



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 23 JUNE 2020

Minutes of the Ordinary Meeting of Parkes Shire Council commencing at 2.00 pm
for the purpose of considering the items included on the Agenda.

Due to restrictions around COVID-19 this meeting is being held in accordance
with COVID 19 social distancing restrictions. A public gallery was not available so
the meeting was livestreamed on the Parkes Shire Council Facebook site for the
benefit of the community.

An audio recording of this meeting will be placed on the Council website page for
a period of 3 months as soon as possible after the conclusion of the meeting.

GENERAL MANAGER: Kent Boyd

Ordinary Meeting

Minutes of the Ordinary Meeting held in the Council Chambers, 2 Cecile Street on Tuesday 23 June 2020 at 2.00pm.

PRESENT

Councillor K J Keith OAM, (in the Chair)
Councillor W P Jayet
Councillor L A O'Leary
Councillor P J Smith
Councillor N C Westcott

Councillor B F Newton
Councillor K M McGrath
Councillor G W Pratt
Councillor AJ Ward

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
Economic and Business Development Manager - A Wyllie
Minutes - S Henry

MEETING COMMENCEMENT

The Meeting commenced at 2.00pm

1 PRAYER

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

2 APOLOGIES

20 - 137 Resolution

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

Moved Councillor George Pratt, seconded Councillor Bill Jayet.

CARRIED

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

20 - 138 Resolution

That the Minutes of the Ordinary Meeting of Parkes Shire Council held on Tuesday 19 May 2020 copies of which have been forwarded to Councillors, be confirmed.

Moved Councillor Barbara Newton, seconded Councillor Neil Westcott.

CARRIED

4 DECLARATIONS OF INTEREST

Councillor Ken Keith declared an interest in Item 10.7 (REASON Interest in land mentioned in report.

Councillor Ken McGrath declared an interest in Item 10.7 (REASON Related entity to an land owner 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 - 139 Resolution

That Late Items

7.6 Mayoral Minute - Clean TeQ Sunrise Project Update

10.7 (GM) Parkes Special Activation Precinct Update

17.1 (DWS) Management of Parkes Aquatic Centre (CONFIDENTIAL)

Q&M Cr McGrath Vehicles on footpaths

Q&M Cr Newton Royal Far West Children's Scheme

be considered at this Council meeting.

Moved Councillor Barbara Newton, seconded Councillor Pat Smith.

CARRIED

The Mayor advised that due to restrictions around CODID-19, the livestreaming of the meeting, and the requirement to declare the resolutions of Confidential Business Items in Open Council, the Confidential Items listed on the agenda were discussed immediately prior to the Open Meeting of Council.

At this stage the Mayor read aloud the preamble and resolutions of the Confidential Business items tabled in the Closed Meeting for the benefit of the public.

17 CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

The meeting of the Ordinary Council meeting was closed to the public at 1.00pm.

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 - 140 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 Bill Jayet, seconded Councillor Neil Westcott.

CARRIED

17.1 (GM) Lease and Sale Agreement - 27 to 31 and 35 to 39 Matthews Street Parkes

Prepared By: Director Works and Services

Executive Summary

Council has received a request to extend the lease on the land occupied by the Asphalt Plant in Matthews Street.

Recommendation

1. That Council agree to extend the lease for a maximum of one (1) year.
2. That Council agree to create the lease with new or existing owner as appropriate.
3. That other provisions of lease extension be applied as authorised in the contract.

20 - 141 Resolution

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Pat Smith.

CARRIED

17.2 (DTCS) Tender - Central West Children's Services New Facility

Prepared By: Director Technology and Corporate Services

Executive Summary

In February 2019, Council was advised of its successful application under round 6 of the State Government Resources for Regions Fund. The successful grant will allow Childcare, preschool, before school care, after school care and vacation care to be conveniently located under the same roof. The project has a total estimated value of \$2,023,459 and will utilise the previous Community Health Centre in Coleman Road as its foundation location. A competitive tender process addressing all building works and services relating to the refit closed on 31 March 2020. COVID-19 restrictions and value management of the tenders received have delayed final evaluation of tenders until now.

Recommendation

1. That the tender be awarded to The Trustees for The Adaptive Trust t/a Dezin Interiors in the revised tendered amount of \$1,594,450 excl G.S.T.

20 - 142 Resolution

That the recommendation be adopted.

Moved Councillor Pat Smith, seconded Councillor Pat Smith.

CARRIED

17.3 (DPE) Agricultural Equity Investments P/L v Parkes Shire Council

Prepared By: Director Planning and Environment

Executive Summary

The NSW Land and Environment Court hearing for Agricultural Equity Investments Pty Ltd (Applicant) vs Westlime Pty Limited (First Respondent) and Parkes Shire Council (Second Respondent) was held between Monday, 5 May 2014 to Wednesday, 7 May 2014, with a Judgement to dismiss the action handed down in May 2015. The other party was ordered to pay Council's costs (Court awarded costs).

The original cost order in Council's favor was finally adjudicated and decided in July 2018. Council has continued to seek payment of costs through statutory demands however no funds have been forthcoming, as the company is apparently impecunious.

Recommendation

1. Council confirm a discontinuance of the recovery proceedings for legal costs against Agricultural Equity Investments Pty Ltd and request finalisation of the matter with its Solicitor.

20 - 143 Resolution

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Neil Westcott.

CARRIED

17.4 (DWS) Newell Highway Bypass Update

Prepared By: Director Works and Services

Executive Summary

The Parkes Bypass Project which is being administered by Transport - Roads and Maritime Services is progressing through the design and investigation phases with anticipation of construction activities to commence in early 2021.

This Report is to provide an update on Council's involvement on project activities.

Recommendation

1. For the information of Councillors.

20 - 144 Resolution

1. That the information be received and noted.
2. That an invitation be forwarded to the resident noted in the report to meet with Council to discuss access issues.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

CARRIED

17.5 (DPE) Container Deposit Scheme and Refund Sharing Arrangement regarding the Supply Agreement, Visy, JR Richards and Sons, Netwaste and Parkes Shire Council

Executive Summary

Council maintains a Refund Sharing Arrangement (RSA) with Visy Paper P/L required as part of the State Government Container Deposit Scheme (CDS). The current agreement was negotiated as part of the collective contract for Councils' domestic waste and recycling services.

NetWaste Councils received notice of a gate fee increase via JR Richards and Sons.

Recommendation

1. That Council endorse the variation of the supply Agreement with Visy Paper P/L
 - a) Extending the term of the agreement to two (2) years
 - b) Amended Clause 14 to maintain the proposed Gate Fee
 - c) Provide written confirmation addressed to Visy that no CDS RSA is required
 - d) Provide confirmation to Visy & NSW EPA that there is no RSA and Council considers this to be fair and reasonable
 - e) Endorse the Deed of Variation

20 - 145 Resolution

That the recommendation be adopted.

Moved Councillor Neil Westcott, seconded Councillor Alan Ward.

CARRIED

17.6 (DI) Parkes Town Water Security Program Environmental Management Contract # PSC2020/008

Prepared By: Director of Infrastructure

Executive Summary

Tenders for the Parkes Town Water Security Program Environmental Management Technical Support Services closed on 2 June 2020 after the minimum statutory period. 10 tenders were received and evaluated. To enable the project to be delivered within the required timeframe, in accordance with the Restart NSW Fund Agreement, it is proposed to execute the Contract for the works by the 24 of June 2020. This report outlines the Tender Evaluation and recommended preferred Tenderer.

Recommendation

1. It is recommended that Council endorses the Tender Evaluation Report and endorses Eco Logical as the preferred Tenderer for the Parkes Town Water Security Program Environmental Management Technical Support Services.
2. It is recommended Council empowers the Director Infrastructure to negotiate and execute the Contract.

20 - 146 Resolution

That the recommendation be adopted.

Moved Councillor Bill Jayet, seconded Councillor George Pratt.

CARRIED

17.7 (DI) NSW Natural Gas Connection Offer - Jemena

Prepared By: Director of Infrastructure

Executive Summary

Council is currently delivering enabling infrastructure to the Parkes National Logistics Hub as a part of the greater Parkes Special Activation Precinct, under a Growing Local Economies Grant. A key part of these works is extension of gas services into the precinct. Jemena Gas Networks (Jemena) are the statutory gas network operator and are required to undertake the works. Council has received an offer from Jemena to undertake the required works. In order to satisfy Council's procurement requirements, approval is required from Council based on the nature and magnitude of the works.

Recommendation

It is recommended that due to:

1. Council's immediate and critical need for natural gas to the Parkes National Logistics Hub at Brolgan Road;
2. Jemena being the largest gas distributor in New South Wales with Parkes Shire Council already part of its natural gas distribution area; and
3. Council being satisfied that the circumstances of the Jemena natural gas contract are "sufficiently different" or that there would be an "unavailability of competitive or reliable tenders" to justify an exemption to a tender process under s 55(3)(i) of the Act because Jemena is the monopoly provider of natural gas to the Council area,

Council accept the offer from Jemena on the terms and conditions set out in the letter in the attachment.

20 - 147 Resolution

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Neil Westcott.

CARRIED

17.8 Committee Minutes - Pool Planning Committee Meeting held 23 June 2020

Prepared By: Director Works and Services

Reason for Confidentiality

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

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

Tender details, should they be revealed, may result in commercial disadvantage to parties involved in the tender process. Tenderers have provided sensitive information about their operations in the confidence that their details will not be made public by council. The practice of publication of sensitive information provided by tenderers could result in the withholding of such information by tenderers and reduction in the provision of information relevant to council's decision.

Executive Summary

A meeting of the Parkes Pool Planning Committee will be held on 23 June 2020. The only agenda item to be discussed and considered are the tenders for the Facility Management, Parkes Aquatic Centre Contract #PSC2020/004.

The Minutes and recommendations from that meeting will be distributed at the Council meeting Tuesday 23 June 2020 for consideration.

Recommendation

1. That the recommendations contained in the Minutes of the Parkes Pool Planning Committee Meeting held 23 June 2020 be endorsed and adopted.

20 - 148 Resolution

The Mayor advised that the Planning Committee did not meet and a workshop involving all Councillors was held in its place to consider the tenders for the management of the Parkes Aquatic Facility.

Moved Councillor Bill Jayet, seconded Councillor Pat Smith.

CARRIED

17.9 Committee Minutes - Plant Procurement and Replacement Committee Meeting Minutes 15 June 2020

Prepared By: Director Works and Services

Reason for Confidentiality

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

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

Tender details, should they be revealed, may result in commercial disadvantage to parties involved in the tender process. Tenderers have provided sensitive information about their operations in the confidence that their details will not be made public by Council. The practice of publication of sensitive information provided by tenderers could result in the withholding of such information by tenderers and reduction in the provision of information relevant to Council's decision.

Executive Summary

The Plant Procurement and Replacement Committee met on 15 June 2020 to review and consider proposed plant replacement for the Large Excavator. The minutes of that meeting are attached for the information of Council.

Recommendation

1. That the recommendations contained in the Minutes of the Parkes Shire Council Plant Procurement and Replacement Committee Meeting held 15 June 2020 be endorsed and adopted.

20 - 149 Resolution

That the recommendation be adopted.

Moved Councillor Neil Westcott, seconded Councillor Ken McGrath.

CARRIED

17.10 (DWS) Facility Management Parkes Aquatic Centre Contract PSC2020/004

Prepared By: Director Works and Services

Reason for Confidentiality

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

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

Tender details, should they be revealed, may result in commercial disadvantage to parties involved in the tender process. Tenderers have provided sensitive information about their operations in the confidence that their details will not be made public by council. The practice of publication of sensitive information provided by tenderers could result in the withholding of such information by tenderers and reduction in the provision of information relevant to council's decision.

Executive Summary

The Parkes Pool Facility Management Leasing working party met to consider the tenders for the Facility Management of Parkes Aquatic Centre. Tenders closed on 1 June 2020 with four (4) submissions received. Upon review of the submissions, one was deemed non-compliant and therefore excluded from the tender assessment and evaluation process.

Recommendation

1. That Council not accept any tender as submitted and retain the Facility Management for the Parkes Aquatic Centre in-house given the financial and risk implications.

20 - 150 Resolution

That the recommendation be adopted.

Moved Councillor Bill Jayet, seconded Councillor Barbara Newton.

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 - 151 Resolution

That the information be received and noted.

Moved Councillor Bill Jayet, seconded Councillor Barbara Newton.

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 - 152 Resolution

That the information be received and noted.

Moved Councillor George Pratt, seconded Councillor Pat Smith.

CARRIED

7.3 Mayoral Minute - Parkes Champion Post

Executive Summary

I am delighted with recent advice that the Parkes Champion Post will recommence its services on 30 June 2020.

Recommendation

1. The information be noted.

20 - 153 Resolution

That the information be received and noted.

Moved Councillor Barbara Newton, seconded Councillor Bill Jayet.

CARRIED

7.4 Mayoral Minute - Closure of Parkes Target

Executive Summary

On 15 June 2020 the Managing Director of Target advised Council that the Parkes Store would be closing. This had not been raised in any media previously and came as a complete surprise. This is very disappointing in light of the recent announcements around the expansion of Northparkes Mines, Fast tracking of Inland rail and the Parkes Special Activation precinct.

Council will be making representations on behalf of the community.

Recommendation

1. That the information be noted.
2. That Council continue to make representations to Wesfarmers.

20 - 154 Resolution

That the recommendation be adopted.

Moved Councillor Alan Ward, seconded Councillor George Pratt.

CARRIED

7.5 Mayoral Minute - Centroc Board Meeting and Central NSW Joint Organisation Meeting held 04 June 2020

Executive Summary

The Centroc Board Meeting and Central NSW Joint Organisation Meeting were held on 04 June 2020. The General Manager and I attended the meetings and the Minutes of those meetings are attached for the information of Council.

Recommendation

1. That the Minutes of the Centroc Board meeting and the and Central NSW Joint Organisation Meeting held 04 June 2020 be noted.

20 - 155 Resolution

That the information be received and noted.

Moved Councillor Bill Jayet, seconded Councillor Neil Westcott.

CARRIED

7.6 Mayoral Minute - Clean TeQ Sunrise Project Update

Executive Summary

I attended the Clean TeQ Sunrise Community Consultative meeting on the 19 June 2020. Attached for the information of Council is the presentation made at that meeting and the Australian Stock Exchange announcement on the Clean TeQ Sunrise Project.

Recommendation

1. That the information be noted.

20 - 156 Resolution

That the information be received and noted.

Moved Councillor Alan Ward, seconded Councillor Barbara Newton.

CARRIED

8 COUNCILLORS' REPORTS

Nil.

9 INWARDS CORRESPONDENCE

Nil.

10 GENERAL MANAGER'S REPORT

10.1 (GM) Adoption of 2020 - 2021 Operational Budget

Executive Summary

The draft Integrated Plan incorporating the 2020/21 Operational Budget has been on display for the statutory period of 28 days. Council has not received any public submissions in respect of the Plan.

Recommendation

1. That the draft integrated 2020/21 Operational Budget be adopted.
2. That the draft Schedule of Fees and Charges made under Section 608 of the Local Government Act, 1993 and included in the draft Revenue policy be adopted.
3. That pursuant to section 405 of the Local Government Act, 1993, the draft Statement of Revenue policy be adopted for the year 2020/21.
4. That Council hereby approves and votes the expenditure in the 1 July 2020 to 30 June 2021 Operational Plan and Operational Budget.
5. That the statement of amounts and rates to be charged for works on private land for 2020/21 contained with the draft Operational Plan be adopted.

20 - 157 Resolution

That the recommendation be adopted.

Moved Councillor Bill Jayet, seconded Councillor Barbara Newton.

CARRIED

10.2 (GM) Local Government Election 2021

Executive Summary

The Minister for Local Government has advised that the 2021 Local Government Elections will be held on Saturday 04 September 2021.

Recommendation

1. That the information be noted.

20 - 158 Resolution

That the information be received and noted.

Moved Councillor Neil Westcott, seconded Councillor Pat Smith.

CARRIED

10.3 (GM) Change of Date for September 2020 Council Meeting

Executive Summary

Change of date for the September ordinary meeting of Council to Tuesday 15 September 2020.

Recommendation

1. That the Ordinary Council meeting scheduled for 29 September be rescheduled to 15 September 2020 to be held at the Parkes Shire Council Chambers, or in accordance with any health directives regarding gatherings/meetings.

20 - 159 Resolution

That the recommendation be adopted.

Moved Councillor Barbara Newton, seconded Councillor George Pratt.

CARRIED

10.4 (GM) Proposed Rent Relief - Occupiers of Council Owned or Management Properties

Executive Summary

At its Ordinary Council Meeting held 21 April 2020, Council resolved to waive associated rental fees from 1 April to 30 June 2020 for several Council properties.

With 30 June 2020 approaching it was timely to consider an extension of the rental relief period for the properties below which included all Council owned or managed properties based on the current COVID-19 circumstances.

Recommendation

1. That Council waive rental charges for the 2020/21 Financial Year as outlined in this report as a means of financial assistance to the tenants.

20 - 160 Resolution

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Neil Westcott.

CARRIED

10.5 (GM) Impact of COVID-19 - Local Government Circular - 2020/2021 Rates Levy and First Instalment

Executive Summary

At its meeting held on 21 April 2020, Council resolved to implement a range of initiatives and endorsed the suggestions of the Office of Local Government and State Government to reduce a number of fees and charges and to defer recovery actions at the present time. Since then, the Office of Local Government (OLG) has provided further legislative support to allow Councils to defer levying rates and collecting the first instalment by 1 month.

Recommendation

That Council:

1. Receive and note the Office of Local Government issued Circular 20-12 "Modification of statutory requirements in response to the COVID-19 pandemic" and the amendment to statutory deadlines in place for the following six months.
2. That Council elect to defer the rates and charges levy and the collection of the 1st instalment as described in the Circular.

20 - 161 Resolution

That the recommendation be adopted.

Moved Councillor Neil Westcott, seconded Councillor George Pratt.

CARRIED

10.6 (GM) Cancellation of Parkes Shire Shows 2020 and associated declared Public Holidays

Executive Summary

The Executives of the Parkes Shire PA & H Associations have advised of the cancellation of their respective Shows for 2020 due to COVID-19 and restrictions around public gathering.

Recommendation

1. That the information on the cancellation of the 2020 Parkes District Shows be noted.
2. That Council support the cancellation of the public holidays declared for the purpose of 2020 Trundle, Peak Hill and Parkes Shows.

20 - 162 Resolution

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Pat Smith.

CARRIED

At this stage the Mayor KJ Keith and Councillor KM McGrath having declared an interest in the following item temporarily left the meeting.

Deputy Mayor Cr BF Newton took the Chair.

10.7 (GM) Parkes Special Activation Precinct

Executive Summary

On Friday 12 June 2020, the Parkes Special Activation Precinct (SAP) Masterplan and associated State Environmental Planning Policy (SEPP) were approved by the NSW Government.

The attached media release from Deputy Premier the Hon. John Barilaro MP outlines this very historic epoch for Parkes and the greater region.

As the first SAP in NSW, the Masterplan and SEPP approval activates the new zonings and the streamlined planning approval process for new businesses. The Masterplan and SEPP are attached for information.

Recommendation

1. That the information be noted.

20 - 163 Resolution

That the information be received and noted.

Moved Councillor Bill Jayet, seconded Councillor Alan Ward.

CARRIED

Cr Keith and Cr McGrath re-joined the meeting.

The Mayor resumed the Chair.

11 DIRECTOR TECHNOLOGY AND CORPORATE SERVICES REPORT

11.1 (DTCS) Investment and Borrowings Report as at 31 May 2020

Executive Summary

The carrying value of Council's cash & investments at 31 May 2020 was \$21,196,809 and the principal outstanding on Council's borrowings was \$20,201,765.

Recommendation

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

20 - 164 Resolution

That the information be received and noted.

Moved Councillor Barbara Newton, seconded Councillor Alan Ward.

CARRIED

11.2 (DTCS) Use of Bogan Gate Town Improvement Funds - Structural Inspection for Bogan Gate Memorial Hall Facade

Executive Summary

Bogan Gate Community Memorial Hall Inc. (Bogan Gate CCC) are seeking Council endorsement of the use of Bogan Gate Town Improvement Funds for a structural assessment of the Bogan Gate Memorial Hall façade.

Recommendation

1. That Council endorse the use of \$1,350.00 from the Bogan Gate Town Improvement allocation for the structural assessment of the Bogan Gate Memorial Hall façade.

20 - 165 Resolution

That the recommendation be adopted.

Moved Councillor Pat Smith, seconded Councillor George Pratt.

CARRIED

11.3 (DTCS) Use of Peak Hill Town Improvement Funds - Peak Hill Cemetery

Executive Summary

A request has been received from Peak Hill Community Consultative Committee for the use of funds from the Peak Hill Town Improvement allocation. The funds will be used for the purchase and replanting of trees in the new portion of the Peak Hill cemetery.

Recommendation

1. That Council approve the use of approximately \$3,000 in funds from the Peak Hill Town Improvement Allocation for the Peak Hill Cemetery.

20 - 166 Resolution

That the recommendation be adopted.

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

CARRIED

11.4 (DTCS) Cultural, Education and Library Report June 2020

Executive Summary

Recent activities of the cultural, education and library services unit.

Recommendation

1. That the information be received.

20 - 167 Resolution

That the information be received and noted.

Moved Councillor Bill Jayet, seconded Councillor George Pratt.

CARRIED

12 DIRECTOR PLANNING AND ENVIRONMENT'S REPORT

12.1 (DPE) May Building Statistics

Executive Summary

During the month of May 2020 there were ten (10) Development Applications received totalling \$1,010,392.70 and six (6) consents were issued. One (1) Complying Development Certificate was received totalling \$478,070.00 and one (1) consent was issued.

Recommendation

1. That the information be received and noted.

20 - 168 Resolution

That the information be received and noted.

Moved Councillor Ken McGrath, seconded Councillor Barbara Newton.

CARRIED

12.2 (DPE) A-Framed Signage - Council Road Reserve

Executive Summary

Overview of the submissions and legislative controls available to Council regarding the position, approval and compliance issues of A-Framed signs within Council's road reserve.

Recommendation

1. That Council carry out an audit to identify the number of A-Framed Signs within Council's road reserve and implement appropriate compliance action in accordance with the Environmental Planning and Assessment Act 1979.

20 - 169 Resolution

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Bill Jayet.

CARRIED

12.3 (DPE) Parkes Shire Local Strategic Planning Statement

Executive Summary

The Parkes Shire Local Strategic Planning Statement (LSPS) identifies Council's 20-year vision for land use planning in the Parkes Shire, setting out planning priorities and actions to achieve this vision, and the means to monitor and report on the delivery of the actions identified. It does not propose any changes to land use zoning but intends to set the future direction for planning in the Parkes Shire.

The Planning Priorities and Actions within the LSPS are consistent with the Future Directions in the Parkes Community Strategic Plan and the relevant actions in the Central West and Orana Regional Plan. The LSPS has been prepared in accordance with the *Environmental Planning and Assessment Act 1979* and Regulations.

Despite the COVID-19 Pandemic, the NSW Department Planning, Industry and Environment has requested that all Councils have a LSPS adopted by 1 July 2020. The LSPS has been publicly exhibited and amended accordingly. It is recommended herein that the LSPS be adopted.

Recommendation

1. That the Parkes Shire Local Strategic Planning Statement 2020 be endorsed for adoption.
2. That the Parkes Shire Local Strategic Planning Statement 2020 be published on the NSW Planning Portal.

20 - 170 Resolution

That the recommendation be adopted.

Moved Councillor Bill Jayet, seconded Councillor George Pratt.

CARRIED

12.4 (DPE) Take the Lead - Responsible Dog Ownership

Executive Summary

Parkes Shire Council has renewed calls for companion animal owners to take the lead and refresh themselves as to requirements and regulations associated with owning an animal.

The campaign also provides information to assist dog owners better understand their legal responsibilities in relation to pet ownership under the Companion Animals Act.

Recommendation

1. Council receive and endorse the program.

20 - 171 Resolution

1. Council receive and endorse the Take the Lead Program
2. Council also investigate a responsible cat ownership program.

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

CARRIED

13 DIRECTOR WORKS AND SERVICES REPORT

13.1 (DWS) Reclassification of Crown Reserve as Operational

Executive Summary

The Crown Land Management Act 2016 (CLM Act) authorises councils that are appointed Crown Land managers for dedicated or reserved crown land, to manage the land as if it were public land under the Local Government Act 1993.

The Local Government Act (LG) requires that all public land be categorised as either community or operational land.

The CLM Act provides that crown land managed by Councils as public land must be managed as if it were community land unless the Minister gives consent to classify the land as operational.

Recommendation

1. That application be made to the Minister for classifying the following land as Operational:
 - Dedication 1000399 – Reservoir

20 - 172 Resolution

That the recommendation be adopted.

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

CARRIED

13.2 (DWS) Compulsory Acquisition for Rail Infrastructure

Executive Summary

Transport for NSW propose to compulsorily acquire road reserves and a section of road on behalf of Inland Rail - Australian Rail Track Corporation (ARTC). Transport for NSW wish to compulsorily acquire part of the road reserves of Brolgan Road and Coopers Road, and a section of Millers Lookout Road, Parkes.

Consequently, Council engaged a valuer (to be paid by ARTC) to determine the compensation payable to Council for the subject parcels of land.

Recommendation

1. That Council provide consent to Transport for NSW to acquire Lot 5 DP 1246949 (6022m²), being part of Brolgan Road, Parkes, Lot 6 DP 1246949 (2316m²) being part of Coopers Road, Parkes and Lot 16 DP 1249813 (1688m²) being part Millers Lookout Road, Parkes.
2. That the seal of Council be affixed to all documentation required to facilitate the transaction for execution under s377 of the Local Government Act, 1993.

20 - 173 Resolution

That the recommendation be adopted.

Moved Councillor Neil Westcott, seconded Councillor Alan Ward.

CARRIED

14 DIRECTOR INFRASTRUCTURE REPORT

14.1 (DI) Austral Street Stormwater Impacts

Executive Summary

Council's long-term stormwater improvement works (10-year) based on the 2016 Stormwater Management Plan for the Parkes township includes significant investment in catchment level mitigation measures. As the main trunk drainage system for a significant area of the Parkes township, diverting water upstream and detaining water upstream for periods during significant rainfall events are the most effective solutions to reduce the impacts on Butler Lane and Austral Streets.

The drainage channel under the Newell Highway from the west and the channel under the railway line from the north converge west of the main access culvert on Butler Lane, which becomes inundated for periods during high flows. With widening of the flow, Austral Street also retains water. The channel is significantly restrained by property boundaries either side such that widening and other works within the channel are difficult.

Ongoing maintenance of the channels proves effective for minor to medium flows, for larger flows, 2% and 1% ARI events (1:50 to 1:100), upstream options will be the most effective. Over the previous delivery period, more than \$500,000 was spend on stormwater mitigation and asset improvement works upstream of the Butler Lane culvert, to manage and contain flows in more significant events. Further diversion of flows in to the Westlime Road detention basin, the Flinders Street detention basin and the potential to divert flows from Hartigan Avenue into the Brick Pit are among the strategies in the current 10-year plan. Each of these will reduce the peak flows arriving at the Butler Lane culvert crossing and reduce the width of flow in higher flows as well as reduce the time that the culvert may be inundated.

Recommendation

1. For Council's information.

20 - 174 Resolution

1. For Council's information.
2. That the matter be referred to the Parkes Shire Rural Roads Committee for information and/or comment.

Moved Councillor George Pratt, seconded Councillor Alan Ward.

CARRIED

14.2 (DI) Drought Response for Farming Enterprise Scheme Review

Executive Summary

This report seeks the reversal of the current Drought Response measures for rural properties and farming enterprises, based on current conditions.

Due to the substantial rainfall across the Shire and the lowered seasonal demand, there are current no issues with the management of the system. Anecdotally, on farm storages and rural domestic supplies are mostly full due to a number of large rainfall events experience across the Shire since mid-January 2020. As such, it is proposed to remove the Standpipe Usage Scheme and Drought Response Measures for Farming Enterprises framework and to return to normal system operation and usage charges.

Recommendation

1. That Council remove the current Standpipe Usage Scheme and Drought Response Measures for Farming Enterprises and review the need for the scheme on an on-going basis.

20 - 175 Resolution

That the recommendation be adopted.

Moved Councillor Bill Jayet, seconded Councillor Pat Smith.

CARRIED

14.3 (DI) B-Section Special Water Restrictions

Executive Summary

This report seeks to remove the current special Level 3 water restrictions applied to the Parkes Council owned and operated section of the B-Section Pipeline scheme which services the towns of Bogan Gate, Trundle and Tullamore and a number of rural users, and bring the water restriction in-line with existing restrictions for the rest of the Parkes Shire water supply systems.

Due to the substantial rainfall across the Shire and the lowered seasonal demand, there are current no issues with the management of the system.

Recommendation

1. That Council remove the current special water restrictions applied to the B-Section pipeline users and move the scheme back into line with existing restrictions across the Shire.

20 - 176 Resolution

That the recommendation be adopted.

Moved Councillor Neil Westcott, seconded Councillor Ken McGrath.

CARRIED

15 CONSIDERATION OF COMMITTEE MINUTES

15.1 Committee Minutes- Cultural, Education and Library Committee Meeting held 10 June 2020

Executive Summary

The Parkes Shire Cultural, Education & Library Committee met on 10 June 2020. The Meeting Minutes are attached.

Recommendation

1. That the minutes and recommendations of the Parkes Cultural, Education & Library Committee meeting held on 10 June 2020 be endorsed.

20 - 177 Resolution

That the recommendation be adopted.

Moved Councillor Bill Jayet, seconded Councillor Barbara Newton.

CARRIED

15.2 Committee Minutes - Little Theatre Management Committee Meeting held 10 June 2020

Executive Summary

The Parkes Shire Little Theatre Management Committee met on 10 June 2020.

Recommendation

1. That the Minutes together with the Recommendations of the Little Theatre Management Committee meeting held on 10 June 2020 be endorsed be adopted.

20 - 178 Resolution

That the recommendation be adopted.

Moved Councillor Neil Westcott, seconded Councillor Barbara Newton.

CARRIED

15.3 Committee Minutes - Parkes Sports Council Meeting held 09 June 2020

Executive Summary

The Minutes of the Parkes Sports Council Meeting held on 09 June 2020 are presented for the information of Council.

Some notable sporting achievements highlighted at the meeting were:

- ☐ Harness racing - Hutchings family won at Bathurst
- ☐ Billy Burns played for the Penrith Panthers and scored a try, and
- ☐ Former Parkes Boar and Parkes Shire Council employee Tony Donoghue received a Public Service Medal in the 2020 Queen's Birthday's Honours.

Recommendation

1. That the minutes of the Parkes Sports Council held on 09 June 2020 be received and noted.

20 - 179 Resolution

1. That the minutes of the Parkes Sports Council held on 09 June 2020 be received and noted.
2. That Council seek endorsement from Northparkes Mines regarding the September round of the 2020 Sports Grants - that requests for equipment regarding COVID19 restrictions be considered.

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

CARRIED

16 QUESTIONS AND MATTERS OF URGENCY

In accordance with Clause 17(4) of Council's Code of Meeting Practice the following business was allowed by the Chairperson.

16.1 Vehicles on the footpath - Cr KM McGrath

Councillor McGrath has raised an issue that has been brought to his attention by a resident in Parkes. The resident received a fine for parking his trailer on the footpath. The resident advised that there are many households and businesses in Parkes that park their trailers and/or vehicles on footpaths for various periods of time and was upset as he felt he had been singled out.

Comment from General Manager

Unfortunately, Council has no jurisdiction over the leniency of Police as they are a State based Authority.

The NSW road rule number 197 prohibits parking on footpaths and nature strips, as provided below;

197 Stopping on a path, dividing strip, nature strip, painted island or traffic island

- (1) A driver must not stop on a bicycle path, footpath, shared path or dividing strip, or a nature strip adjacent to a length of road in a built-up area, unless—*
 - (a) the driver stops at a place on a length of road, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under these Rules, or*
 - (b) the driver is permitted to stop under another law of this jurisdiction.*
- Maximum penalty—20 penalty units.*

It is suggested that Cr McGrath advise the resident that the matter is a State matter and that his concerns should be raised with the local member Phillip Donato.

It could also be raised at the quarterly Local Precinct meetings with the Police and Council.

Recommendation

1. That Cr McGrath advise the resident that this is not a Council matter and that he should raise his issue with Local Member Phil Donato MP
2. That Council raise the issue at the next quarterly Local Precinct meeting.

20 - 180 Resolution

1. That the recommendation be adopted.
- Moved Councillor Ken McGrath, seconded Councillor Neil Westcott.

CARRIED

16.2 Royal Far West Children's Scheme - Cr BF Newton

On 28 June 2018, a "Town Hall" community meeting was held in the Coventry Room to rekindle the work of the Royal Far West Children's Scheme in regional NSW.

Since 1924, RFW have kept country children connected to the healthcare they need and could not otherwise access. Today, there are over 100,000 children living in rural and remote areas of Australia in need of urgent developmental and mental health support.

Parkes has a long association with the Scheme due to the devoted and extensive fundraising efforts of radio station 2PK and its announcer Betty Muzyczuk MBE, OAM. During her time as honorary organiser of the radio station's "Sunshine Club" Betty and its thousands of members raised millions of dollars for the Scheme.

The Community meeting recommended a concerted effort to reinvigorate support for the Scheme in the Central West. The meeting recommended that the community be canvassed to raise \$50,000 to allow RFW to take their team of professional paediatric specialists out to rural areas in a dedicated coach making their service more accessible to more children. At the same community meeting the demand for this service was highlighted by many practitioners.

I have attended a number of regular check-in meetings and the Mayor undertook to contact large corporate organisations operating in the Shire for financial assistance. Council also agreed that we ask the Community Consultation Committees for agreement to use the TI funds of Tullamore, Trundle, Peak Hill and Bogan Gate for a \$5,000 per village contribution to kickstart the fundraising efforts. Three of the four Consultative committees were able to accede to the request with one having difficulty finding funds in their then budget given a number of projects in the pipeline. They did however support the initiative. I made further requests of local corporate organisations following the release of the RFW's paper entitled "The invisible Children" in March 2019 but it seems to no avail.

RFW have advised they have not received an official confirmation from Council in relation to the potential \$20,000 donation (that is, pledges from the 4 main TI funds). It appears the approaches to the larger companies have not been fruitful. RFW advises they are currently finalising their budget which will incorporate a coordinator for the outreach project.

I request Council consider confirming the agreeance from three of the four Community Consultation groups in 2018 and then exploring ways to make up any shortfall to the \$20,000 mentioned in 2018.

Recommendation

1. Council provide confirmation to the Neighbourhood Centre of funding assistance to the Royal Far West Children's Scheme.
2. That Council seek confirmation from the Shire's Community Consultative Committees of their 2018 decision to provide \$5,000.00 each from their respective Town Improvement Funds.
3. That Council write to Local Member Phil Donato seeking a matching of funds for the program.

20 - 181 Resolution

1. That the recommendation be adopted.

Moved Councillor Barbara Newton, seconded Councillor Louise O'Leary

CARRIED

There being no further business the Mayor declared the meeting closed at 3.50pm.