

Ordinary Council Meeting

Minutes

Tuesday 23 January 2024



Minutes of the Ordinary Council Meeting
Held on Tuesday, 23 January 2024 at the
Parkes Council Chamber, 2 Cecile Street, Parkes

Present:

Cr Neil Westcott	Councillor (Chairperson)
Cr Ken Keith OAM	Councillor
Cr William Jayet	Councillor
Cr Jacob Cass	Councillor
Cr Ken McGrath	Councillor
Cr Louise O'Leary	Councillor
Cr George Pratt	Councillor
Cr Daniel Weber	Councillor
Cr Glenn Wilson	Councillor

Council Officers in Attendance:

Mr Kent Boyd PSM	General Manager
Mr Logan Hignett	Acting Director Operations
Mr Andrew Francis	Director Infrastructure and Strategic Futures
Mr Brendan Hayes	Director Planning and Community Services
Mr Anthony McGrath	Director Customer, Corporate Services and Economy
Mr Jaco Barnard	Chief Financial Officer
Mrs Nikki Bevan	Acting Manager Governance, Risk and Corporate Performance
Mrs Toni Lennane	Executive and Councillor Support Officer (Minute Secretary)

NOTES

Cr Marg Applebee attended via audio-visual link.

The meeting commenced at 2:00 pm and concluded at 4:53 pm.

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1 OPENING OF MEETING

The Mayor declared the Ordinary Council Meeting of Tuesday 23 January 2024 open and welcomed Councillors, Council Officers and members of the public attending and listening to the meeting.

The Mayor advised attendees that the meeting was being recorded and streamed live on the internet, to enhance the accessibility of Council meetings to the broader Parkes Shire community, and that the recording will be archived and made available on Council's website.

The Mayor asked that attendees ensure that mobile phones and other electronic devices were turned off or in silent mode for the duration of the meeting.

The Mayor further advised that all care would be taken to maintain privacy, however, as a visitor in the public gallery, members of the public should be aware that their presence may be recorded.

2 ACKNOWLEDGEMENT OF COUNTRY

The Mayor read the following Acknowledgement of Country:

Parkes Shire Council acknowledges the Traditional Custodians of the Wiradjuri Country and recognises and respects their cultural heritage, beliefs and continuing connection with the lands and rivers of the Parkes Shire.

Council pays its respects to Elders past, present and emerging and extends this respect to all First Nations peoples in the Parkes Shire.

3 PRAYER

The General Manager read the Prayer:

O God,
In all Council's deliberations so inspire,
That wise decisions are made in all things,
We pray through Jesus Christ, Our Lord,

AMEN

4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE

Nil

5 APPLICATIONS TO ATTEND BY AUDIO-VISUAL LINK

An application to attend by audio-visual link was received from Councillor Marg Applebee.

6 CONFIRMATION OF MINUTES

6.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 19 DECEMBER 2023

RESOLVED OCM 001/24

Moved: Cr Ken McGrath
Seconded: Cr William Jayet

That Ordinary Council Meeting receive and confirm the Minutes of the Ordinary Council Meeting held on Tuesday 19 December 2023 appended at *Annexure A*.

CARRIED

7 DISCLOSURES OF INTERESTS

The Mayor reminded Councillors and Council Officers of their obligation under Council's Code of Conduct to disclose and manage any conflicts of interest they may have in matters being considered at the meeting, and invited Councillors and Council Officers to disclose any such interests.

Nil interests were disclosed.

8 LATE BUSINESS

The Mayor advised that the following late items of business had been submitted by Council Officers, and invited a motion to enable the addition of the late items to the meeting agenda.

1. *Report of the General Manager:*
12.5 - Lachlan River Water Supply Duplication Project (BRFIPV000106) - Building Better Regions Variation.

9 MAYORAL MINUTE(S)

9.1 MEETINGS, FUNCTIONS AND EVENTS ATTENDED BY MAYOR AND COUNCILLORS

RESOLVED OCM 002/24

Moved: Cr Jacob Cass
Seconded: Cr Ken Keith OAM

That Council:

1. Note the report on the Meetings functions and events attended in an official capacity, by the Mayor and Councillors during the period 19 December 2023 through to 23 January 2024.

CARRIED

9.2 COMING KNOWN EVENTS FOR MAYOR AND COUNCILLORS**RESOLVED OCM 003/24**

Moved: Cr Jacob Cass
Seconded: Cr William Jayet

That Council:

1. Note the known upcoming meetings, functions and events for the Mayor and Councillors for the period 23 January 2024 through to 20 February 2024.

CARRIED**9.3 PARKES ELVIS FESTIVAL 2024****RESOLVED OCM 004/24**

Moved: Cr Ken McGrath
Seconded: Cr George Pratt

That Council:

1. Receive and note the information about the 2024 Parkes Elvis Festival.

CARRIED**10 COUNCILLOR REPORT(S)**

Nil

11 REPORTS OF COMMITTEES**11.1 MINUTES OF THE DESTINATION AND MAJOR EVENTS ADVISORY COMMITTEE MEETING HELD ON 21 NOVEMBER 2023****RESOLVED OCM 005/24**

Moved: Cr Jacob Cass
Seconded: Cr George Pratt

That Council:

1. Receive and confirm the Minutes of the Destination and Major Events Advisory Committee Meeting held on Tuesday 21 November 2023 appended at *Annexure A*.

CARRIED

11.2 MINUTES OF THE BUSINESS AND INVESTMENT ADVISORY COMMITTEE MEETING HELD ON 21 NOVEMBER 2023**RESOLVED OCM 006/24**

Moved: Cr William Jayet

Seconded: Cr Jacob Cass

That Council:

1. Receive and confirm the Minutes of the Business and Investment Advisory Committee Meeting held on Tuesday 21 November 2023 appended at *Annexure A*.

CARRIED**11.3 MINUTES OF THE COMMUNITY, LIVEABILITY AND ACCESS ADVISORY COMMITTEE MEETING HELD ON 19 DECEMBER 2023****RESOLVED OCM 007/24**

Moved: Cr Marg Applebee

Seconded: Cr Jacob Cass

That Council:

1. Receive and confirm the Minutes of the Community, Liveability and Access Advisory Committee Meeting held on Tuesday 19 December 2023 appended at *Annexure A*.

CARRIED**11.4 MINUTES OF THE EXTRAORDINARY LOCAL TRAFFIC COMMITTEE MEETING HELD ON 16 JANUARY 2024****RESOLVED OCM 008/24**

Moved: Cr Ken McGrath

Seconded: Cr George Pratt

That Council:

1. Receive and confirm the Minutes of the Extraordinary Local Traffic Committee Meeting held on Tuesday 16 January 2024 appended at *Annexure A*.

CARRIED

12 REPORTS OF THE GENERAL MANAGER**12.1 INVESTMENTS & BORROWINGS REPORT AS AT 31 DECEMBER 2023****RESOLVED OCM 009/24**

Moved: Cr Jacob Cass
Seconded: Cr William Jayet

That Council:

1. Receive and note the Statement of Investments and Borrowings as on 31 December 2023

CARRIED

At this stage being 2:38 pm Andrew Francis left the room.
At this stage being 2:40 pm Andrew Francis returned to the room.

12.2 MONTHLY FINANCIAL REPORT AS AT 31 DECEMBER 2023**RESOLVED OCM 010/24**

Moved: Cr George Pratt
Seconded: Cr Jacob Cass

That Council:

1. Receive and note the financial report to 31 December 2023.

CARRIED**12.3 REGULAR PUBLIC TRANSPORT (RPT) - REX AIR SERVICE****RESOLVED OCM 011/24**

Moved: Cr Ken Keith OAM
Seconded: Cr William Jayet

That:

1. Council waives the head-tax on the early morning and evening RPT flights (i.e. Sydney overnight service), as a good will gesture to encourage/assist the reintroduction of that service.
2. Council re-evaluates the fee arrangement in 12 months.
3. Council writes to the Australian Government seeking the reintroduction of subsidies to ensure the viability of RPT air service to rural Australia.

CARRIED

At this stage being 2:48 pm Cr George Pratt left the room.
At this stage being 2:51 pm Cr George Pratt returned to the room.

12.4 THE WELCOME - INDUSTRIAL LAND RELEASE**RESOLVED OCM 012/24**

Moved: Cr George Pratt

Seconded: Cr Jacob Cass

That:

1. Council receive and note the report.
2. All Expressions of Interest received, be assessed, and presented to a future Council meeting for consideration.

CARRIED**12.5 LACHLAN RIVER WATER SUPPLY DUPLICATION PROJECT (BRFIPV000106) - BUILDING BETTER REGIONS VARIATION****RESOLVED OCM 013/24**

Moved: Cr Ken Keith OAM

Seconded: Cr William Jayet

That:

1. That the report be received and noted.
2. The Lachlan River Water Supply Duplication Project Stage 1 - Building Better Regions Fund Variation (BRFIPV000106), be signed under the Seal of Council.

CARRIED**13 REPORTS OF THE DIRECTOR CUSTOMER, CORPORATE SERVICES AND ECONOMY**

Nil

14 REPORTS OF THE DIRECTOR INFRASTRUCTURE AND SUSTAINABILITY**14.1 MAJOR PROJECTS AND CURRENT WORKS REPORT - INFRASTRUCTURE AND STRATEGIC FUTURES****RESOLVED OCM 014/24**

Moved: Cr William Jayet

Seconded: Cr Daniel Weber

That Council:

1. Receive and note the Infrastructure and Strategic Futures Major Projects and Current Works Report for January 2024, appended at *Annexure A*.

CARRIED

**14.2 CONTRIBUTION FROM COUNCIL TO HOLY FAMILY CATHOLIC PARISH -
EXTENDING SEWER MAIN****RESOLVED OCM 015/24**

Moved: Cr William Jayet
Seconded: Cr Ken Keith OAM

That:

1. Council reduce the cost to the Holy Family Church for the extension of a new section of sewer main, to 50% of the required value, being \$10,000.

CARRIED**15 REPORTS OF THE ACTING DIRECTOR OPERATIONS****15.1 MAJOR PROJECTS AND CURRENT WORKS - OPERATIONS****RESOLVED OCM 016/24**

Moved: Cr William Jayet
Seconded: Cr Ken McGrath

That Council:

1. Receive and note the Operations Major Projects and Current Works Report for January 2024, appended at *Annexure A*.

CARRIED**15.2 REQUEST FOR SKYDIVING ACTIVITIES AT PARKES REGIONAL AIRPORT****RESOLVED OCM 017/24**

Moved: Cr Jacob Cass
Seconded: Cr George Pratt

That:

1. That Skydive Oz be granted approval for the use of the Parkes Regional Airport for tandem skydiving activities on the weekend of 11 and 12 May 2024 subject to:
 - Provision of evidence of not less than \$20 Million Public Liability Insurance.
 - Arrangements being made with RPT Services to avoid conflict; and
 - Compliance with Council's access requirements for Parkes Regional Airport.

CARRIED

15.3 THE 2024 SARAH 'ALEX AWARD' RECIPIENT**RESOLVED OCM 018/24**

Moved: Cr Ken McGrath

Seconded: Cr Jacob Cass

That:

1. Council write to congratulate Mel Suitor on being named the 2024 recipient of the Alex Gallacher Road Safety Award.

CARRIED

At this stage being 3:29 pm Logan Hignett left the room.

16 REPORTS OF THE DIRECTOR PLANNING AND COMMUNITY SERVICES**16.1 (DCPS) QUARTERLY RANGERS REPORT OCTOBER TO DECEMBER 2023****RESOLVED OCM 019/24**

Moved: Cr William Jayet

Seconded: Cr Jacob Cass

That:

1. The report be noted.

CARRIED**16.2 DECEMBER 2023 BUILDING STATISTICS REPORT****RESOLVED OCM 020/24**

Moved: Cr Jacob Cass

Seconded: Cr George Pratt

That Council:

1. Receive and note the December 2023 Building Statistics Report.

CARRIED

16.3 PARKES SHIRE COUNCIL SECTION 94A (7.12) CONTRIBUTION PLAN - SAP INCLUSION**RESOLVED OCM 021/24**

Moved: Cr Ken Keith OAM

Seconded: Cr William Jayet

That:

1. Council notes the matters raised in the submissions to the public exhibition of the Draft Parkes Shire Council Section 94A (7.12) Contributions Plan – SAP Inclusion.
2. Council request the Minister for Planning and Public Spaces amend Section 209 of the Environmental Planning and Assessment Regulation 2021 to allow for a contributions levy of up to three per cent to apply to new development within the Parkes Special Activation Precinct.
3. Council approve the Draft Parkes Shire Council Section 94A (7.12) Contributions Plan – SAP Inclusion at annexure B to the subject report, noting it will commence only following the amendment of Section 209 of the Environmental Planning and Assessment Regulation 2021.
4. Authority be delegated to the General Manager to make minor amendments to the Draft Parkes Shire Council Section 94A (7.12) Contributions Plan – SAP Inclusion, to incorporate any changes requested by the Minister for Planning and Public Spaces and clarify the nature of the relationship between Council and RGDC, prior to its commencement.

CARRIED**17 NOTICES OF MOTION/QUESTIONS WITH NOTICE**

Nil

At this stage being 3:43 pm Logan Hignett returned to the room.

At this stage being 3:43 pm the Mayor adjourned the meeting for a short afternoon break.

At this stage being 4:02 pm the Mayor resumed the meeting in Closed Session..

18 CONFIDENTIAL MATTERS

RESOLVED OCM 022/24

Moved: Cr Jacob Cass

Seconded: Cr William Jayet

That Ordinary Council Meeting:

1. Moves into Closed Session to deal with the matters below, which are classified as confidential under section 10A(2) of *the Local Government Act 1993* for the reasons specified:

18.1 RAW WATER STORAGE LAGOON CIVIL WORKS PACKAGE - (PSC2023/062)

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Further it is considered that discussions of this matter in open Council would, on balance, be contrary to the public interest as it would prejudice Council's ability to secure the optimum outcome for the community.

18.2 LAKE ENDEAVOUR PLACES TO SWIM TELECOMMUNICATIONS UPDATE

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Further it is considered that discussions of this matter in open Council would, on balance, be contrary to the public interest as it would prejudice Council's ability to secure the optimum outcome for the community.

18.3 SUPPORT FOR FUTURE VILLAGE CBD PROJECT

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Further it is considered that discussions of this matter in open Council would, on balance, be contrary to the public interest as it would prejudice Council's ability to secure the optimum outcome for the community.

18.4 2024 AUSTRALIA DAY AWARDS

This matter is considered to be confidential under Section 10A(2) - a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

Further it is considered that discussions of this matter in open Council would, on balance, be contrary to the public interest as it would prejudice Council's ability to secure the optimum outcome for the community.

-
2. Exclude the media and public from the meeting on the basis that the business to be considered is classified as confidential, pursuant to 10A(1), 10(2) and 10A(3) of the *Local Government Act 1993*.
 3. Withhold reports and correspondence relevant to the subject business be withheld from the media and public as provided by section 11(2) of the *Local Government Act 1993*.
 4. Make public resolutions made by the Council in Closed Session after the conclusion of the Closed Session, and record such resolutions in the minutes of the Council meeting.

CARRIED

At this stage being 4:02 pm Cr Ken Keith left the room - being an apology for the remainder of the meeting.

At 4:52 pm, the Council in Closed Session returned to Open Session.

RESOLVED OCM 023/24

Moved: Cr Glenn Wilson

Seconded: Cr Jacob Cass

That Ordinary Council Meeting:

1. Resume in Open Session and note the Mayor's report on Confidential Resolutions.

CARRIED

18.1 RAW WATER STORAGE LAGOON CIVIL WORKS PACKAGE - (PSC2023/062)**RESOLVED OCM 024/24**

Moved: Cr William Jayet

Seconded: Cr Jacob Cass

That:

1. Receive and note the RFT Evaluation Report and endorses that Steve Magill Earthmoving Pty Ltd are nominated as the preferred tenderer for the Building Better Regions Funding - Raw Water Storage Lagoon Civil Works Package scope of works.
2. Endorses the awarding of the Contract to Steve Magill Earthmoving Pty Ltd pending contract negotiation and execution

CARRIED**18.2 LAKE ENDEAVOUR PLACES TO SWIM TELECOMMUNICATIONS UPDATE****RESOLVED OCM 025/24**

Moved: Cr George Pratt

Seconded: Cr William Jayet

That:

1. Council note the outcome of negotiations with preferred tenderer for the RFT for the Lake Endeavour Telecommunications Infrastructure; and
2. Council endorses the proposal to install and provide Lake Endeavour with mobile phone coverage using local Wi-Fi network antennas and a Starlink backhaul

CARRIED

At this stage being 4:24 pm Anthony McGrath left the room.

At this stage being 4:34 pm Anthony McGrath returned to the room.

18.3 SUPPORT FOR FUTURE VILLAGE CBD PROJECT**RESOLVED OCM 026/24**

Moved: Cr Louise O'Leary

Seconded: Cr George Pratt

That:

1. Council receive and note the information about a future village CBD project.

CARRIED

At this stage being 4:50 pm Cr George Pratt left the room.

At this stage being 4:52 pm Cr George Pratt returned to the room.

18.4 2024 AUSTRALIA DAY AWARDS

RESOLVED OCM 027/24

Moved: Cr George Pratt

Seconded: Cr Jacob Cass

That Council:

1. Endorse the recommended recipients of the 2024 Civic, Cultural and Sporting Australia Day awards as outlined in this Report.

CARRIED

19 REPORT OF CONFIDENTIAL RESOLUTIONS

In accordance with clauses 14.22 and 14.23 of Council's Code of Meeting Practice, resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the Chairperson as soon as practicable. Such resolutions must be recorded in the publicly available minutes of the meeting.

20 CONCLUSION OF MEETING

The meeting concluded at 4:53 pm.

This is the final page of the minutes comprising 17 pages numbered 1 to 17 of the Ordinary Council Meeting held on Tuesday, 23 January 2024 and confirmed on Tuesday, 20 February 2024.



Cr Neil Westcott

MAYOR