



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 17 OCTOBER 2017

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 17 October 2017 at 2.00pm.

PRESENT

Councillor B F Newton (in the Chair)

Councillor W P Jayet

Councillor K M McGrath

Councillor L A O'Leary

Councillor G W Pratt

Councillor P J Smith

Councillor AJ Ward

Councillor N C Westcott

IN ATTENDANCE

General Manager - K Boyd

Director Technology and Corporate Services - L Finn

Director Planning and Environment - S Campbell

Director Works & Services - B Howard

Director Infrastructure - A Francis

Chief Operating Officer - B Byrnes

Culture, Education and Library Services Manager - S Buckle

Minutes Secretary - M Wyatt

MEETING COMMENCEMENT

The Meeting commenced at 2.05pm.

1 PRAYER

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

2 APOLOGIES

17 - 352 Resolution

That

Councillor KJ Keith be granted leave of absence (REASON: Absent from Parkes).

Councillor WJ Biles be granted leave of absence (REASON: Illness)

Moved Councillor Bill Jayet, seconded Councillor Alan Ward

CARRIED

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

17 - 353 Resolution

That the Minutes of the Ordinary Meeting of Parkes Shire Council held on Tuesday 19 September 2017 copies of which have been forwarded to Councillors, be confirmed.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

CARRIED

4 DECLARATIONS OF INTEREST

Councillor KM McGrath declared an interest in Item 12.3 (REASON: Original owner of the property and is currently the adjoining owner of the mentioned property)

Councillor Alan Ward declared an interest in Item 17.1 (REASON: Director of the company which owns the mentioned property).

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.

17 - 354 Resolution

That Late Item/s 10.5, 10.6 and 17.8 be considered at this Council meeting.

Moved Councillor Ken McGrath, seconded Councillor Pat Smith.

CARRIED

7 MAYORAL MINUTES

7.1 Mayoral Minute - Functions Attended by Mayor, Councillors and Senior Staff

Executive Summary

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

Recommendation

1. That the report of upcoming functions for the Mayor, Councillors and Senior Staff be received and noted.
2. That Council write to congratulate the Peak Hill Business & Tourism Committee for organising the Australian National Busking Championship.
3. That Council write to congratulate the Central West Car Club on the success of the Charity Show & Shine event held on Saturday 14 October 2017.

17- 355 Resolution

That the recommendation be adopted.

Moved Councillor George Pratt, seconded Councillor Bill Jayet.

CARRIED

Councillor NC Westcott joined the meeting at 2.10pm.

7.2 Mayoral Minute - Coming Known Events for Mayor, Councillors and Senior Staff

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 and Senior Staff be received and noted.

17 - 356 Resolution

That the information be received and noted.

Moved Councillor Louise O'Leary, seconded Councillor Pat Smith

CARRIED

7.3 Mayoral Minute - Closure of Essential Energy Depots in Peak Hill and Trundle

Executive Summary

As Council is aware Essential Energy has elected to close their works depots in Trundle and Peak Hill, resulting in a further withdrawal of staff from those communities. Council was alerted to the closures via alarmed community members.

Several submissions have been made by Council protesting the closures and continued dilution of what we consider essential service staff in our regional towns. Letters have been sent to the Minister for Energy and Utilities the Hon Don Harwin and the Essential Energy CEO John Cleland. Full details of correspondence are attached.

It is my view that the responses show little regard for maintaining a satisfactory level of service in our regional towns and rural communities.

Recommendation

1. That this report be received and noted.

17 - 357 Resolution

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor Neil Westcott.

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 letters of appreciation are from the Parkes Combined Crafts Group Inc and from Tim Collins.

Recommendation

1. That the information be received and noted.
2. That the appropriate staff be congratulated on their handling of the B-double roll-over accident on Condobolin Road on the rescue, extraction and disposal of stock.

17 - 358 Resolution

That the recommendation be adopted.

Moved Councillor Louise O'Leary, seconded Councillor George Pratt.

CARRIED

10 GENERAL MANAGER'S REPORT

10.1 (GM) Parkes Shire Council 2016/17 Annual Report

Executive Summary

Under Section 428 of the Local Government Act 1993, Council is required to furnish its Annual Report to the Department of Local Government within five months of the end of the financial year, being November 30th. Council is also required to place the document on public display at this time. Parkes Shire Council has prepared its 2016/17 Annual Report in accordance with the legislation and presents the report to Council.

Recommendation

1. That the information be received and noted.

17 - 359 Resolution

That the information be received and noted.

Moved Councillor Bill Jayet, seconded Councillor George Pratt.

CARRIED

10.2 (GM) Request for assistance for Peak Hill Central School Aboriginal Dance Ensemble

Executive Summary

A request has been received from Peak Hill Central School to assist its Aboriginal Dance Ensemble to attend the 2017 Schools Spectacular in Sydney.

Recommendation

1. That Council donate \$500 to Peak Hill Central School.
2. That Council consider putting in place a local grant funding policy for Sec 356 contributions with 2 rounds per year with effect from 2018.

17 - 360 Resolution

That the recommendation be adopted.

Moved Councillor Louise O'Leary, seconded Councillor Bill Jayet.

CARRIED

10.3 (GM) Request for assistance for Timor Leste Shipment

Executive Summary

Parkes Shire Council has a Friendship Agreement with Weberek in Timor Leste. A request has been received to assist in the distribution of medical equipment to Weberek and other communities in Timor Leste.

Council staff has assisted with the packing of containers which we are advised, has been very successful. Consolidation of equipment has resulted in the need for only two (2) containers instead of three (3) reducing the cost of shipment. Previous shipments of equipment have proven to provide direct and significant humanitarian benefit to the Timor Leste community.

Recommendation

1. That Council offer to contribute up to \$2,000 to help cover the shortfall mentioned in the request.

17 - 361 Resolution

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Bill Jayet.

CARRIED

10.4 (GM) Results of Mayor and Deputy Mayor Elections in NSW

Executive Summary

The results of NSW Mayor and Deputy Mayor Elections held to date are shown below.

Recommendation

1. That letters of acknowledgement be forwarded to former Council Mayors and letters of congratulations be forwarded to the newly elected Mayors and Deputy Mayors within the CENTROC region.

17 - 362 Resolution

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Neil Westcott.

CARRIED

10.5 (GM) Union Picnic Day 2017

Executive Summary

The Parkes Branch of the United Services Union has applied for Friday 3 November 2017 to be allocated as the annual Union Picnic Holiday.

Recommendation

1. That Friday 3 November 2017 be approved as the annual Union Picnic Holiday as requested by the Parkes Branch of the United Services Union.

17 - 363 Resolution

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Pat Smith.

CARRIED

10.6 (GM) Local Government NSW Annual Conference

Executive Summary

The Local Government NSW (Local Government NSW) is calling for nominations from Councils for discussion at the Annual Conference which is scheduled to be held in Sydney from 4 to 6 December 2017.

Recommendation

1. That motions be considered for submittal to the 2017 Local Government NSW Annual Conference.
2. Further that, any Councillor interested in attending the Conference advise the General Manager accordingly.

17 - 364 Resolution

That the information be received and noted.

Moved Councillor Neil Westcott, seconded Councillor Louise O'Leary.

CARRIED

11 DIRECTOR TECHNOLOGY AND CORPORATE SERVICES REPORT

11.1 (DTCS) Investments as at 30 September 2017

Executive Summary

The carrying value of Council's investments at 30 September 2017 was \$43,212,571.

Recommendation

1. That the information in relation to investments held at 30 September 2017 be received and noted.

17 - 365 Resolution

That the information be received and noted.

Moved Councillor Neil Westcott, seconded Councillor Louise O'Leary.

CARRIED

11.2 (DTCS) Parkes Masonic Temple Co - 2017/18 Rate Rebate Request

Executive Summary

A request has been received from the Board of the Parkes Masonic Temple requesting that Council give consideration to waiving 50% of the Business General Rate for 2017/18 levied on their property located at 1-7 Short Street, Parkes, as granted in previous years.

Recommendation

1. That Council make a contribution towards the rates levied on property 367500, being 1-7 Short Street, Parkes owned by the Parkes Masonic Temple Co in the amount of \$1,303.62, being 50% of the Business General Rate for 2017/18, under Section 356 of the Local Government Act 1993.

17 - 366 Resolution

That the recommendation be adopted.

Moved Councillor Pat Smith, seconded Councillor Ken McGrath.

CARRIED

11.3 (DTCS) Cultural, Education and Library Services Update

Executive Summary

A brief of the recent activities of the cultural, education and library services unit.

Recommendation

1. That the information be noted.

17 - 367 Resolution

That the information be received and noted.

Moved Councillor Bill Jayet, seconded Councillor Pat Smith.

CARRIED

The first presentation commenced at 3pm with Long Service Awards to Rhonda Milgate (30 years of service) and Doug Miller (20 years of service). This was followed by the presentation of the Finalist certificate in the NSW Volunteer of the Year Award to Leon Madden. The third presentation was that of Mock Crash certificates and this presentation was made jointly by Mayor Graeme Miller of Forbes Shire Council, Mayor John Medcalfe of Lachlan Shire Council and Deputy Mayor Barbara Newton.

The Deputy Mayor Barbara Newton then introduced the following new staff:

- Kimberley Harris, Grants Officer
- Susan McGrath, Business Support Co-ordinator in the Works & Services department
- Michael O'Shannessy, Fleet & Depot Co-ordinator in the Works & Services department

The meeting adjourned for afternoon tea at 3.30pm. The meeting resumed at 4pm.

11.4 (DTCS) Christmas and Elvis Retail Activation Kit

Executive Summary

One of the key recommendations of the Economic Development Strategy is to support local business. Each year in response to this the Economic, Marketing and Elvis Teams develop and distribute a retail activation kit to support local businesses to take advantage of the annual Shop + Win Christmas/ Sparkles campaigns as well as the Elvis Festival.

The activation kits are personally delivered to businesses by the Team and this year we would like to invite Councillors to join our annual door knock, as it provides a great opportunity to engage directly with our business community.

Recommendation

1. That the Councillors if available join the Economic, Marketing and Elvis team to personally deliver this year's Retail Activation Kits on Wednesday 22 November 2017.

17 - 368 Resolution

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Pat Smith.

CARRIED

11.5 (DTCS) Free Pool Entry for the Parkes Water Treatment Plant Community Open Day

Executive Summary

The Parkes Water Treatment Plant Community Open Day invites local residents to celebrate the new water infrastructure facility on Saturday 4 November. The Open Day will involve tours of the facilities and giveaways.

Council would like to offer free pool entry as part of the celebration.

Recommendation

1. That Council approve the request to offer free pool entry wrist bands to attendees at the Water Treatment Plant Community Open Day and that the cost associated with the offer be borne by the Water Fund.
2. That it be noted that the date for the Open day has been postponed until a date to be fixed due to circumstances beyond Council's control.

17 - 369 Resolution

That the recommendation be adopted.

Moved Councillor Neil Westcott, seconded Councillor George Pratt.

CARRIED

11.6 (DTCS) Marketing and Destination Development Update September 2017

Executive Summary

Destination development and marketing of the Parkes Shire as an attractive tourism, business and investment destination and desirable place to live is one of the main objectives of the Parkes Shire Council Community Strategic Plan and Economic Development Plan.

Promoting the region by highlighting the strengths, assets and potential opportunities for growth can create interest from potential visitors and investors stimulating economic return for the Shire.

Recommendation

1. That the Marketing and Destination Development update be received and noted.

17 - 370 Resolution

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor Bil Jayet.

CARRIED

12 DIRECTOR PLANNING AND ENVIRONMENT'S REPORT

12.1 (DPE) August 2017 Building Statistics

Executive Summary

During the month of August 2017 there were seven (7) Development Applications received totalling \$3,917,159.00 and seven (7) consents were issued. Five (5) Complying Development Certificates were received totalling \$539,990.00 and one (1) consent being issued.

Recommendation

1. That the information be received and noted.

17 - 371 Resolution

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

CARRIED

12.2 (DPE) September 2017 Building Statistics

Executive Summary

During the month of September 2017 there were nineteen (19) Development Applications received totalling \$2,827,847.00 and nine (9) consents were issued. Two (2) Complying Development Certificates were received totalling \$282,770.00 and two (2) consents being issued.

Recommendation

1. That the information be received and noted.

17 - 372 Resolution

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

CARRIED

Councillor Ken McGrath left the meeting at 4.15pm.

12.3 (DPE) DA17054: Telecommunications Facility at 29 Thomas Street, Parkes

Development Application Information

Application No: DA17054

Applicant: James McIver (Catalyst One Pty Ltd)

Property: Lot 6 DP 854857, 29 Thomas Street, Parkes

Proposal: Telecommunications Facility

Executive Summary

DA17054 proposes the erection of a Telecommunications Facility at Lot 6 DP 854857, 29 Thomas Street, Parkes. The development consists of a 25 metre high monopole with radio communication dishes, an equipment shelter and compound at the base of the facility and new vehicular access off Ainsworth Road. The Telecommunications Facility is a new transmission hub site which will form part of a telecommunications network for use primarily by emergency service organisations. The facility will provide a fixed, point to point link to the dedicated lead in fibre lead in point at the Essential Energy Depot, Parkes.

The proposed development was notified to neighbouring land owners from 30 May to 21 June 2017 in accordance with the Parkes Shire Development Control Plan 2013. During the notification period, four (4) submissions were received to the proposal. The submissions raised concerns with visual impact, site selection, effect on property value, proximity of the facility to residential areas, health concerns relating to electromagnetic energy and inconsistency with zone objectives. The applicant provided justification/and or further information in relation to the matters raised in the submissions, including why a new monopole could not be erected at the Axicom Facility.

In response to Council's request to consider relocating the facility to an alternate location with Lot 6 DP854857 to reduce the potential visual impact from the dwelling at 41 Ainsworth Road, Parkes, the applicant proposed to remove the existing timber pole at Lot B DP405462 and establish the new monopole on this site. In discussion with the owners of 41 Ainsworth Road, Parkes, the alternate location of Lot B DP405462 was not desirable as it was closer to the dwelling and directly visible from the existing private open space at the rear of the property. The applicant advised that they would therefore continue with the original location on Lot 6 DP 854857, but would also decommission the existing timber pole on Lot B DP405462 and relocate the existing telecommunications equipment onto the new pole.

A Development Assessment Report has been prepared and is assessed that the proposed development is consistent with the Parkes Local Environmental Plan 2012, Parkes Development Control Plan 2013 and all relevant State Environmental Planning Policies. The development assessment concludes that the proposed development is assessed not to have any significant impacts on the surrounding environment and or neighbouring properties. The Development Assessment Report is included in Attachment 1.

A Statement of Environmental Effects including plans of the proposal is included in Attachment 2 and a copy of all submissions received and the applicant's response to those submissions is included in Attachment 3.

Recommendation

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

Conditions

Approved Plans and Documentation

1. Development shall take place in accordance with the following Parkes Shire Council stamped plan(s) and supporting documentation lodged in respect of Development Application No DA17054 except as amended by any other condition of consent. 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.

Prior to the Issue of a Construction Certificate

2. The finished surface materials, including colours and texture of the buildings must be non-reflective. All buildings must be neutral colours and must blend with the surrounding environment to the satisfaction of Council's Director Planning and Environment.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of a Construction Certificate.

3. The applicant is to plant a vegetation buffer appropriately screening the site compound from public view and adjoining dwellings. Details to the satisfaction of Council's Director Planning and Environment demonstrating compliance are to be submitted prior to the Issue of a Construction Certificate.

Prior to Commencement

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: No building, engineering or excavation work is to be carried out in relation to this development until the necessary construction certificates have been obtained.

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. 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, stormwater drainage and water supply work from Parkes Shire Council prior to commencing works and must comply with any conditions of that permit. All work shall be carried out by a licensed plumber and drainer and to the requirements of the Plumbing Code of Australia.
7. 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 latest publication of Managing Urban Stormwater – Soils and Construction produced by Landcom.

During Works

8. To limit the impact of the development on adjoining owners, all construction work shall be restricted to the hours of 7.00am to 6.00pm Monday to Friday and 8.00am to 1.00pm Saturdays. No construction work shall take place on Sundays or Public Holidays.
9. Any 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.
10. 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.
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 loading, unloading and storage of goods, equipment, tools and building materials, or the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. No loading, unloading and storage of goods, equipment, tools and building materials, or the carrying out of building operations related to the development proposal shall be carried out on the nature strip, footpath or public roadway system.
13. All roofed stormwater from the development must be discharged at least three (3) metre clear of any building and maintained wholly within the boundaries of the allotment. Any plumbing and drainage work must be carried out by a licensed plumber

and drainer in accordance with Australian Standard AS/NZS 3500 and Plumbing Code of Australia.

14. All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at an approved Parke 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.
15. 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.
16. 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.
17. The applicant shall monitor dust conditions at all times of construction and operation and implement adequate dust suppression measures to minimise impacts on adjoining dwellings and public land.

Prior to Occupation or the Issue of Occupation Certificate

18. Application for an Occupation Certificate must be submitted to and approved by the Principal Certifying Authority prior to occupation or use of the whole or part of the new building/works.
19. Prior to the issue of an Occupation Certificate, all conditions of this consent must be complied with and completed.

Operational Conditions

20. The telecommunications facility is to comply at all times with the Australian Radiation Protection and Nuclear Safety Agency Protection Standard – Maximum exposure levels to radiofrequency fields – 3kHz to 300Hz as amended.
21. The L_{A10} (Source) noise level emitted from the telecommunications facility shall not exceed the background noise level in any octave band (measured using the L_{90} noise level descriptor) by more than 5 dB(A) when measured at the boundary of the nearest affected residence.
22. 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.

Prescribed Conditions

23. The work must be carried out in accordance with the requirements of the *Building Code of Australia*.
24. 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.

Note: This condition does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building, that does not affect the external walls of the building.

Note: This condition does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.

Note: This condition applies to a complying development certificate issued before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

Note: Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

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.

Note: This condition does not apply if the person having the benefit of the complying development certificate owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

17 - 373 Resolution

That the recommendation be adopted.

Moved Councillor George Pratt, seconded Councillor Louise O'Leary

CARRIED

There was a unanimous show of hands by all Councillors.

For - Cr Patrica Smith, Cr Bill Jayet, Cr Louise O'Leary, Cr Neil Westcott, Cr Alan Ward and Cr George Pratt

Against - Nil

Did not vote - Cr Ken Keith and Cr Wally Biles (REASON: ABSENT)

Councillor Ken McGrath returned to the meeting at 4.30pm.

12.4 (DPE) DA2017/0095: Temporary Camping Ground (Parkes Elvis Festival) at 'Edward McGlynn Park' Forbes Road, Parkes

Development Application Information

Application No: DA2017/0095

Applicant: Parkes Shire Council

Property: Lot 2 DP 876918 & Lot 951 DP 1167676, 'Edward McGlynn Park' Forbes Road, Parkes

Proposal: Temporary Camping Ground (Parkes Elvis Festival)

Executive Summary

DA2017/0095 proposes the use of Edward McGlynn Park indefinitely for a temporary caravan park for the duration of the Elvis Festival. The application was lodged by Parkes Shire Council and has been assessed by Parkes Shire. As such, the application has been reviewed by an independent third party and is reported to Council for determination.

The site of Edward McGlynn Park has an area of 3.26 hectares and has two sealed accesses from Baker Street and the laneway from the Forbes Road. The site is currently used for a number of public recreational events including hockey, cricket, touch football and netball. McGlynn Park features a sealed car park, clubhouse and amenities building, and landscaped areas.

The development proposes up to 100 short term caravan sites (6 metres by 15 metres) associated with providing temporary caravan park facilities to cater for the Parkes Elvis Festival.

The proposed development is consistent with all relevant planning legislation. It is assessed that the development proposal represents a temporary caravan park under the Parkes Local Environmental Plan 2012, Local Government Act 1993 and the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

The proposed development was advertised and neighbour notified in accordance with the Parkes Shire Development Control Plan 2013. No objections or submissions were received during the notification period.

The proposed development will not result in any adverse environmental, natural, social or economic impacts in the locality. The development proposal will provide short-term accommodation throughout the Elvis Festival.

Operational aspects of the temporary camping ground will be managed by various organisations and coordinated by the Parkes Elvis Festival Director.

A Statement of Environmental Effects is included in Attached 1 and a plan of the development proposal is included in Attachment 2.

A Development Assessment Report, dealing with all aspects of the proposal is included in Appendix 3.

Recommendation

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

Conditions

Approved Plans and Documentation

1. The development shall be generally carried out in accordance with:
 - i) the Statement of Environmental Effects, dated August 2017.
 - ii) the stamped approved site plan.

except where amended by any of the following conditions. A current and approved copy of the approved stamped by Parkes Shire Council is to be maintained on site for constructional and reference purposes.
2. The Applicant shall prepare a Camping Ground Operations Management Plan by 20 December 2017 in consultation with the Director Planning and Environment, Coordinator of Parks and Gardens and the Chairperson of the Parkes Sports Council. The Camping Ground Operations Management Plan as a minimum must include the following details:
 - a) The amount and location of amenities to service each temporary caravan park.
 - b) The amount and location of waste receptacles.
 - c) Access and traffic arrangements.
 - d) Emergency Management details.
 - e) The location of any security lighting and hours of operation.
 - f) The procedures maintain the sports grounds in a clean and tidy condition at all times.
 - g) Procedures to remove waste from the waste receptacles and clean the amenities.
3. Activities associated with the Temporary Caravan Park shall be restricted to two (2) days prior to the Elvis Festival, during the festival and two (2) days after the completion of the Elvis Festival.
4. This consent is for the erection/installation of no more than 100 caravans/ camper vans.

5. The Applicant must receive a Section 68 Approval to operate a caravan park under the *Local Government Act 1993* prior to the setup of the first caravan / motor home on the site.
6. The contact details of the site manager, including a phone number shall be displayed at the front entrance to the site at all times.
7. A minimum of one (1) car parking space must be made available for each camping/caravan site. Car parking and trafficable areas shall be provided, maintained and kept clear and available at all times that the temporary caravan park is operational. Details of the each car park, including access, traffic controls and signage shall be submitted to Council's Director of Engineering for approval prior to the setup of the first caravan / motor home / tent on the site.
8. Caravans / motor homes shall not be installed closer than 2.5 metres from another caravan / motor home.
9. Delineation of the extent of the boundaries, and identification number of each caravan site shall be clearly marked with semi-permanent marker paint for the duration of the existence of the temporary caravan park facility. Such delineation shall be removed in entirety by the applicant to the satisfaction of Parkes Shire Council, at the conclusion of the Elvis Festival.
10. Access to and from the site is to be limited to Baker Street. No access is permitted from the service lane within the Forbes Road corridor.
11. The site manager shall attend to all vehicle entry / exit requests and any complaints about traffic control, noise, fires, littering or anti-social behaviour.
12. The premises shall be kept in a clean and tidy condition at all times to the satisfaction of Parkes Shire Council.
13. No open fires are permitted at any time during the Elvis Festival.
14. Any exterior lighting associated with the development shall be designed / installed / used so that no light will be directly cast onto any adjoining property or road way. Lighting shall be erected / installed / used in compliance with WorkCover requirements and will be provided with a suitable outdoor electrical safety tag(s).
15. No nuisance or interference with the amenity of the area is to be created by reason of any process or operation on the premises causing the emission of noise, dust, smoke or any polluted discharge whatsoever. No generators or other potentially noisy mechanical equipment are permitted to be operated beyond 10.00pm.
16. Adequate waste facilities are to be provided and maintained in a clean and sanitary condition. These are to be serviced regularly with the removal of waste prior to the receptacles overflowing. Arrangements must be in place for the periodic collection of any waste or recyclable materials likely to be generated as a result of the use of the caravans / campervans and any attendant structures on the site.

17. Caravans and attendant structures shall be erected at ground level.
18. Fire extinguishers shall be provided to comply with Australian Standard 2444, in regard to number, type, sizing and location on the site.
19. All caravan / campervan sites shall front onto an access corridor a minimum of six (6) metres width. The access corridor shall be kept clear of all vehicles or any other obstruction at all times to facilitate appropriate access and egress by Emergency Vehicles as required and general safe pedestrian movement of park residents.
20. 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.
21. Trees growing on the land on which caravans and any attendant structure are erected, or on adjoining land, must not be damaged as a result of the positioning of caravans, or the erection or use of attendant structures.
22. The Applicant shall remove all redundant signs, fencing and traffic control structures from the land at the end of the Elvis Festival to the satisfaction of Parkes Shire Council's Director Planning and Environment.

17 - 374 Resolution

That the recommendation be adopted.

Moved Councillor Pat Smith, seconded Councillor Alan Ward

CARRIED

There was a unanimous show of hands by all Councillors.

For - Cr Patrica Smith, Cr Bill Jayet, Cr Louise O'Leary, Cr Neil Westcott, Cr Alan Ward, Cr Ken McGrath and Cr George Pratt

Against - Nil

Did not vote - Cr Ken Keith and Cr Wally Biles (REASON: ABSENT)

13 DIRECTOR WORKS & SERVICES REPORT

13.1 (DWS) Village Pool Use 2017/2018 Season

Executive Summary

The Village Pools (Peak Hill, Trundle and Tullamore) will open for the summer season on Saturday 4 November 2017.

Booking requests have been received from regular users of the Peak Hill, Trundle and Tullamore Pools for the 2017/2018 season.

Recommendation

1. That the requested use of the pools at Trundle, Tullamore and Peak Hill by the respective organisations be approved.
2. That Council approve the operation of the village pool week days to include the additional Tuesdays 3:00pm to 7:00pm at Peak Hill, Trundle and Tullamore during January 2018, including 'heat week' provisions for schools west of the Newell Highway.
3. That the schools be advised that consecutive days and earlier opening times will only be facilitated provided relief staff can be arranged for the extra days.

17 - 375 Resolution

That the recommendation be adopted.

Moved Councillor Bill Jayet, seconded Councillor Alan Ward

CARRIED

13.2 (DWS) Youth Driver Education Program 2017

Executive Summary

More than 500 Year 10 students from seven high schools across the Parkes, Forbes and Lachlan Shire Council areas completed the *NOT A STATISTIC! Youth Driver Education Program* in 2017. This program is a cooperative effort of Forbes, Lachlan and Parkes Councils.

The annual program involves a pre classroom lesson and a very realistic mock car crash demonstration that was held at Parkes PCYC on Thursday 24 August 2017.

This year's mock car crash demonstration attracted media coverage from Prime7 News, WIN News, Nine Central West, the Parkes Champion Post, the Parkes Phoenix and 2PK/ROK-FM.

Recommendation

1. That the information be received and noted.

17 - 376 Resolution

That the information be received and noted.

Moved Councillor Neil Westcott, seconded Councillor George Pratt.

CARRIED

14 DIRECTOR INFRASTRUCTURE REPORT

14.1 (DI) LGNSW Excellence in the Environment Award

Executive Summary

I am pleased to report that Council was successful in winning both the Category A (Council's under 30,000 population) and Overall Award in the Water Management Category for the LGNSW Excellence in the Environment Awards. The award recognises Council's strategic approach to the management of its key water resources and the planned and sustainable approach to the delivery of the recent Major Water Projects. The award affirms that environmental stewardship and ecological sustainable development principles are systemic to the way Council carries out its business.

Recommendation

1. That this report be received and noted

17 - 377 Resolution

That the information be received and noted.

Moved Councillor Alan Ward, seconded Councillor Bill Jayet.

CARRIED

15 CONSIDERATION OF COMMITTEE MINUTES

15.1 Committee Minutes - Cultural Education Library Committee Meeting 3 October 2017

Executive Summary

The Parkes Shire Cultural Advisory Committee met on 3 October 2017. The Minutes of the meetings are attached.

Recommendation

1. That the Minutes and recommendations of the Parkes Cultural, Education & Library Committee meeting held on 3 October 2017 be adopted.

17 - 378 Resolution

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Pat Smith

CARRIED

15.2 Committee Minutes - Heritage Advisory Committee Meeting 3 October 2017

Executive Summary

The Heritage Advisory Committee held a meeting on Tuesday, 3 October 2017. The purpose of the meeting was to nominate two members of the committee to attend the Open Homes Meetings, review the Local Heritage Fund Grant offers and provide the committee with an update of the Parkes Aboriginal Heritage Study.

Recommendation

1. That the Minutes of Heritage Advisory Committee held on 3 October 2017 be received and noted and the recommendations be endorsed by Council.
2. That Council approve the Local Heritage Fund grants for 2017/18 as recommended by the Heritage Advisory Committee in Attachment 1.

17 - 379 Resolution

That the recommendation be adopted.

Moved Councillor Alan Ward, seconded Councillor Bill Jayet.

CARRIED

15.3 Committee Minutes - Little Theatre Management Committee Meeting 3 October 2017

Executive Summary

The Parkes Shire Little Theatre Management Committee met on 3 October 2017.

Recommendation

1. That the Minutes together with the Recommendations of the Little Theatre Management Committee meeting held on 3 October 2017 be adopted.

17 - 380 Resolution

That the recommendation be adopted.

Moved Councillor Neil Westcott, seconded Councillor Bill Jayet.

CARRIED

15.4 Committee Minutes - Parkes Sports Council Committee Meeting 10 October 2017

Executive Summary

The Minutes of the Parkes Sports Council Meeting held on 10 October 2017 are presented for the information of Council. At the meeting, Michael Chambers presented a verbal report on the current status of Cheney Park and the salinity issue. Parkes Touch and Cricket are currently adversely affected and Parkes Hockey may be unable to attract larger tournaments to Parkes unless the issues are resolved. Michael Chambers undertook to provide further updates at future meetings.

Recommendation

1. That the minutes of the Parkes Sports Council meeting held on 10 October 2017 are received and noted.

17 - 381 Resolution

That the recommendation be adopted.

Moved Councillor George Pratt, seconded Councillor Neil Westcott.

CARRIED

15.5 Committee Minutes - Sporting Facilities Development Committee Meeting 3 October 2017

Executive Summary

The Parkes Shire Council Sporting Facilities Development Committee meeting was held on Tuesday 3 October 2017.

Recommendations

1. That the Minutes of the Parkes Shire Sporting Facilities Development Committee held on 3 October be endorsed by Council.
2. After the update of the Northparkes, Spicer & Pioneer Oval Masterplan by the engaged consultant a workshop to be held for the committee and councillors to review the changes and amended masterplan.
3. That the updating of the Cheney McGlynn Park master plan commence during the next two months.

17 - 382 Resolution

That the recommendation be adopted.

Moved Councillor Louise O'Leary, seconded Councillor Bill Jayet.

CARRIED

Councillor Alan Ward left the meeting at 5.02pm

16 QUESTIONS AND MATTERS OF URGENCY

Nil

17 CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

17.1 (GM) Accommodation of Craft Corner

Prepared By: General Manager

Executive Summary

Craft Corner has been notified that they will have to vacate their current premises at 227 Clarinda Street, Parkes by 30 October 2017.

An alternative property has been located and Craft Corner is seeking the assistance of Council in leasing this new premise and to continue (but not increase) Council's financial subsidy.

Recommendation

1. That Council enter into an agreement to lease for 3 years, with yearly reviews, 257 Clarinda Street for the accommodation of Craft Corner, subject to the usual commercial lease terms.

17 - 383 Resolution

That the recommendation be adopted.

Moved Councillor Pat Smith, seconded Councillor Bill Jayet.

CARRIED

Councillor Alan Ward returned to the meeting at 5.09pm

17.2 (DTCS) Central West Children Services (Family Day Care) Scheme

Prepared By: Director Technology & Corporate Services

Executive Summary

The Central West Children Services Scheme (Family Day Care) has been informed that a neighbouring Council is closing its scheme. The closure has possible implications for Council's Family Day Care Scheme should additional educators join as a result of the nearby closure.

Recommendation

1. That the information be received and noted.

17 - 384 Resolution

That the information be received and noted.

Moved Councillor George Pratt, seconded Councillor Neil Westcott.

CARRIED

17.3 (DPE) Right of Burial

Prepared By: Director Planning & Environment

Executive Summary

The purpose of this report is to provide information to Council in relation to the issue of a duplicate Right of Burial.

Recommendation

1. That a management plan be developed for Parkes Shire Cemeteries. Further that provision is considered in the 2018/19 Financial Plan for the conversion of all Council's cemetery plans to a digital format.

17 - 385 Resolution

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Bill Jayet.

CARRIED

17.4 (DWS) Naming of Recreation Area - Cookamidgera

Prepared By: Director Works and Services

Executive Summary

Council has received a request to investigate a suggestion to formally name the recreation area, including play equipment and tennis courts at Cookamidgera 'Charlton Park', in honour of long serving commitment by members of the Charlton family.

Recommendation

1. That Council proceed with the application to name the recreation area, including the play equipment and tennis courts to Charlton Park.
2. That Council formally advertise the proposed name for public consultation for the required 21 day period.

17 - 386 Resolution

That the recommendation be adopted.

Moved Councillor George Pratt, seconded Councillor Alan Ward.

CARRIED

17.5 Committee Minutes - CBD Precinct Vibrancy Committee Meeting 03.10.2017

Prepared By: Economic & Business Development Manager

Executive Summary

Minutes of the CBD Precinct Vibrancy Committee Meeting held on Tuesday 3 October 2017 are attached for Council's consideration.

Recommendation

1. That the minutes of the CBD Precinct Vibrancy Committee Meeting held on Tuesday 3 October 2017 be noted and the recommendations be adopted.

17 - 387 Resolution

That the recommendation be adopted.

Moved Councillor Alan Ward, seconded Councillor Neil Westcott.

CARRIED

17.6 Committee Minutes - Parkes Elvis Festival Committee Meeting 4 October 2017

Prepared By: Economic & Business Development Manager

Executive Summary

Meetings of the Elvis Festival Committee were held at the Parkes Shire Council on 4 October 2017. The Minutes are attached for Council's endorsement.

Recommendation

1. That the Minutes of the Elvis Festival Committee meetings held on 4 October 2017 be noted and the recommendations of the Committee be endorsed by Council.

17 - 388 Resolution

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Bill Jayet.

CARRIED

17.7 Committee Minutes - Parkes Delivery Plus Committee Meeting 3 October 2017

Prepared By: Chief Operating Officer

Executive Summary

Meetings of the Parkes Delivery Plus Committee were held at the Parkes Shire Council on 3 October 2017. The Minutes are attached for Council's endorsement.

Recommendation

1. That the Minutes of the Parkes Delivery Plus Committee meeting held on 3 October 2017 be noted and the recommendations of the Committee be endorsed by Council.

17 - 389 Resolution

That the recommendation be adopted.

Moved Councillor Louise O'Leary, seconded Councillor Pat Smith.

CARRIED

17.8 (GM) Historical Society request to use public toilets at the Henry Parkes Centre

Prepared By: General Manager

Executive Summary

The Parkes & District Historical Society Inc (PDHS) has requested to use the facility toilets at the Henry Parkes Centre.

PDHS has also requested that Council put a footpath into the Museum.

Recommendation

1. That Council respond to the PDHS to clarify that these are facility toilets, not public toilets and that as previously discussed, the use of these facility toilets are outside the scope of the lease agreement.
2. That Council inform the PDHS to clarify that the footpath into the Museum is on the Works & Services Program and will be scheduled accordingly.

17 - 390 Resolution

That the recommendation be adopted.

Moved Councillor Alan Ward, seconded Councillor Pat Smith.

CARRIED

At this stage being 5.40pm, the Closed meeting concluded and the Deputy Mayor re-opened the Meeting to the public. The Deputy Mayor read aloud the resolutions of the Confidential Business items tabled in the Closed Meeting for the benefit of the public gallery.

There being no further business the Deputy Mayor declared the meeting closed at 5.45pm.