



# 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 15 SEPTEMBER 2020

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

**GENERAL MANAGER:** Kent Boyd

## Ordinary Meeting

**Minutes of the Ordinary Meeting held in the Council Chambers, 2 Cecile Street on Tuesday 15 September 2020 at 2.00pm.**

---

### PRESENT

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

Councillor B F Newton  
Councillor L A O'Leary  
Councillor P J Smith  
Councillor N C Westcott

### IN ATTENDANCE

General Manager - K Boyd  
Director Technology and Corporate Services - L Finn  
Director Planning and Environment - B Hayes  
Director Works & Services - B Howard  
Director Infrastructure - A Francis  
Chief Operating Officer - A McGrath  
Chief Financial Officer - J Barnard  
Economic and Business Development Manager - A Wyllie  
Minutes - M Wyatt

### MEETING COMMENCEMENT

The Meeting commenced at 1.10pm with Confidential Items.

The Mayor opened the meeting with the following declaration. It is now 1.10pm Tuesday 15 September 2020 and as the Mayor I declare the Ordinary Meeting of the Parkes Shire Council being held electronically due to the restrictions surrounding the COVID-19. As such the confidential items will be discussed at the commencement of the meeting.

The open section of the meeting will commence as publicly advertised at 2.00pm and was livestreamed to Council's Facebook page.

## **17 CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS**

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.

### **20 - 265 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 Barbara Newton, seconded Councillor Neil Westcott.

**CARRIED**

### **17.1 (DPE) Status of Legal Action - Bogan Gate Hoarding**

Prepared By: Director Planning and Environment

---

## **Executive Summary**

Council is well advanced in relation to the compliance and legal actions regarding an appeal against Council Order for the property in Hutton Street, Bogan Gate. The appeal has been set for hearing on 27 October 2020.

## **Recommendation**

1. That the information be received and noted.

### **20 - 266 Resolution**

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

**CARRIED**

---

## **17.2 (DWS) Sale of Council Property - 33D Albert Street, Parkes (Lot 2A Sec 42 DP 758827)**

Prepared By: Director Works and Services

---

### **Executive Summary**

Council previously resolved to list its property, 33D Albert Street, Parkes be for sale through a local Real Estate Agent at market value at its Ordinary meeting held 19 May 2020.

Council's Property Team sought quotes for commission rates and listed the property with Parkes Real Property.

### **Recommendation**

1. That Council agree to the sale of 33D Albert Street, Parkes for \$198,000.

### **20 - 267 Resolution**

That the recommendation be adopted.

Moved Councillor Pat Smith, seconded Councillor Neil Westcott.

**CARRIED**

### **17.3 (DI) Central West JO Water Main Condition Assessment Tender**

Prepared By: Director Infrastructure

---

#### **Executive Summary**

Central West Joint Organisation (CNSWJO), on behalf of member Councils, has undertaken a formal Request for Quotation/Tender (RFX) process in March 2020 to identify suitable providers to undertake a trial of water main condition assessment services on a number of selected sites.

It is anticipated that an upper limit of \$144,000 will be spent on the trial.

#### **Recommendation**

1. That a contract be signed between Council and ADE Consulting Group/Asset Life Alliance for the Water Main Condition Assessment Trial, as assessed via the CNSWJO panel.

### **20 - 268 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Barbara Newton.

**CARRIED**

## **17.4 Committee Minutes - Audit, Risk and Improvement Committee Meeting held 08 September 2020**

Prepared By: Chief Operating Officer

---

### **Executive Summary**

A meeting of the Parkes Shire Council Audit, Risk and Improvement Committee was held on 08 September 2020. The Minutes are attached for Councillors information.

### **Recommendation**

1. That the Recommendations and/or Actions of the Audit, Risk and Improvement Committee meeting held on 08 September 2020 be noted and endorsed by Council.

### **20 - 269 Resolution**

That the recommendation be adopted.

Moved Councillor Neil Westcott, seconded Councillor George Pratt.

**CARRIED**

## **17.5 Committee Minutes - Elvis Festival Committee Meeting 9 September 2020**

Prepared By: Director Technology and Corporate Services

---

### **Executive Summary**

A meeting of the Elvis Festival Committee was held at the Parkes Shire Council on 9 September 2020. The Minutes are attached for Council's endorsement.

### **Recommendation**

1. That the Minutes of the Elvis Festival Committee meeting held on 9 September 2020 be noted and the recommendations of the Committee be endorsed by Council.

### **20 - 270 Resolution**

That the recommendation be adopted.

Moved Councillor Barbara Newton, seconded Councillor Ken McGrath.

**CARRIED**

At this stage being 1.50pm the Closed meeting concluded and the Mayor re-opened the Meeting to the public at 2.00pm

## **1 PRAYER**

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

## **2 APOLOGIES**

### **20 - 271 Resolution**

That

Councillor Wally Biles be granted leave of absence (REASON: Work commitments).

Councillor Bill Jayet be granted leave of absence (REASON: Family commitments).

Moved Councillor Neil Westcott, seconded Councillor Pat Smith.

**CARRIED**

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

### **20 - 272 Resolution**

That the Minutes of the Ordinary Meeting of Parkes Shire Council held on Tuesday 18 August 2020 copies of which have been forwarded to Councillors, be confirmed.

Moved Councillor George Pratt, seconded Councillor Ken McGrath.

**CARRIED**

## **4 DECLARATIONS OF INTEREST**

Councillor Ken McGrath declared an interest in Item 12.2 (REASON: Immediate neighbour to property mentioned in the report).

## **5 NOTICES OF MOTION/RESCISSION**

Nil



## **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.

### **20 - 273 Resolution**

That Late Item/s

7.8 Mayoral Minute - Rural Fire Brigade Official Station Openings,

7.9 Mayoral Minute - Mains Street Opening/ Ribbon Cutting,

7.10 Mayoral Minute - Melbourne - Brisbane Inland Rail Parkes to Narromine Section Commissioning, and

7.11 Mayoral Minute - IPART review into Local Government rating - Mining categories

be considered at this Council meeting.

Moved Councillor Barbara Newton, seconded Councillor Alan Ward.

**CARRIED**

## **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.

Social distancing restrictions implemented due COVID-19, has resulted in meetings being held electronically.

Council has also been assisting local community groups to hold their respective meetings electronically.

#### **Recommendation**

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

#### **20 - 274 Resolution**

That the information be received and noted.

Moved Councillor Barbara Newton, seconded Councillor George Pratt.

**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.

Social distancing restrictions implemented due COVID-19, has resulted in meetings being held electronically.

Council has also been assisting local community groups to hold their respective meetings electronically.

### **Recommendation**

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

### **20 - 275 Resolution**

That the information be received and noted.

Moved Councillor Neil Westcott, seconded Councillor Barbara Newton.

**CARRIED**

### **7.3 Mayoral Minute - Departure of Chief Inspector David Cooper**

---

#### **Executive Summary**

Chief Inspector David Cooper will be moving on from Parkes to take on the position of Officer In Charge of Armidale Police Station in the New England District.

#### **Recommendation**

1. That Council send a letter of appreciation for Chief Inspector David Cooper's service to the Parkes Shire community.

#### **20 - 276 Resolution**

That the recommendation be adopted.

Moved Councillor George Pratt, seconded Councillor Barbara Newton.

**CARRIED**

## **7.4 Mayoral Minute - Kincora Copper Acceleration of Drilling in Trundle Area**

---

### **Executive Summary**

The attached media release outlines the activities of Kincora Copper Ltd which due to an oversubscription offering, will accelerate drilling of copper and gold in the Trundle area.

### **Recommendation**

1. That this report be received and noted.

### **20 - 277 Resolution**

That the information be received and noted.

Moved Councillor George Pratt, seconded Councillor Ken McGrath.

**CARRIED**

## **7.5 Mayoral Minute - Sydney to Parkes Faster Railway**

---

### **Executive Summary**

ON 21 August 2020 the General Manager and I met with the Orange Rail Action Group ("ORAG") who are advocating for a more frequent, faster train service from Sydney via Orange to Parkes. They outlined a very logical sequence of optimising the use of the existing network to expand passenger service and then the network upgrade to achieve faster, seamless connectivity to Sydney.

### **Recommendation**

1. That the Orange Rail Action Group be acknowledged for the good work that they are doing in raising the Sydney to Parkes faster railway.
2. That Council write to the NSW Government seeking the current status of Professor Andrew McNaughton's report on faster rail in NSW.
3. That Council write to the Australian Government seeking an update on the \$8M business case for faster rail from Sydney to Parkes.
4. That Council write to the National Faster Rail Agency seeking an update on the Parkes - Sydney faster rail project.
5. That Council re affirm the importance of the Sydney to Parkes (via Bathurst and Orange) faster rail project with the Central NSW Tourist Organisation,

### **20 - 278 Resolution**

That the recommendation be adopted.

Moved Councillor George Pratt, seconded Councillor Barbara Newton.

**CARRIED**

## **7.6 Mayoral Minute - Update on Cleanteq**

---

### **Executive Summary**

Global sales of electric vehicles surged in June and July 2020 inspite of Covid-19 as a result of which demand for battery materials is expected to rebound strongly in 2021.

Cleanteq will release the final outcomes for its Project Execution Plan (PEP) by the end of September 2020 including a full economic evaluation of the Project.

### **Recommendation**

1. That this report be received and noted.

### **20 - 279 Resolution**

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor Barbara Newton.

**CARRIED**

## **7.7 Mayoral Minute - Update on Tomingley Gold Operations**

---

### **Executive Summary**

Alkane Resources Ltd ("Alkane") is in the process of seeking government approval to extend their mining operations in Tomingley and add at least seven (7) years to the life of Tomingley Gold Operations (TGO).

### **Recommendation**

1. That this report be received and noted

### **20 - 280 Resolution**

That the information be received and noted.

Moved Councillor Neil Westcott, seconded Councillor Barbara Newton.

**CARRIED**



## **7.8 Mayoral Minute - Rural Fire Brigade Official Station Openings**

---

### **Executive Summary**

The Hon David Elliot MP, Minister for Police and Emergency Services officially opened the Waratah Rural Fire Brigade Station and the Coradgery Rural Fire Brigade Station on Friday 11 September 2020.

### **Recommendation**

1. That this report be received and noted.
2. That a letter be sent to The Hon David Elliot MP in appreciation for attendance at the openings and support of the Rural Fire Service in Regional New South Wales.

### **20 - 281 Resolution**

That the recommendation be adopted.

Moved Councillor George Pratt, seconded Councillor Neil Westcott.

**CARRIED**

## **7.9 Mayoral Minute - Main Street Opening/ Ribbon Cutting**

---

### **Executive Summary**

The Hon Michael McCormack MP, Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development along with the Parkes Shire Mayor officially opened the Lower Clarinda Section of the Main Street on Tuesday 15 September 2020.

### **Recommendation**

1. That this report be received and noted.
2. That a letter be sent to The Hon Michael McCormack MP in appreciation for attendance at the Main Street Opening event.

### **20 - 282 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Pat Smith.

**CARRIED**

## **7.10 Mayoral Minute - Melbourne - Brisbane Inland Rail Parkes to Narromine Section Commissioning**

---

### **Executive Summary**

The Hon Michael McCormack MP, Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development officially commissioned the Inland Rail Parkes to Narromine section on Tuesday 15 September 2020.

### **Recommendation**

1. That this report be received and noted.
2. That a letter be sent to The Hon Michael McCormack MP in appreciation for attendance at the commissioning of the Inland Rail Parkes to Narromine section and his ongoing support of the Melbourne - Brisbane Inland Railway.

### **20 - 283 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Neil Westcott.

**CARRIED**

## 7.11 Mayoral Minute - IPART review into Local Government rating - Mining categories

---

### Executive Summary

In June 2020, The Minister for Local Government released a response to the 2015/16 IPART review of local government rating. The Minister's response indicates that the government is accepting of a recommendation that a mining rate in a council's revenue policy should not exceed the average of its other business *ad valorem* rates. For many regional councils this may cause a substantial percentage of its rating burden to shift from mining to the other categories of rates within their revenue policies.

### Recommendation

1. That council support Bland Shire Council in calling for a deferment of the adoption of recommendation 34 to allow greater discussion on the matter.
2. That council write to the Mines Related Council body outlining its concerns with the recommendation and Council's representative Cr Alan Ward raise the matter at the next meeting.
3. That Council write to the Minister for Local Government, The Hon. Shelley Hancock outlining Council's concerns with the recommendation and its effect on other ratepayers within regional local government areas which have mining categories in their revenue policies.

### 20 - 284 Resolution

That the recommendation be adopted.

Moved Councillor Alan Ward, seconded Councillor George Pratt.

**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 letter of appreciation is from Northparkes Mines.

#### **Recommendation**

1. That the information be received and noted.

#### **20 - 285 Resolution**

That the information be received and noted.

Moved Councillor Barbara Newton, seconded Councillor Pat Smith.

**CARRIED**

## **10 GENERAL MANAGER'S REPORT**

### **10.1 (GM) Election of Mayor and Deputy Mayor 2020 - 2021**

---

#### **Executive Summary**

The election of the Mayor and Deputy Mayor by Councillors will take place on 15 September 2020.

#### **Recommendation**

1. That a ballot for Mayor to hold office for 1 year be conducted using the ordinary ballot system.
2. That Council elect a Deputy Mayor to hold office for 1 year and the ballot be conducted by the ordinary ballot system.

#### **20 - 286 Resolution**

That the recommendation be adopted.

Moved Councillor Neil Westcott, seconded Councillor George Pratt.

**CARRIED**

At this stage the Mayor handed the Chair to the General Manager for the purpose of the election of the Mayor and Deputy Mayor for the coming one (1) year period.

The Director Technology & Corporate Services was appointed the Returning Officer for the Election process.

The Director advised one nomination had been received for the position of Mayor.

No other nominations were received.

The Director declared Councillor Ken Keith OAM as Mayor for the next one (1) year.

The Mayor expressed how humbled he was to be Mayor of this Shire and that he was honoured to be able to carry out that role for another year. He thanked his fellow Councillors for their support and the roles that they play, acknowledging what a wonderful team this was and how everyone in Parkes Shire Council carries out their roles with passion and desire to benefit the whole community. In particular, the Mayor thanked the Deputy Mayor Cr Newton, for her support of him. The Mayor acknowledged that whilst there are a lot of things to be done, it is a very exciting and very challenging time for the community in laying the foundations for a wonderful future for the Parkes Shire.

The Director advised one nomination had been received for the position of Deputy Mayor.

No other nominations were received.

The Director declared Councillor Barbara Newton as Deputy Mayor for the next one (1) year.

The Deputy Mayor Parkes Shire Deputy Mayor, Cr Barbara Newtown admitted during her acceptance speech that due to the extension of the term she did have to think long and hard about renominating and she thanked the Mayor for his support in this decision. Cr Newton thanked the Council saying that it is very much a privilege to be Deputy Mayor for this Shire.

The Mayor resumed the Chair and the meeting continued.

## **10.2 (GM) Proposed Extra-Ordinary Meeting of Council**

---

### **Executive Summary**

Two (2) matters requiring Council consideration are known to fall outside the current meeting cycle. It is proposed to hold an Extra-Ordinary Meeting of Council on Friday 25 September 2020.

### **Recommendation**

1. That Council hold an Extra-Ordinary Meeting on Friday 25 September 2020.

### **20 - 287 Resolution**

That the recommendation be adopted.

Moved Councillor Pat Smith, seconded Councillor Ken McGrath.

**CARRIED**

### **10.3 (GM) Review of Council Committee Operating Procedures 2020**

---

#### **Executive Summary**

Council has a number of Committees which assist with some of their decision-making.

Members of Council Committees can consist of people who are:

only Councillors,

Councillors, Council staff, other people,

or any combination of these.

Delegations are made at a formal Council meeting and specify what the Committee is empowered to do.

Members of all Council Committees are required to comply with Code of Conduct, Conflict of Interest, Confidentiality provisions and Council's Code of Meeting practice.

Attached separately to this Report are the Committees of Council, the Committees objectives and the appointed Councillors or community members.

#### **Recommendation**

1. That the Parkes Shire Council Committee Operating Procedures be noted.

#### **20 - 288 Resolution**

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

**CARRIED**



#### **10.4 (GM) Councillor Representation on Council Committees, Community Committees, Community Groups and Organisations 2020 - 2021**

---

##### **Executive Summary**

Council is asked to determine its Committee representatives annually.

At the Parkes Plus workshop held on 01 September 2020 Parkes Shire Councillors were requested to review the current Council committees and their representation on respective Committees for appointment by resolution of Council.

Provided for Council's endorsement is the amended list of delegates and representatives to the various Council Committees, Community Committee's, Community Groups and Organisations for Council's endorsement.

##### **Recommendation**

1. That Council endorse the appointments as either Council's delegate or representative to the Committee's or community groups and organisations as outlined in this report.
2. That a letter be written to the community groups or organisations advising of Council's representative for the purpose of meeting notices, agenda's and minutes.

##### **20 - 289 Resolution**

That the recommendation be adopted.

Moved Councillor George Pratt, seconded Councillor Barbara Newton.

**CARRIED**

## **10.5 (GM) Pecuniary Interest Returns for Councillors and Designated Persons for the period 01.07.2019 to 30.06.2020**

---

### **Executive Summary**

Pecuniary Interest Returns and Related Party Returns received for the financial year 1 July 2019 to 30 June 2020 for the current Councillors and designated persons, are tabled at this meeting in compliance with Section 450A of the Local Government Act, 1993.

The Chair and Independent Member of the Parkes Shire Council Audit, Risk and Improvement Committee have also completed a return and are tabled for Council's information.

The returns for Cr WJ Biles are still to be received.

### **Recommendation**

1. That the tabling of Pecuniary Interest Returns as at 30 June 2020 for Councillors Keith, Newton, Jayet, McGrath, O'Leary, Pratt, Smith, Ward, Westcott, General Manager K Boyd, Director Technology and Corporate Services L Finn, Director Planning and Environment B Hayes, with former Director Planning and Environment S Campbell, Director Works & Services B Howard, Director Infrastructure A Francis, Mr Grahame Marchant Chair Audit, Risk and Improvement Committee, Mr Robert Haddin Independent Member Audit Risk and Improvement Committee be noted.

### **20 - 290 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) Investment and Borrowings as at 31 August 2020**

---

#### **Executive Summary**

The carrying value of Council's cash & investments at 31 August 2020 was \$20,891,380 and the principal outstanding on Council's borrowings was \$19,850,010.

#### **Recommendation**

1. That the information in relation to investments held and borrowings at 31 August 2020 be received and noted.

#### **20 - 291 Resolution**

1. That the information be received and noted.
2. That the Chief Financial Officer and the Finance team be commended on the high quality reporting and the quick turnaround of reports.

Moved Councillor George Pratt, seconded Councillor Barbara Newton.

**CARRIED**

## **11.2 (DTCS) Request for use of Peak Hill Town Improvement Funds**

---

### **Executive Summary**

A request has been received from the Peak Hill Community Consultative Committee (CCC) seeking the use of funds from the Peak Hill Town Improvement (TI) vote for the continuation of the pigeon eradication program at Peak Hill.

### **Recommendation**

1. That the quotation from Australian Pest Bird Management Pty be accepted for the continuation of the pigeon eradication program for a further 3 years
2. That the costs for the continuation of the Program be allocated from the Peak Hill Town Improvement Fund.
3. That a cost of \$519.20 for the signage be allocated from the Peak Hill Town Improvement Fund.

### **20 - 292 Resolution**

That the recommendation be adopted.

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

**CARRIED**

### **11.3 (DTCS) Request for use of Trundle Town Improvement Funds**

---

#### **Executive Summary**

The Trundle & District Progress Association are endorsing the use of funds from the Trundle Town Improvement allocation for the cost the supply and installation of an air conditioning unit for the Trundle Memorial Hall.

#### **Recommendation**

1. That the request be approved subject to discussions with the Trundle & District Progress Association in regard to the over-commitment of funds.

#### **20 - 293 Resolution**

That the recommendation be adopted.

Moved Councillor George Pratt, seconded Councillor Barbara Newton.

**CARRIED**

## **11.4 (DTCS) Request for use of Tullamore Town Improvement Funds**

---

### **Executive Summary**

The Tullamore & District Community Consultative Committee have endorsed the use of funds from the Tullamore Town Improvement Fund to cover the proposed works on the amenities block at Pola Park Tullamore.

### **Recommendation**

1. That Council approve the use of up to \$41,000 in funds from the Tullamore Town Improvement Allocation for upgrade works to the Pola Park amenities block.

### **20 - 294 Resolution**

That the recommendation be adopted.

Moved Councillor Barbara Newton, seconded Councillor George Pratt.

**CARRIED**

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

### **12.1 (DPE) August 2020 Building Statistics**

---

#### **Executive Summary**

During the month of August 2020 there were thirteen (13) Development Applications received totalling \$2,297,694.00 and eleven (11) consents were issued. Four (4) Complying Development Certificates were received totalling \$498,005.00 and five (5) consents issued.

#### **Recommendation**

1. That the information be received and noted.

#### **20 - 295 Resolution**

That the information be received and noted.

Moved Councillor Pat Smith, seconded Councillor Neil Westcott.

**CARRIED**

Councillor KM MccGrath left the meeting at 3.01pm having declared an interest in item 12.2

## **12.2 (DPE) DA2020/0048: Alterations & Additions to Dwelling-house at 43-45 Thomas Street, Parkes**

---

### **Development Application Information**

**Application No:** DA2020/0048

**Applicant:** Timothy John Hewett

**Property:** Lot 2 DP 854857, 43-45 Thomas Street, Parkes

**Proposal:** Alterations and Additions to Dwelling

### **Executive Summary**

Development Application No. DA2020/0048 proposes alterations and additions to an existing dwelling-house, comprising a two vehicle garage and amenities on ground level, two bedrooms, an ensuite and a retreat on the first floor and a deck to the rear of the existing dwelling-house at Lot 2 DP 854857, 43-45 Thomas Street, Parkes.

The additions will extend 7.7 metres in a western direction from the existing side wall of the dwelling-house. The proposed additions will be 3.3 metres from the western side boundary. The back deck is proposed to be extended 6 metres in a southern direction (attachment 1).

The development departs from Clause 5.8.2 Boundary Setbacks in the R5 Large Lot Residential Zone in the Parkes Shire Development Control Plan 2013 (DCP) proposing a 3.3 metre side setback in lieu of the required 10 metre side setback.

The DCP variation is supported given the siting of the existing dwelling and width of the allotment, the layout of the proposed development does not include any windows or openings of habitable rooms fronting adjoining residences and the deck which is orientated to the south and setback from neighbouring boundaries to prevent any overlooking.

The proposed development was notified to adjoining landowners in accordance with the Parkes Shire Community Engagement Strategy 2017/18 - 2020/21 from 9 July 2020 to 23 July 2020. During the notification period one (1) objection was received. The objection raised concerns that proposed development is not consistent with the R5 Large Lot Residential zone objectives and varies the Parkes Shire Development Control Plan 2013 setback requirements, will set an undesirable setback precedent and will impact on the scenic quality of adjoining residences.

The objection has been considered and the proposal has been assessed against the qualitative and quantitative NSW planning principles for setbacks, land use zoning, privacy and views. Given the use of the land and adjoining allotments, configuration of the allotment, siting of the existing dwelling-house, layout of the additions and setback of the proposed deck from boundary, existing and conditioned vegetation screening it is assessed the development is consistent with the R5 Large Lot Residential zone objectives, will not set an undesirable setback precedent and will not adversely impact on the privacy or scenic quality of neighbouring allotments. A comprehensive review of the submission is included in the attached Assessment Report on pages 11-12.



The Plans of the development proposal are included in Attachment 1. The Statement of Environmental Effects in support of the development proposal is included in Attachment 2. A Development Assessment Report, dealing with all aspects of the proposal is included in Attachment 3.

## **Recommendation**

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

## **Conditions**

1. The development shall be carried out in accordance with:
  - (i) the approved stamped plan(s) prepared K.Ostini, titled Proposed Extension (sheets 1- 9, Issue WD01), dated 1 April 2020.
  - (ii) the approved stamped Statement of Environmental Effects, dated 12 May 2020.
  - (iii) the commitments in the stamped approved BASIX Certificate.

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.

## **Prior to the Commencement of Work**

2. 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.
3. 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 Parkes Shire Council prior to commencing works to and 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.
4. 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'.
5. 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 re-vegetated. The controls shall be in accordance with latest publication of Managing Urban Stormwater – Soils and Construction produced by Landcom.

6. Prior to commencement of work a vegetation screening plan is to be submitted to and approved by Council's Director Planning and Environment. The vegetation screening plan is to detail the vegetation species which will be planted including their mature height, spacing and timeframes for planting.

### **During Work**

7. Clearing of land, 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 1.00 pm on Saturdays, and
  - (c) No work on Sundays or Public Holidays is permitted.
8. 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*.
9. All building rubbish and debris, including that which can be wind blown, 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.
10. 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.
11. The development shall be carried out in such a manner so as to not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.
12. Throughout the course of building works 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.
13. 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.
14. All plumbing and drainage work must be carried out by a licensed plumber and drainer in accordance with Australian Standard AS/NZS 3500:2003, the Plumbing Code of Australia and the following requirements:
  - (a) All roof and impervious surfaces shall be properly drained and directed to the onsite rainwater tank with overflow conveyed a minimum of three (3) metres clear of all onsite structures without impacting on neighbouring properties.

- (b) Storm water disposal drains shall be connected to all roof gutter down pipes within fourteen (14) days of installation of the roof covering and/or the construction of hard standing areas, as may be appropriate, to discharge water in accordance with the approved stormwater management system.
- 15. A paved/sealed/concrete access to the property from Thomas Street must be constructed generally in accordance with Figure 7.2 - Rural Property Access of AUSTROAD's Guide to Road Design, Part 4: Intersections and Crossings - General. Prior to any works commencing within the road reserve, approval under Section 138 of the Roads Act 1993 is required from Council.

### **Prior to Occupation**

- 16. 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.
- 17. Prior to the issue of an Occupation Certificate, a minimum of 20,000 litres of water supply shall be reserved for firefighting purposes onsite. Where the total volume is provided in a single tank, the draw off point for the domestic supply is to be located at or above the 20,000 litre level. The tank shall be fitted with a 65mm Storz fitting and ball or gate valve. Water tanks for firefighting purposes shall be generally located in close proximity to the dwelling and allow access for fire fighting vehicles.
- 18. Prior to the issue of an Occupation Certificate the first floor window on the western elevation of the building is to be finished with obscure glass which is to be maintained in perpetuity.

### **Operational Conditions**

- 19. Vegetation planted in accordance with the stamped approved vegetation screening plan under Condition No. 6 is to be maintained in perpetuity.

### **Prescribed Conditions**

- 20. The work must be carried out in accordance with the requirements of the *Building Code of Australia*.
- 21. The commitments listed in any relevant BASIX Certificate for this development must be fulfilled in accordance with the BASIX Certificate Report, Development Consent and the approved plans and specifications.
- 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.
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.

## **20 - 296 Resolution**

That the recommendation be adopted.

Moved Councillor George Pratt, seconded Councillor Pat Smith.

**CARRIED**

In a show of hands:

FOR - Cr KJ Keith, Cr BF Newton, Cr PJ Smith, Cr LA O'Leary, Cr NC Westcott, Cr AJ Ward and Cr GW Pratt

AGAINST - NIL

DID NOT VOTE - Cr WP Jayet (Absent from meeting) and Cr WJ Biles (Absent from meeting) and Cr KM McGrath (Conflict of interest)

Councillor KM McGrath returned to the meeting at 3.03pm.

### **12.3 (DPE) 2020 Household Chemical Cleanout**

---

#### **Executive Summary**

The annual Household Chemical Cleanout to be held in October 2020 has been postponed due to effects of the COVID-19 virus.

An alternative collection period of April/May 2021 is being proposed in order to keep this valuable and popular event continuing.

#### **Recommendation**

1. That the report be received and noted.

#### **20 - 297 Resolution**

That the information be received and noted.

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

**CARRIED**

## **12.4 (DPE) Trundle & Bogan Gate Waste Recycling Stations**

---

### **Executive Summary**

Requests were received from the Trundle and District Progress Association and the Bogan Gate Community Memorial Hall Inc. to install recycling facilities in each township.

A bank of ten 240L recycling bins have been installed in each town that will allow rural residents an opportunity to recycle relevant household waste rather than disposing to landfill.

The bins will be emptied each Friday fortnight in line with the township waste collection service.

### **Recommendation**

1. That the report be received and noted.

### **20 - 298 Resolution**

That the information be received and noted.

Moved Councillor Barbara Newton, seconded Councillor George Pratt.

**CARRIED**

## **13 DIRECTOR WORKS AND SERVICES REPORT**

### **13.1 (DWS) Classification of Drainage Reserve**

---

#### **Executive Summary**

Council's property team have recently received a Certificate of Title for Lot 6 DP 1262097 being for a drainage reserve at the end of Acacia Circuit, Parkes.

#### **Recommendation**

1. That Council classifies Lot 6 DP 1262097, Acacia Circuit, Parkes (drainage reserve) as operational land.

#### **20 - 299 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Pat Smith.

**CARRIED**

### **13.2 (DWS) Regional Roads Transfer and Road Classification review - Call for Nominations**

---

#### **Executive Summary**

This report references the Minister for Regional Roads the Hon. Paul Toole MP and the State Government (TfNSW) commitment to reviewing up to 15,000km of Regional Road network with a view of changing a vast percentage of roads from a Regional Road Classification to State Roads.

The review also appears to consider submissions by Council for reclassification of other nominated roads that may fit criteria for classification from Local to Regional Road Classification.

Submissions are now being called for and close 25 September 2020.

#### **Recommendation**

1. Proceed with a submission to the Regional Roads Classification Panel to have Brolgan Road - (Local Road) reviewed to State Road and transferred to State ownership. This section would be from the Proposed intersection with the Parkes Bypass and into the Parkes Special Activation Precinct
2. Proceed with a submission to the Regional Roads Classification Panel to have Bogan Street – (National Hwy) reviewed to Regional Road and transferred to State ownership following the construction of Parkes Bypass
3. Proceed with a submission to the Regional Roads Classification Panel to have The McGrane Way (Regional Road) reviewed to State Road and transferred to State ownership (if confirmed with Narromine Shire Council support)
4. Delegate to the General Manager and Director Works and Services the authority to lodge the applications through the Road Classification Portal for the roads outlined within this recommendation.

#### **20 - 300 Resolution**

That the recommendation be adopted.

Moved Councillor Barbara Newton, seconded Councillor George Pratt.

**CARRIED**



### **13.3 (DWS) Unallocated Crown Reserve at Peak Hill - Transfer to Council Managed Crown Reserves**

---

#### **Executive Summary**

Council has been consulting with the Crown Land Natural Resource Management Project Officer regarding the status of a Reserve in Peak Hill with Council assets that have not been allocated to Council as reserve Trust Managers.

The unallocated Crown Reserve is Reserve 44725 - Lot 1 DP 639881 - for Trigonometrical purposes (accommodates a Reservoir).

It is proposed to seek approval from Crown Lands for the transfer of the Reserve to Council Management and request an additional purpose to Reserve 44725 of Water Supply.

#### **Recommendation**

1. That Council approve the inclusion of Crown Reserve 44725 - Lot 1 DP 639881 - for Trigonometrical purposes in the portfolio of Crown Land Managed by Parkes Shire Council as Reserve Managers.
2. That Council request an additional purpose of Water Supply be included for Reserve 44725.
3. That upon transfer, Council request the Minister to classify the Reserve as Operational.

#### **20 - 301 Resolution**

That the recommendation be adopted.

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

**CARRIED**

### **14 DIRECTOR INFRASTRUCTURE REPORT**

Nil

Meeting adjourned at 3.22pm for a short break. The meeting resumed at 3.40pm.

## **15 CONSIDERATION OF COMMITTEE MINUTES**

### **15.1 Committee Minutes - Cultural, Education & Library Committee Meeting 25 August 2020**

---

#### **Executive Summary**

The Parkes Shire Cultural, Education & Library Committee met on 25 August 2020. The Meeting Minutes are attached.

#### **Recommendation**

1. That the minutes and recommendations of the Parkes Cultural, Education & Library Committee meeting held on 25 August 2020 be endorsed.

#### **20 - 302 Resolution**

That the recommendation be adopted.

Moved Councillor Barbara Newton, seconded Councillor George Pratt.

**CARRIED**

## **15.2 Committee Minutes - Elders Advisory Committee Meeting 18 August 2020**

---

### **Executive Summary**

A meeting of the Elders Advisory Committee was held in the Committee Room at Parkes Shire Council on 18 August 2020. Minutes of this meeting are attached for Council's information and endorsement.

### **Recommendation**

1. That the Minutes of the Elders and Aboriginal Advisory Committee meeting held on 18 August 2020 be received and the recommendations of the Committee be endorsed by Council.

### **20 - 303 Resolution**

That the recommendation be adopted.

Moved Councillor Louise O'Leary, seconded Councillor Ken McGrath.

**CARRIED**

### **15.3 Committee Minutes - Parkes Floodplain Management Committee Meeting 20 August 2020**

---

#### **Executive Summary**

The Parkes Floodplain Management Committee held its inaugural meeting on 20 August 2020. The Minutes of that meeting, along with the Terms of Reference are attached for the information of Council.

#### **Recommendation**

1. That the Terms of Reference (Charter) of the Parkes Floodplain Management Committee be endorsed.
2. That the Minutes of the Parkes Floodplain Management Committee meeting held on 20 August 2020 be adopted.

#### **20 - 304 Resolution**

That the recommendation be adopted.

Moved Councillor Barbara Newton, seconded Councillor George Pratt.

**CARRIED**

## **15.4 Committee Minutes - Parkes Pool Planning Committee Meeting 1 September 2020**

---

### **Executive Summary**

The Parkes Pool Management Committee Meeting was held on Tuesday 9 September 2020. Minutes of the meeting are attached.

### **Recommendation**

1. That the Minutes of the Parkes Pool Management Committee Meeting held on 9 September 2020 be adopted.

### **20 - 305 Resolution**

1. That the recommendation be adopted.
2. That Council seek NSW Health guidelines to manage Covid-19 risks in outdoor pools thereafter convene another meeting with the schools including village schools.

Moved Councillor Alan Ward, seconded Councillor Pat Smith.

**CARRIED**

## **15.5 Committee Minutes - Parkes Pool Management Committee Meeting 9 September 2020**

---

### **Executive Summary**

The Parkes Pool Management Committee Meeting was held on Tuesday 9 September 2020. Minutes of the meeting are attached.

### **Recommendation**

1. That the Minutes of the Parkes Pool Management Committee Meeting held on 9 September 2020 be adopted.

### **20 - 306 Resolution**

1. That the recommendation be adopted.
2. That Council seek NSW Health guidelines to manage Covid-19 risks in outdoor pools thereafter convene another meeting with the schools including village schools.

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

**CARRIED**

## **15.6 Committee Minutes - Parkes Sports Council Meeting 8 September 2020**

---

### **Executive Summary**

The Minutes of the Parkes Sports Council meeting held on 8 September 2020 are presented for the information of Council. At another well attended meeting the members discussed the difficulties they are facing with compliance with Covid-19 restrictions and the effect that it is having on their end of season presentations. Featuring in the notable sporting performances was Mayor Ken Keith who took out the C Grade championship at the recent Parkes Golf Open. Parkes Touch also recognised Jenny Harris with life membership and Noel Huggett and Sue McGrath received NSW Touch Blues awards for their efforts with the Association.

### **Recommendation**

1. That the minutes of the Parkes Sports Council meeting held on 8 September 2020 be adopted.

### **20 - 307 Resolution**

1. That the recommendation be adopted.
2. That Council acknowledge Greg Townsend's service to the Parkes Sports Council.

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

**CARRIED**

## 15.7 Committee Minutes - Rural Roads Advisory Group Meeting 26 August 2020

---

### Executive Summary

A meeting of the Rural Roads Advisory Group was held Wednesday 26 August 2020 at Parkes Shire Council. The Minutes of the meeting are attached for Council's information.

### Recommendation

1. That the following recommendations as proposed by the Rural Roads Advisory Committee be adopted:
  - Agenda Item 5.2 - Rural Roads Causeway Program (\$250,000):
    - \$25,000 assigned to Kadina Causeway Design and Investigation
    - \$175,000 assigned to gravel and seal hotspot areas
  - Agenda Item 5.2 - Gravel Re-Sheeting Program (\$1,000,000)
    - Reallocation of re-sheet money (\$1,000,000) to maintenance in preparation of harvest.
  - Agenda Item 5.3 - Road Program | Strategic Importance
    - The committee resolved to prioritise the following projects in order of priority:
      - Graddle Creek Upgrade
      - MR348 Upgrade - general
      - Mugincoble Entrance

### 20 - 308 Resolution

That the recommendation be adopted.

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

**CARRIED**



## **16 QUESTIONS AND MATTERS OF URGENCY**

Nil

There being no further business the Mayor declared the meeting closed at 4.05pm.