



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.*

Ordinary Council Meeting MINUTES

Tuesday, 19 July 2022

Notice is hereby given that an Ordinary Council Meeting of Parkes Shire Council will be held at the Parkes Shire Council Offices 2 Cecile Street Parkes, commencing at 2:00 PM for the purpose of considering the items included on the Agenda.

GENERAL MANAGER: KENT BOYD PSM

Ordinary Council Meeting

Minutes of the Ordinary Council Meeting held in the Parkes Shire Council Offices 2
Cecile Street Parkes, on Tuesday, 19 July 2022 at 2:00 PM.

PRESENT

Councillor K J Keith OAM, (in the Chair)
Councillor K M McGrath
Councillor M E Applebee
Councillor J P Cass
Councillor D R Weber

Councillor N C Westcott
Councillor G W Pratt
Councillor L A O'Leary
Councillor G S Wilson

IN ATTENDANCE

General Manager - K Boyd
Director Customer, Corporate Services & Economy - C Middleton
Director Planning and Community Services - B Hayes
Director Operations- B Howard
Director Infrastructure & Strategic Futures - A Francis
Executive Manager Corporate Services - A McGrath
Chief Financial Officer - J Barnard
Minutes - M Wyatt

MEETING COMMENCEMENT

The Meeting commenced at 1.00pm.

The Mayor opened the meeting with the following declaration. It is now 1.00pm Tuesday 19 July 2022 and as the Mayor I declare the Ordinary Meeting of the Parkes Shire Council being held face to face and 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 audio recorded.

A copy of the audio recording will be available on the Council website for a period of 12 months

16 CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

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.

22 - 224 Resolution

That the meeting be closed for consideration of the listed items as they involve: Personnel matters concerning particular individuals (other than Councillors) or information that would if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business or commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it or advice concerning litigation or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege

Moved Councillor GW Pratt, seconded Councillor ME Applebee.

CARRIED

16. CONSIDERATION OF CONFIDENTIAL ITEMS

16.1. (DO) Rural Lease of Ulmarra, Forbes

Executive Summary

Following the purchase of "Ulmarra", Forbes in 2021, the vendor has occupied the land until 27 June 2022 as a tenant.

Council Officers engaged Elders Real Estate to conduct an Expression of Interest process for a 5 year lease of the homestead and rural holdings (with a 5 year option). Twenty One (21) Property Inspections were undertaken and Twelve (12) submissions were received.

Recommendation

1. That the information be received and noted.

22 - 225 Resolution

That the information contained within the Report be received and noted.

Moved Councillor NC Westcott, seconded Councillor JP Cass.

CARRIED

16.2. (DO) Supply and Delivery of Bulk Fuel (CNSWJO)

Executive Summary

Under the Local Government Act Tendering Regulation, where a contract is for over \$250,000 a Request for Tender must be conducted and be considered by Council. The Central NSW Joint Organisation (CNSWJO), on behalf of participating member councils, has undertaken a formal Request for Tender (RFT) process to identify a suitable provider for the supply and delivery of bulk fuel.

Council received a report on 15 March 2022 whereby it was resolved to participate in a regional contract for the supply and delivery of bulk fuel.

Recommendation

1. It is recommended that Council accept and sign a contract with Lowes Petroleum, Oilsplus Holdings Australia (pending resolution of insurances), Onsite Fuel Rural - Xpress Group, and Park (pending resolution of insurances) for the supply and delivery of bulk fuel and advise CNSWJO of its decision.
2. The term of the contract is 1 July 2022 to 30 June 2024, with an optional 12-month extension.

22 - 226 Resolution

That the recommendation be adopted.

Moved Councillor ME Applebee, seconded Councillor GW Pratt.

CARRIED

16.3. (DISF) Lachlan Duplication Project

Executive Summary

A presentation was given to Council during the Parkes Plus meeting on 7 July 2022 regarding the Lachlan Pipeline Duplication project and associated projects. This report provides details regarding the project development, funding and timeframe and seeks the commitment from Council to fund and deliver the project and empower the General Manager to sign State Government funding deeds associated with the funding for the project.

Recommendation

1. That Council commits to proceed with the project using funds accumulated within Council's Water Fund reserves and borrowings as required.
2. That the General Manager be empowered to enter into a funding deed with the State Government for the project

22 - 227 Resolution

That the recommendation be adopted.

Moved Councillor JP Cass, seconded Councillor ME Applebee.

CARRIED

16.4. Committee Minutes - Parkes Elvis Festival Committee Meeting 29 June 2022

Executive Summary

Meetings of the Elvis Festival Committee were held at the Parkes Shire Council on 29 June 2022. The Minutes are attached for Council's endorsement.

Recommendation

1. That the Minutes of the Elvis Festival Committee meeting held on 29 June 2022 be noted and the recommendations of the Committee be endorsed by Council.

22 - 228 Resolution

That the recommendation be adopted.

Moved Councillor GW Pratt, seconded Councillor ME Applebee.

CARRIED

The General Manager Kent Boyd PSM left the meeting at 1.30pm

16.5. Mayoral Minute - General Manager Performance Review

Executive Summary

At the conclusion of each financial year, the Senior Staff Committee has a formal assessment of the General Manager's performance.

Recommendation

1. That the Report be received and noted.

22 - 229 Resolution

That Council:

1. Continue with the review process currently utilised for the evaluation of the General Manager's performance and delegate the performance management assessment to the Senior Staff Committee

Moved Councillor ME Applebee, seconded Councillor JP Cass.

CARRIED

The General Manager Kent Boyd PSM returned to the meeting at 2pm

1. PRAYER

The General Manager commenced the meeting with a prayer.

2. APOLOGIES

22 - 230 Resolution

That

Cr Bill Jayet be granted leave of absence (REASON: Overseas).

Moved Councillor ME Applebee, seconded Councillor JP Cass.

CARRIED

3. CONFIRMATION OF PREVIOUS MINUTES

That the Minutes of the Ordinary Meeting of Parkes Shire Council held on 28 June 2022 copies of which have been forwarded to Councillors, be confirmed.

Moved Councillor GW Pratt, seconded Councillor ME Applebee.

CARRIED

4. DECLARATIONS OF INTEREST

Councillor KJ Keith declared an interest in item 14.1 (REASON: Individual named in this report)

Kent Boyd declared an interest in item in item 16.5 (REASON: Individual named in this 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.

22 - 231 Resolution

That Late Item 10.8 be considered at this Council meeting.

Moved Councillor GW Pratt, seconded Councillor ME Applebee.

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.

Recommendation

1. That the Report on functions attended by the Mayor, Councillors or Senior Staff be received and noted.

22 - 232 Resolution

That the information contained within the Report be received and noted.

Moved Councillor ME Applebee, seconded Councillor DR Weber.

CARRIED

7.2. Mayoral Minute - Coming Known Events for Mayor and Councillors

Executive Summary

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

Recommendation

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

22 - 233 Resolution

That the information contained within the Report be received and noted.

Moved Councillor GW Pratt, seconded Councillor ME Applebee.

CARRIED

7.3. Mayoral Minute - Accounting Treatment of Rural Fire Service (Red Fleet) Assets

Executive Summary

I am calling on Councillors to support the local government campaign on the financial accounting treatment of Rural Fire Service (RFS) mobile assets known as the 'Red Fleet'

Recommendation

That Council:

1. Write to the State Member for Orange, Phil Donato MP, the Treasurer, the Hon. Matt Kean MP, Minister for Emergency Services and Resilience, the Hon. Stephanie Cook MP, and the Minister for Local Government, the Hon. Wendy Tuckerman MP:
 - a) Expressing Council's objection to the NSW Government's determination on ownership of Rural Fire Service assets;
 - b) Advising of the impact of the Government's position on Council finances of this accounting treatment;
 - c) Informing that Council will no longer carry out RFS assets stocktakes on behalf of the NSW Government and will no longer record RFS assets in Council's financial statements;
 - d) Calling on the NSW Government to take immediate action to permanently clear up inequities and inconsistencies around the accounting treatment of Rural Fire Service (RFS) assets by acknowledging that rural firefighting equipment is vested in, under the control of and the property of the RFS; and
 - e) Amending section 119 of the *Rural Fires Act 1997* so that the effect is to make it clear that RFS assets are not the property of councils.
2. Write to the Shadow Treasurer, Daniel Mookhey MLC, the Shadow Minister for Emergency Services, Jihad Dib MP, the Shadow Minister for Local Government, Greg Warren MP, the Greens' Spokesperson for Local Government, Jamie Parker MP, and the Leaders of the Shooters, Fishers and Farmers, Animal Justice and One Nation parties, Robert Borsak MLC, Emma Hurst MLC and Mark Latham MLC:
 - a) Advising Members of Council's position, including providing copies of correspondence to NSW Government Ministers; and
 - b) Seeking Members' commitments to support NSW councils' call to amend the *Rural Fires Act 1997* as set out in correspondence.
3. Write to the Auditor General advising that, notwithstanding any overtures of future qualified audits; Council will no longer carry out RFS stocktakes on behalf of the NSW Government and will no longer record RFS assets in Council's financial statements, noting that the State Government's own Local Government Accounting Code of Practice and Financial Reporting provides for councils to determine whether or not they record the RFS assets as council assets.
4. Promotes these messages via its digital and social media channels and via its networks.
5. Re-affirms its complete support of and commitment to local RFS brigades noting that Council's action is entirely directed towards the NSW Government's nonsensical position that rather than being owned and controlled by local brigades, RFS assets are somehow controlled by councils, which councils consider to be a cynical financial sleight of hand abdicating the NSW Government's responsibilities at the cost of local communities.
6. Affirms its support to Local Government NSW (LGNSW) and requests LGNSW continue advocating on Council's behalf to get clarification finally from the State Government about the accounting treatment of RFS assets.

22 - 234 Resolution

That the recommendation be adopted.

Moved Councillor GS Wilson, seconded Councillor NC Westcott.

CARRIED

8. COUNCILLORS' REPORTS

Nil

9. GENERAL MANAGER'S REPORT

9.1. (GM) Investments and Borrowings as at 30 June 2022

Executive Summary

The carrying value of Council's cash & investments at 30 June 2022 was \$36,747,839 and the principal outstanding on Council's borrowings was \$18,164,037.

Recommendation

1. That the information in relation to investments held and borrowings at 30 June 2022 be received and noted.

22 - 235 Resolution

That the information contained within the Report be received and noted.

Moved Councillor GW Pratt, seconded Councillor ME Applebee.

CARRIED

9.2. (GM) Statutory Review of Organisation Structure and Appointment of Senior Staff

Executive Summary

Under the *Local Government Act 1993* ("the Act"), Parkes Shire Council ("Council") must review its organisation structure within 12 months of an ordinary election and identify the Senior Staff positions within its structure. This report recommends that Council formally review and re-adopt the organisation structure, appended at *Attachment 1*, and nominate the positions of Director Customer, Corporate Services and Economy, Director Infrastructure and Strategic Futures, Director Operations, and Director Planning and Community Services as Senior Staff positions.

Recommendation

That Council:

1. Pursuant to section 333 of the *Local Government Act 1993*, formally review and adopt the organisation structure, appended at *Attachment 1*.
2. Pursuant to section 332 of the *Local Government Act 1993*, identify the positions of Director Customer, Corporate Services and Economy, Director Infrastructure and Strategic Futures, Director Operations and Director Planning and Community Services to be Senior Staff positions.

22 - 236 Resolution

That the recommendation be adopted.

Moved Councillor ME Applebee, seconded Councillor NC Westcott.

CARRIED

10. DIRECTOR CUSTOMER, CORPORATE SERVICES & ECONOMY

10.1. (DCCSE) Adoption of draft Code of Meeting Practice

Executive Summary

At its Ordinary Meeting held 17 May 2022, Parkes Shire Council ("Council") resolved to endorse a Code of Meeting Practice for public exhibition in accordance with the statutory requirements outlined in the *Local Government Act 1993* ("the Act") and receive a further report following conclusion of the public exhibition period [**res. 22-158**]. Noting that no submissions were received during the public exhibition period; this report recommends that Council formally adopt the draft Code of Meeting Practice, appended at *Attachment 1*, as exhibited.

Recommendation

That Council:

1. Adopt the draft Code of Meeting Practice, appended at *Attachment 1*.
2. Repeal the Code of Meeting Practice last adopted 18 August 2020.

22 - 237 Resolution

That the recommendation be adopted.

Moved Councillor JP Cass, seconded Councillor ME Applebee.

CARRIED

10.2. (DCCSE) Adoption of draft Code of Conduct and Procedures for the Administration of the Code of Conduct

Executive Summary

Under the *Local Government Act 1993* ("the Act"), Parkes Shire Council ("Council") is required to review its adopted Code of Conduct within 12 months following each ordinary election. This report recommends that Council formally adopt the draft Code of Conduct, appended at *Attachment 1*, and accompanying Procedures for the Administration of the Code of Conduct, appended at *Attachment 2*, both of which incorporate all mandatory provisions of the *Model Code of Conduct for Local Councils in NSW* ("the Model Code") and *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW* ("the Model Procedures") prescribed under section 23A of the Act.

Recommendation

That Council:

1. Adopt the draft Code of Conduct appended at *Attachment 1*, pursuant to section 440(3) of the *Local Government Act 1993* and clause 180(1) of the *Local Government (General) Regulation 2021*.
2. Upon adoption of the draft Code of Conduct, repeal the Code of Conduct adopted 16 July 2019.
3. Adopt the draft Procedures for the Administration of the Code of Conduct, appended at *Attachment 2*, pursuant to section 181 of the *Local Government Act 1993* and clause 181 of the *Local Government (General) Regulation 2021*.
4. Upon adoption of the draft Procedures for the Administration of the Code of Conduct, repeal the Procedures for the Administration of the Code of Conduct adopted 16 July 2019.

22 - 238 Resolution

That the recommendation be adopted.

Moved Councillor JP Cass, seconded Councillor GW Pratt.

CARRIED

10.3. (DCCSE) Review of Delegations to Mayor and Deputy Mayor

Executive Summary

Under the *Local Government Act 1993* ("the Act"), Parkes Shire Council ("Council") is able to delegate certain powers, authorities, duties and functions to its Mayor to support the effective governance and efficient day-to-day operations of the organisation. Council is required to review all its delegations during the first 12 months of each term of office. This report recommends that Council resolve to delegate the powers, authorities, duties and functions specified in the Instrument of Delegation, appended at *Attachment 1*, to the Mayor, and in the Mayor's absence, the Deputy Mayor.

Recommendation

That Council:

1. Pursuant to section 377 of the *Local Government Act 1993*, delegate to the Mayor, and in the Mayor's absence, the Deputy Mayor; the powers, authorities, duties and functions of the Council listed in the Instrument of Delegation appended at *Attachment 1*, subject to the limitations specified in the Instrument of Delegation.
2. Revoke all previous delegations of powers, authorities, duties and functions to the Mayor and Deputy Mayor.

22 - 239 Resolution

That the recommendation be adopted subject to the Instrument of Delegation being amended to include the following condition to "Claims Against Council":

Claims approved must be reported to the next Ordinary Council meeting.

Moved Councillor DR Weber, seconded Councillor GS Wilson.

CARRIED

10.4. (DCCSE) Review of Delegations to General Manager

Executive Summary

Under the *Local Government Act 1993* ("the Act"), Parkes Shire Council ("Council") is able to delegate certain powers, authorities, duties and functions to its General Manager to support the effective governance and efficient day-to-day operations of the organisation. Council is required to review all its delegations during the first 12 months of each term of office. This report recommends that Council resolve to delegate the powers, authorities, duties and functions specified in the Instrument of Delegation, appended at *Attachment 1*, to the General Manager, and in the General Manager's absence, the Senior Staff employee acting in the position of General Manager.

Recommendation

That Council:

1. Pursuant to section 351 of the *Local Government Act 1993*, authorise the incumbents of the Council's four Senior Staff positions to act in the position of General Manager on a temporary basis, if the General Manager is sick or otherwise absent from work on leave or business, with such appointment to cease upon the General Manager's return to work or by other resolution of Council.
2. Pursuant to section 377 of the *Local Government Act 1993*, delegate to the General Manager, and in the General Manager's absence, the Senior Staff employee acting in the position of General Manager; the powers, authorities, duties and functions of the Council listed in the Instrument of Delegation appended at *Attachment 1*, subject to the limitations specified in the Instrument of Delegation.
3. Revoke all previous delegations of powers, authorities, duties and functions to the General Manager.

22 - 240 Resolution

That the recommendation be adopted.

Moved Councillor KM McGrath, seconded Councillor ME Applebee.

CARRIED

10.5. (DCCSE) Appointment of Delegates to 2022 Local Government NSW Annual Conference

Executive Summary

The 2022 Local Government NSW ("LGNSW") Annual Conference will be held from Sunday, 23 October to Tuesday, 25 October 2022. Parkes Shire Council ("Council") is entitled to two (2) voting delegates at the LGNSW Annual Conference. This report recommends that Council confirm its voting delegates to the conference, including the debate and resolution of motions.

Recommendation

That Council:

1. Confirm the appointment of the Mayor and Councillor _____ as its voting delegates at the 2022 Local Government NSW Annual Conference.
2. Endorse the attendance of the General Manager (or delegate) and Councillor _____ as a non-voting delegate at the 2022 Local Government NSW Annual Conference.
3. Approve all registration fees and other reasonable expenses associated with the attendance of the General Manager and Councillors at the 2022 Local Government NSW Annual Conference, in accordance with Council's *Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy*.
4. Invite Councillors to nominate potential motions relating to current and emerging policy issues facing local government in NSW, noting that such motions must be received and endorsed by Council for submission by 25 September 2022.

22 - 241 Resolution

That Council:

1. Confirm the appointment of the Mayor and Councillor Neil Westcott as its voting delegates at the 2022 Local Government NSW Annual Conference.
2. Endorse the attendance of the General Manager (or delegate) and Councillor Marg Applebee and Councillor Jacob Cass as non-voting delegates at the 2022 Local Government NSW Annual Conference.
3. Approve all registration fees and other reasonable expenses associated with the attendance of the General Manager and Councillors at the 2022 Local Government NSW Annual Conference, in accordance with Council's *Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy*.
4. Invite Councillors to nominate potential motions relating to current and emerging policy issues facing local government in NSW, noting that such motions must be received and endorsed by Council for submission by 25 September 2022.

Moved Councillor KM McGrath, seconded Councillor ME Applebee.

CARRIED

10.6. (DCCSE) Service NSW for Business Agreement

Executive Summary

Parkes Shire Council ("Council") currently has an agreement in place with Service NSW to promote and provide access to NSW Government information and services to better assist business owners and to support the local economy. This report recommends that Council extend that agreement, through authorising the General Manager to enter into the revised Partnership Agreement, appended at *Attachment 1*.

Recommendation

That Council:

1. Delegate authority to the General Manager into the Partnership Agreement with Service for NSW Business, appended at *Attachment 1*.
2. Authorise the Mayor and General Manager to execute and affix the Common Seal of Council to the Partnership Agreement and any associated documentation, pursuant to clause 400 of the *Local Government (General) Regulation 2021*.

22 - 242 Resolution

That the recommendation be adopted.

Moved Councillor JP Cass, seconded Councillor ME Applebee.

CARRIED

10.7. (DCCSE) Request for Financial Assistance - 2022 Trundle Bush Tucker Day

Executive Summary

The Trundle Bush Tucker Committee has requested financial and in-kind support to host the 36th Trundle Bush Tucker Day on Saturday, 03 September 2022. The event is set to attract more than 1,500 guests to the Trundle Showground for a day of family friendly bush events including live entertainment, rides, sheep shearing demonstrations, billy boiling, relays, dog jumping, as well as local school student performances. This report recommends that Parkes Shire Council ("Council") resolve to provide the requested financial assistance, estimated to total \$7,000.00, subject to the provisions of section 356 of the *Local Government Act 1993* ("the Act").

Recommendation

That Council:

1. Provide public notice of its intention to provide \$7,000.00 in financial assistance by way of in-kind support, as detailed in this report, to support the delivery of the upcoming 2022 Trundle Bush Tucker Day.
2. Subject to no formal submissions being received, approve the provision of \$7,000.00 in financial assistance, by way of in-kind support, to support the delivery of the upcoming 2022 Trundle Bush Tucker Day.

22 - 243 Resolution

That the recommendation be adopted.

Moved Councillor KM McGrath, seconded Councillor GW Pratt.

CARRIED

10.8. (DCCSE) Cookamidgera Town Improvement Fund - Request for Release of Funds

Executive Summary

This report recommends that Parkes Shire Council ("Council") approve a request from the Cookamidgera Community Consultative Committee to use funds from the Cookamidgera Town Improvement Fund to purchase pest control for their Hall.

Recommendation

That Council:

1. Receive and note the correspondence from Bob Haddin on behalf of the Cookamidgera Community Consultative Committee, appended at *Attachment 1*.
2. Approve the allocation of \$325.54 from the Cookamidgera Town Improvement Fund to improve pest control at Cookamidgera Hall.

22 - 244 Resolution

That the recommendation be adopted.

Moved Councillor GW Pratt, seconded Councillor GS Wilson.

CARRIED

11. DIRECTOR PLANNING AND COMMUNITY SERVICES**11.1. (DPCS) Major Projects & Current Works - Progress Report as of 19 July 2022**

Executive Summary

This report presents an update on the current major projects within the Shire being managed or undertaken by Council's Planning & Community Services Department. The report outlines work that has been carried out over the past month and is provided for the information of Councillors.

Recommendation

1. That the information be received and noted.

22 - 245 Resolution

That the information contained within the Report be received and noted.

Moved Councillor NC Westcott, seconded Councillor ME Applebee.

CARRIED

11.2. (DPCS) Development Activity Report - June 2022

Executive Summary

During the month of June 2022 there were ten (10) Development Applications received totalling \$1,574,784.66 and nineteen (19) consents were issued. One (1) Complying Development Certificate was received totalling \$43,785.74 and two (2) consents were issued.

Recommendation

1. For the information of Council.

22 - 246 Resolution

1. That the information contained within the Report be received and noted.
2. That going forward, Council provides statistics on privately certified dwellings.

Moved Councillor GW Pratt, seconded Councillor ME Applebee.

CARRIED

11.3. (DPCS) DA2021/0175 - Additions to Rural Industry (Grain Storage Bunker) and Subdivision

Development Application Information

Application No: DA2021/0175

Applicant: Graincorp Operations Limited

Property: Lot 11, 103 & 104 DP 750164 & Lot 11 DP 851047, Eugowra Road, Parkes

Proposal: Additions to Rural Industry (Grain Storage Bunker) and Subdivision

Executive Summary

DA2021/0175 proposes an additional grain storage bunker site and associated subdivision of land at Lot 103, 104, Lot 11 DP 750164, Eugowra Road, Parkes. The new bunkers are proposed to be located a lot west of the existing Graincorp Site. The new bunkers will be accessed via the existing Graincorp site, across the public lane in an east-west movement to the new site.

The original proposal sought consent for grain to be delivered to the site via rail. The application was amended during the assessment period to include flexibility for delivery via road, which was supported by a Transport Assessment Report. Vehicles will continue to use the existing access on Eugowra Road.

A 30 mega litre on-site stormwater detention basin is proposed on the southern portion of the proposed lot to capture and detain overland flow from the bunkers. The new bunkers are required to provide extra on-site storage due to the existing bunkers being at capacity due to consistent productive harvest seasons and constraints at the ports.

The proposed development was advertised and notified to adjoining landowners in accordance with the Parkes Shire Community Engagement Strategy 2021-2025. Two objections were and one letter of support was received during the advertising/notification period. A comprehensive review of the submission is included in the attached Assessment Report.

The development application was referred to Transport for NSW pursuant to 2.94(4) of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* who advised that concurrence was granted to the proposed development without conditions.

The development application is recommended for approval subject to conditions of consent. The development is permissible in the zone and any impacts can be managed via conditions of consent.

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

APPROVED PLANS AND DOCUMENTATION

1. The development shall be carried out in accordance with the approved plans and supporting documentation stamped and numbered DA2021/0175 by Parkes Shire Council.
2. No development consent is granted for a right of way across the public lane between the existing Graincorp site and proposed bunker site (the proposed Lot and Lot 11 DP851047). Vehicles must give way to traffic travelling on the public lane.
3. Heavy vehicles must access the proposed bunkers via the existing Graincorp site to the east (via Lot 11 DP851047). No access is permitted in a north - south direction on the public lane.

PRIOR TO COMMENCEMENT OF WORKS

4. Prior to the commencement of works a Construction Environmental Management Plan shall be prepared for the pre, during and post-construction period as detailed in Section 8. Recommendation of the *Test of Significance, Proposed Bunker Expansion* report by Hamilton Environmental Services stamped and approved as part of this application.
5. A Subdivision Works Certificate is required for the road upgrade works and on-site stormwater management, including drains and detention area. A Subdivision Works Certificate may be issued either by Parkes Shire Council or an Accredited Certifying Authority.
6. A Section 138 of the Roads Act 1993 application must be submitted and approved prior to any work commencing within the public road reserve. The application is to be accompanied by associated sediment control plans, environmental management plans, work method statements and traffic control plans.
7. Prior to the commencement of any work on the site, a Traffic Signage Plan is to be submitted to Parkes Shire Council's Director Operations which sets out the signage that will be installed ("GIVE WAY SIGNS" and "TRUCKS ENTERING" warning signs) on the approaches to the cross over point to Proposed Lot and Lot 11 DP851047 to ensure right of way for vehicles travelling on the public lane.
8. The public lane is to be upgraded between the proposed Lot and Lot 11 DP851047 in accordance with the following:
 - Road construction - minimum width of 10 metres and minimum length of 20 metres.
 - The pavement to consist of 300mm of compact road base DGS20 material, not sealed.
 - Construction of the road cross over formation to be at grade with the approaches.
 - Working drawings to show longitudinal stormwater drainage at the cross over and any structures required.

Civil engineering designs must be submitted for approval with the Subdivision Works Certificate.

9. The applicant is to submit to Parkes Shire Council, at least two (2) days prior to the commencement of any works, a 'Notice of Commencement of Building or Subdivision Works' and 'Appointment of Principal Certifying Authority'.

10. Erosion and sedimentation controls must be in place prior to the commencement of site works and maintained throughout construction activities until the site is landscaped and/or suitably revegetated. The controls shall be in accordance with the details approved by Council and/or as directed by Council Officers. These requirements shall be in accordance with latest publication of Managing Urban Stormwater – Soils and Construction produced by Landcom.

11. Pursuant to Section 7.12 of the Environmental Planning and Assessment Act 1979, the monetary contribution set out in the following table is to be paid to Parkes Shire Council prior to the issue of a Subdivision Works Certificate. The contribution is current as at the date of this consent and is levied in accordance with the Parkes Shire Section 94A Contributions Plan 2016, in force from 5 August 2016, which may be viewed on Council's website www.parkes.nsw.gov.au. The contribution payable will be calculated in accordance with the contributions plan current at the time of payment, and will be adjusted at the time of payment in accordance with the Consumer Price Index (CPI) (All Groups Index for Sydney) published by the Australian Bureau of Statistic (ABS). Contribution amounts will be adjusted by Council each quarter.

Contribution Type	Proposed Cost of Development 1	Levy %	Total Contribution	Contribution Rate remains current until
Section 7.12 Contribution	\$1,112,726.00	1% above \$200,000.00	\$9,232.21	Next CPI Quarterly Adjustment

DURING WORKS

12. Building activities and excavation work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work outside of these hours, or on Sundays or Public Holidays is permitted without prior written agreement by Parkes Shire Council's Director Planning and Community Services.

13. All loading, unloading and storage of goods, equipment, tools and building materials, or the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. No loading or unloading of goods on the public roadway system shall be permitted.

14. All building rubbish and debris, including that which can be wind blown, shall be contained on site 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.

15. The applicant must investigate locations and protect any infrastructure on the site and in the public laneway, including the private water line. Any adjustment or augmentation of any public utility services including water, electricity and telecommunications required as a result of the development must be at no cost to Council.

16. The Applicant is required to obtain a Compliance Certificate from Parkes Shire Council or an Accredited Certifying Authority, certifying that all roadworks, including drainage infrastructure, has been constructed and completed in accordance with AUS-SPEC#1/Parkes Shire Council. For the purposes of obtaining the Compliance Certificate, the road works must be inspected by Council or an Accredited Certifying Authority at the times specified below:

- a) Earthworks: Prior to any road works and when all sediment controls have been placed in position.
- b) Road Drainage: When all drainage work and structures are installed and prior to backfilling.
- c) Road Pavement: When the road-base is properly formed and compacted and prior to sealing.
- d) Completion: When all road works are completed, including directional signage.

17. The Applicant is required to obtain a Compliance Certificate from Parkes Shire Council or an Accredited Certifying Authority, certifying that stormwater drainage and retention works has been constructed and completed in accordance with the Subdivision Works Certificate.

ONGOING OPERATION

18. Prior to the use of the bunkers, the Applicant must implement the following traffic management measures to mitigate risks associated with unsafe bypassing/overtaking on Eugowra Road as well as manage a potential "short stacking" issue at the crossing during construction:

- A variable message sign to be erected during the peak harvest period to warn motorists on Eugowra Road of stacked vehicles.
- Review internal manoeuvring and management of vehicles to prevent short stacking over the level crossing.

19. Prior to the use of the bunkers, the upgrade works to the public lane adjoining the site shall be completed.

20. All internal manoeuvring areas must be maintained to an all-weather surface.

21. A water spray vehicle or the like shall be deployed on site when required to reduce the emission of dust.

22. Any external lighting associated with the development must be designed and installed in accordance with Australian Standard AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting and be mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

23. The applicant must not and must ensure its employees and all other persons do not enter any parts of the rail land during construction and operation unless otherwise permitted in writing by UGLRL.

24. In the event that Over Sized Over Mass (OSOM) vehicles are used during construction activities, prior to their commencement, the Applicant must obtain UGLRL's approval to operate Over Sized Over Mass (OSOM) vehicles, which are proposed to use the level crossing at Eugowra Road, Grain Terminal Road Intersection.

PRIOR TO THE USE OF THE DEVELOPMENT

25. All works associated with the development, including road upgrade, signage, accesses, on-site stormwater management shall be completed prior to the use of the bunkers or issue of subdivision certificate, whichever comes first.

PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE

26. The Applicant is to obtain from Parkes Shire Council a Subdivision Certificate prior to the lodgement of any subdivision plan with Land and Property Information Services NSW.

Prescribed conditions under the Environmental Planning and Assessment Regulation 2000

27. A development consent for development that involves any building work must be issued subject to the following conditions:

(a) that the work must be carried out in accordance with the requirements of the *Building Code of Australia*, in force on the date of the application.

(b) 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.

Note: This condition does not limit any other conditions to which a complying development certificate may be subject, as referred to in section 85A (6) (a) of the Act.

Note: This condition does not apply:

(a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4) of the Environmental Planning and Assessment Regulation 2000, or

(b) to the erection of a temporary building, other than a temporary structure that is used as an entertainment venue.

Note: In this condition, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant complying development certificate is made.

28. 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 certifier for the work, and

(b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and

(c) stating that unauthorised entry to the site is prohibited.

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

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

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

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

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

29. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifier 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.

Note: If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under the above condition becomes out of date, further work must not be carried out unless the principal certifier for the development to which the work relates (not being the council) has given the council written notice of the updated information.

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

30. Where development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the certificate must at the person's own expense:

- (a) protect and support the adjoining premises from possible damage from the excavation, and
- (b) where necessary, underpin the adjoining premises to prevent any such damage.

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

22 - 247 Resolution

That the recommendation be adopted.

Moved Councillor GW Pratt, seconded Councillor JP Cass.

CARRIED

At this time the Mayor called for a show of hands in regards to the Resolution with the following results.

For: Councillor KJ Keith, Councillor JP Cass, Councillor DR Weber, Councillor ME Applebee, Councillor NC Westcott, Councillor LA O'Leary, Councillor GS Wilson and Councillor GW Pratt

Against: Councillor KM McGrath

Did not vote: Councillor WP Jayet (Reason: absent from meeting)

11.4. (DPCS) DA2022/0043 - Proposed Amenities Building at Lot 8 DP 752095, 'Park' Bogan Street, Bogan Gate

Development Application Information**Application No:** DA2022/0043**Applicant:** James Buchanan**Property:** Lot 8 DP 752095, 'Park' Bogan Street, Bogan Gate**Proposal:** Proposed Amenities Buildings**Executive Summary**

DA2022/0043 proposes the construction of two amenities buildings at Lot 8 DP 752095, Bogan Street, Bogan Gate. The proposed amenities buildings will be located along the western boundary of the subject allotment, in a similar location to the existing structures. The buildings will be rectangular in shape with gable roofs and colourbond steel finishes. The buildings will be used in association with recreational activities to be undertaken on the land.

The assessment of the development proposal (see Attachment 3) concludes the proposed development fits in the locality and there are no constraints on the site or posed by adjacent developments.

The proposed development is consistent with all relevant State Environmental Planning Polices, the Parkes Local Environmental Plan 2012 and the Parkes Shire Development Control Plan 2021. The proposal will not result in any adverse environmental, social or economic impacts in the locality.

A Statement of Environmental Effects is included in Attachment 1 and a plan of the proposed development is included in Attachment 2. An Assessment Report, dealing with all aspects of the proposal is included in Attachment 3.

The applicant has submitted a formal request for an exemption from a requirement to pay a monetary contribution of 1% for developments in excess of \$200,000.00 in accordance with Section 3.13 Exemptions of the Parkes Shire Section 94A Contributions Plan 2016 (the Plan). The cost of the development is \$481,222.50 with the value of the Section 94A monetary contribution being \$2,812.25.

The Plan states a development may be exempted where Council considers an exemption is warranted, and the decision is made by formal resolution of Council at an ordinary meeting of Council.

The applicant has stated the exemption is warranted given; the development will be located on Crown Land, associated with existing sporting fields and will be used for community purposes which is of benefit to the Bogan Gate township and Parkes Shire. The applicant has also advised the exemption of the contribution will significantly contribute to the realisation of the project.

Recommendation

1. It is recommended that the application be approved subject to the conditions contained in the report.
2. It is recommended that the application be exempt from paying a monetary contribution in accordance with Section 3.13 of the Parkes Shire Section 94A Contributions Plan 2016.

Conditions

Approved Plans and Documents

1. The development shall be carried out in accordance with:
 - I. The approved stamped Plan(s), Job No. DWG0043-001.
 - II. The approved stamped Plan(s), prepared by: Modus Australia, Sheets 01 - 03, dated 22 March 2022.
 - III. The approved stamped Statement of Environmental Effects except as varied by the conditions listed herein or as marked in red on the approved plans. A copy of the approved stamped plans is to be maintained on site for constructional and reference purposes.

Prior to Commencement

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 and applicable Council Development and Engineering Standards prior to any building and or subdivision works commencing.

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

Note: It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable Development and engineering standards in the case of building work 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 and comply with any conditions of that permit.

Note: 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, a '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.

During Works

6. All construction work shall be undertaken in such a manner that dust and noise shall be minimised as far as possible.

Note: The Protection of the Environment Operations Act, 1997 and the Protection of the Environment Operations (Noise Control) Regulation 2017 contain provisions relating to noise.

7. All loading, unloading and storage of goods, equipment, tools and building materials, or the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. No loading, unloading and storage of goods, equipment, tools and building materials, or the carrying out of building operations related to the development proposal shall be carried out on the nature strip, footpath or public roadway system.

8. All building rubbish and debris, including that which can be wind-blown, shall be contained on site 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.

Note: No building rubbish or debris shall be placed or permitted to be placed on any adjoining public reserve, footway or road.

Note: The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.

9. 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.

Note: The full cost of restoration/repairs of property or services damaged during the works shall be met by the Applicant.

10. 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.

Note: A retaining wall or structure that does not comply with State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 will require prior consent from Council.

Note: Cutting and filling on the site and the erection of retaining walls may require the approval and certification of a suitably qualified structural/geotechnical engineer.

11. 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 to the onsite rainwater tank with overflow directed a minimum of three (3) metres clear of all onsite structures toward Monomie Street 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.

Prior to Occupation

12. Prior to the occupation or use of the development an Occupation Certificate must be obtained from the Principal Certifying Authority for the subject development
Prescribed conditions under the Environmental Planning and Assessment Regulation 2000

13. A development consent for development that involves any building work must be issued subject to the following conditions:

- (a) that the work must be carried out in accordance with the requirements of the Building Code of Australia, in force on the date of the application.
- (b) 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.

Note: This condition does not limit any other conditions to which a complying development certificate may be subject, as referred to in section 85A (6) (a) of the Act.

Note: This condition does not apply:

- (a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4) of the Environmental Planning and Assessment Regulation 2000, or
- (b) to the erection of a temporary building, other than a temporary structure that is used as an entertainment venue.

Note: In this condition, a reference to the Building Code of Australia is a reference to that Code as in force on the date the application for the relevant complying development certificate is made.

14. 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 certifier for the work, and
- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the site is prohibited.

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

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

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

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

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

15. Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifier 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.

Note: If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under the above condition becomes out of date, further work must not be carried out unless the principal certifier for the development to which the work relates (not being the council) has given the council written notice of the updated information.

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

16. Where development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the certificate must at the person's own expense:

- (a) protect and support the adjoining premises from possible damage from the excavation, and
- (b) where necessary, underpin the adjoining premises to prevent any such damage.

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

22 - 248 Resolution

That the recommendation be adopted.

Moved Councillor GW Pratt, seconded Councillor JP Cass.

CARRIED

At this time the Mayor called for a show of hands in regards to the Resolution with the following results.

For: Councillor KJ Keith, Councillor JP Cass, Councillor DR Weber, Councillor ME Applebee, Councillor NC Westcott, Councillor LA O'Leary, Councillor GS Wilson, Councillor GW Pratt and Councillor KM McGrath

Against: =Nil

Did not vote: Councillor WP Jayet (Reason: absent from meeting)

11.5. (DPCS) Parkes Housekeeping (Reclassification of Land) Planning Proposal

Executive Summary

In December 2021 Council received a Gateway Determination from the NSW Department of Planning and Environment (DPE) for the planning proposal in relation to the reclassification of Council owned land.

This report demonstrates compliance with the Gateway Determination and addresses submissions received.

Recommendation

1. That Council request the NSW Department of Planning and Environment finalise the Parkes Housekeeping (Reclassification of Land) Planning Proposal.

22 - 249 Resolution

That the recommendation be adopted.

Moved Councillor ME Applebee, seconded Councillor DR Weber.

CARRIED

11.6. (DPC) Rangers Quarterly Report April to June 2022

Executive Summary

A summary of Ranger activities for the quarter ending June 2022 is provided for Council's information.

Recommendation

1. That this report be received and noted.

22- 250 Resolution

1. That the information contained within the Report be received and noted.
2. That going forward, Council provides addresses for the overgrown blocks and the status of legal action, if any.

Moved Councillor NC Westcott, seconded Councillor LA O'Leary.

CARRIED

12. DIRECTOR OPERATIONS**12.1. (DO) Major Projects & Current Works - Progress Report as at 19 July 2022**

Executive Summary

This report presents an update on the current major projects within the Shire being managed or undertaken by Council's Operations Department. The report outlines work that has been carried out over the past month and is provided for the information of Councillors.

Recommendation

1. That the information be received and noted.

22 - 251 Resolution

That the information contained within the Report be received and noted.

Moved Councillor DR Weber, seconded Councillor NC Westcott.

CARRIED

At this time being 3.23pm, Cr KM McGrath left the meeting.

12.2. (DO) Acquisition of Pioneer Street, Parkes

Executive Summary

It has been drawn to Council's attention that part of the formed section of Pioneer Street, Parkes is on crown land. This section of road has been in use for an extended period and therefore requires formal acquisition.

Recommendation

That Council:

1. Acquire land identified as being part of Lot 7314 DP 1143467 for road purposes by compulsory process in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991* and make the necessary application to the Minister and/or Governor.
2. On acquisition, the land be classified as operational.
3. Where required, the Seal of Council be applied to facilitate the acquisition.

22 - 252 Resolution

That the recommendation be adopted.

Moved Councillor GW Pratt, seconded Councillor GS Wilson.

CARRIED

Councillor KM McGrath returned to the meeting at 3.26pm.

13. DIRECTOR INFRASTRUCTURE**13.1. (DISF) Major Projects & Current Works - Progress Report as at 19 July 2022**

Executive Summary

This report presents an update on the current major projects within the Shire being managed or undertaken by Council's Infrastructure & Strategic Futures Department. The report outlines work that has been carried out over the past month and is provided for the information of Councillors.

Recommendation

1. That the information be received and noted.

22 - 253 Resolution

That the information contained within the Report be received and noted.

Moved Councillor ME Applebee, seconded Councillor JP Cass.

CARRIED

13.2. (DISF) Tree Removal

Executive Summary

A large tree adjacent to the public toilet and bus shelter structure is required to be removed to allow for the reconstruction and maintenance of the underground sewer main.

Recommendation

1. That the tree be approved for removal to allow the sewer construction works to proceed.

22 - 254 Resolution

That the recommendation be adopted.

Moved Councillor GS Wilson, seconded Councillor JP Cass.

CARRIED

The Mayor left the meeting at 3.30pm & the Deputy Mayor Neil Westcott chaired the meeting.

14. CONSIDERATION OF COMMITTEE MINUTES

14.1. Committee Minutes - Road and Place Naming Committee

Executive Summary

A Parkes Shire Council Road & Place Naming Committee meeting was held on Tuesday 5 July 2022.

Recommendation

1. That the recommendations contained in the Minutes of the Parkes Shire Council Road & Place Naming Committee held 5 July 2022 be endorsed and adopted.

22 - 255 Resolution

That the recommendation be adopted.

Moved Councillor KM McGrath, seconded Councillor JP Cass.

CARRIED

The Mayor returned to the meeting at 3.32pm & resumed the Chair.

15. QUESTIONS AND MATTERS OF URGENCY

Nil

17. MEETING CLOSURE

There being no further business the Mayor declared the meeting closed at 3.34pm.

