of Health and Western NSW Local Health Council, are progressing well with the redevelopment of the new Parkes Hospital and the refurbishment of the Forbes Hospital. This report outlines proposals in relation to the land presently occupied by the Parkes Hospital.

Recommendation

1. For the consideration of Council

Resolution

1. That Council agree in-principle to the Health Infrastructure proposal, subject to finalisation of due diligence and commercial terms.
2. That the Mayor and General Manager be authorised to finalise negotiations with Health Infrastructure.
3. That subject to finalisation of commercial arrangements a community information program be developed.

Moved Councillor Barbara Newton, seconded Councillor George Pratt

CARRIED



General Manager



Mayor

17.5 (GM) Procurement of Commercial Premises

Prepared By: General Manager

Reason for Confidentiality

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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

Executive Summary

On 17 November 2015 Council considered a report on the possible procurement of commercial business premises. The negotiations are outlined herein.

Background Information

Council has a history of strategic land and building acquisition.

Legislative or Policy Implications

Strategic acquisitions are not inconsistent with Council's strategic plans.

Progressive Delivery Program Implications

The resolution in this report will primarily effect the Delivery Program Future Direction relating to: *8. Maintain and improve the Shires Assets and Infrastructure*

Predicted positive effect / opportunity for the Delivery Program: *Average*

Predicted negative / challenge to the Delivery Program: *Minor*

Quadruple Bottom Line



Economic ★★★★★



Environmental ★★★★★



Social ★★★★★



Civic Leadership ★★★★★

Budget & Financial Aspects

Funds are available in the "Future Fund Works Reserve" for this acquisition.

General Manager

Mayor

Recommendation

1. That the Report be received and noted.
2. That the proposed actions be endorsed.
3. That the seal of Council be applied as required to affect the proposed acquisition.

Report

As per Council's report tabled at its meeting of 17 November 2015 the following offers were made.

1. An offer of \$450,000 was made on the former Commonwealth Bank building in Clarinda Street, currently occupied by Council's Project Management group.

Outcome: The offer was accepted and conveyancing is progressing

Recommendation: that Council agree to the purchase and proceed with acquisition processes.

2. An offer of \$380,000 was made on the former Parkes Picture Palace Theatre at the corner of Dalton and Bogan Streets

Outcome: The owner declined the offer and proposed a purchase price of \$390,000. The owner was advised that this price would be referred to the next Economic Development Committee meeting scheduled to be held on 19 January 2016.

Recommendation: That the proposed price be considered by the Economic Development Committee at its meeting scheduled for 19 January 2016.

Attachments

1. Report tabled at Council's Meeting 17.11.2015



General Manager



Mayor

Subject: (GM) Procurement of Commercial Business Premises

Prepared By: General Manager

Reason for Confidentiality

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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

Executive Summary

Several commercial premises have recently been offered to Council for private treaty sale. Those premises are discussed in this report.

Background Information

Council has a history of strategic land and building acquisition.

Legislative or Policy Implications

Strategic acquisitions are not inconsistent with Council's strategic plans.

Progressive Delivery Program Implications

The resolution in this report will primarily effect the Delivery Program Future Direction relating to: *8. Maintain and improve the Shires Assets and Infrastructure*

Predicted positive effect / opportunity for the Delivery Program: *Average*

Predicted negative / challenge to the Delivery Program: *Minor*

Quadruple Bottom Line



Economic ★★★★★



Environmental ★★★★★



Social ★★★★★



Civic Leadership ★★★★★

Budget & Financial Aspects

Funds are available in the "Future Fund Works Reserve" for this acquisition.

Recommendation

For Council's consideration

General Manager

Mayor

Report

From time to time land and buildings are offered to, or sought by Council. Council has a record of procurement where they are considered to provide a long term benefit at a cost commensurate with that benefit. Currently there are several properties which fall into this category, see attached table for commentary.

A commercial premises close to the CBD may suit the long term needs of the cultural space plan, which provides;

From the Cultural Spaces Plan:

Longer term:

- build an iconic new Community Art Space in Cooke Park with galleries and multi arts workshop, arts and crafts gift shop, café, amenities and an outdoor stage;
- develop cultural precinct in heart of Parkes; and
- seek to acquire and adapt Parkes Picture Palace as a space for music, dance and performance.

While several of the buildings tabled may be suitable for a future cultural space, it is considered important that any building acquired not create a long term burden on Council. That is a building acquired for the right price, in a good location can be resold without causing a major financial loss.

Additionally the decision to proceed with a building solely to accommodate a cultural space has not yet been made by council.

Given these objectives and the buildings currently on offer, the former Commonwealth Bank building appears to be the most appropriate for the following reasons;

- It is currently under lease by Council for approximately two years which would allow easy access for design development,
- Grants could be actively sought to address access and amenity issues while under lease,
- Council would have two years to consider the merit of developing the building into a cultural space,
- If the building was not developed into a cultural space, it could be re-let as a commercial premises, used as a Council main street shop-front or resold.
- It is in a prime CBD location
- It has rear parking and rear lane access
- It appears to be at a commercially advantageous price at \$450,000.
- It is a relatively modern building with architectural character

If Council sees value in this acquisition the following recommendations could be considered;

1. That the property be acquired pursuant to the terms in this report.
2. That on acquisition the land be deemed operational.
3. That the seal of Council be applied as required to effect the purchase.



General Manager



Mayor

Attachments

1. Table - Commercial Premises currently available in Parkes Central Business District
2. Map - Commercial Premises currently available in Parkes Central Business District .



General Manager

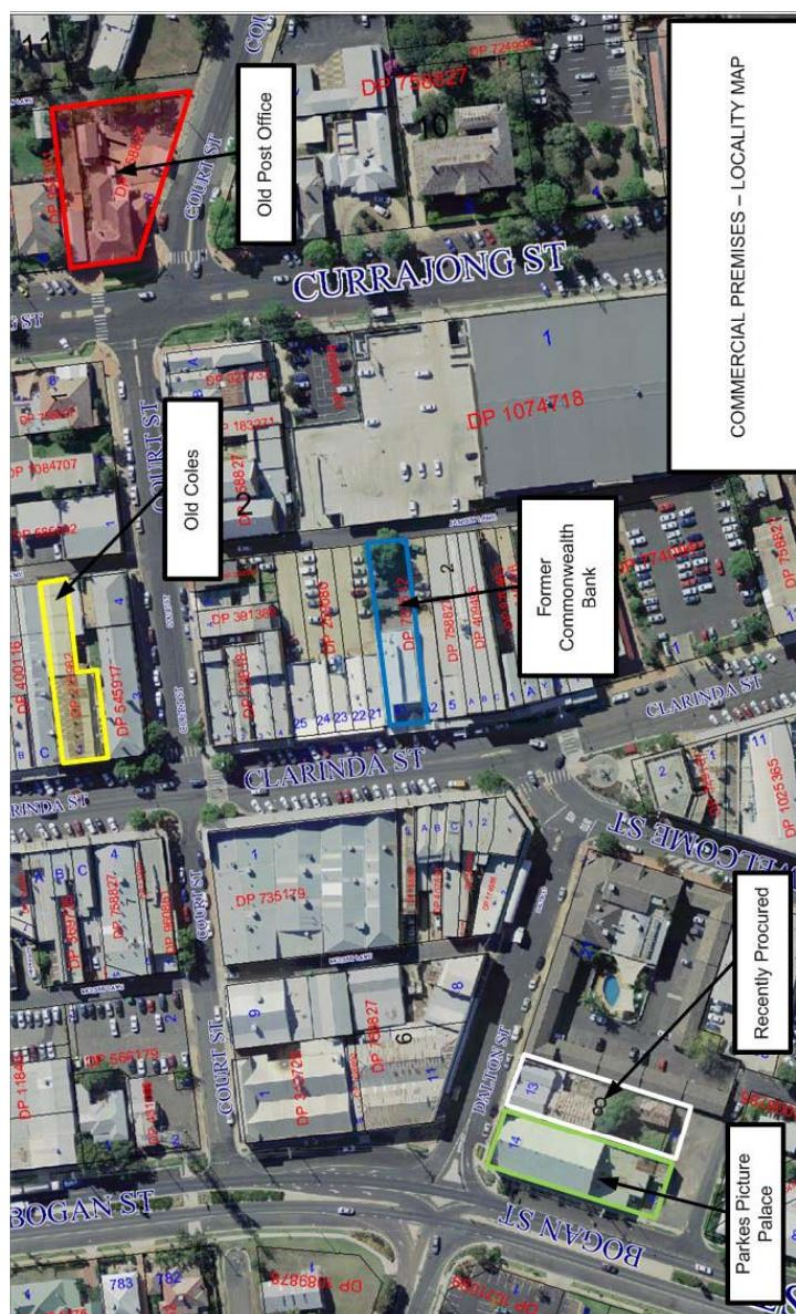


Mayor

Commercial Premises Currently For Sale in Parkes						
Owner	Pietro & Maddalena Sgarlata	I & JM Chambers (Investments) P/L	Q & SY Pan	M J Lydon		
Former use	Old Post Office	Old Coles	Former Commonwealth Bank	Parkes Picture Palace Theater		
Approximate building footprint (m ²)	380	660	350	900		
Number of levels	2	1	2	1		
Approximate block size (m ²)	1290	660	700	1000		
Approximate carpark size (m ²)	630	0	250	0		
Land Description	Lot 6 DP758827	Lot 1 DP215982	Lot 41 DP787512	Lot 6 DP758830		
Street Address	39 Currajong Street	225 - 227 Clarinda Street	203 Clarinda Street	25 Dalton Street		
Property Number	143000	102600	103900	157000		
Rear land access	Yes	Yes	Yes	Yes		
Approximate age		unknown	circa 1990's			
Last sale (date/price)	1992/\$50,000	1989/\$220,000	1998/\$630,000	2001/\$82,000		
Asking Price	\$600,000	\$600,000 +	\$450,000	\$380,000 +		
Comment	This is a well restored historic building, but one block removed from the CBD.	CBD building. There are known disability access issues with this building and no carpark. Part of the roof has been renewed. There are currently 2 commercially/lettable area, one of which is occupied by Craft Corner.	Architecturally designed, CBD building. There are known disabled access issues from rear and front of this building and no downstairs amenities. The building is in good repair and a modern building otherwise. Council has a lease for approximately 2 years on this building for project management group.	Council attended a public auction and was the unsuccessful bidder at \$300,000. \$350,000 was subsequently offered however the asking price was raised to \$380,000+. It is one block removed from the CBD. This building is old and in need of considerable work if returned to a commercial premises.		

General Manager

Mayor



General Manager

Ken Keith

Mayor

Subject: (GM) Procurement of Commercial Business Premises

Prepared By: General Manager

Executive Summary

Several commercial premises have recently been offered to Council for private treaty sale. Those premises are discussed in this report.

Recommendation

For Councils consideration

Resolution

1. That the Mayor and General Manager be delegated to negotiate the procurement of the subject properties as discussed at the meeting.
2. That a report be tabled on those negotiations at a future meeting of Council.

Moved Councillor Alan Ward, seconded Councillor Ken McGrath.

CARRIED



General Manager



Mayor