

Ordinary Council Meeting

Minutes

Tuesday 15 April 2025



Minutes of the Ordinary Council Meeting
Held on Tuesday, 15 April 2025 at the
Parkes Council Chamber, 2 Cecile Street, Parkes

Present:

Cr Neil Westcott	Councillor (Chairperson)
Cr Marg Applebee	Councillor (Deputy Chair)
Cr Ken McGrath	Councillor
Cr Louise O'Leary	Councillor
Cr Joy Paddison	Councillor
Cr Doug Pout	Councillor
Cr George Pratt	Councillor
Cr Matthew Scherer	Councillor
Cr Glenn Wilson	Councillor

Council Officers in Attendance:

Mr Kent Boyd PSM	General Manager
Mrs Annalise Teale	Acting Director Planning and Community Services
Mr Anthony McGrath	Director Customer, Corporate Services and Economy
Mr Graeme Bayliss	Acting Director Infrastructure and Sustainability
Mr Jaco Barnard	Chief Financial Officer
Mrs Toni Lennane	Executive and Councillor Support Coordinator (Minute Secretary)
Ms Bronte Thompson	Business Services Trainee

NOTES

The meeting commenced at 3:04 pm and concluded at 5:00 pm.

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1 OPENING OF MEETING

The Mayor declared the Ordinary Council Meeting of Tuesday 15 April 2025 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

Cr O'Leary 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:

Almighty God,
We ask for your blessing upon this Council,
Direct and prosper our deliberations,
For the true welfare of the people of the Parkes Shire and beyond.

AMEN

4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE

Cr William Jayet

5 APPLICATIONS TO ATTEND BY AUDIO-VISUAL LINK

Nil

6 CONFIRMATION OF MINUTES

6.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 18 MARCH 2025

RESOLVED OCM 099/25

Moved: Cr Doug Pout
Seconded: Cr George Pratt

That Ordinary Council Meeting receive and confirm the Minutes of the Ordinary Council Meeting held on Tuesday 18 March 2025 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.

Cr Louise O'Leary disclosed a less than significant non-pecuniary interest in relation to item 14.3 Request for Financial Assistance - Parkes Hockey Incorporated and chose to remain in the meeting, participate in debate and discussion on the matter, and vote on the matter. The reason provided was:

"I am a financial and playing member of Parkes Hockey Inc."

Cr Louise O'Leary disclosed a less than significant non-pecuniary interest in relation to item 19.4 Request to Waive Interest Charges - Payment Plan Agreement - Parkes Hockey Inc. and chose to remain in the meeting, participate in debate and discussion on the matter, and vote on the matter. The reason provided was:

"I am a financial and playing member of Parkes Hockey Inc."

General Manager Kent Boyd disclosed a significant non-pecuniary interest in relation to item 19.5 Code of Conduct Matter and chose to leave the room. The reason provided was:

"As per Clause 7.49 of the Administrative Procedures of the Code of Conduct Policy."

Cr Marg Applebee disclosed a significant non-pecuniary interest in relation to item 19.5 Code of Conduct Matter and chose to leave the room. The reason provided was:

"As per Clause 7.49 of the Administrative Procedures of the Code of Conduct Policy."

Cr Doug Pout disclosed a less than significant non-pecuniary interest in relation to item 19.5 Code of Conduct Matter and chose to remain in the meeting, participate in debate and discussion on the matter, and vote on the matter. The reason provided was:

"I provided a statement in relation to the matter."

Cr Glenn Wilson disclosed a significant non-pecuniary interest in relation to item 19.5 Code of Conduct Matter and chose to leave the room. The reason provided was:

"As per Clause 7.51 of the Administrative Procedures of the Code of Conduct Policy."

8 LATE BUSINESS

The Mayor advised that no late items of business had been submitted to the meeting.

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, byway 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 100/25

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

Open Matters:

- 10.1 Mayoral Meetings with NSW Government matters.
- 10.2 Country Mayors Association: Minutes from the Meeting held on 28 March 2025.
- 10.4 Parkes Library Ambassadors Induction Company.
- 10.5 Community Fibre Arts Exhibition Official Opening.
- 10.6 Meetings, Functions and Events Attended by Mayor and Councillors.
- 10.7 Coming Known Events for Mayors and Councillors.
- 11.1 Country Council's ARIC Conference on 4 April 2025.
- 12.1 Minutes of the Audit, Risk and Improvement Committee Meeting held on 26 February 2025.
- 12.2 Minutes of the Waste Advisory Committee Meeting held on 18 March 2025.
- 12.3 Minutes of the Community, Liveability and Access Advisory Committee Meeting held on 18 March 2025.
- 12.4 Minutes of the Economy, Destination and Events Advisory Committee Meeting held on 1 April 2025.
- 12.5 Minutes of the Parkes Sports Council Meeting held on 8 April 2025.
- 13.1 Statutory Review of Organisation Structure.
- 14.1 Adoption of Council Policies - Community Infrastructure Projects.
- 14.2 Public Exhibition of Draft Parkes Shire Council Events Strategy.
- 16.3 Classification of SAP transferred land as Operational.
- 17.2 NSW Public Libraries Association Central West Zone Meeting.
- 17.3 March 2025 Building Statistics Update.

Closed Matters:

- 19.3 Henry Parkes Centre Car Museum - Vehicle Ownership Dispute.

CARRIED

10 MAYORAL MINUTE(S)**10.1 MAYORAL MEETINGS WITH NSW GOVERNMENT MINISTERS****RESOLVED OCM 101/25**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That Council:

1. Write to the Local Member Mr Phil Donato MP to express our appreciation to him and his staff for facilitating the meetings and hosting the Parkes Council Executive in Parliament on 19 March 2025 and 28 March 2025.
2. Write to each Minister with an invitation to visit Parkes and the wider region.
3. Write to each Minister and reiterate the requests made at the meeting.

CARRIED**10.2 COUNTRY MAYORS ASSOCIATION: MINUTES FROM THE MEETING HELD ON 28 MARCH 2025****RESOLVED OCM 102/25**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That Council:

1. Receive and note the Minutes from the Country Mayors Association meeting held on 28 March 2025.

CARRIED**10.3 AUNTY RHONDA TOWNEY - FINALIST IN THE NSW ABORIGINAL WOMAN OF THE YEAR 2025 AWARDS****RESOLVED OCM 103/25**

Moved: Cr Marg Applebee

Seconded: Cr Louise O'Leary

That Council:

1. Write a letter to Aunty Rhonda Towney congratulating her on being a finalist in the NSW Aboriginal Woman of the Year 2025 Awards.

CARRIED

10.4 PARKES LIBRARY AMBASSADORS' INDUCTION CEREMONY**RESOLVED OCM 104/25**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That Council:

1. Receive and note this Mayoral Minute from the Induction of 2025 Parkes Library Ambassadors.

CARRIED**10.5 COMMUNITY FIBRE ARTS EXHIBITION OFFICIAL OPENING****RESOLVED OCM 105/25**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That Council:

1. Receive and note this Mayoral Minute on the official opening of the Community Fibre Arts Exhibition.

CARRIED**10.6 MEETINGS, FUNCTIONS AND EVENTS ATTENDED BY MAYOR AND COUNCILLORS****RESOLVED OCM 106/25**

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 15 March 2025 through to 11 April 2025.

CARRIED

10.7 COMING KNOWN EVENTS FOR MAYOR AND COUNCILLORS**RESOLVED OCM 107/25**

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 11 April to 16 May 2025.

CARRIED**11 COUNCILLOR REPORT(S)****11.1 COUNTRY COUNCIL'S ARIC CONFERENCE ON 4 APRIL 2025****RESOLVED OCM 108/25**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That Council:

1. Note the information in the report about the Country Council's ARIC Conference on 4 April 2025 hosted by Gilgandra Shire Council.

CARRIED**12 REPORTS OF COMMITTEES****12.1 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 26 FEBRUARY 2025****RESOLVED OCM 109/25**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That Council:

1. Receive and confirm the Minutes of the Audit, Risk and Improvement Committee Meeting held on Wednesday 26 February 2025 appended at *Annexure A*.

CARRIED

12.2 MINUTES OF THE WASTE ADVISORY COMMITTEE MEETING HELD ON 18 MARCH 2025**RESOLVED OCM 110/25**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That Council:

1. Receive and confirm the Minutes of the Waste Advisory Committee Meeting held on Tuesday 18 March 2025 appended at *Annexure A*.

CARRIED**12.3 MINUTES OF THE COMMUNITY, LIVEABILITY AND ACCESS ADVISORY COMMITTEE MEETING HELD ON 18 MARCH 2025****RESOLVED OCM 111/25**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That Council:

1. Receive and confirm the Minutes of the Community, Liveability and Access Advisory Committee Meeting held on Tuesday 18 March 2025 appended at *Annexure A*.

CARRIED**12.4 MINUTES OF THE ECONOMY, DESTINATION AND EVENTS ADVISORY COMMITTEE MEETING HELD ON 1 APRIL 2025****RESOLVED OCM 112/25**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That Council:

1. Receive and confirm the Minutes of the Economy, Destination and Events Advisory Committee Meeting held on Tuesday 1 April 2025 appended at *Annexure A*.

CARRIED

12.5 MINUTES OF THE PARKES SPORTS COUNCIL MEETING HELD ON 8 APRIL 2025**RESOLVED OCM 113/25**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That Council:

1. Receive and confirm the Minutes of the Parkes Sports Council Meeting held on Tuesday 8 April 2025 appended at *Annexure A*.

CARRIED**13 REPORTS OF THE GENERAL MANAGER****13.1 STATUTORY REVIEW OF ORGANISATION STRUCTURE****RESOLVED OCM 114/25**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That Council:

1. Endorses the current four (4) Directorate Organisational Structure supported by the Chief Financial Officer for Parkes Shire Council with functions and responsibilities detailed in the report as determined by the General Manager and as attached at *Annexure A*.

CARRIED**13.2 INVESTMENTS AND BORROWINGS REPORT AS AT 31 MARCH 2025****RESOLVED OCM 115/25**

Moved: Cr Neil Westcott

Seconded: Cr George Pratt

That:

1. Receive and note the Statement of Investments and Borrowings as on 31 March 2025

CARRIED

13.3 MONTHLY FINANCIAL REPORTS AS AT 31 MARCH 2025**RESOLVED OCM 116/25**

Moved: Cr Neil Westcott

Seconded: Cr Louise O'Leary

That Council:

1. Receive and note the year-to-date financial reports for the period up to 31 March 2025 and initiate discussions around the prioritisation of non-essential services and events to reduce the anticipated loss of \$7.2m.

CARRIED**14 REPORTS OF THE DIRECTOR CUSTOMER, CORPORATE SERVICES AND ECONOMY****14.1 ADOPTION OF COUNCIL POLICIES - COMMUNITY INFRASTRUCTURE PROJECTS****RESOLVED OCM 117/25**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That Council:

1. Adopt the Community Infrastructure policy included as *Annexure A* to this report.
2. Publish the adopted policy on Council's Website and intranet.

CARRIED**14.2 PUBLIC EXHIBITION OF DRAFT PARKES SHIRE COUNCIL EVENTS STRATEGY****RESOLVED OCM 118/25**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That Council:

1. Endorse the public exhibition of the draft Parkes Shire Council Events Strategy, appended at *Annexure A*, for a period of 28 days.
2. Receive a further report concerning the adoption of the draft Parkes Shire Council Events Strategy following conclusion of the public exhibition period.

CARRIED

14.3 REQUEST FOR FINANCIAL ASSISTANCE - PARKES HOCKEY INCORPORATED**RESOLVED OCM 119/25**

Moved: Cr Marg Applebee

Seconded: Cr Doug Pout

That:

1. Council provides public notice of its intention to allocate up to \$2,700.00 in financial assistance from the Parkes Town Improvement Fund ("TIF") to Parkes Hockey Incorporated to support the delivery of the 2025 Under 14s NSW State Hockey Championships. This funding is intended to cover costs associated with portable toilet hire, generators, staff assistance, and waste management.
2. Approve the allocation of up to \$2,700.00 from the Parkes TIF to the Parkes Hockey Incorporated for the abovementioned purposes, subject to no formal submissions being received that object to the proposed financial assistance.

CARRIED

At 3:25 pm, Mayor Neil Westcott adjourned the meeting so that sound issues could be resolved.

At 3:36 pm, Mayor Neil Westcott recommenced the meeting.

14.4 REQUEST FOR FINANCIAL ASSISTANCE - TULLAMORE SHOW CELEBRATING 100 YEARS**RESOLVED OCM 120/25**

Moved: Cr Doug Pout

Seconded: Cr Marg Applebee

That:

1. Council provides public notice of its intention to provide up to \$10,000.00 in financial assistance from the Tullamore Town Improvement Fund ("TIF") to Tullamore PA&H Association Incorporated to support the delivery of the 2025 Tullamore Show's Centenary Celebration. This funding will cover costs associated with event activities and entertainment, including fireworks, jumping castles, facepainting, and science workshops.
2. Approve the allocation of up to \$10,000.00 from the Tullamore TIF to the Tullamore PA&H Association Incorporated for the abovementioned purposes, subject to no formal submissions being received that object to the proposed financial assistance.

CARRIED

15 REPORTS OF THE DIRECTOR INFRASTRUCTURE AND SUSTAINABILITY**15.1 MAJOR PROJECTS AND CURRENT WORKS - INFRASTRUCTURE AND SUSTAINABILITY****RESOLVED OCM 121/25**

Moved: Cr Joy Paddison

Seconded: Cr Louise O'Leary

That Council:

1. Receive and note the Infrastructure and Sustainability Major Projects and Current Works Report for March 2025, appended at *Annexure A*.

CARRIED**16 REPORTS OF THE DIRECTOR OPERATIONS****16.1 PARKES COMMUNITY ARTS REQUEST TO USE FORMER ALBERT STREET FILTRATION PLANT SITE****RESOLVED OCM 122/25**

Moved: Cr Neil Westcott

Seconded: Cr Ken McGrath

That:

1. Council endorses the request from Parkes Community Arts to create an Art and Sustainability Hub and Workshop Space at the former Albert Street Water Filtration Plant site.
2. In accordance with the Resolution of Council dated 18 March 2025, the premises formally known as the Water Treatment Plant, Albert Street Parkes be offered lease fee exempt per year for the first three (3) years to establish the venture commencing 1 July 2025 and be reviewed at that time with the intent of levying fees appropriate to the financial situation of the Community Group with an accompanying report brought back to Council.

CARRIED**16.2 PARKES REGIONAL AIRPORT MASTER PLAN****RESOLVED OCM 123/25**

Moved: Cr Marg Applebee

Seconded: Cr Louise O'Leary

That:

1. Council adopts the Parkes Regional Airport Master Plan 2024-2044 and place it on to Council's web site.

CARRIED

16.3 CLASSIFICATION OF SAP TRANSFERRED LAND AS OPERATIONAL**RESOLVED OCM 124/25**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That:

1. Council classify Lot 65 DP 1300797 and Lot 82 DP 1300800 as Operational Land.

CARRIED**16.4 MAJOR PROJECTS AND CURRENT WORKS - OPERATIONS****RESOLVED OCM 125/25**

Moved: Cr Marg Applebee

Seconded: Cr Doug Pout

That Council:

1. Receive and note the Operations Major Projects and Current Works Report for March 2025, appended at *Annexure A*.

CARRIED**17 REPORTS OF THE DIRECTOR PLANNING AND COMMUNITY SERVICES****17.1 PARKES SHIRE HOUSING STRATEGY (2021-2041) - 2025 UPDATE****RESOLVED OCM 126/25**

Moved: Cr Marg Applebee

Seconded: Cr Louise O'Leary

That:

1. The public submissions made in relation to the Draft Parkes Shire Housing Strategy 2021-2041 (2025 Update) are received and noted.
2. The Draft Parkes Shire Housing Strategy 2021-2041 (2025 Update) is adopted and placed on to Council's web site.

CARRIED

17.2 NSW PUBLIC LIBRARIES ASSOCIATION CENTRAL WEST ZONE MEETING**RESOLVED OCM 127/25**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That:

1. Council receive and note this report from the NSW Public Libraries Australia (PLA) Central West Zone Meeting.

CARRIED**17.3 MARCH 2025 BUILDING STATISTICS UPDATE****RESOLVED OCM 128/25**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That:

1. Receive and note the March 2025 Building Statistics Report.

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

Nil

19 CONFIDENTIAL MATTERS

RESOLVED OCM 129/25

Moved: Cr Doug Pout

Seconded: Cr Louise O'Leary

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 SALE OF INDUSTRIAL ESTATE LAND

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.

19.2 WASTE MANAGEMENT SERVICES - JOINT PROCUREMENT 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.

19.3 HENRY PARKES CENTRE CAR MUSEUM - VEHICLE OWNERSHIP DISPUTE

This matter is considered to be confidential under Section 10A(2) - b 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 discussion in relation to the personal hardship of a resident or ratepayer.

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 REQUEST TO WAIVE INTEREST CHARGES - PAYMENT PLAN AGREEMENT - PARKES HOCKEY INC.

This matter is considered to be confidential under Section 10A(2) - f 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 details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

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 CODE OF CONDUCT MATTER

This matter is considered to be confidential under Section 10A(2) - 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 alleged contraventions of any code of conduct requirements applicable under section 440.

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 3:54 pm, the Meeting went into Closed Session.

19.1 SALE OF INDUSTRIAL ESTATE LAND**RESOLVED OCM 130/25**

Moved: Cr Ken McGrath

Seconded: Cr George Pratt

That:

1. That Council auction Lot 11 DP 1305621 through Ray White Real Estate with a reserve of \$95 per square metre plus GST.

CARRIED

19.2 WASTE MANAGEMENT SERVICES - JOINT PROCUREMENT PROJECT**RESOLVED OCM 131/25**

Moved: Cr Doug Pout

Seconded: Cr Ken McGrath

That:

1. Council accepts the Waste Management Services Procurement Planning Summary Report (Annexure A)
 2. Council extends the current waste collection and recycling processing services contract with JR & EG Richards Pty Ltd until midnight 19 March, 2028, in accordance with the contract
-

3. Council enters into the Netwaste Procurement Group Agreement with the 'Orange Group of Councils' (including Bathurst Regional Council, Blayney Shire Council, Cabonne Council, Forbes Shire Council, Orange City Council and Parkes Shire Council):
 - (a) delegate authority to the GM to finalise the details of the Agreement and execute;
 - (b) to establish the Project Control Group to facilitate the achievement of the objectives contemplated by the draft Agreement;
 - (c) to give the Project Control Group the decision-making powers contemplated by clause 4.1 of the draft Agreement and the authority to conduct the tender processes contemplated by the draft Agreement (in both cases subject to any minor amendments negotiated by the Councils);
 - (d) make any required application to the Office of Local Government for approval under section 358 of the Local Government Act 1993 (NSW) in relation to the Joint Procurement Group; and
 - (e) finalise and submit the application to the Australian Competition & Consumer Commission (ACCC) in relation to the Joint Procurement Group.
4. Council procure waste management services as part of the joint procurement process. Specifically, this includes the services to be configured as:
 - (a) Waste Collection Services for:
 - (i) 240 L weekly organics waste;
 - (ii) 240 L fortnightly recycling waste; and
 - (iii) 240 L fortnightly garbage;and including variable collection services and other collection service components (such as bulky clean up collection services), as appropriate
 - (b) RFT B Recycling Processing Services
 - (c) RFT C Organics Processing Services
for 10 year service terms
5. Council's procurement policy is waived for procuring the relevant waste management services as part of the Netwaste joint procurement process; and
6. a report be returned to Council following the tender process, regarding the outcome and recommendations of the tender evaluation.

CARRIED

19.3 HENRY PARKES CENTRE CAR MUSEUM - VEHICLE OWNERSHIP DISPUTE

RESOLVED OCM 132/25

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That:

1. The information be received and noted.

CARRIED

19.4 REQUEST TO WAIVE INTEREST CHARGES - PAYMENT PLAN AGREEMENT - PARKES HOCKEY INC.**RESOLVED OCM 133/25**

Moved: Cr Louise O'Leary

Seconded: Cr Marg Applebee

That Council:

1. Endorse the proposed payment plan for Parkes Hockey Inc. to pay the remaining contribution towards the Stephen Davies Field upgrade and waive all future interest charges, provided that the payments are made on time in accord with the agreement.

CARRIED**19.5 CODE OF CONDUCT MATTER****RESOLVED OCM 134/25**

Moved: Cr Neil Westcott

Seconded: Cr Doug Pout

That in relation to the report "Code of Conduct Matter," Council:

1. Not adopt the investigator's recommendation to formally censure Councillor Wilson for the breach under section 440G of the Act due to the seriousness of the breach that warrants further penalties to be considered by the Office of Local Government.
2. Under Section 7.58 of the Procedures for the Administration of the Code of Conduct, Council formally censure Cr Wilson for the breach under section 440G of the Local Government and that the matter be referred to the Office of Local Government for further action under the misconduct provisions of the Local Government Act.
3. Under Section 7.59 of the Procedures for the Administration of the Code of Conduct the grounds on which Council is satisfied that the Councillor should be censured are:

COMPLAINT 1.

Allegation 1: In a community flyer circulated by letter box drop during the election campaign, Councillor Wilson made allegations that Executive staff of Council had engaged in covert, indirect, and deceptive dealings, and bypassed official procedures and/or regulations, inappropriately involving himself in staffing and operational matters of Council.

Allegation 2: On 7 September 2024, in an election blog entitled 'Parkes Shire Swimming Pools Secret History And Cost To Ratepayers', Councillor Wilson circulated misleading information and made allegations against Council employees of covert, indirect or deceptive dealings, or bypassing official procedures or regulations, inappropriately involving himself in staffing and operational matters of Council.

Allegation 3: On 8 September 2024, in an election blog entitled 'Elvis 2024 Was Sailing To The Rocks To Crash', Councillor Wilson circulated misleading information and inappropriately disclosed private Council personnel details and involved himself in staffing and operational matters of Council.

Allegation 4: On 8 September 2024, in an election blog entitled 'Roundabout on Condobolin Road and Middleton Street \$98,000 Wasted', Councillor Wilson disclosed information that was untrue and misleading with respect to Council employees and

inappropriately and unjustifiably criticised Council employees, including engineers and road builders.

Allegation 5: On 12 September 2024, in an election blog entitled 'Who Are The Real Bullies And What Really Happens', Councillor Wilson disclosed confidential information with respect to a Code of Conduct Complaint, disclosed information that was untrue and misleading, inappropriately criticised and defamed both an employee of Council and Councillor Applebee and engaged in harassing conduct.

Complaint 1 Findings

With respect to Allegations 1,2,3 and 4: On the evidence, Councillor Wilson's conduct was in breach of his obligations under the Council's Code of Conduct including:

Clause 3.1 General Conduct (now clause 5.1.1 in v13 of the Code dated 16/2/2025) - You must not conduct yourself in a manner that:

- (a) is likely to bring the Council or other Council Officials into disrepute,
- (e) causes, compromises, or involves intimidation or verbal abuse and

Clause 7.6 Inappropriate Interactions (now clause 9.3.1 in v13 of the Code dated 16/2/2025) - You must not engage in any of the following inappropriate interactions:

- (h) Councillors and administrators making personal attacks on Council staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 (now Part 5 in v13 of the Code dated 16/2/2025) of this Code in public forums including social media.

With respect to Allegation 5: On the evidence, Councillor Wilson's conduct was in breach of his obligations under the Code:

- Clause 9.3 (now 11.2.1 in v13 of the Code dated 16/2/2025) - You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this Code.

COMPLAINT 2:

Allegation 1: That Councillor Wilson physically intimidated and threatened Councillor Applebee at a meeting of Councillors on 5 November 2024.

Complaint 2 Findings:

On the evidence, Councillor Wilson's conduct was in breach of his obligations under the Code, including:

Clause 3.1 General Conduct (now clause 5.1.1 in v13 of the Code dated 16/2/2025) - You must not conduct yourself in a manner that:

- (b) is contrary to statutory requirements or the Council's administrative requirements or policies, and
- (e) causes, comprises, or involves intimidation or verbal abuse and

Clause 3.12 (now clause 5.5.1 in v13 of the Code dated 16/2/2025) All Council Officials, including Councillors, owe statutory duties under the Work Health and Safety Act 2011 (WHS Act). You must comply with your duties under the

WHS Act and your responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety. Specifically, you must:

b) take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons.

In Favour: Crs Neil Westcott, Louise O'Leary, Doug Pout and George Pratt

Against: Crs Ken McGrath, Joy Paddison and Matthew Scherer

CARRIED 4/3

RESOLVED OCM 135/25

Moved: Cr Doug Pout

Seconded: Cr Louise O'Leary

That Ordinary Council Meeting:

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

CARRIED

At 4:54 pm, the Council in Closed Session returned to Open Session.

20 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.

21 CONCLUSION OF MEETING

The meeting concluded at 5:00 pm.

This is the final page of the minutes comprising 23 pages numbered 1 to 23 of the Ordinary Council Meeting held on Tuesday, 15 April 2025 and confirmed on Tuesday, 20 May 2025.



MAYOR