

Ordinary Council Meeting

Minutes

Tuesday 21 May 2024



Minutes of the Ordinary Council Meeting
Held on Tuesday, 21 May 2024 at the
Parkes Council Chamber, 2 Cecile Street, Parkes

Present:

Cr Neil Westcott	Councillor (Chairperson)
Cr Marg Applebee	Councillor (Deputy Chairperson)
Cr Ken Keith OAM	Councillor
Cr Ken McGrath	Councillor
Cr George Pratt	Councillor
Cr Daniel Weber	Councillor
Cr Glenn Wilson	Councillor

Council Officers in Attendance:

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

NOTES

The meeting commenced at 2:05 pm and concluded at 3:37 pm.

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1 OPENING OF MEETING

The Mayor declared the Ordinary Council Meeting of Tuesday 21 May 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 Deputy 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,
Direct the way of our words and works,
In accordance with Thy Will,
We Pray through Jesus Christ, Our Lord,

AMEN

4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE

Councillor WP Jayet

Councillor LA O'Leary

Councillor JP Cass

5 APPLICATIONS TO ATTEND BY AUDIO-VISUAL LINK

Nil

6 CONFIRMATION OF MINUTES

6.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 23 APRIL 2024

RESOLVED OCM 116/24

Moved: Cr Marg Applebee

Seconded: Cr Daniel Weber

That Ordinary Council Meeting receive and confirm the Minutes of the Ordinary Council Meeting held on Tuesday 23 April 2024 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 Director of Infrastructure and Sustainability*
15.3: Adoption of Draft Indigenous Participation Plan
2. *Confidential Matter - Report of Acting Director Operations*
19.6: Provision of Traffic Control Services (PSC2027/018)

Moved: Applebee & Seconded: Pratt

9 ADOPTION OF MULTIPLE ITEMS OF BUSINESS

The Council may, at any time, resolve to adopt multiple items of business, as recommended in the report, by way of a single resolution. The Chairperson must list the items of business to be adopted and ask Councillors to identify any individual items of business listed by the Chairperson that they intend to vote against the recommendation made in the Business Paper, or that they wish to speak on (13.2).

9.1 ADOPTION OF MULTIPLE ITEMS OF BUSINESS**RESOLVED OCM 117/24**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That Council:

1. Adopt the following items in the Agenda as recommended in the report:
 - 10.2 - ANZAC Day 2024
 - 10.6 - Meetings, Functions and Events Attended by Mayor and Councillors.
 - 10.7 - Coming Known Events for Mayor and Councillors.
 - 12.1 - Minutes of the Airport Development Advisory Committee Meeting held on 19 March 2024.
 - 13.1 - Investments & Borrowings Report as at 30 April 2024.
 - 13.2 - Monthly Financial Report as at 30 April 2024.
 - 14.2 - Parkes Regional Entertainment and Cultural Centre Feasibility Study.
 - 17.3 - April 2024 Building Statistics Update.
 - 19.2 - Supply and Delivery of Bitumen Emulsion (PSC2024/090)..
 - 19.3 - Supply, Delivery and/or Installation of Guardrail and Wire Rope Safety Fencing (PSC2024/0091).
 - 19.4 - Boundary Adjustment - Parkes Industrial Estate.

CARRIED

10 MAYORAL MINUTE(S)**10.1 CLOSURE OF ROSEDURNATE AGED CARE CENTRE AND RETIREMENT VILLAGE IN PARKES.****RESOLVED OCM 118/24**

Moved: Cr Ken McGrath

Seconded: Cr Marg Applebee

That Council:

1. Receive and note the information.
2. Write to the CEO and Board of the Salvation Army to express community disappointment that a benevolent organisation has summarily withdrawn from the region.
3. That the complaint lodged with the Aged Care and Safety Commissioner be noted.
4. Work with existing Shire Aged Care providers to discuss potential expansion.
5. Lobby all levels of Government to raise the issue of a failing Aged Care system across regional NSW.

CARRIED

10.2 ANZAC DAY 2024**RESOLVED OCM 119/24**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That Council:

1. Note the information in the report.

CARRIED**10.3 JANICE CASSIDY - 50 YEARS IN BUSINESS****RESOLVED OCM 120/24**

Moved: Cr Ken Keith OAM

Seconded: Cr Marg Applebee

That Council:

1. Note the information in the report.

CARRIED**10.4 VALE BOB AITKEN****RESOLVED OCM 121/24**

Moved: Cr Ken Keith OAM

Seconded: Cr George Pratt

That Council:

1. Note the passing of former Parkes Resident Mr Bob Aitken

CARRIED**10.5 VALE BARONESS GARDNER****RESOLVED OCM 122/24**

Moved: Cr Marg Applebee

Seconded: Cr Ken Keith OAM

That Council:

1. Note the information in the report.

CARRIED

10.6 MEETINGS, FUNCTIONS AND EVENTS ATTENDED BY MAYOR AND COUNCILLORS**RESOLVED OCM 123/24**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

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 22 April 2024 through to 17 May 2024.

CARRIED**10.7 COMING KNOWN EVENTS FOR MAYOR AND COUNCILLORS****RESOLVED OCM 124/24**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That Council:

1. Note the known upcoming meetings, functions and events for the Mayor and Councillors for the period 18 May 2024 through to 14 June 2024.

CARRIED**11 COUNCILLOR REPORT(S)****11.1 RURAL & REGIONAL SUMMIT 2024****RESOLVED OCM 125/24**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That:

1. Council notes the report from Councillor Marg Applebee.

CARRIED

12 REPORTS OF COMMITTEES**12.1 MINUTES OF THE AIRPORT DEVELOPMENT ADVISORY COMMITTEE MEETING
HELD ON 19 MARCH 2024****RESOLVED OCM 126/24**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That Council:

1. Receive and confirm the Minutes of the Airport Development Advisory Committee Meeting held on Tuesday 19 March 2024 appended at *Annexure A*.

CARRIED**12.2 MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD ON 8 MAY 2024****RESOLVED OCM 127/24**

Moved: Cr Ken McGrath

Seconded: Cr Marg Applebee

That Council:

1. Receive and confirm the Minutes of the Local Traffic Committee Meeting held on Wednesday 8 May 2024 appended at *Annexure A*.

CARRIED

At 2:35 pm, Andrew Francis joined the meeting.

12.3 MINUTES OF THE PARKES SPORTS COUNCIL MEETING HELD ON 14 MAY 2024**RESOLVED OCM 128/24**

Moved: Cr Ken Keith OAM

Seconded: Cr Marg Applebee

That Council:

1. Receive and confirm the Minutes of the Parkes Sports Council Meeting held on Tuesday 14 May 2024 appended at *Annexure A*.

CARRIED**13 REPORTS OF THE GENERAL MANAGER****13.1 INVESTMENTS & BORROWINGS REPORT AS AT 30 APRIL 2024****RESOLVED OCM 129/24**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That:

Receive and note the Statement of Investments and Borrowings as on 30 April 2024

CARRIED**13.2 MONTHLY FINANCIAL REPORT AS AT 30 APRIL 2024****RESOLVED OCM 130/24**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That Council:

1. Receive and note the year-to-date financial reports for the period up to 30 April 2024.

CARRIED

13.3 QUARTERLY BUDGET REVIEW AS AT 31 MARCH 2024**RESOLVED OCM 131/24**

Moved: Cr George Pratt
Seconded: Cr Marg Applebee

That Council:

1. Receive and note the budget review report to 31 March 2024
2. Adopt the budget variations proposed in the quarterly budget review to 31 March 2024

CARRIED

14 REPORTS OF THE DIRECTOR CUSTOMER, CORPORATE SERVICES AND ECONOMY**14.1 CHANGE OF MEETING DATE FOR 30 SEPTEMBER 2024 ORDINARY COUNCIL MEETING****RESOLVED OCM 132/24**

Moved: Cr Marg Applebee
Seconded: Cr Daniel Weber

That Council:

1. Adopt the change of meeting date for the 30 September 2024 meeting to now be held on Tuesday 1 October 2024, pursuant to section 365 of the Local Government Act 1993 and clause 3.1 of the Code of Meeting Practice.
2. Note that the General Manager will provide public notice of the time, date and location of each scheduled Ordinary Meeting to be held in 2024, pursuant to section 9 of the Local Government Act 1993 and clause 3.3 of the Code of Meeting Practice.

CARRIED

14.2 PARKES REGIONAL ENTERTAINMENT AND CULTURAL CENTRE FEASIBILITY STUDY**RESOLVED OCM 133/24**

Moved: Cr Marg Applebee
Seconded: Cr George Pratt

That:

1. Council receive and endorse the Parkes Regional Entertainment and Cultural Centre Feasibility Study.

CARRIED

At 2:45 pm, Georgia Smith left the meeting.

15 REPORTS OF THE DIRECTOR INFRASTRUCTURE AND SUSTAINABILITY**15.1 MAJOR PROJECTS AND CURRENT WORKS REPORT - INFRASTRUCTURE AND SUSTAINABILITY****RESOLVED OCM 134/24**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That Council:

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

CARRIED

At 2:47 pm, Georgia Smith rejoined the meeting.

15.2 INSTALLATION OF SMART METERS - PEAK HILL**RESOLVED OCM 135/24**

Moved: Cr Marg Applebee

Seconded: Cr Daniel Weber

That:

1. The report be received and noted.

CARRIED**15.3 ADOPTION OF DRAFT INDIGENOUS PARTICIPATION PLAN****RESOLVED OCM 136/24**

Moved: Cr Marg Applebee

Seconded: Cr Ken Keith OAM

That:

1. Council resolves to promote Indigenous participation in future projects; and
2. Council adopts the Indigenous Participation Plan Version 1.

CARRIED

At 2:59 pm, Andrew Francis left the meeting.

At 3:03 pm, Andrew Francis rejoined the meeting.

16 REPORTS OF THE DIRECTOR OPERATIONS**16.1 MAJOR PROJECTS AND CURRENT WORKS - OPERATIONS****RESOLVED OCM 137/24**

Moved: Cr Marg Applebee

Seconded: Cr Ken McGrath

That Council:

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

CARRIED**17 REPORTS OF THE DIRECTOR PLANNING AND COMMUNITY SERVICES****17.1 DA2024/0007 MULTI-DWELLING HOUSING - STUDENT NURSE ACCOMMODATION (ANCILLARY TO HOSPITAL)****RESOLVED OCM 138/24**

Moved: Cr Marg Applebee

Seconded: Cr Ken Keith OAM

That:

1. Council approves to waive Section 64 Headworks Developer Charges and Section 7.12 Developer Contributions for Development Application 2024/0007 for the Multi-dwelling housing for the purpose of Student Nurse Accommodation.

CARRIED**17.2 CARRINGTON HOTEL - MANGEMENT AND DEVELOPMENT PLAN****RESOLVED OCM 139/24**

Moved: Cr Marg Applebee

Seconded: Cr Ken McGrath

That:

1. Endorse the draft Carrington Hotel - Management and Development Plan and place on public exhibition for 28 days.
1. Consult directly with the appropriate local stakeholders.
2. Following exhibition of the plan, necessary amendments will be made to the document which will be subsequently reported back to Council for final adoption.

CARRIED

17.3 APRIL 2024 BUILDING STATISTICS UPDATE**RESOLVED OCM 140/24**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That:

1. Receive and note the April 2024 Building Statistics Report.

CARRIED**18 NOTICES OF MOTION/QUESTIONS WITH NOTICE**

Nil

19 CONFIDENTIAL MATTERS**RESOLVED OCM 141/24**

Moved: Cr Marg Applebee

Seconded: Cr Daniel Weber

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:

19.1 SPECIAL ACTIVATION PRECINCT DEVELOPMENT 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.

19.2 SUPPLY AND DELIVERY OF BITUMEN EMULSION (PSC2024/090)

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.

19.3 SUPPLY, DELIVERY AND/OR INSTALLATION OF GUARDRAIL AND WIRE ROPE SAFETY FENCING (PSC2024/091)

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.

19.4 BOUNDARY ADJUSTMENT - PARKES INDUSTRIAL ESTATE

This matter is considered to be confidential under Section 10A(2) - c 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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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.

19.5 PURCHASE OF LAND AT GRADDLE CREEK FOR MCGRANE WAY, TULLAMORE

This matter is considered to be confidential under Section 10A(2) - c 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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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.

19.6 PROVISION OF TRAFFIC CONTROL SERVICES (PSC2027/018)

This matter is considered to be confidential under Section 10A(2) - c 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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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 3:12 pm, the Meeting went into Closed Session.

9 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.

At 3:13 pm, Cr George Pratt left the meeting.

At 3:14 pm, Cr George Pratt rejoined the meeting.

RESOLVED OCM 142/24

Moved: Cr Ken Keith OAM

Seconded: Cr Marg Applebee

That Ordinary Council Meeting:

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

CARRIED

At 3:36 pm, the Council in Closed Session returned to Open Session.

19.1 SPECIAL ACTIVATION PRECINCT DEVELOPMENT UPDATE**RESOLVED OCM 143/24**

Moved: Cr George Pratt

Seconded: Cr Marg Applebee

That:

1. Council receives and notes the information.

CARRIED

19.2 SUPPLY AND DELIVERY OF BITUMEN EMULSION (PSC2024/090)**RESOLVED OCM 144/24**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That:

1. Council accept and sign a contract with Bitupave Ltd for the supply and delivery of bitumen emulsion, and
2. The term of the contract is 1 June 2024 to 31 May 2026, with an optional 12-month extension.
3. Advise the Central NSW Joint Organisation of its decision

CARRIED

19.3 SUPPLY, DELIVERY AND/OR INSTALLATION OF GUARDRAIL AND WIRE ROPE SAFETY FENCING (PSC2024/091)**RESOLVED OCM 145/24**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That:

1. That Council accept and sign contracts for the supply, delivery and/or installation of guardrail and wire rope safety fencing between one or more of the following:
 - RBK Pty LTD t/as Top Notch Fencing,
 - Western Safety Barriers Group Pty Ltd.
2. The term of the contract is 1 January 2024 to 31 December 2026, with an optional 12-month extension.

CARRIED**19.4 BOUNDARY ADJUSTMENT - PARKES INDUSTRIAL ESTATE****RESOLVED OCM 146/24**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That:

1. Council endorse the boundary adjustment of Lot 5 DP 1100153 for a price of \$50/m² GST inclusive and that all costs associated with the transaction be borne by the owner of the encroaching land.
2. That the seal of Council be affixed to documentation required to facilitate the transaction.

CARRIED

19.5 PURCHASE OF LAND AT GRADDLE CREEK FOR MCGRANE WAY, TULLAMORE

RESOLVED OCM 147/24

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That:

1. Council agree to purchase the land to facilitate the construction of Graddle Creek Bridge on the McGrane Way.
2. Council authorise the General Manager and Director Operations to negotiate the purchase price of the land based on market valuation and ex-gratia payment in accordance with this report.
3. Endorse and affix the Council Seal to all documentation as required to facilitate the process of road realignment.

CARRIED

19.6 PROVISION OF TRAFFIC CONTROL SERVICES (PSC2027/018)

RESOLVED OCM 148/24

Moved: Cr Ken Keith OAM

Seconded: Cr Ken McGrath

That:

1. That Council accept and sign contracts for the supply of traffic control services between one or more of the following under a panel arrangement:
 - WorkControl Pty Ltd
 - Go Traffic Pty Ltd
2. The term of the contract is 03 June 2024 to 30 June 2025, with a 2x optional 12-month extension.

CARRIED

20 CONCLUSION OF MEETING

The meeting concluded at 3:37 pm.

This is the final page of the minutes comprising 19 pages numbered 1 to 19 of the Ordinary Council Meeting held on Tuesday, 21 May 2024 and confirmed on Tuesday, 18 June 2024.



MAYOR