

Ordinary Council Meeting Business Paper

Pursuant to section 9 of the *Local Government Act 1993*, notice is hereby given that an Ordinary Council Meeting of Parkes Shire Council will be held in the Parkes Council Chamber, 2 Cecile Street, Parkes, on Tuesday 24 January 2023 at 2:00pm.

Kent Boyd PSM GENERAL MANAGER

Governing Body

Composition:	Ten (10) Councillors
Membership: Quorum:	Councillor W Jayet, Councillor M Applebee, Councillor J Cass, Councillor K McGrath, Councillor L O'Leary, Councillor G Pratt, Councillor D Weber, Councillor G Wilson 6 Councillors
Chairperson:	Councillor K Keith OAM
Deputy Chairperson:	Councillor N Westcott

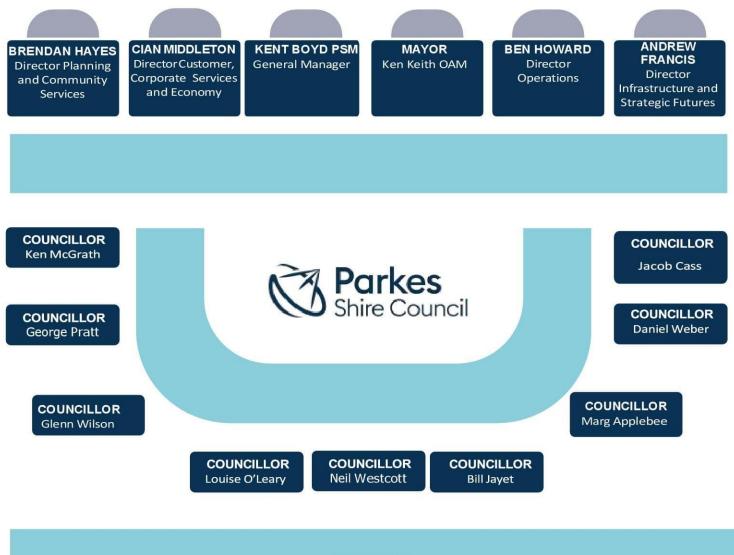
Pursuant to section 223 of the *Local Government Act 1993*, the role of Parkes Shire Council's governing body is:

- To direct and control the affairs of Parkes Shire Council in accordance with the *Local Government Act 1993*, in consultation with the General Manager.
- To provide effective civic leadership to the local community.
- To ensure as far as practicable the financial sustainability of the Council.
- To ensure as far as practicable that the Council acts in accordance with the principles set out in Chapter 3 of the *Local Government Act 1993* and other strategic plans, programs, strategies and policies of the Council.
- To determine and adopt a rating and revenue policy and Operational Plans that support the optimal allocation of the Council's resources to implement the strategic plans (including the Community Strategic Plan) of the Council and for the benefit of the local area.
- To keep under review the performance of the Council, including service delivery.
- To make decisions necessary for the proper exercise of the Council's regulatory functions.
- To determine the process for appointment of the General Manager by the Council and to monitor the General Manager's performance.
- To determine the senior staff positions within the organisation structure of the Council, following consultation with the General Manager.
- To consult regularly with community organisations and other key stakeholders and keep them informed of the Council's decisions and activities.
- To be responsible for ensuring that the Council acts honestly, efficiently and appropriately.

Matters determined by meetings of Parkes Shire Council's governing body will include all those non-delegable functions identified in section 377 of the *Local Government Act 1993*.







PUBLIC GALLERY

Parkes Shire Council ABN 96 299 629 630

2 Cecile Street (PO Box 337) Parkes NSW 2870 T 02 6861 2325 F 02 6862 3946 council@parkes.nsw.gov.au parkes.nsw.gov.au



Guiding Principles

In accordance with section 8A of the *Local Government Act 1993*, Councillors are reminded of the guiding principles applicable to decision-making by local councils:

- Councils should recognise diverse local community needs and interests.
- Councils should consider social justice principles.
- Councils should consider the long-term and cumulative effects of actions on future generations.
- Councils should consider the principles of ecologically sustainable development.
- Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

Statement of Ethical Obligations

In accordance with clause 3.22 of Council's Code of Meeting Practice, Councillors are reminded of their Oath or Affirmation of Office made under section 233A of the Act and their obligations under Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

Oath or Affirmation of Office

The Oath or Affirmation is taken by each Councillor whereby they swear or declare to undertake the duties of the office of Councillor in the best interests of the people of the Parkes Shire and Parkes Shire Council and that they will faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the *Local Government Act 1993* or any other Act to the best of their ability and judgment.

Conflicts of Interest

All Councillors must declare and manage any conflicts of interest they may have in matters being considered at Council meetings in accordance with the Council's Code of Conduct. All declarations of conflicts of interest and how the conflict of interest was managed will be recorded in the minutes of the meeting at which the declaration was made.

Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with Council's Code of Conduct. Where a Councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the Councillor's audio-visual link to the meeting will be suspended or terminated for the time during which the matter is being considered or discussed by Council, or at any time during which Council is voting on the matter.

Councillors should ensure that they are familiar with Parts 4 and 5 of Council's Code of Conduct in relation to their obligations to declare and manage conflicts of interests.



Order of Business

1	OPENING OF MEETING		
2	ACKNOWLEDGEMENT OF COUNTRY1		
3	PRAYER2		
4	APOLO	GIES AND APPLICATIONS FOR A LEAVE OF ABSENCE	2
5	APPLIC	ATIONS TO ATTEND BY AUDIO-VISUAL LINK	2
6	CONFIF	RMATION OF MINUTES	3
	6.1	Minutes of the Ordinary Ordinary Council Meeting Meeting held on 20 December 2022	3
7	DISCLO	SURES OF INTERESTS	. 27
8	LATE B	USINESS	. 28
9	MAYOR	AL MINUTE(S)	. 29
	9.1	Meetings, Functions and Events attended by Mayor and Councillors	. 29
	9.2	Coming Known Events for Mayor and Councillors	. 32
10	REPOR	TS OF COMMITTEES	. 35
	10.1	Minutes of the Culture, Education and Library Meeting held on 10 January 2023	. 35
	10.2	Minutes of the Extraordinary Local Traffic Committee Meeting Meeting held on 25 November 2022	. 39
	10.3	Minutes of the Extraordinary Local Traffic Committee Meeting Meeting held on 12 January 2023	. 50
11	REPOR	TS OF THE GENERAL MANAGER	. 56
	11.1	Statement of Investments and Borrowings as at 31 December 2022	. 56
	11.2	Adoption of Draft Financial Reserves Policy	. 60
12	REPOR ECONO	TS OF THE DIRECTOR CUSTOMER, CORPORATE SERVICES AND MY	. 75
	12.1	Adoption of draft Councillor Access to Information and Interaction with Staff	75
	40.0	Policy	
	12.2	Annual Code of Conduct Complaint Statistical Return 2022	. 94
	12.3	Amendment to Operational Plan - Central West Family Day Care Fees and Charges	. 99
	12.4	Appointment of Councillor Delegates to 2023 Conferences	101
	12.5	Conduct of the 2024 Local Government Ordinary Election	104
	12.6	Australian Local Government Association (ALGA) 2023 National General Assembly Call for Motions	116
	12.7	Request to use additional Tullamore Town Improvement Funds for Memorial Park Amenities Upgrade	139
13	REPOR	TS OF THE DIRECTOR INFRASTRUCTURE AND STRATEGIC FUTURES	142
	13.1	Major Projects and Current Works Report - Infrastructure and Strategic Futures	142

	13.2	Water Usage Rebate for Affect Residents	. 144
14	REPOR	TS OF THE DIRECTOR OPERATIONS	. 146
	14.1	Major Projects and Current Works - Operations	. 146
15	REPOR	TS OF THE DIRECTOR PLANNING AND COMMUNITY SERVICES	. 149
	15.1	December 2022 Building Statistics Report	. 149
	15.2	Development Activity Report and Growth Monitor 2022	. 156
	15.3	Rangers Quarterly Report October to December 2022	. 186
	15.4	Use of Parkes Town Improvement Funds for Development of Cooke Park Masterplan	. 189
16	NOTICE	ES OF MOTION/QUESTIONS WITH NOTICE	. 190
17	CONFIL	DENTIAL MATTERS	. 191
	17.1	Parkes Early Childhood Centre	. 191
	17.2	Management of the 2023 Trundle ABBA Festival	. 191
	17.3	Final Distribution - Lehman Brothers Australia	. 191
	17.4	Project Management Office - Services Tender	. 191
	17.5	Australia Day Awards	. 192
18		T OF CONFIDENTIAL RESOLUTIONS	193



1 OPENING OF MEETING

In the spirit of open, accessible and transparent government, meetings of Parkes Shire Council are video recorded and webcast, consistent with Council's Code of Meeting Practice and the *Local Government Act 1993*.

Council accepts no liability for any defamatory, discriminatory or offensive remarks or gestures made during the course of meetings. Opinions expressed or statements made by individual participants are the opinions or statements of those individuals, and do not imply any form of endorsement by Council.

Closed sessions of Council meetings are not video recorded or webcast.

Recordings and webcasts are protected by copyright and owned by Council, and published to Council's website. No part may be copied, recorded, reproduced or transmitted without the prior written consent of the General Manager. Any recording or webcast is not, and shall not, be taken to be an official record of Council or discussion depicted therein. Only the official minutes may be relied upon as an official record of the meeting.

Authorised media representatives are permitted to record meetings provided written notice has been lodged. A person may be expelled from a meeting for recording without notice. Recordings may only be used for the purpose of accuracy of reporting and are not for broadcast, or to be shared publicly. No recordings of any private third-party conversations or comments of anyone within the Chamber are permitted.

Please ensure that mobile phones and other electronic devised are turned off or are in silent mode for the duration of the meeting.

Under Council's Code of Meeting Practice, individuals acting in a disorderly manner can be asked by the Chairperson to leave the meeting.

2 ACKNOWLEDGEMENT OF COUNTRY

The Mayor will invite a Councillor to deliver an Acknowledgement of Country:

Parkes Shire Council acknowledges the Wiradjuri People who are the Traditional Custodians of the Land. I would also like to pay respect to the Elders past, present and emerging of the Wiradjuri Nation and extend that respect to other Aboriginal peoples from other nations who are present.

Alternatively, the Councillor may deliver the following Acknowledgement of Country in Wiradjuri language, which has been provided by Mr Geoff Anderson, a Wiradjuri Elder resident of the Parkes Shire:

Wiradjuri language	English translation
Badhu yinganha yindyamarra-gu Wiradjuri mayiny bu Wiradjuri manhang	I give respect to Wiradjuri people and Wiradjuri soil.
Badhu gulbarra ngali Yama Wiradjuri ngurambang bu ngali garrariwibarra gu marambir Niiringal	I understand we are on Wiradjuri country and can work together to a better tomorrow.
Mandaang guwu	Thank you.



3 PRAYER

4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE

In accordance with clauses 5.3, 5.4 and 5.5 of Council's Code of Meeting Practice, apologies must be received and accepted from absent Councillors and a leave of absence from the Council Meeting may be granted.

5 APPLICATIONS TO ATTEND BY AUDIO-VISUAL LINK

In accordance with clauses 5.18 and 5.19 of Council's Code of Meeting Practice, Councillors may attend and participate in meetings by audio-visual link with the approval of the Council.

Requests by Councillors for approval to attend a meeting by audio-visual link must be made in writing to the General Manager prior to the meeting in question and provide reasons why the Councillor will be presented from attending the meeting in person.

Councillors attending a meeting by audio-visual link are reminded that they must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the *Local Government Act 1993*.

Note: Consistent with clause 5.43 of Council's Code of Meeting Practice, attendance by Council staff at meetings of the Council by audio-visual link shall be with the approval of the General Manager.



6 CONFIRMATION OF MINUTES

6.1 MINUTES OF THE ORDINARY ORDINARY COUNCIL MEETING MEETING HELD ON 20 DECEMBER 2022

IP&R Linkage: Pillar: Leadership

Goal: Our local government is open, accountable and transparent.

Strategy: Provide open and transparent decision-making and undertake the civic duties of Council with professionalism and integrity.

Annexures: A. Ordinary Ordinary Council Meeting Meeting Minutes - 20 December 2022

RECOMMENDATION

That Ordinary Council Meeting:

1. Receive and confirm the Minutes of the Ordinary Ordinary Council Meeting Meeting held on Tuesday 20 December 2022 appended at *Annexure A.*



Ordinary Council Meeting

Minutes Tuesday 20 December 2022



parkes.nsw.gov.au



Minutes of the Ordinary Council Meeting Held on Tuesday, 20 December 2022 at the Parkes Council Chamber, 2 Cecile Street, Parkes

Present:

Cr Ken Keith OAM	Councillor (Chairperson)
Cr Neil Westcott	Councillor (Deputy Chairperson)
Cr William Jayet	Councillor
Cr Marg Applebee	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 Cian Middleton	Director Customer, Corporate Services and Economy
Mr Andrew Francis	Director Infrastructure and Strategic Futures
Mr Ben Howard	Director Operations
Mr Brendan Hayes	Director Planning and Community Services
Mr Luke Nash	Chief Financial Officer (Acting)
Mr Anthony McGrath	Executive Manager Corporate Services
Mrs Shona Henry	Minutes Secretary

NOTES

The meeting commenced at 2.00pm and concluded at 5.18pm.



Order Of Business

1	OPENING OF MEETING 1		1
2	ACKNOWLEDGEMENT OF COUNTRY 1		
3	PRAYER1		
4	APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE		
5	APPLIC	ATIONS TO ATTEND BY AUDIO-VISUAL LINK	1
6	CONFIF	MATION OF MINUTES	2
	6.1	Minutes of the Ordinary Council Meeting held on 15 November 2022	2
7	DISCLC	SURES OF INTERESTS	2
8	LATE B	USINESS	3
	8.1	Consideration of late Business Items	3
9	MAYOR	AL MINUTE(S)	3
	9.1	Meetings, Functions and Events attended by Mayor and Councillors	3
	9.2	Coming Known Events for Mayor and Councillors	4
	9.3	Flood Recovery Information Sessions	4
	9.4	Library Ambassadors Official Presentation	4
10	REPOR	TS OF COMMITTEES	5
	10.1	Minutes of the Audit, Risk and Improvement Committee Meeting held on 24 November 2022	5
	10.2	Minutes of the Floodplain Management Committee Meeting held on 24 November 2022	5
	10.3	Minutes of the Parkes Sports Council Meeting held on 13 December 2022	5
11	REPOR	TS OF THE GENERAL MANAGER	6
	11.1	Statement of Investments and Borrowings as at 30 November 2022	6
12		TS OF THE DIRECTOR CUSTOMER, CORPORATE SERVICES AND	6
	12.1	Section 356 Request for Financial Assistance - Cookamidgera Hall Committee	
	12.2	Section 356 Request for Financial Assistance - Peak Hill Business and Tourism Association	7
	12.3	Section 356 Request for Financial Assistance - Trundle Showground Land Manager	7
	12.4	Public Exhibition of draft Public Memorials Policy	8
	12.5	Approval of Councillor Attendance at 2023 Local Government NSW Rural & Regional Summit	8
13	REPOR	TS OF THE DIRECTOR INFRASTRUCTURE AND STRATEGIC FUTURES	8
	13.1	Major Projects and Current Works Report	8
	13.2	Declaration of Non-Potable Supply - Parkesborough	9



14	REPOR	TS OF THE DIRECTOR OPERATIONS	9
	14.1	Major Projects and Current Works Report	9
	14.2	Acquisition of Land for Road Realignment Purposes	9
	14.3	Acquisition of Easement for Property Number 8807801	0
	14.4	Sale of Closed Road - Formerly part of McGrane Way, Tullamore	0
	14.5	Baker Street Roadworks - Proposed Road Closure1	1
15	REPOR	TS OF THE DIRECTOR PLANNING AND COMMUNITY SERVICES	1
	15.1	November 2022 Building Statistics Report1	1
	15.2	Use of Peak Hill Town Improvement Funds for Replacement of Peak Hill Cemetery Fence	1
	15.3	Adoption of the draft Middleton Masterplan1	2
16	NOTIC	ES OF MOTION/QUESTIONS WITH NOTICE1	2
	Nil		
17	CONFI	DENTIAL MATTERS	3
	17.1	Appointment of External Members to Advisory Committees	5
	17.2	Lease of 58 Coleman Road Parkes to Charles Sturt University	5
	17.3	Acquisition of Land for Stormwater Drainage1	6
	17.4	Replacement of Council Plant - Volvo Wheeled Loader	6
	17.5	Sale of Industrial Estate land to Kilgour Healthcare1	6
	17.6	Tender Evaluation - Legal and Probity1	7
	17.7	Parkes Water Security Program (PWSP) Project Management Office - Technical Support Services Authority to Procure1	7
	17.8	Tender Evaluation - Project Delivery Panel	8
18	REPOR	T OF CONFIDENTIAL RESOLUTIONS	8
19	CONCL	USION OF MEETING	9



1 OPENING OF MEETING

The Mayor declared the Ordinary Council Meeting of Tuesday 20 December 2022 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 asked Councillor Kenny McGrath to 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,

Inspire Council to make wise decisions, Grant Integrity to face the truth, Courage to make difficult choices, And compassion for the needs of others, 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

Nil



6 CONFIRMATION OF MINUTES

6.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 15 NOVEMBER 2022

RESOLVED OCM 385/22

Moved: Cr Neil Westcott Seconded: Cr George Pratt

That Council:

1. Receive and confirm the Minutes of the Ordinary Council Meeting held on Tuesday 15 November 2022 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 Jacob Cass disclosed a less than significant non-pecuniary interest in relation to Item 17.1 and chose to remain in the meeting, participate in debate and discussion on the matter, and vote on the matter. The reason provided was:

"Close association with an individual mentioned in the Report."

Cr Jacob Cass disclosed a significant non-pecuniary interest in relation to Item 17.2 and chose to leave the meeting, not participate in debate or discussion on the matter, and not vote on the matter. The reason provided was:

"Centre Manager for organisation mentioned in the Report."

Cr George Pratt disclosed a significant non-pecuniary interest in relation to Item 14.3 and chose to leave the meeting, not participate in debate or discussion on the matter, and not vote on the matter. The reason provided was:

"Related to the owner of a property mentioned in the Report."



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. Item 12.5 DCCSE Report Approval of Councillors Attendance at 2023 Local Government NSW Rural & Regional Summit
- 2. Item 13.2 DISF Report Declaration of Non-Potable Supply Parkesborough
- 3. Item 14.5 DO Report Baker Street Roadworks Proposed Closure
- 4. Item 17.5 Confidential Report Sale of Industrial Land to Kilgour Healthcare
- 5. Item 17.6 Confidential Tender Evaluation Legal and Probity
- 6. Item 17.7 Parkes Water Security Program (PWSP) Project Management Office Technical Support Services Authority to Procedure
- 7. Item 17.8 Confidential Tender Evaluation Project Project Delivery Panel

8.1 CONSIDERATION OF LATE BUSINESS ITEMS

RESOLVED OCM 386/22

Moved: Cr George Pratt Seconded: Cr Jacob Cass

That Council:

1. Resolve to accept the Late Items of Business tabled by the Mayor for consideration at this Ordinary Meeting.

CARRIED

9 MAYORAL MINUTE(S)

9.1 MEETINGS, FUNCTIONS AND EVENTS ATTENDED BY MAYOR AND COUNCILLORS

RESOLVED OCM 385/22

Moved: Cr William Jayet Seconded: Cr Marg Applebee

That Council:

1. Note the report on the meetings, functions and events attended by the Mayor and Councillors during the period from 16 November 2022 to 21 December 2022.



9.2 COMING KNOWN EVENTS FOR MAYOR AND COUNCILLORS

RESOLVED OCM 386/22

Moved: Cr Marg Applebee Seconded: Cr Jacob Cass

That Council:

1. Note the upcoming meetings, functions and events for the Mayor and Councillors.

CARRIED

9.3 FLOOD RECOVERY INFORMATION SESSIONS

RESOLVED OCM 387/22

Moved: Cr George Pratt Seconded: Cr Marg Applebee

That Council:

- 1. Note the Mayoral Minute regarding the Flood Recovery Information Sessions.
- 2. Continued to advocate for further support and assistance for Parkes Shire residents impacted by recently flooding, particularly for the extension of the NSW Government's *Back Home* flood recovery grant to affected residents.

CARRIED

9.4 LIBRARY AMBASSADORS OFFICIAL PRESENTATION

RESOLVED OCM 388/22

Moved: Cr Marg Applebee Seconded: Cr Jacob Cass

That Council:

1. Congratulate the representatives from the Home School Community, Holy Family School, Middleton Public School, Parkes Christian School, Parkes East Public School and Parkes Public School, as listed in this report, on their participation in the 2022 Library Ambassador Program.



10 **REPORTS OF COMMITTEES**

10.1 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 24 NOVEMBER 2022

RESOLVED OCM 389/22

Moved: Cr Jacob Cass Seconded: Cr Marg Applebee

That Council:

1. Receive and note the Minutes of the Audit, Risk and Improvement Committee Meeting held on Thursday 24 November 2022 appended at *Annexure A*.

CARRIED

10.2 MINUTES OF THE FLOODPLAIN MANAGEMENT COMMITTEE MEETING HELD ON 24 NOVEMBER 2022

RESOLVED OCM 390/22

Moved: Cr Marg Applebee Seconded: Cr George Pratt

That Council:

1. Receive and note the Minutes of the Floodplain Management Committee Meeting held on Thursday 24 November 2022 appended at *Annexure A*.

CARRIED

10.3 MINUTES OF THE PARKES SPORTS COUNCIL MEETING HELD ON 13 DECEMBER 2022

RESOLVED OCM 391/22

Moved: Cr Louise O'Leary Seconded: Cr Jacob Cass

That Council:

1. Receive and note the Minutes of the Parkes Sports Council Meeting held on Tuesday 13 December 2022 appended at *Annexure A*.



11 REPORTS OF THE GENERAL MANAGER

11.1 STATEMENT OF INVESTMENTS AND BORROWINGS AS AT 30 NOVEMBER 2022

RESOLVED OCM 392/22

Moved: Cr Marg Applebee Seconded: Cr Daniel Weber

That Council:

1. Receive and note the Statement of Investments and Borrowings as at 30 November 2022.

CARRIED

12 REPORTS OF THE DIRECTOR CUSTOMER, CORPORATE SERVICES AND ECONOMY

12.1 SECTION 356 REQUEST FOR FINANCIAL ASSISTANCE - COOKAMIDGERA HALL COMMITTEE

RESOLVED OCM 393/22

Moved: Cr Jacob Cass Seconded: Cr Marg Applebee

That Council:

- 1. Provide public notice of intention to provide \$12,000.00 in financial assistance to the Cookamidgera Hall Committee, as a contribution to completing improvements to the Cookamidgera Hall.
- 2. Pursuant to section 356 of the *Local Government Act 1993*, approve the provision of \$12,000.00 in financial assistance from the Cookamidgera Town Improvement Fund to the Cookamidgera Hall Committee, subject to no submissions being received.





12.2 SECTION 356 REQUEST FOR FINANCIAL ASSISTANCE - PEAK HILL BUSINESS AND TOURISM ASSOCIATION

RESOLVED OCM 394/22

Moved: Cr Louise O'Leary Seconded: Cr Neil Westcott

That Council:

- 1. Receive and note the correspondence from the Peak Hill Community Consultative Committee, enclosing a letter from the Peak Hill Business and Tourism Association, appended at *Annexure A*.
- 2. Provide public notice of its intention to provide \$6,200 in financial assistance to the Peak Hill Business and Tourism Association, being an amount to cover the costs of TV advertising, trophies, printing, sound equipment hire, promotional materials, and busking license fees for their Australian National Busking Championships.
- 3. Pursuant to section 356 of the *Local Government Act 1993*, approve the provision of \$6,200 in financial assistance from the Peak Hill Town Improvement Fund to the Peak Hill Business and Tourism Association, subject to no submissions being received.

CARRIED

12.3 SECTION 356 REQUEST FOR FINANCIAL ASSISTANCE - TRUNDLE SHOWGROUND LAND MANAGER

RESOLVED OCM 395/22

Moved: Cr Marg Applebee Seconded: Cr William Jayet

That Council:

- 1. Receive and note the correspondence from the Trundle & District Progress Association, appended at *Annexure A*.
- 2. Provide public notice of its intention to provide \$5,000.00 in financial assistance to the Trundle Showground Land Manager, as a contribution to upgrading floodlighting at the Trundle Showgrounds.
- 3. Pursuant to section 356 of the *Local Government Act 1993*, approve the provision of \$5,000.00 in financial assistance from the Trundle Town Improvement Fund to the Trundle Showground Land Manager, subject to no submissions being received.



12.4 PUBLIC EXHIBITION OF DRAFT PUBLIC MEMORIALS POLICY

RESOLVED OCM 396/22

Moved: Cr Marg Applebee Seconded: Cr George Pratt

That Council:

- 1. Endorse the public exhibition of the draft Public Memorials Policy, appended at *Annexure A*, for a period of 28 days.
- 2. Receive a further report concerning the adoption of the draft Public Memorials Policy following the public exhibition period.

CARRIED

12.5 APPROVAL OF COUNCILLOR ATTENDANCE AT 2023 LOCAL GOVERNMENT NSW RURAL & REGIONAL SUMMIT

RESOLVED OCM 397/22

Moved: Cr Marg Applebee Seconded: Cr Jacob Cass

That Council:

- 1. Endorse the attendance of three (3) Councillors, being the Mayor, Deputy Mayor and Councillor O'Leary at the 2023 Local Government Rural & Regional Summit on Monday, 20 February 2023, pursuant to clause 6.32 of the *Councillor Expenses and Facilities Policy*.
- 2. Approve reimbursement of out-of-pocket expenses incurred by the Mayor, Deputy Mayor and Councillor O'Leary, in attending the above conference, in accordance with the *Councillor Expenses and Facilities Policy*.

CARRIED

13 REPORTS OF THE DIRECTOR INFRASTRUCTURE AND STRATEGIC FUTURES

13.1 MAJOR PROJECTS AND CURRENT WORKS REPORT

RESOLVED OCM 400/22

Moved: Cr William Jayet Seconded: Cr Jacob Cass

That Council:

1. Receive and note the Infrastructure and Strategic Futures Major Projects and Current Works Report for November 2022, appended at *Annexure A*.



13.2 DECLARATION OF NON-POTABLE SUPPLY - PARKESBOROUGH

RESOLVED OCM 401/22

Moved: Cr Neil Westcott Seconded: Cr George Pratt

That Council:

1. Declares the raw borewater trunk main and all connections to it to be non-potable, and endorse the distribution of the letter appended at *Annexure A* to all connected properties notifying of the declaration.

CARRIED

14 REPORTS OF THE DIRECTOR OPERATIONS

14.1 MAJOR PROJECTS AND CURRENT WORKS REPORT

RESOLVED OCM 398/22

Moved: Cr George Pratt Seconded: Cr Ken McGrath

That Council:

1. Receive and note the Operations Major Projects and Current Works Report for November 2022, appended at *Annexure A*.

CARRIED

14.2 ACQUISITION OF LAND FOR ROAD REALIGNMENT PURPOSES

RESOLVED OCM 399/22

Moved: Cr William Jayet Seconded: Cr Neil Westcott

That Council:

- 1. Agree to the purchase of land from respective landowners to facilitate the boundary adjustments for Main Road 57, Baldry-Peak Hill Road and Cookamidgera Road.
- 2. Authorise the General Manager to negotiate the purchase price of the land based on a market valuation.
- 3. Endorse and affix the Council Seal to all documentation as required to facilitate the process of walkway closures, sale, transfer and/or resumption.

CARRIED

At this stage being 3.00pm the Mayor adjourned the Council meeting to conduct a Citizenship Ceremony.

At the conclusion of the Citizenship Ceremony the Mayor invited all present to join the Councillor's for afternoon tea.



The meeting resumed at 3.38pm

At 3:39pm, Cr George Pratt, having previously disclosed a significant non-pecuniary interest in relation Item 14.3, left the meeting. He did not participate in debate or discussion on the matter, and did not vote on the matter.

14.3 ACQUISITION OF EASEMENT FOR PROPERTY NUMBER 880780

RESOLVED OCM 400/22

Moved: Cr William Jayet Seconded: Cr Jacob Cass

That Council:

- 1. Acquire an easement for access through land being Lot 7301 DP 1147341 for access 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. Upon acquisition, determine the land to be classified as Operational.
- 3. Authorise the General Manager and Mayor to sign and affix the Council Seal to all documentation to facilitate the acquisition.
- 4. That the landowner of Lots 158 to 161 DP 750179 and Lots 1 and 2 DP 1112408 be advised that the easement for access will be in one location and future requests for additional easements to access the land will be denied.

CARRIED

At 3:44 pm, Cr George Pratt re-joined the meeting.

14.4 SALE OF CLOSED ROAD - FORMERLY PART OF MCGRANE WAY, TULLAMORE

RESOLVED OCM 401/22

Moved: Cr Jacob Cass Seconded: Cr Ken McGrath

That Council:

- 1. Authorise the sale of Lot 20 DP 1134329 to the adjoining landowner.
- 2. Note that the adjoining landowners interested in purchasing the land will be required to pay their costs associated with the transaction.
- 3. Authorise the General Manager to negotiate the purchase price of the land based on a market valuation.
- 4. Endorse and affix the Council Seal to all documentation as required to facilitate the process of walkway closures, sale, transfer and/or resumption.



14.5 BAKER STREET ROADWORKS - PROPOSED ROAD CLOSURE

RESOLVED OCM 402/22

Moved: Cr Louise O'Leary Seconded: Cr William Jayet

That Council:

- 1. Endorses the commencement of the proposed road closure process and associated broader consultation in relation to the Roads Act requirements, due to the financial implications to complete the restoration of Baker Street due to sub grade conditions.
- 2. Following the consultation process, a further report be presented to Council with an outcomes report including the consultation received and responses.

CARRIED

15 REPORTS OF THE DIRECTOR PLANNING AND COMMUNITY SERVICES

15.1 NOVEMBER 2022 BUILDING STATISTICS REPORT

RESOLVED OCM 403/22

Moved: Cr Neil Westcott Seconded: Cr Ken McGrath

That Council:

1. Receive and note the November 2022 Building Statistics Report.

CARRIED

15.2 USE OF PEAK HILL TOWN IMPROVEMENT FUNDS FOR REPLACEMENT OF PEAK HILL CEMETERY FENCE

RESOLVED OCM 404/22

Moved: Cr Marg Applebee Seconded: Cr William Jayet

That Council:

1. Approve the allocation of \$41,400.00 from the Peak Hill Town Improvement Fund to replace the fencing at the Peak Hill Cemetery.



15.3 ADOPTION OF THE DRAFT MIDDLETON MASTERPLAN

MOTION

Moved: Cr Marg Applebee Seconded: Cr William Jayet

That Council:

- 1. Adopt the draft Middleton Masterplan, appended at *Annexure A*.
- 2. Prepare a planning proposal to implement changes in the Middleton Masterplan, west of Docos Road.
- 3. Continue discussions on delivery options with landowners impacted by the requirement for the provision of shared roads over adjoining property boundaries.

Pursuant to clause 10.10 and 10.11 of the Code of Meeting Practice, Cr Ken McGrath moved an Amendment.

AMENDMENT

RESOLVED OCM 405/22

Moved: Cr Ken McGrath Seconded: Cr Glenn Wilson

That Council:

1. Defer the adoption of the draft Middleton Masterplan until a meeting can be held with affected landowners, and receive a further report at the Ordinary Meeting of Council scheduled to be held February 2023.

CARRIED

Pursuant to clause 10.15 of the Code of Meeting Practice, the Amendment then became the Motion.

MOTION

RESOLVED OCM 406/22

Moved: Cr Ken McGrath Seconded: Cr Glenn Wilson

That Council:

1. Defer the adoption of the draft Middleton Masterplan until a meeting can be held with affected landowners, and receive a further report at the Ordinary Meeting of Council scheduled to be held February 2023.

CARRIED

16 NOTICES OF MOTION/QUESTIONS WITH NOTICE

Nil



17 CONFIDENTIAL MATTERS

RESOLVED OCM 407/22

Moved: Cr William Jayet Seconded: Cr Marg Applebee

That Council:

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:

17.1 APPOINTMENT OF EXTERNAL MEMBERS TO ADVISORY COMMITTEES

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.

17.2 LEASE OF 58 COLEMAN ROAD PARKES TO CHARLES STURT UNIVERSITY

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.

17.3 ACQUISITION OF LAND FOR STORMWATER DRAINAGE

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.

17.4 REPLACEMENT OF COUNCIL PLANT - VOLVO WHEELED LOADER

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.

17.5 SALE OF INDUSTRIAL ESTATE LAND TO KILGOUR HEALTHCARE

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.

17.6 TENDER EVALUATION - LEGAL AND PROBITY

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.

17.7 PARKES WATER SECURITY PROGRAM (PWSP) PROJECT MANAGEMENT OFFICE - TECHNICAL SUPPORT SERVICES AUTHORITY TO PROCURE

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.

17.8 TENDER EVALUATION - PROJECT DELIVERY PANEL

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.



At 4.14pm, the Meeting went into Closed Session.

17.1 APPOINTMENT OF EXTERNAL MEMBERS TO ADVISORY COMMITTEES

RESOLVED OCM 408/22

Moved: Cr Jacob Cass Seconded: Cr Marg Applebee

That Council:

- 1. Endorse the consolidation of the Access and Inclusion Advisory Committee, Community and Culture Advisory Committee and Liveability Advisory Committee be consolidated to form a single Community, Liveability and Access Advisory Committee.
- 2. Adopt the draft Terms of Reference for the Community, Liveability and Access Advisory Committee, appended at *Annexure A*, and appoint Michael Anderson, Jeffrey Evans and Lyn McLeod as the three (3) External Members for a two-year term, concluding 31 December 2024.
- 3. Adopt the draft Terms of Reference for the Economy, Investment and Innovation Advisory Committee, appended at *Annexure B*, and appoint Geoffrey Rice, Tracie Robertson and Declan Small as the three (3) External Members for a two-year term, concluding 31 December 2024.
- 4. Adopt the draft Terms of Reference for the Sport and Recreation Advisory Committee, appended at *Annexure C*, and appoint Peter Bristol as the one (1) External Member for a two-year term, concluding 31 December 2024.
- 5. Adopt the draft Terms of Reference for the Tourism, Destination and Major Events Advisory Committee, appended at *Annexure D*, and appoint Dave Chambers, Gary Crowley and Michelle Roberts as the three (3) External Members for a two-year term, concluding 31 December 2024.

CARRIED

At 4:25 pm, Cr Jacob Cass, having previously disclosed a significant non-pecuniary interest in relation Item 17.2, left the meeting. He did not participate in debate or discussion on the matter, and did not vote on the matter.

17.2 LEASE OF 58 COLEMAN ROAD PARKES TO CHARLES STURT UNIVERSITY

RESOLVED OCM 409/22

Moved: Cr Ken McGrath Seconded: Cr William Jayet

That Council:

1. Endorses the leasing of both townhouses at 58 Coleman Road, Parkes to Charles Sturt University for the amount detailed in the report for a period of 18 months with an option of an additional period subject to concurrence on both parties.

CARRIED

At 4:37 pm, Cr Jacob Cass re-joined the meeting.



17.3 ACQUISITION OF LAND FOR STORMWATER DRAINAGE

RESOLVED OCM 410/22

Moved: Cr Ken McGrath Seconded: Cr Jacob Cass

That Council:

- 1. Agree to the purchase of easements over land situated at Lot 2 DP 1124717 Charles Barber Close, Parkes; Lot 2 DP 14580 Station Street, Parkes; Lot 3 and Lot 4 DP 810324 Coolabah Drive, Parkes.
- 2. Authorise the General Manager to negotiate the purchase price of the land based on a market valuation.
- 3. Endorse and affix its Council Seal to all documentation as required to facilitate the process of acquisition, sale, transfer and/or resumption.

CARRIED

17.4 REPLACEMENT OF COUNCIL PLANT - VOLVO WHEELED LOADER

RESOLVED OCM 411/22

Moved: Cr Ken McGrath Seconded: Cr William Jayet

That Council:

- 1 Accept the tender from Westrac Dubbo to supply a CCF 4 938K Wheel Loader as detailed in the report.
- 2 Endorse the disposal of Council's existing Volvo L90F Wheeled Loader, to be offered through Pickles Auctions with a reserve price set.

CARRIED

17.5 SALE OF INDUSTRIAL ESTATE LAND TO KILGOUR HEALTHCARE

RESOLVED OCM 412/22

Moved: Cr William Jayet Seconded: Cr Marg Applebee

That Council:

- 1. Concurs to sell proposed Lot 10 Saleyards Road (corner of Newell Highway and Saleyards Road) to Kilgour Healthcare for \$435,000, inclusive of GST.
- 2. Endorse and affix its Council Seal to all documentation as required to facilitate the process of the sale.



17.6 TENDER EVALUATION - LEGAL AND PROBITY

RESOLVED OCM 413/22

Moved: Cr Neil Westcott Seconded: Cr Louise O'Leary

That Council:

- 1. Engage Maddocks as the Preferred Tenderer for the Parkes Project Management Office Legal and Probity Advisor Support Services for 2023 for a lump sum value of \$170,424.00.
- 2. Endorses executing the Contract following the finalisation of the Contract with the Preferred Tenderer.
- 3. Endorses executing panel contract with Holding Redlich, HWL Ebsworth, and Marsdens Law Group pending contract negotiations for other Legal and Probity engagements as required in 2023.

CARRIED

17.7 PARKES WATER SECURITY PROGRAM (PWSP) PROJECT MANAGEMENT OFFICE - TECHNICAL SUPPORT SERVICES AUTHORITY TO PROCURE

RESOLVED OCM 414/22

Moved: Cr Marg Applebee Seconded: Cr William Jayet

That Council:

- 1. Receives and notes the Authority to Procure, appended at *Annexure A*, regarding the procurement of contracts for the following Technical Support Services ("TSS") roles:
 - (a) PMO Electrical Engineering TSS;
 - (b) PMO Engineering TSS;
 - (c) PMO Environmental TSS; and
 - (d) PMO Parkes IWCM Support TSS.
- 2. Resolves, for the reasons set out in the Authority to Procure appended at *Annexure A*, that the requirement under Council's *Procurement and Disposal Policy* to obtain multiple quotations shall not apply in respect of the contracts for each of the TSS services, provided that:
 - (a) Each contract is entered into with the recommended service provider identified for the relevant TSS Service in the Authority to Procure;
 - (b) Each contract must have a term of no greater than 12 months and expire on or before 31 December 2023; and
 - (c) The total estimated expenditure under each contract must not exceed \$250,000.00 (including GST), which is the applicable tendering threshold under the *Local Government Act 1993*.
- 3. Authorises the General Manager to finalise engagements for ongoing TSS for 2023.



17.8 TENDER EVALUATION - PROJECT DELIVERY PANEL

RESOLVED OCM 415/22

Moved: Cr William Jayet Seconded: Cr Ken McGrath

That Council:

- 1. Issue a panel contract to the following organisations, and the resources nominated in this report, for the Parkes Shire Council Project Delivery Panel for a three-year period:
 - a. ANT Engineering,
 - b. Conseth Solutions Pty Ltd,
 - c. Deleg8 ZAMR Engineering Pty Ltd,
 - d. Dionysus Group Pty Ltd (WPS),
 - e. Engineering Risk Management Pty Ltd,
 - f. Hunter H20 Holdings Pty Ltd,
 - g. Incline Constructions Pty Ltd,
 - h. JJ Ryan Consulting Pty Ltd,
 - i. Ktylons Pty Ltd,
 - j. Lidiar Group Pty Ltd,
 - k. UMINEX, and
 - I. Upright Management.
- 2. Subsequent to financial assessment, panellists be issued with an AS4122 engagement for each package of work as it arises.

CARRIED

RESOLVED OCM 416/22

Moved: Cr Neil Westcott Seconded: Cr William Jayet

That Council:

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

CARRIED

At 5.15pm, the Council in Closed Session returned to Open Session.

18 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.



19 CONCLUSION OF MEETING

The meeting concluded at 5.18pm.

This is the final page of the minutes comprising 23 pages numbered 1 to 19 of the Ordinary Council Meeting held on Tuesday, 20 December 2022 and confirmed on Tuesday, 24 January 2023.

n Keith

Cr Ken Keith OAM MAYOR



7 DISCLOSURES OF INTERESTS

In accordance with Part 16 of Council's Code of Meeting Practice, all Councillors must disclose and manage any conflicts of interest they may have in matters being considered at the meeting.

Council's Code of Conduct deals with pecuniary and non-pecuniary conflicts of interest and political donations, and provides guidance on how these issues should be managed.

Councillors, and where applicable, other Council Officials, must be familiar with Council's Code of Conduct and their obligations to disclose and manage any conflicts of interest that they may have in matters being considered at this Council Meeting.

Obligations Pecuniary Interests A Councillor who has a pecuniary interest in any matter with which the Council is concerned, and who is present at a meeting of the Council at which the matter is being considered, must disclose the nature of the interest to the meeting. The Councillor must not be present at, or in sight of, the meeting: At any time during which the matter is being considered or (b) discussed, or At any time during which the Council is voting on any question (c) in relation to the matter. Non-Pecuniary A Councillor who has a non-pecuniary conflict of interest in a matter, must **Conflicts of Interest** disclose the relevant private interest in relation to the matter fully and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. Significant Non-A Councillor who has a significant non-pecuniary conflict of interest in **Pecuniary Conflicts** relation to a matter under consideration at a Council meeting, must of Interest manage the conflict of interest as if they had a pecuniary interest in the matter. Less than A Councillor who determines that they have a non-pecuniary conflict of interest in a matter that is not significant and does not require further Significant Non-**Pecuniary Interests** action, when disclosing the interest must also explain why conflict of interest is not significant and does not require further action in the circumstances.

Note:Councillors and staff who declare an Interest at the Council Meeting are also required to complete a Declaration of Interest form.



LATE BUSINESS 8

In accordance with clause 9.3 of Council's Code of Meeting Practice, business may be considered at a meeting of the Council even though due notice of the business has not been given to the Councillors if:

- (a) A motion is passed to have the business considered at the meeting, and(b) The business to be considered is ruled by the Chairperson to be of great urgency it requires a decision by the Council before the next scheduled Ordinary Meeting of the Council.



9 MAYORAL MINUTE(S)

9.1 MEETINGS, FUNCTIONS AND EVENTS ATTENDED BY MAYOR AND COUNCILLORS

IP&R Linkage:	Pillar: Leadership
	Goal: Our local government is open, accountable, and representative.
	Strategy: Advocate and provide strong representation for our community at the regional, state, and federal levels.
Author:	Cr Ken Keith OAM
Annexures:	Nil

MOTION

That Council:

1. Note the report on the meetings, functions and events attended by the Mayor and Councillors during the period 21 December 2022 through to 20 January 2023

REPORT

Table 1: lists the meetings, functions and events attended by the Mayor and Councillors during the period 21 December 2022 through to 20 January 2023.

Table 1: Meetings, Functions and Events attended by Mayor and Councillors		
Date	Function	
Wednesday 21 December 2022	Meeting with Northparkes Mines Executive Mayor KJ Keith, Deputy Mayor NC Westcott, General Manager K Boyd and Director Infrastructure and Strategic Futures Andrew Francis	
Tuesday 03 January 2023	Meet with The Hon. Paul Toole MP and The Hon Sam Farraway MLC for funding announcements. Mayor KJ Keith	
2023 Parkes Elvis Festival 04 - 08 January 2023	Various events over the Festival attended by Mayor and/or Councillors in an official capacity.	
	Wall of Fame Unveiling	
	Wall of Fame Concert	
	Farewell Elvis Express from Central Railway Station	
	Hound Dog Express Return to Parkes	
	Travel with Elvis Express Orange -to Parkes	



	Elvis Photography Exhibition Feature Concert - Series Elvis Street Parade Official Opening Ceremony in Cooke Park Ultimate Elvis Tribute Artist Concert Sponsor and VIP Function Feature Concert - Series Gospel Service Volunteers Thankyou Festival Finale Show at Parkes Leagues Club
Tuesday 10 January 2023	Culture, Education & Library Committee Meeting Mayor KJ Keith, Deputy Mayor NC Westcott, Cr JP Cass, Cr WP Jayet
Tuesday 10 January 2023	Lachlan Health Council Meeting Mayor KJ Keith, Councillor ME Applebee
Tuesday 10 January 2023	Parkes Sports Council Meeting Mayor KJ Keith and Councillor LA O'Leary
Monday 16 January 2023	Parkes Australia Day Committee Meeting Mayor KJ Keith, Deputy Mayor NC Westcott, Cr WP Jayet, Cr LA O'Leary
Friday 20 January 2023	Tour of Shire by Minister Sam Farraway MLC for various grant funding announcements
	Peak Hill - \$160,000 to rejuvenate and future proof Peak Hill Pool (SCCF)
	Tullamore - \$73,759 to upgrade existing amenities and install a disabled access toilet and footpath at the Tullamore Memorial Park (SCCF)
	Trundle - \$160,000 for new perimeter fencing, solar lighting and footpath upgrade (SCCF)
	Bogan Gate - \$163,035 for upgraded Clubhouse that is accessible (club grants)
	Bogan Gate - \$100,000 for BBQ shelter, furniture and footpath, and irrigation and turf at Burrawang Park (SCCF)
	Parkes - \$740,467 for the rehabilitation of Cheney Oval (final stage)
	Deputy Mayor NC Westcott



Saturday 21 January 2023 Minister Sam Farraway MLC - funding announcement at Parkes State Activation Precinct \$186,562 for Study to develop a liveability strategy in regional NSW: sustainable future for Parkes SAP (Business Case and Strategy Development Fund)

Mayor KJ Keith

Kenfkeil

Cr Ken Keith OAM



9.2 COMING KNOWN EVENTS FOR MAYOR AND COUNCILLORS

IP&R Linkage:	Pillar: Leadership
	Goal: Our local government is open, accountable, and representative.
	Strategy: Advocate and provide strong representation for our community at the regional, state, and federal levels.
Author:	Cr Ken Keith OAM
Annexures:	Nil

MOTION

That Council:

1. Note the known upcoming meetings, functions and events for the Mayor and Councillors.

REPORT

Table1. below, lists the upcoming meetings, functions and events requiring the attendance of the mayor or Councillors in relation to community or civic matters during the period

25 January 2023 through to 21 February 2023.

Table 1: Known upcoming Councillors	Meetings, Functions and Events for Mayor and
Date	Function
Monday 23 January 2023	Peak Hill Community Consultative Committee meeting
	Councillor LA O'Leary (Alternate Deputy Mayor NC Westcott)
Tuesday 24 January 2023	Tullamore and District Consultative Committee meeting
	Councillor GS Wilson (Alternates are Cr ME Applebee, Cr WP Jayet and Cr LA O'Leary)
Tuesday	Ordinary Council Meeting
24 January 2023	Council Chambers
	Parkes Shire Administration centre
	All Councillors and Executive Staff
Wednesday	Meeting with Disaster Relief Australia Coordinator
25 January 2023	Deputy Mayor NC Westcott

Thursday	Australia Day - Various events throughout Shire
26 January 2023	Parkes Shire Australia Day Ambassador Ms Emma Rossi
	Deputy Mayor NC Westcott will accompany the Ambassador to Trundle and Tullamore to attend their Australia Day ceremonies before returning to Parkes for the Australia Day Ceremony in Cooke Park.
	Official Ceremony in Cooke Park, Parkes Mayor KJ Keith, Deputy Mayor NC Westcott Councillor LA O'Leary (Sports Awards) Councillor WP Jayet Councillor JP Cass
	Car Display in Cooke Park Councillor GW Pratt
	Parkes Harness Racing and Golden Yabby at Parkes Showground Mayor KJ Keith Deputy Mayor NC Westcott
Monday 30 January 2023	Country Mayors Association Executive Meeting (Zoom) Mayor KJ Keith
Tuesday 31 January 2023	Parkes Health Precinct Masterplan Design Mayor KJ Keith, Deputy Mayor NC Westcott, <i>Councillor ME</i> <i>Applebee</i> , Councillor J Cass, General Manager K Boyd
Thursday 02 February 2023	GMAC - CNSWJO - Orange General Manager K Boyd
Monday 06 February 2023	Central NSW Integrated Transport Group meeting (Teams) Mayor KJ Keith and General Manager K Boyd
Tuesday 07 February 2023	Councillor Workshop All Councillors and Executive Staff
Wednesday 08 February 2023	Parkes Local Traffic Committee meeting Mayor KJ Keith, Councillor KM McGrath and Councillor GW Pratt
Wednesday 08 February 2023	Tullamore and District Consultative Committee meeting Held on the second Wednesday of every month at the Tullamore Bowling Club on the even month and the Tullamore Hotel on the odd month at 7.00pm Councillor GS Wilson (Alternates are Councillor ME Applebee, Councillor WP Jayet and Councillor LA O'Leary)
Monday 13 February 2023	Bogan Gate Memorial Hall Inc. Committee meeting Held on second Monday of each month at the Bogan gate Community Memorial Hall commencing at 7.00pm Councillor GW Pratt (Alternate is Councillor ME Applebee)



Tuesday 14 February 2023

Tuesday 14 February 2023

Wednesday 15 February 2023

Thursday 16 February 023

Monday 20 February 2023

Tuesday 21 February 2023

Tuesday 21 February 2023 Lachlan Health Council Meeting (Teams) Mayor KJ Keith and Councillor ME Applebee

Parkes Sports Council meeting (Teams) Mayor KJ Keith and Councillor LA O'Leary

Lachlan Valley Working group Meeting Mayor KJ Keith and General Manager K Boyd

Meeting State Board Directors Life Education Mayor KJ Keith

Local Government NSW Rural and Regional Summit Mayor KJ Keith, Deputy Mayor NC Westcott, Councillor LA O'Leary

Political Leaders Forum in Sydney Mayor KJ Keith

Ordinary Council Meeting - Deputy Mayor to Chair Council Chambers Parkes Shire Administration Centre All Councillors and Executive Staff

Incudes presentation on Parkes Western Entry Route Plan by David Tooby from King & Campbell

m Keil

Cr Ken Keith OAM MAYOR



10 REPORTS OF COMMITTEES

10.1 MINUTES OF THE CULTURE, EDUCATION AND LIBRARY MEETING HELD ON 10 JANUARY 2023

IP&R Linkage:	Pillar: Leadership					
	Goal: Our local government is open, accountable and transparent.					
	Strategy: Provide open and transparent decision-making and undertake the civic duties of Council with professionalism and integrity.					
Author:	Kerryn Jones, Manager Culture, Education and Library Services					
Authoriser:	Brendan Hayes, Director Planning and Community Services					
Annexures:	A. Minutes of Culture, Education and Library Committee Meeting held 10 January 2023 J					

RECOMMENDATION

That Council:

1. Receive and confirm the Minutes of the Culture, Education and Library Meeting held on Tuesday 10 January 2023 appended at *Annexure A*.



PARKES SHIRE CULTURAL, EDUCATION & LIBRARY COMMITTEE MEETING MINUTES

10 January 2023 @ 10am Committee Room

PRESENT

Cr Bill Jayet (Chair)

Cr Cass

Margot Jolly

Brendan Hayes

Cathy Treasure

Kerryn Jones

APOLOGIES

Cr Westcott

MEETING COMMENCEMENT

The meeting commenced at 11:07am with Cr Jayet chairing the meeting.

Declarations of Interest

Margot Jolly, Cr Jayet and Kerryn Jones declared an interest in the Australia Day Cultural Awards as members of the Parkes Community Arts Inc.

Minutes of previous meetings, held 16 June 2022

Moved: Cr Cass Second: Margot Jolly

CARRIED

Business arising from the minutes

No business arising



CEL Manager Report

Report presented by Kerryn Jones. Future reports to clearly separate Marramarra Makerspace and Coventry Room activities, income and expenditure.

Action: Cr Jayet recommended a letter of thanks be sent to the curators of the Best in Show exhibition.

Moved: Cr Cass Seconded: Margot Jolly

CARRIED

Australia Day Cultural Awards

The committee recommend the following recipients of the Australia Day Cultural Awards:

Lifetime Achievement Award - Kerrie Peden

Moved: Cr Cass Second: Margot Jolly

Visual Arts - Parkes Community Arts Best in Show Exhibition

Moved: Cr Cass Second: Brendan Hayes

Literary Arts - Rex & Heather Veal

Moved: Cr Cass Second: Margot Jolly

Performing Arts - Gracey Denham Jones

Moved: Cr Cass Second: Margot Jolly

The following were also recommended by the committee:

- only the winners are announced at the Australia Day awards
- feedback be provided to Catherine McQuie that posthumous nominations are ineligible
- a criteria for digital / mixed media is considered by the Australia Day committee.

Moved: Cr Jayet Second: Margot Jolly

CARRIED

Correspondence

Parkes Shire Concert Band Grant Funding Acquittal Report tabled at the meeting. Annual payment of Music Development Grant to the Parkes Shire Concert Band was made in December 2022.



General Business

1. Offer from Rebecca Wilson for PSC to purchase Father of Federation painting. This committee decided not to take up this offer. Margot Jolly is currently drafting a Collections Development Policy for the Arts Advisory Council.

Moved: Margot Jolly Second: Cr Cass

CARRIED

2. Jack Scoble Scholarship Selection. Applications close 20 January 2023 with selection committee to meet after this date to select applicants for interview and determine interview panel. Selection Committee will include Cr Cas, Cr Jayet, Cr Westcott, Margot Jolly & Brendan Hayes.

Action: Cr Cass will provide criteria and matrix to Kerryn Jones prior to the selection committee meeting to finalise the application assessment criteria.

Action: Kerryn Jones will inform of meeting date.

MEETING CLOSED: 11:05am



10.2 MINUTES OF THE EXTRAORDINARY LOCAL TRAFFIC COMMITTEE MEETING MEETING HELD ON 25 NOVEMBER 2022

IP&R Linkage:	Pillar: Leadership			
	Goal: Our local government is open, accountable and transparent.			
	Strategy: Provide open and transparent decision-making and undertake the civic duties of Council with professionalism and integrity.			
Author:	Sue McGrath, Business Support Coordinator			
Authoriser:	Logan Hignett, Executive Manager Operations			
Annexures:	A. Committee Minutes - Extra Ordinary Local Traffic Committee Meeting J.			

RECOMMENDATION

That Council:

1. Receive and note the Minutes of the Extraordinary Local Traffic Committee Meeting Meeting held on Friday 25 November 2022 appended at *Annexure A*.





PARKES TRAFFIC COMMITTEE

MINUTES

FRIDAY 25 NOVEMBER 2022

Minutes of the Extra Ordinary Local Traffic Committee Meeting of Parkes Shire Council for the purpose of considering the items included on the Agenda.

GENERAL MANAGER: Kent Boyd



Voting Members of the Committee are invited to attend, namely:

Cr Ken McGrath (Chairperson - Council Representative) Adam Cornish NSW Police - Central West Highway Patrol (Police Representative) Jason Nicholson (Transport for NSW Representative) Chris McQuie - State Member Representative

And non-voting representatives

Cr George Pratt (substitute Council Representative)

Council staff:

Ben Howard, Director Operations Jaymes Rath, Executive Manager Technical Services Melanie Suitor, Road Safety and Injury Prevention Officer Sue McGrath, Business Support Coordinator

NOTE:

Each formal member has one vote, the quorum being one (1) Council representative, one (1) NSW Police Force representative and one (1) Transport NSW representative.

All enquiries relating to the items appearing on this Agenda are to be directed to Mr Ben Howard, Director Operations on 02 6861 2343.

Extra Ordinary Traffic Committee Meeting Minutes 25 November 2022

Page 2 of 10



Delegation to Councils - Regulation of Traffic

A Council can regulate traffic for the specific reasons set out in Division 1 of Part 8 of the *Roads Act 1993*, such as carrying out work on a road, etc, whereas the Roads and Maritime Services (RMS) can regulate traffic for any purpose.

If a Council wishes to regulate traffic for purposes other than those specified in Division 1 of Part 8 of the *Roads Act 1993*, it must seek the advice of its Local Traffic Committee and act in accordance with the RMS' "Delegation to Councils - Regulation of Traffic".

Section 50 of the *Transport Administration Act 1988* confers the power to the RMS to delegate the following Traffic Regulation responsibilities to Council:

- 1) Section 50 to Section 55 (inclusive) of the *Road Transport (Safety and Traffic Management) Act* 1999. Install, display and remove prescribed traffic control devices.
- 2) **Section 122** of the *Road Transport (Safety and Traffic Management) Regulation 1999.* Establish and operate a special event parking scheme for any road.
- 3) Section 116 to 119 (inclusive) of the Roads Act 1993 Part 8 Division 2. The erection (or removal) of any notice or barrier, the carrying out of any work or the taking of any other action for the purpose of regulating traffic (restrict or prohibit the passage along a road of persons, vehicles or animals) on a public road for purposes other than those referred to in Division 1 (ie. Sections 114 and 115).
- 4) 115 Roads Authority may regulate traffic in connection with road work, etc.
- 5) A roads authority may regulate traffic on a public road by means of barriers or by means of notices conspicuously displayed on or adjacent to the public road.
- 6) The power conferred by this section may be exercised by the RMS for any purpose but may not be exercised by any other roads authority otherwise than:
 - a) For the purpose of enabling the roads authority to exercise its functions under this Act with respect to the carrying out of road work or other work on a public road, or
 - b) For the purpose of protecting a public road from serious damage by vehicles or animals as a result of wet weather, or
 - c) For the purpose of protecting earth roads from damage caused by heavy vehicles or by animals, or
 - d) For the purpose of protecting members of the public from any hazards on the public road, or
 - e) For the purpose of protecting vehicles and other property on the public road from damage, or
 - f) For the purpose of enabling a public road to be used for an activity in respect of which a permit is in force under Division 4 or Part 9, or
 - g) For a purpose for which the roads authority is authorised or required, by or under this or any other Act or law, to regulate traffic.

The Council may sub-delegate their powers to Councillors, the General Manager or an employee of the Council for Items 1 and 2 above.

Council may not sub-delegate Item 3.

For further information please refer to the following document:

"A Guide to Delegation to Councils for the Regulation of Traffic (Including the Operation of Traffic Committees)" RTA - Version 1.3 2009

http://www.rms.nsw.gov.au/doingbusinesswithus/lgr/index.html

Extra Ordinary Traffic Committee Meeting Minutes 25 November 2022

Page 3 of 10



AGENDA ITEM WAS EMAILED TO

Cr Ken McGrath (Chairperson - Council Representative) Cr George Pratt (Council Representative) Cr Ken Keith (Council Representative) Jason Nicholson (Transport for NSW Representative) Richard Drooger (Transport for NSW Representative) Chris McQuie - State Member Representative Adam Cornish - NSW Police - Central West Highway Patrol (Police Representative) David Harvey - NSW Police Force Ben Howard, Director Operations Jaymes Rath - Executive Manager Technical Services Melanie Suitor, Road Safety and Injury Prevention Officer Sue McGrath, Business Support Coordinator (Minute Secretary)

1 DECLARATION OF PECUNIARY INTERESTS

Nil.

2 MEETING INSTRUCTIONS

Members are asked to read and consider each item in the agenda, emailed Friday 25 November 2022, then vote either for or against the recommendation by replying via return email to Sue McGrath Business Support Coordinator by 5:00pm Tuesday 2 December 2022:

Agenda Items

- 3.1 EV Charging Stations
- 3.2 Peak Hill National Busking Championships
- 3.3 'No Stopping' Compliance in Welcome Street, Parkes
- 3.4 'No Stopping' Signage Request Reid Street Parkes
- 3.5 Temporary Outdoor Dining in Road Reserve

Extra Ordinary Traffic Committee Meeting Minutes 25 November 2022

Page 4 of 10



3 COMMITTEE BUSINESS

3.1 EV Charging Stations

Executive Summary

Parkes Shire Council have received interest in having six fast electric vehicle (EV) chargers installed at the car park off Welcome Street, between the Post Office and St Vincent de Paul Society (Vinnies) building. This would require the removal of one car space to install the required electrical infrastructure and would have a charger post installed on an existing disabled space.

Staff Recommendation

1. That the proposed EV Charging station installation locations be adopted as presented.

Committee Recommendation

1. That the proposed EV Charging station installation locations be adopted as presented.

Support for Recommendation: Unanimous

Extra Ordinary Traffic Committee Meeting Minutes 25 November 2022

Page 5 of 10





3.2 Peak Hill National Busking Championship

Executive Summary

An on-street event is proposed to be held along Caswell Street, Peak Hill on Saturday 18 March 2023 commencing form 9:00am to 4:00pm involving buskers on the footpath. Due to the higher level of pedestrian activity and the high-traffic volume of the Newell Highway a temporary speed restriction is suggested.

Staff Recommendation

- (1) That Traffic Committee recommend the installation of Variable Message Boards and a Temporary 40km/h Speed Zone on Caswell Street, Peak Hill, between Mingelo and Dugga Streets, to create a safer road environment for the public event between 9am-4pm Saturday 18 March 2022. Council will have to apply for a ROL to seek Concurrence to reduce the speed limit from 50km/h to 40km/h for the period of the event and provide a TCP for the speed reduction and implementation of regulatory signs.
- (2) That the Committee recommend item be referred to Transport for NSW Special Events in Sydney for their consideration. Alternatively advising the event holders to relocate the event to the western side of Caswell Street or the parks within Peak Hill.
- (3) The event organisers to apply for a Section 68 through the planning portal. The event organisers can apply for a Section 68 to cover the whole of the event including insurance and affected business owners consent.

Committee Recommendation

- (1) That Traffic Committee recommend the installation of Variable Message Boards and a Temporary 40km/h Speed Zone on Caswell Street, Peak Hill, between Mingelo and Dugga Streets, to create a safer road environment for the public event between 9am-4pm Saturday 18 March 2022. Council will have to apply for a ROL to seek Concurrence to reduce the speed limit from 50km/h to 40km/h for the period of the event and provide a TCP for the speed reduction and implementation of regulatory signs.
- (2) That the Committee recommend item be referred to Transport for NSW Special Events in Sydney for their consideration. Alternatively advising the event holders to relocate the event to the western side of Caswell Street or the parks within Peak Hill.
- (3) The event organisers to apply for a Section 68 through the planning portal. The event organisers can apply for a Section 68 to cover the whole of the event including insurance and affected business owners consent.
- (4) All completed and approved documentation (ROL, TCP, Section 68) will be sent out to all committee members prior to event being held.

Support for Recommendation: Unanimous

Extra Ordinary Traffic Committee Meeting Minutes 25 November 2022

Page 6 of 10



3.3 'No Stopping' compliance in Welcome Street, Parkes

Executive Summary

Council has received a request from Quick Shine Car Wash, Parkes raising safety concerns with vehicles being parked in the No Stopping area located on the left-hand side of the automatic carwash driveway.

Staff Recommendation

1. That the letter be noted and forwarded to NSW police.

Committee Recommendation

1. Council to advise Quick Shine Car Wash to notify the Local Traffic Highway Patrol when a vehicle is parked at the location.

Support for Recommendation: Unanimous

Extra Ordinary Traffic Committee Meeting Minutes 25 November 2022

Page 7 of 10



3.4 'No Stopping' Signage Request - Reid Street Parkes

Executive Summary

Council has received a request from Parkes East Public School P&C for the installation of a 'No Stopping' signs on either side of the pram ramps in Reid Street between Thornbury Street and Renshaw McGirr Way.

Staff Recommendation

1. That Council install 'No Stopping' Signs as per the signage plan

Committee Recommendation

1. That Council to install 'No Stopping' signs on either side of the pram ramps in Reid Street between Thornbury Street and Renshaw McGirr Way

Support for Recommendation: Unanimous

Extra Ordinary Traffic Committee Meeting Minutes 25 November 2022

Page 8 of 10



3.5 Temporary Outdoor Dining in Road Reserve

Executive Summary

Temporary dining platform structures are proposed to be installed adjacent to the kerb in Clarinda Street and Welcome Street, Parkes. A review of the proposed location is sought from a traffic, parking and signage perspective.

Staff Recommendation

1. That the Committee support the installation of the dining platform in this location and that the subsequent parking changes take place to accommodate the structure for the duration of the lease.

Committee Recommendation

1. That the Committee support the installation of the dining platform in this location and that the subsequent parking changes take place to accommodate the structure for the duration of the lease.

Support for Recommendation: Unanimous

Extra Ordinary Traffic Committee Meeting Minutes 25 November 2022



4 GENERAL BUSINESS

4.1 Pram Ramp - Short Steet

In August 2017 a concern was raised with the safety of the pedestrian refuge on Short Street. Issues being that sight distance is dangerously impeded by the FACS (Family and Community Services) building for vehicles exiting the Orange Road onto Short Street with a possibility of vehicles colliding with pedestrians as a result.

Concept designs have been developed and forwarded to Transport in 2021 for review and feedback.

4.2 Speed Zone Review (SZR) Parkesborough and The Welcome Road, Parkes

For the Committee's information

A speed zone review was conducted on Parkesborough Road after Council received a complaint from a resident who is concerned about the 100km/h speed zone on Parkesborough Road being too high and would like the speed lowered.

The review recommends not to lower the speed but to install GRAVEL ROAD REDUCE SPEED signs and REDUCE SPEED TO CONDITIONS along the road

4.6 Speed Zone Review (SZR) Haylock Street and Hoopers Hill Road, Tullamore

For the Committee's information

After a non-related site inspection, it was noted by an Associate Community & Safety Partner that the speed zone on Hoopers Hill Road, Tullamore may not be appropriate.

4.7 Speed Zone Review (SZR) Coradgery Road and Mingelo Street, Peak Hill

For the Committee's information

A speed zone review was conducted on Coradgery Road and Mingelo Street, from Warrah Street to 2.12 kilometres southwest of Dows Lane.

Extra Ordinary Traffic Committee Meeting Minutes 25 November 2022

Page 10 of 10



10.3 MINUTES OF THE EXTRAORDINARY LOCAL TRAFFIC COMMITTEE MEETING MEETING HELD ON 12 JANUARY 2023

IP&R Linkage:	Pillar: Leadership				
	Goal: Our local government is open, accountable and transparent.				
	Strategy: Provide open and transparent decision-making and undertake the civic duties of Council with professionalism and integrity.				
Author:	Sue McGrath, Business Support Coordinator				
Authoriser:	Logan Hignett, Executive Manager Operations				
Annexures:	A. MINUTES - Extra Ordinary Traffic Committee Meeting - 12 January 2023 U				

RECOMMENDATION

That Council:

1. Receive and note the Minutes of the Extraordinary Local Traffic Committee Meeting Meeting held on Thursday 12 January 2023 appended at *Annexure A*.





PARKES TRAFFIC COMMITTEE

MINUTES

THURSDAY 12 JANUARY 2023

Minutes of the Extra Ordinary Traffic Committee Meeting of Parkes Shire Council for the purpose of considering the items included on the Agenda.

GENERAL MANAGER: Kent Boyd



Voting Members of the Committee are invited to attend, namely:

Cr Ken McGrath (Chairperson - Council Representative) Adam Cornish NSW Police - Central West Highway Patrol (Police Representative) Jason Nicholson (Transport for NSW Representative) Chris McQuie - State Member Representative

And non-voting representatives

Cr George Pratt (substitute Council Representative)

Council staff:

Logan Hignett, Acting Director Operations Jaymes Rath, Executive Manager Technical Services Melanie Suitor, Road Safety and Injury Prevention Officer Sue McGrath, Business Support Coordinator

NOTE:

Each formal member has one vote, the quorum being one (1) Council representative, one (1) NSW Police Force representative and one (1) Transport NSW representative.

All enquiries relating to the items appearing on this Agenda are to be directed to Mr Ben Howard, Director Operations on 02 6861 2343.

Extra Ordinary Traffic Committee Meeting Minutes 12 January 2023



Delegation to Councils - Regulation of Traffic

A Council can regulate traffic for the specific reasons set out in Division 1 of Part 8 of the *Roads Act 1993*, such as carrying out work on a road, etc, whereas the Roads and Maritime Services (RMS) can regulate traffic for any purpose.

If a Council wishes to regulate traffic for purposes other than those specified in Division 1 of Part 8 of the *Roads Act 1993*, it must seek the advice of its Local Traffic Committee and act in accordance with the RMS' "Delegation to Councils - Regulation of Traffic".

Section 50 of the *Transport Administration Act 1988* confers the power to the RMS to delegate the following Traffic Regulation responsibilities to Council:

- 1) Section 50 to Section 55 (inclusive) of the *Road Transport (Safety and Traffic Management) Act* 1999. Install, display and remove prescribed traffic control devices.
- 2) **Section 122** of the *Road Transport (Safety and Traffic Management) Regulation 1999.* Establish and operate a special event parking scheme for any road.
- 3) Section 116 to 119 (inclusive) of the Roads Act 1993 Part 8 Division 2. The erection (or removal) of any notice or barrier, the carrying out of any work or the taking of any other action for the purpose of regulating traffic (restrict or prohibit the passage along a road of persons, vehicles or animals) on a public road for purposes other than those referred to in Division 1 (ie. Sections 114 and 115).
- 4) 115 Roads Authority may regulate traffic in connection with road work, etc.
- 5) A roads authority may regulate traffic on a public road by means of barriers or by means of notices conspicuously displayed on or adjacent to the public road.
- 6) The power conferred by this section may be exercised by the RMS for any purpose but may not be exercised by any other roads authority otherwise than:
 - a) For the purpose of enabling the roads authority to exercise its functions under this Act with respect to the carrying out of road work or other work on a public road, or
 - b) For the purpose of protecting a public road from serious damage by vehicles or animals as a result of wet weather, or
 - c) For the purpose of protecting earth roads from damage caused by heavy vehicles or by animals, or
 - d) For the purpose of protecting members of the public from any hazards on the public road, or
 - e) For the purpose of protecting vehicles and other property on the public road from damage, or
 - f) For the purpose of enabling a public road to be used for an activity in respect of which a permit is in force under Division 4 or Part 9, or
 - g) For a purpose for which the roads authority is authorised or required, by or under this or any other Act or law, to regulate traffic.

The Council may sub-delegate their powers to Councillors, the General Manager or an employee of the Council for Items 1 and 2 above.

Council may not sub-delegate Item 3.

For further information please refer to the following document:

"A Guide to Delegation to Councils for the Regulation of Traffic (Including the Operation of Traffic Committees)" RTA - Version 1.3 2009

http://www.rms.nsw.gov.au/doingbusinesswithus/lgr/index.html

Extra Ordinary Traffic Committee Meeting Minutes 12 January 2023

Page 3 of 5



AGENDA ITEM WAS EMAILED TO

Cr Ken McGrath (Chairperson - Council Representative) Cr George Pratt (Council Representative) Cr Ken Keith (Council Representative) Jason Nicholson (Transport for NSW Representative) Richard Drooger (Transport for NSW Representative) Chris McQuie - State Member Representative Adam Cornish - NSW Police - Central West Highway Patrol (Police Representative) David Harvey - NSW Police Force Logan Hignett, Acting Director Operations Jaymes Rath - Executive Manager Technical Services Melanie Suitor, Road Safety and Injury Prevention Officer Sue McGrath, Business Support Coordinator (Minute Secretary)

1 DECLARATION OF PECUNIARY INTERESTS

Nil.

2 MEETING INSTRUCTIONS

Members are asked to read and consider each item in the agenda, emailed Thursday 12 January 2023, then vote either for or against the recommendation by replying via email to Sue McGrath, Business Support Co-ordinator, by 5:00pm Wednesday 18 January 2023:

• Agenda item 3.1 | 'Bus Zone' - change of time

Extra Ordinary Traffic Committee Meeting Minutes 12 January 2023



3 COMMITTEE BUSINESS

3.1 'Bus Zone' - Change of Time

Executive Summary

Council has received a request from Western Road Liners requesting to change the time on the 'Bus Zone' sign out the front of Parkes Aquatic Centre from 9:00am - 2:00pm to 9:00am - 3:00pm.

Staff Recommendation

- (1) That Council install 'Bus Zone' Signs to reflect the time 9:00am 3:00pm.
- (2) Bus Zone signage to be in accordance with AS1742.11 Clauses 3.3.2(b), 3.3.3, 3.3.4 and 3.3.5

Committee Recommendation

- (1) That Council install 'Bus Zone' Signs to reflect the time 9:00am 3:00pm.
- (2) Bus Zone signage to be in accordance with AS1742.11 Clauses 3.3.2(b), 3.3.3, 3.3.4 and 3.3.5

Support for Recommendation: Unanimous



11 REPORTS OF THE GENERAL MANAGER

11.1 STATEMENT OF INVESTMENTS AND BORROWINGS AS AT 31 DECEMBER 2022

IP&R Linkage:	Pillar: Leadership			
	Goal: Our local government is sustainable and plans for the future.			
	Strategy: Operate in a financially sustainable and responsible manner.			
Author:	Luke Nash, Financial Accountant			
Authoriser:	Jaco Barnard, Chief Financial Officer			
Annexures:	 A. Investment Register as at 31 December 2022 B. Loan Register as at 31 December 2022 			

RECOMMENDATION

That Council:

1. Receive and note the Statement of Investments and Borrowings as at 31 December 2022.

BACKGROUND

In accordance with clause 212 of the *Local Government (General) Regulation 2021* ("the Regulations"), the Responsible Accounting Officer must provide Parkes Shire Council ("Council") with a monthly written report setting out details of Council's investments under section 625 of the *Local Government Act 1993* ("the Act"). The report must also include certification that these investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

ISSUES AND COMMENTARY

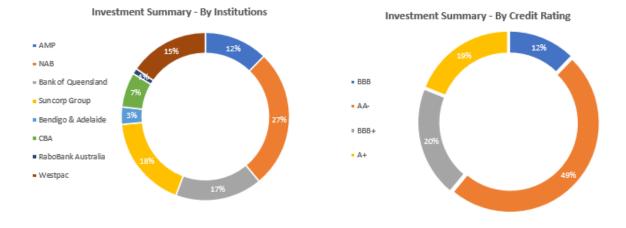
The balance of Council's investments as of 31 December 2022 stands at \$44,914,601 and the principal outstanding on Council's borrowings remains at \$17,826,909. Council's investments decreased marginally by \$178k during December.

Considering the current economic outlook, it is likely that the return on Council's investments will continue to trend positively for the remainder of the 2022/23 financial year. Council has been receiving weighted average interest income 0.78 percent above benchmark rates over the past year. RBA cash rate is considered benchmark for evaluating Council's return on investment.

The RBA increased the cash rate by 25 basis points (1 per cent is 100 basis points) again on Tuesday, 6 December 2022. All data provided in this report relates to the investment conditions as at 31 December 2022. Council's investments cover externally restricted cash reserves and internal restricted cash reserves.

The following charts depict a summary of the investments held by Council based on the individual institutional exposure and credit rating of the institutions with which they are held.





LEGISLATIVE AND POLICY CONTEXT

Council's investments are held in accordance with Council's Investment Policy which accords with the requirements of the:

- Local Government Act 1993 Section 625
- Local Government Act 1993 Order (of Minister) dated 16 November 2020
- The Trustee Amendment (Discretionary Investments) Act 1997 Sections 14A(2), 14C(1) and (2); and
- Local Government (General) Regulation 2021 Clauses 212 and 215.

FINANCIAL IMPLICATIONS

All returns on investments are included in Council's Operating Budget. Any amendment to budgeted interest income is effected through the Quarterly Budget Review process. Both the average level of funds invested, and the rate of return determine returns.

In accordance with the Australian equivalent of International Accounting Standards, securities that are classified as held for trading are required to be valued at market value at each balance date. Investments in the form of cash or cash equivalents and held to maturity investments are valued at cost. Floating Rate Notes acquired on the secondary market are valued at cost. Where the purchase consideration is different to face value, the resulting premium or discount are amortised on a straight-line basis over the life of the Note.

RISK IMPLICATIONS

Council's investments are managed in accordance with Council's Investment Policy.

COMMUNITY CONSULTATION

There are no community consultation requirements for Council associated with this report.

CONCLUSION

The Chief Financial Officer has certified that the investments listed in the Investment Summary have been made in accordance with section 625 of the Act, clause 212 of the Regulation and Council's Investment Policy. Council's investments continue to focus on capital protection, as well as compliance with the Investment Policy, whilst actively seeking the best return allowable within these parameters. It is recommended that Council receive and note the Statement of Investments and Borrowings as at 31 December 2022.



Parkes Shire Council							
Investment Register as at 31 December 2022							
ADI/Issuer	Deting	Reference	Investment Type	Principal	Yield	Settlement Date	Maturity Date
Bank of Queensland	BBB+	3	Term Deposit	500.000	3.45	2/01/2018	3/01/2023
NAB	AA-	4	Term Deposit	1,000,000	0.70	6/01/2022	6/01/2023
NAB	AA-	5	Term Deposit	1,000,000	0.70	6/01/2022	6/01/2023
Suncorp Group	AA- A+	6	Term Deposit	3,000,000	3.42	30/06/2022	30/01/2023
Bank of Queensland	BBB+	7	Term Deposit	4,000,000	2.36	29/04/2022	30/01/2023
AMP	BBB	8	Term Deposit	500,000	3.65	18/08/2022	14/02/2023
Bendigo & Adelaide	BBB+	9	Term Deposit	1,500,000	3.50	29/06/2022	29/03/2023
NAB	AA-	10	Term Deposit	2,500,000	4.03	21/11/2022	21/04/2023
Suncorp Group	A+	11	Term Deposit	2,500,000	4.20	21/11/2022	22/05/2023
AMP	BBB	12	Term Deposit	3,500,000	4.30	16/12/2022	14/06/2023
NAB	AA-	13	Term Deposit	3,000,000	3.76	18/08/2022	19/06/2023
Suncorp Group	A+	14	Term Deposit	2,500,000	4.08	14/07/2022	14/07/2023
СВА	AA-	22	Floating Rate Note	504,300	3.23	16/08/2018	16/08/2023
AMP	BBB	15	Term Deposit	1,000,000	0.75	5/08/2021	8/08/2023
AMP	BBB	16	Term Deposit	500,000	4.15	18/08/2022	18/08/2023
NAB	AA-	17	Term Deposit	1,000,000	4.15	6/10/2022	6/10/2023
NAB	AA-	18	Term Deposit	1,000,000	4.40	14/11/2022	14/11/2023
RaboBank Australia	A+	19	Term Deposit	500,000	3.43	23/11/2018	21/11/2023
NAB	AA-	20	Term Deposit	2,000,000	4.11	30/12/2022	27/11/2023
Bank of Queensland	BBB+	21	Term Deposit	1,000,000	0.79	30/07/2021	30/07/2024
СВА	AA-	23	Floating Rate Note (Fixed)	1,003,972	4.20	18/08/2022	18/08/2025
Bank of Queensland	BBB+	24	Floating Rate Note	2,013,380	3.22	21/04/2022	29/10/2025
CBA	AA-	25	Floating Rate Note	1,497,975	2.74	11/01/2022	14/01/2027
NAB	AA-	26	Floating Rate Note	504,108	4.30	25/11/2022	25/11/2027
Westpac	AA-	1	Cash at Call - Main	375,866		At Call	
Westpac	AA-	2	Cash at Call - Maxi	6,515,000		At Call	
Total				44,914,601			

t Balances by Type				
32,500,000				
5,523,735				
375,866				
6,515,000				
44,914,601				

I, Jaco Barnard, Parkes Shire Council Chief Financial Officer, certify as required under Section 212 of the Local Government Regulations 2021, that Council's investments have been made in accordance with the Local Government Act 1993 and Parkes Shire Council Investment Policy.

Signed: Jaco Barnard

Investment



Parkes Shire Council Loan Register as at 31 December 2022							
Lender	System Loan No.	Loan Term Years	Date of Maturity	Interest Rate		-	Principal Outstanding as at 31 December 2022
NAB	1	20	2030	8.21%	\$	2,000,000	1,132,558
NAB	3	20	2030	8.21%	\$	500,000	283,139
NAB	4	20	2030	8.01%	\$	950,000	534,008
CBA	8	10	2024	5.91%	\$	1,000,000	192,709
TCorp	10	10	2026	3.485%	\$	2,220,000	2,220,000
TCorp	11	10	2028	3.670%	\$	3,000,000	3,000,000
					\$	9,670,000	7,362,414
TCorp	7	10	2026	2.90	\$	4,000,000	4,000,000
					\$	4,000,000	4,000,000
TCorp	9	20	2036	3.045	\$	8,500,000	6,464,495
					\$	8,500,000	6,464,495
					Ś	22,170,000	17,826,909
	Lender NAB NAB CBA TCorp TCorp	Loan RegisterLenderSystem Loan No.NAB1NAB3NAB4CBA8TCorp10TCorp11	Loan Register as at 31 CLenderSystem Loan No.Loan Term YearsNAB120NAB320NAB420CBA810TCorp1010TCorp1110TCorp710	Loan Register as at 31 December 202LenderSystem Loan No.Loan Term YearsDate of MaturityNAB1202030NAB3202030NAB4202030CBA8102024TCorp10102026TCorp7102026	Loan Register as at 31 December 2022LenderSystem Loan No.Loan Term YearsDate of MaturityInterest RateNAB12020308.21%NAB32020308.21%NAB42020308.01%CBA81020245.91%TCorp101020263.485%TCorp111020283.670%	Loan Register as at 31 December 2022 Lender System Loan No. Loan Term Years Date of Maturity Interest Rate Oright Dote NAB 1 20 2030 8.21% \$ NAB 3 20 2030 8.21% \$ NAB 3 20 2030 8.21% \$ NAB 4 20 2030 8.21% \$ CBA 8 10 2024 5.91% \$ TCorp 10 10 2026 3.485% \$ TCorp 7 10 2026 2.90 \$	Loan Register as at 31 December 2022 Lender System Loan No. Loan Term Years Date of Maturity Interest Rate Original Amount Borrowed \$ NAB 1 20 2030 8.21% \$ 2,000,000 NAB 3 20 2030 8.21% \$ 2,000,000 NAB 3 20 2030 8.21% \$ 5,00,000 NAB 4 20 2030 8.01% \$ 950,000 CBA 8 10 2024 5,91% \$ 1,000,000 TCorp 10 10 2028 3.670% \$ 3,000,000 TCorp 7 10 2026 2.90 \$ 4,000,000 TCorp 9 20 2036 3.045 \$ 8,500,000



11.2 ADOPTION OF DRAFT FINANCIAL RESERVES POLICY

IP&R Linkage:	Pillar: Leadership			
	Goal: Our local government is sustainable and plans for the future.			
	Strategy: Operate in a financially sustainable and responsible manner.			
Author:	Anthony McGrath, Executive Manager Corporate Services			
Authoriser:	Jaco Barnard, Chief Financial Officer			
Annexures:	A. Draft Financial Reserves Policy <u>U</u>			

RECOMMENDATION

That Council:

- 1. Endorse the Draft Financial Reserves Policy, appended at Annexure 1.
- 2. Place the Draft Financial Reserves Policy on public exhibition for a period of 28 days to seek community comment.
- 3. That a subsequent report be brought back to Council for final review and adoption of the Financial Reserves Policy.

BACKGROUND

Financial Reserves are established to fund a future expenditure or program. In some cases, Council may have external restrictions placed on amounts of money because of a legislative requirement. In other cases, Council may resolve to internally restrict funds for a specific purpose.

ISSUES AND COMMENTARY

A Financial Reserves Policy ("Policy") outlines the mechanism to establish and maintain financial reserves in accordance with the Local Government Code of Accounting Practice. To that end, this Policy has been developed and is appended at *Annexure 1*.

Council has been reporting the status of several financial reserves within its financial statements in accord with the Local Government Code of Accounting Practice. The purpose and reason for the establishment of each of the reserves has been previously adopted by Council, however, there needed to be a policy to document all the financial reserves that Council is currently managing.

The objectives of this Policy are to:

- 1. Provide clarity and transparency in the sequestering of funds from annual operations to provide for longer term expenditure.
- 2. Provide transparency encompassing the method of calculation of both the fund in total and its annual movements.
- 3. Fulfil Council's statutory responsibilities.

Council is required to undertake certain processes in dealing with Financial Reserves. All significant decisions in relation to Council's Financial Reserves are required to be by Council resolution including the creation of new Reserves, alterations to existing Reserves, or the cessation of Reserves. Every reserve created should have a clear and specific purpose and relate back to the adopted Integrated Planning and Reporting (IP&R) strategies and plans of Council. There should be a clear link between this Policy, and the Reserves created under it, to the Operational Plan, Delivery Program, and where appropriate, the Council's asset management plans and community plans.



Council must also approve the transfer of funds into and out of each Financial Reserve, either through the Delivery Program, Operational Plan, or some other financial or asset management plan that has been on public exhibition. Alternatively, individual transfers from a reserve for a specific project that has not been previously publicly advised can only be approved by Council after a period of public exhibition.

LEGISLATIVE AND POLICY CONTEXT

This Policy requires Council to undertake certain processes in dealing with Financial Reserves. All significant decisions in relation to Council's Financial Reserves are required to be by Council resolution. The creation of new Reserves, alterations to existing Reserves, or the cessation of any existing Reserve may only be undertaken by resolution of the Council. The method for accounting for Financial Reserves is set out under the Local Government Code of Accounting Practice.

FINANCIAL IMPLICATIONS

The process of adoption of this policy has no financial implications or budget impact.

RISK IMPLICATIONS

Adoption of the draft Policy ensures Council achieves compliance with its requirements under the Local Government Code of Accounting Practice.

COMMUNITY CONSULTATION

The policy will be placed on public exhibition for a period of 28 days to seek feedback from the community. Any comments received will be considered and reported back to Council at a future meeting where the Policy will be considered for final adoption.

CONCLUSION

This report outlines the purpose of a Financial Reserves Policy and includes a draft version of the Policy for review by Council. The report recommends that the Policy be placed on public exhibition for a period of 28 days, to seek comment from the community, before it is brought back to Council for final approval and adoption.











CONTROLLED DOCUMENT INFORMATION

ECM Number	1691798
Document Owner	General Manager
Document Development Officer	Chief Financial Officer
Review Timeframe	Within 12 months of each ordinary election.
Last Review Date	December 2022
Next Scheduled Review	December 2024

Document History		
Date	Resolution No.	Details/Comments
29/11/2022		Draft version created

Related Legislation*	Local Government Act 1993 Local Government (General) Regulation 2021		
Related Policies	Community Financial Assistance Policy		
Related Documents	Local Government Code of Accounting Practice and Financial Reporting - Office of Local Government NSW		
Note: Any reference to Legislation will be updated in this Policy as required. See website <u>http://www.legislation.nsw.gov.au/</u> for current Acts, Regulations and Environmental Planning			

Instruments.



Policy Financial Reserves Policy



Contents

Policy	Sum	mary	.1
Part A	- Intr	oduction	.2
	1.	Introduction	.2
	2.	Policy Objectives	.2
	3.	Principles	.2
Part B – Financial Reserves			.3
	4.	Creation, Alteration, Cessation of Reserves	.3
	5.	Accounting of Reserves	.3
	6.	Publication	.3
	7.	Reporting	.3
Part C	- App	bendices	.5
	Appendix I: Definitions		
Appendix II: Schedule of Externally Restricted Financial Reserves		.6	
		ndix III: Schedule of Internally Restricted Financial Reserves	



Policy

Financial Reserves Policy



Policy Summary

This Financial Reserves Policy ("this Policy") outlines the mechanism to establish and maintain financial reserves in accordance with the Local Government Code of Accounting Practice.

Financial Reserves are established to fund a future expenditure or program. In some cases, Council may have external restrictions placed on amounts of money because of a legislative requirement. In other cases, Council may resolve to internally restrict funds for a specific purpose.

Part A - Introduction

1. Introduction

- 1.1. Council establishes financial reserves to set aside funds to allocate to specific projects, as required.
- 1.2. Every reserve created should have a clear and specific purpose and relate back to the adopted Integrated Planning and Reporting (IP&R) strategies and plans of Council. There should be a clear link between this Policy, and the Reserves created under it, to the Operational Plan, Delivery Program, and where appropriate, the Council's asset management plans and community plans.
- 1.3. Council is committed to best practice financial reserves accounting, in accordance with external statutory and internal management reporting requirements.
- 1.4. This policy covers all externally and internally restricted reserves.

2. Policy Objectives

The objectives of this Policy are to:

- (a) Provide clarity and transparency in the sequestering of funds from annual operations to provide for longer term expenditure.
- (b) Provide transparency encompassing the method of calculation of both the fund in total and its annual movements.
- (c) Fulfil Council's statutory responsibilities.

3. Principles

- (a) **Proper conduct:** Councillors and staff acting lawfully and honestly, exercising care and diligence in managing financial reserves.
- (b) **Reasonable expenses:** Council has a clear purpose and target for allocation of funds.
- (c) **Participation and access:** The purpose for which the reserves are created must be clearly and transparently reported.
- (d) **Equity:** The scope of all internal reserves is evaluated for equity of projects across the Shire.

Page 1 of 19



Policy

Financial Reserves Policy



- (e) **Appropriate use of resources:** providing clear direction on the appropriate use of Council reserves in accordance with legal requirements and community expectations.
- (f) **Accountability and transparency:** clearly stating and reporting on the use of the financial reserves.

Part B – Financial Reserves

4. Creation, Alteration, Cessation of Reserves

- 4.1. This Policy requires Council to undertake certain processes in dealing with Financial Reserves. All significant decisions in relation to Council's Financial Reserves are required to be by Council resolution. The creation of new Reserves, alterations to existing Reserves, or the cessation of any existing Reserve may only be undertaken by resolution of the Council.
- 4.2. A <u>schedule of existing Financial Reserves</u> is appended to this policy outlining, for each Reserve, its purpose, the basis on which it is calculated, its target balance, the name of the Council position/committee responsible for controlling the reserve and Council Approval Date/Minute No. where known. Given that they form part of an Appendix to this policy, amendments to individual Reserves may be made by Council resolution without the need to amend the policy itself.
- 4.3. The creation of a Reserve, cessation of a Reserve or transferring funds to and from a Reserve may only be authorised by resolution of Council. Such a resolution should be based on a thorough and detailed report setting out all the implications involved. Any such resolution must specify the amount of the transfer.

5. Accounting of Reserves

- 5.1. No transfer from any Reserve shall exceed the amount of the existing balance of the Reserve at the time of transfer, unless a Reserve overdraft has been approved by resolution of Council and the full impact of such overdraft considered for any financial management plans, and there are sufficient funds within the total Reserves balance to allow a temporary overdraft.
- 5.2. Interest should be paid from the overdrawn Reserve account if the balance is material.
- 5.3. Each Quarterly Budget Review Statement is to include a schedule of Reserves, showing
 - a) Opening actual balance on 1 July.
 - b) Estimated transfer to Reserve.
 - c) Estimated transfer from Reserve; and
 - d) Estimated Closing balance on 30 June.

Page 2 of 19



Policy

Financial Reserves Policy



6. Publication

6.1. This Policy will be publicised on Council's website.

7. Reporting

- 7.1. Council will report on the schedule of Reserves at each Quarterly Budget Review.
- 7.2. Financial Reserves will be reported in accord with the Local Government Code of Financial Accounting Practice.

Page 3 of 19



Policy

Financial Reserves Policy



Part C - Appendices

Appendix I: Definitions

The following definitions apply throughout this Policy:

Term	Definition
Externally Restricted Reserves	Externally restricted reserves are created because of a legislative requirement governing the use of the funds. These funds must be fully expended for the specific purpose defined and cannot be used by Council for general operations.
Internally Restricted Reserves	Internally restricted reserves are funds that the Council has determined to be used for specific purposes. The Council may resolve to change the purpose of these funds.

Page 4 of 19



Policy

Financial Reserves Policy



Appendix II: Schedule of Externally Restricted Financial Reserves

Reserve Name	Developer Contributions
Purpose	Cash contributions received under S7.11 Environmental Planning and Assessment Act 1979 - Contribution towards provision, extension or augmentation of the public amenities and public services concerned, to meet the increased demand created by development. Cash contributions received under S7.12 Environmental Planning and Assessment Act 1979 - Fixed development consent levies applied towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation), to meet the increased demand created by development. The application of the money is subject to any relevant provisions of the contributions plan. In accordance with Environmental Planning and Assessment Regulation 2000 Part 4, Division 5, clause 35 Council must maintain accounting records that allow monetary section 7.11 contributions, section 7.12 levies, and any additional amounts earned from their investment, to be distinguished from all other money held by the council.
Calculation Basis	In accordance with contribution rates detailed in Contribution Plans.
Target Balance	Developer contribution cash received all fully expended in accordance with contribution plan works program and Delivery Program and Operational plan.
Responsible	Director Planning and Community Services
Approval	

Reserve Name	Water Fund
Purpose	Council accounts for its water services function as a separate business, as required by the Local Government Act 1993 and National Competition Policy. It is a legislative requirement that the restricted water fund reserves can only be used to fund water operations or projects which are directly related to water services of council.
Calculation Basis	This reserve contains the audited end of year cash and investment balance for the water fund. Funds are held in accordance with the requirements of the Act and associated legislation. Funds are used to provide for future replacement, maintenance works and upgrade of infrastructure to support the water supply network. The source of funds is revenue generated from the water services provided by council.
Target Balance	Cash reserves within the water fund to be maintained at the level indicated in the Long-Term Financial Plan. Sufficient funds are required to meet the value of maintenance, renewal requirements and future strategic investment of water fund assets. Adequate cash reserve levels will ensure financial sustainability and effective asset management practices across the water fund.
Responsible	Director Infrastructure

Page 5 of 19





Approval

Reserve Name	Sewer Fund
Purpose	Council accounts for its sewerage services function as a separate business, as required by the Local Government Act 1993 and National Competition Policy. It is a legislative requirement that the restricted sewerage fund reserves can only be used to fund sewerage operations or projects which are directly related to sewerage services of council.
Calculation Basis	This reserve contains the audited end of year cash and investment balance for the sewerage fund. Funds are held in accordance with the requirements of the Act and associated legislation. Funds are used to provide for future replacement, maintenance works and upgrade of infrastructure to support the sewerage network. The source of funds is revenue generated from the sewerage services provided by council.
Target Balance	Cash reserves within the sewer fund to be maintained at the level indicated in the Long-Term Financial Plan. Sufficient funds are required to meet the value of maintenance, renewal requirements and future strategic investment of sewer fund assets. Adequate cash reserve levels will ensure financial sustainability and effective asset management practices across the sewer fund.
Responsible	Director Infrastructure
Approval	

Reserve Name	Domestic Waste Management	
Purpose	Section 496 of the Local Government Act 1993 (the Act) requires Council to make and levy an annual charge for the provision of domestic waste management services for each parcel of rateable land for which the service is available. Section 502 of the Act then allows Council to make a charge for a service referred to in section 496 according to the actual use of the service.	
Calculation Basis	Limited to recovering the reasonable cost of providing the domestic waste management service. Cash received for the service is transferred to this reserve and expenditure incurred for the service is transferred from this reserve. The reserve contains net proceeds from the domestic waste management services and is used to assist with the funding the following:	
	 Infrastructure and other assets required to support domestic waste services, replacement of garbage bins, remediation of landfill sites. 	
Target Balance	Cash collected needs to be supported by the 10-year Domestic Waste Management (DWM) Long Term Financial Plan.	

Page 6 of 19





Responsible	Director Planning and Community Services	
Approval		
Reserve Name	Stormwater Management	

Purpose	Council charges a Stormwater Levy to every household and business in accordance with the policy gazetted by the Minister in October 2005 to improve the management of stormwater. The Stormwater Levy allows Council to undertake significant improvements to the stormwater system to provide a cleaner and safer environment for the benefit of owners, residents and visitors.
Calculation Basis	The maximum amounts of the Levy are set by Legislation and included in the Delivery Program and Operational plan.
Target Balance	No Target - Cash received to be fully expended in accordance with the Stormwater Management expenditure program in the Delivery Program and Operational plan.
Responsible	Director Operations
Approval	

Page 7 of 19





Reserve Name	Specific Purpose Unexpended Grants
Purpose	Council receives grant funds for specific projects and purposes. It is common that grants will be unexpended across different financial years and this reserve allows unexpended grant funds to be isolated and retained for expenditure on the project for which the grant was received.
Calculation Basis	Unexpended grants at year end, restricted by contractual obligations, as set out in grant agreement.
Target Balance	No Target - income variable.
Responsible	Chief Financial Officer
Approval	

Page 8 of 19





Appendix III: Schedule of Internally Restricted Financial Reserves

Reserve Name	Employee Leave Entitlement Reserve	
Purpose	Provide available cash for the payment of employee leave entitlements such as long service leave, vesting sick leave, annual leave, on the retirement or eligible resignation of staff members. Further, this reserve ensures that the funding of leave entitlements is provided for in the year that it accrues, thereby ensuring future years' ratepayers are not burdened with the payment of liabilities from prior years.	
Calculation Basis	Transfers to and from the Reserve will be based upon projected end of year liabilities relating to employee leave entitlements. The calculation of such liabilities takes into consideration the anticipated timing of employee leave entitlement payments based on a number of factors, including the age demographic of employees.	
Target Balance	 The target balance will be based upon the age and anticipated payout date for each employee. The following levels of funding will be held to fund various age bands, based on expected employee leave liabilities at fiscal year-end. 100 per cent funding for employees older than 60 years; 60 per cent funding for employees older than 55 years; 40 per cent funding for employees older than 50 years; 20 per cent funding for employees older than 45 years and 10 per cent funding for employees older than 45 years. 	
Responsible	Chief Financial Officer	
Approval	Council Resolution 22 - 158	
Reserve Name	Village Improvement Fund	
Purpose	An allocation is set aside in the Annual Budget for expenditure on items within each of the town and village areas of the Shire. Council seeks the assistance of the applicable Community Consultative Committee ("CCC") in each Town or Village to determine suitable projects for the expenditure of these transfers from the reserve. The final decision concerning the expenditure of the funds remains with either the Director, for expenditure in areas under their responsibility, or with Council for all other requests. In addition, Council may, after consultation with the Community Committee, transfer funds from the reserve for community-based items as it sees fit.	
	 Allocation areas and their relevant consultative committees are as follows: Parkes (Parkes Shire Council) Peak Hill (Peak Hill Community Consultative Committee) Trundle (Trundle Progress Association) Tullamore (Tullamore & District CCC) Bogan Gate (Bogan Gate Hall Committee) 	

Page **9** of **19**





	Cookamidgera (Cookamidgera CCC)
Calculation Basis	 The amount set aside was originally determined based on each village's relative populations size. The annual budget allocation is determined using the following formula: Budget Allocation = Previous Allocation * 1+General Rate Increase%
Target Balance	Not specified.
Responsible	Chief Financial Officer
Approval	

Reserve Name	Special Infrastructure Fund	
Purpose	To support the delivery of a major infrastructure facility such as an indoor heated swimming pool.	
Calculation Basis	That a minimum 15% of net increase in annual reserves (General Fund unallocated funds only) be attributed to the infrastructure fund	
Target Balance	Not specified	
Responsible	Chief Financial Officer	
Approval	Council Meeting <u>Resolution 21-178</u> .	



12 REPORTS OF THE DIRECTOR CUSTOMER, CORPORATE SERVICES AND ECONOMY

12.1 ADOPTION OF DRAFT COUNCILLOR ACCESS TO INFORMATION AND INTERACTION WITH STAFF POLICY

IP&R Linkage:Pillar: LeadershipGoal: Our local government is open, accountable, and representative.Strategy: Provide open and transparent decision-making and undertake the
civic duties of Council with professionalism and integrity.Author:Cian Middleton, Director Customer, Corporate Services and Economy
Cian Middleton, Director Customer, Corporate Services and Economy
Annexures:A.Councillor Access to Information and Interaction with Staff Policy
(Draft) ↓

RECOMMENDATION

That Council:

1. Adopt the draft *Councillor Access to Information and Interaction with Staff Policy*, appended at *Annexure A*.

BACKGROUND

On 14 December 2018, the *Model Code of Conduct for Local Councils in NSW* ("the Model Code") was prescribed by the NSW Government. The Model Code includes provisions, at Part 7 and Part 8, provisions with respect to relationships between Council Officials and access to Council information and resources, respectively.

In April 2022, the Office of Local Government ("the OLG") issued the *Model Councillor and Staff Interaction Policy* ("the Model Policy"), which was developed over several years in consultation with local councils, county councils and joint organisations to supplement Part 7 and Part 8 of the Model Code.

The Model Policy has been designed provide an exemplar approach, incorporating examples of best practice from a diverse range of NSW councils. At its core, the Model Policy has three central goals:

- 1. To establish a framework by which Councillors can access the information they need to perform their civic duties,
- 2. To promote positive and respectful interactions between Councillors and staff, and
- 3. To advise where concerns can be directed if there is a breakdown in the relationship between Councillors and staff.

ISSUES AND COMMENTARY

The draft *Councillor Access to Information and Interaction with Staff Policy* ("the draft Policy") appended at *Annexure A* has been based on the Model Policy issued by the OLG, with minor amendments to suit local circumstances and Council's operating environment.

Supplementary provisions have been included, specifically:

• Section 9 - Access to and Interaction with Audit: Provisions clarifying Councillors' rights to access and interact with Council's external Auditor and Chair of the Audit, Risk and Improvement Committee, which reflects clause 7.3 of the Code of Conduct.



- Section 10 Access to Third Party Advice: Provisions clarifying that Councillors will be provided with third party advice, such as consultants' reports and advice from Government agencies, relevant to a matter before Council upon which a decision is to be made, at least three (3) days' prior to the meeting at which the decision is proposed to be made.
- Section 11 Access to Legal Advice: Provisions clarifying the circumstances in which Councillors will be provided with copies legal advice relevant to a matter before Council upon which a decision is to be made, noting that Councillors cannot retain written copies of such advice due to legal professional privilege.

LEGISLATIVE AND POLICY CONTEXT

The Model Code sets the minimum standards of conduct for Council Officials, and has been made under section 440 of the *Local Government Act 1993* and prescribed under clause 23A of the *Local Government (General) Regulation 2021*. As detailed above, the Model Policy issued by the OLG has been developed to supplement the provisions contained at Part 7 and Part 8 of the Model Code applicable to relationships between Council Officials and access to Council information and resources.

If adopted, the draft Policy will be included in Council's Policy Register. Under Schedule 1 of the *Government Information (Public Access) Regulation 2018*, all Council policies are categorised as open access information and must be made publicly accessible from Council's website.

FINANCIAL IMPLICATIONS

There are no financial implications for Council associated with this report.

RISK IMPLICATIONS

There are no risk implications for Council associated with this report.

COMMUNITY CONSULTATION

There are no community consultation requirements for Council associated with this report.

CONCLUSION

The draft Policy appended at *Annexure A* has been adapted from the Model Policy issued by the OLG and establishes a framework by which Councillors can access the information and resources they require to perform their civic duties. It is recommended that Council resolve to formally adopt the draft Policy for inclusion in Council's Policy Register.





Policy Councillor Access to Information and Interaction with Staff







Council Policy Councillor Access to Information and Interaction with Staff



CONTROLLED DOCUMENT INFORMATION

ECM Number	ECM registration ID
Document Owner	General Manager
Document Development Officer	Director Customer, Corporate Services and Economy
Review Timeframe	Four years
Last Review Date	January 2023
Next Scheduled Review	January 2027

Document History		
Date	Resolution No.	Details/Comments
January 2023	<resolution no.=""></resolution>	<e.g. "endorsed="" exhibition"="" for="" public=""></e.g.>
L		

Further Document Information and Relationships		
Related Legislation*	gislation* Government Information (Public Access) Act 2009 Government Information (Public Access) Regulation 2009 Local Government Act 1993 Privacy and Personal Information Protection Act 1998	
Related Policies	Code of Conduct	
Related Documents Model Councillor and Staff Interaction Policy (Office of Local Government)		
Note: Any reference to Legislation will be updated in this Policy as required. See website		

http://www.legislation.nsw.gov.au/ for current Acts, Regulations and Environmental Planning Instruments.



Council Policy Councillor Access to Information and Interaction with Staff



Contents

Part A - Int	roduction	2
1.	Purpose	2
2.	Commencement	2
3.	Scope and Application	2
4.	Definitions	2
5.	Policy Objectives	3
Part B - Po	licy Statement	
6.	Principles, Roles and Responsibilities	5
7.	Access to Information	
8.	Access to Council Staff	
9.	Access to and Interaction with Audit	8
10.	······	
11.	Access to Legal Advice	8
12.	, cooco to o an an go	
13.	Appropriate and Inappropriate Interactions	
14.	Complaints	10
	- Authorised Staff Contacts for Councillors	
Schedule 2	2 - Role and Responsibilities of Councillors	14

Page 1 of 15



Councillor Access to Information and Interaction with Staff



Part A - Introduction

1. Purpose

The purpose of this *Councillor Access to Information and Interaction with Staff Policy* ("this Policy") is to provide a framework for:

- (a) ensuring the Councillors have access to all information necessary for them to exercise their statutory role as a member of the governing body of Parkes Shire Council ("Council"),
- (b) ensuring the Councillors receive advice from authorised staff to help in the performance of their civic duties in an orderly and regulated manner, and
- (c) providing a documented process on how the Councillors can access Council records and information and interact with Council staff.

This Policy complements and should be read in conjunction with Council's *Code of Conduct*.

2. Commencement

This Policy is effective from date of adoption by Council resolution, and shall remain in force until repealed by resolution of Council.

3. Scope and Application

This Policy applies:

- (a) to all Councillors and Council staff,
- (b) to all interactions between Councillors and Council staff, whether face-to-face, online (including social media and virtual meeting platforms), by phone, text message or in writing, and
- (c) whenever interactions between Councillors and Council staff occur, including inside or outside of work hours, and at both Council and non-Council venues and events.

This Policy does not confer any delegated authority upon any person. All delegations to Council staff are made by Council's General Manager, consistent with section 378 of the Local Government Act 1993 ("the Local Government Act").

The Code of Conduct provides that Council Officials must not conduct themselves in a manner that is contrary to Council's policies. Accordingly, a breach of this Policy will be a breach of the Code of Conduct.

4. Definitions

In this Policy, the following terms shall be interpreted as having the following meanings:

Term	Definition
Civic duties	means those duties that Councillors are required to undertake to fulfil their legislated role and responsibilities, as detailed in Schedule 2.
Council	means Parkes Shire Council.
Council staff	means all employees, contractors, consultants and volunteers engaged by Parkes Shire Council.

Page 2 of 15



Councillor Access to Information and Interaction with Staff



Councillor Support Requests	means requests for administrative and executive support, including requests for ICT and other support from the Council administration.
Councillors	means the elected representatives who, pursuant to section 222 of the <i>Local Government Act 1993</i> , comprise of the governing body of Parkes Shire Council.
General Manager	means the General Manager of Parkes Shire Council appointed under section 334 of the <i>Local Government Act 1993</i> .
Legal advice	means advice or formal opinion prepared by a legal services provider.
Legal services provider	means a provider of legal services external to Council, including solicitors, barristers and legal firms.
Open access information	means information listed in Schedule 1 of the Government Information (Public Access) Regulation 2009 that a member of the public could access by application under Council's Agency Information Guide.
Operational advice	means requests regarding routine services provided by Council.
Ordinary day	means the reckoning of time as set out in section 36 of the <i>Interpretation Act 1987</i> , which excludes a Saturday, a Sunday, a public holiday or a bank holiday being included in the calculation of the period of a day or number of days in relation to notice to be given under the provisions the Code of Conduct.
Public Officer	means the member of Council staff designated by the General Manager as the Public Officer of Parkes Shire Council pursuant to section 342 of the <i>Local Government Act 1993</i> .
Strategic advice	means requests regarding matters that relate to Council's Integrated Planning and Reporting framework, long-term planning, policy direction and operational performance.
Response	means an answer to a request or a proposed course of action (not an acknowledgment) by email, facsimile or letter.
Third party advice	means written advice obtained by Council from a third party, excluding legal services providers. Such advice includes, but is not limited to, consultants' reports and advice from Government agencies

5. Policy Objectives

The objectives of this Policy are to:

- (a) establish positive, effective and professional working relationships between Councillors and Council staff defined by mutual respect and courtesy,
- (b) enable Councillors and Council staff to work together appropriately and effectively to support each other in their respective roles,

Page 3 of 15



Councillor Access to Information and Interaction with Staff



- (c) ensure that Councillors receive advice in an orderly, courteous and appropriate manner to assist them in the performance of their civic duties,
- (d) ensure Councillors have adequate access to information to exercise their statutory roles,
- (e) provide direction on, and guide Councillor interactions with, Council staff for both obtaining information and in general situations,
- (f) maintain transparent decision making and good governance arrangements,
- (g) ensure the reputation of Council is enhanced by Councillors and Council staff interacting consistently, professionally and positively in their day-to-day duties, and
- (h) provide a clear and consistent framework through which breaches of the Policy will be managed in accordance with the Code of Conduct.

Page 4 of 15



Councillor Access to Information and Interaction with Staff



Part B - Policy Statement

6. Principles, Roles and Responsibilities

- 6.1. Several factors contribute to a good relationship between Councillors and Council staff. These include goodwill, understanding of roles, communication, protocols, and a good understanding of legislative requirements.
- 6.2. The Council's governing body and its administration (being staff within the organisation) must have a clear and sophisticated understanding of their different roles, and the fact that these operate within a hierarchy. The administration is accountable to the General Manager, who in turn, is accountable to the Council's governing body.
- 6.3. Section 232 of the *Local Government Act 1993* states that the role of a Councillor is as follows:
 - (a) to be an active and contributing member of the governing body,
 - (b) to make considered and well-informed decisions as a member of the governing body,
 - (c) to participate in the development of the integrated planning and reporting framework,
 - (d) to represent the collective interests of residents, ratepayers and the local community,
 - (e) to facilitate communication between the local community and the governing body,
 - (f) to uphold and represent accurately the policies and decisions of the governing body, and
 - (g) to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor.
- 6.4. The administration's role is to advise the governing body, implement Council's decisions and to oversee service delivery.
- 6.5. It is beneficial if the administration recognises the complex political environments in which elected members operate and acknowledge that they work within a system that is based on democratic governance. Councillors similarly need to understand that it is a highly complex task to prepare information and provide quality advice on the very wide range of issues that Council operations cover.
- 6.6. Council commits to the following principles to guide interactions between Councillors and Council staff:

Principle	Achieved by
Equitable and consistent	Ensuring appropriate, consistent and equitable access to information for all Councillors within established service levels.
Considerate and respectful	Councillors and Council staff working supportively together in the interests of the whole community, based on mutual respect and consideration of their respective positions.
Ethical, open and transparent	Ensuring that interactions between Councillors and Council staff are ethical, open, transparent, honest and display the highest standards of professional conduct.

Page 5 of 15



Councillor Access to Information and Interaction with Staff



Fit for purpose	Ensuring that the provision of equipment and information to Councillors is done in a way that is suitable, practical and of an appropriate size, scale and cost for a client group of 10 people.
Accountable and measurable	Providing support to Councillors in the performance of their role in a way that can be measured, reviewed and improved based on qualitative and quantitative data.

- 6.7. Councillors are members of the Council's governing body, which is responsible for directing and controlling the affairs of the Council in accordance with the Local Government Act. Councillors need to accept that:
 - (a) responses to requests for information from Councillors may take time and consultation to prepare and be approved prior to responding,
 - (b) Council staff are not accountable to them individually,
 - (c) they must not direct Council staff except by giving appropriate direction to the General Manager by way of a Council or Committee resolution, or by the Mayor exercising their functions under section 226 of the Local Government Act,
 - (d) they must not, in any public or private forum, direct or influence, or attempt to direct or influence, a member of Council staff in the exercise of their functions,
 - (e) they must not contact a member of Council staff on Council-related business unless in accordance with this Policy, and
 - (f) they must not use their position to attempt to receive favourable treatment for themselves or others.
- 6.8. The General Manager is responsible for the efficient and effective day-to-day operation of the Council and for ensuring that the lawful decisions of the Council are implemented without undue delay.
- 6.9. Council staff need to understand:
 - (a) they are not accountable to individual Councillors and do not take direction from them. They are accountable to the General Manager, who is in turn accountable to the Council's governing body,
 - (b) they should not provide advice to Councillors unless it has been approved by the General Manager or a staff member with a delegation to approve advice to Councillors,
 - (c) they must carry out reasonable and lawful directions given by any person having the authority to give such directions in an efficient and effective manner,
 - (d) they must ensure that participation in political activities outside the service of the Council does not interfere with the performance of their official duties, and
 - (e) they must provide full and timely information to Councillors sufficient to enable them to exercise their civic duties in accordance with this Policy.

7. Access to Information

- 7.1. Councillors have a right to request information provided it is relevant to the exercise of their civic duties. This right does not extend to matters about which a Councillor is merely curious. As such, Councillors can access information which:
 - (a) relates to a matter currently before the Council for determination (Note, however, that the provision of access to legal advice is dealt with in accordance with clause Section 11 of this Policy), or
 - (b) has been identified as open access information under Schedule 1 of the *Government Information (Public Access) Regulation 2009.*

Page 6 of 15



Councillor Access to Information and Interaction with Staff



- 7.2. Councillors do not have a right to request information about matters that they are prevented from participating in decision-making on because of a conflict of interest, unless the information is otherwise publicly available.
- 7.5. Councillors must, to the best of their knowledge, be specific about what information they are requesting, and make their requests respectfully. Where a Councillor's request lacks specificity, the General Manager or Council staff member authorised to manage the matter is entitled to ask the Councillor to clarify their request and the reason(s) why they are seeking the information.
- 7.6. Council staff must make every reasonable effort to assist Councillors with their requests and do so in a respectful manner.
- 7.7. The General Manager or the Council staff member authorised to manage a Councillor request will provide a response within two (2) ordinary days. Where a response cannot be provided within that timeframe, the Councillor will be advised, and the information will be provided as soon as practicable.
- 7.8. Councillors are required to treat all information provided by Council staff appropriately and to observe any confidentiality requirements. Council staff will inform Councillors of any confidentiality requirements for information they provide so Councillors can handle the information appropriately. Where a Councillor is unsure of confidentiality requirements, they should contact the General Manager, or the Council staff member authorised to manage their request.
- 7.9. The General Manager may refuse access to information requested by a Councillor if:
 (a) the information is not necessary for the performance of the Councillor's civic duties, or
 - (b) if responding to the request would, in the General Manager's opinion, result in an unreasonable diversion of staff time and resources, or
 - (c) the Councillor has previously declared a conflict of interest in the matter and removed themselves from decision-making on it, or
 - (d) the General Manager is prevented by law from disclosing the information.
- 7.10. Where the General Manager refuses to provide information requested by a Councillor, they must act reasonably. The General Manager must advise a Councillor in writing of their reasons for refusing access to the information requested.
- 7.11. Where a Councillor's request for information is refused by the General Manager on the grounds referred to under clause 7.9 (a) or (b), the Councillor may instead request the information through a resolution of the Council by way of a Notice of Motion. This clause does not apply where the General Manager refuses a Councillor's request for information under clause 7.9 (c) or (d).
- 7.12. Nothing in clauses 7.9, 7.10 and 7.11 prevents a Councillor from requesting the information in accordance with the *Government Information (Public Access) Act* 2009.
- 7.13. Where a Councillor persistently makes requests for information which, in the General Manager's opinion, result in a significant and unreasonable diversion of staff time and resources the Council may, on the advice of the General Manager, resolve to limit the number of requests the Councillor may make.
- 7.14. Councillor requests are state records and must be managed in accordance with the *State Records Act 1998.* As such, Council staff handling Councillor requests are required to capture appropriate records in Council's Electronic Document and Records Management System and document their interactions with Councillors, including making records of telephone calls and email exchanges, in accordance with the applicable legislative requirements.

Page 7 of 15



Councillor Access to Information and Interaction with Staff



8. Access to Council Staff

- 8.1. Councillors may directly contact members of Council staff that are listed in <u>Schedule</u> <u>1</u> of this Policy. The General Manager may amend this list at any time and will advise Councillors promptly of any such changes.
- 8.2. Councillors can contact Council staff listed in <u>Schedule 1</u> about matters that relate to the staff member's area of responsibility.
- 8.3. Councillors should as far as practicable, only contact Council staff during normal business hours.
- 8.4. If Councillors would like to contact a member of Council staff not listed in <u>Schedule 1</u>, they must receive permission from the General Manager.
- 8.5. If a Councillor is unsure which authorised Council staff member can help with their enquiry, they can contact the General Manager or the Executive and Councillor Support Officer who will provide advice about which authorised Council staff member to contact.
- 8.6. The General Manager or a member of the Council's Executive Leadership Team may direct any Council staff member to contact Councillors to provide specific information or clarification relating to a specific matter.
- 8.7. A Councillor or member of Council staff must not take advantage of their official position to improperly influence other Councillors or members of Council staff in the performance of their civic or professional duties for the purposes of securing a private benefit for themselves or for another person. Such conduct should be immediately reported to the General Manager or Mayor in the first instance, or alternatively to the Office of Local Government, NSW Ombudsman, or the NSW Independent Commission Against Corruption.

9. Access to and Interaction with Audit

9.1. Consistent with clause 7.2 of the Code of Conduct, Councillors may contact Council's external Auditor or the Chair of the Audit, Risk and Improvement Committee to provide information reasonably necessary for the external Auditor or the Audit, Risk and Improvement Committee to perform their respective functions.

10. Access to Third Party Advice

- 10.1. In relation to third party advice relevant to a matter currently before the Council for determinations, the following principles apply:
 - (a) a copy of such advice obtained by Council in relation to the subject matter shall be provided to all Councillors no less than three (3) business days prior to the meeting at which the matter is to be determined to allow Councillors to read and understand the advice,
 - (b) Councillors acknowledge that such advice may be confidential and public disclosure may be detrimental to Council's interests. Accordingly, where the advice is provided to Councillors on a confidential basis; Councillors must not disclose the advice to any other person.
 - (c) where such advice relates to matters which are to be determined under delegated authority or do not otherwise require referral to Council for determination, then the requirements of this clause shall not apply.

11. Access to Legal Advice

11.1. Legal advice attracts legal privilege. Legal privilege may be waived or lost by inadvertent or actual disclosure of the advice or the existence of the advice to a third

Page 8 of 15



Councillor Access to Information and Interaction with Staff



party. Communications between Council and its external legal services providers must not be disclosed to anyone outside Council.

- 11.2. As a general rule, Council is entitled to claim legal professional privilege for any communications between legal services providers and members of Council staff, provided those communications are for the dominant purpose of seeking or receiving legal advice or services, or where those communications relate to litigation that has already commenced or is anticipated.
- 11.3. Councillors will be given access to legal advice relevant to a matter before Council upon which a decision is to be made, but may not retain written copies of such advice. All copies of advice circulated during a briefing session or Council meeting must be returned to the General Manager, the Public Officer, or the General Manager's delegate.

12. Access to Council Buildings

- 12.1. Councillors are entitled to have access to the Council Chamber, Committee Room, Mayor's Office (subject to availability), and public areas of Council's buildings during normal business hours for meetings. Councillors needing access to these facilities at other times must obtain approval from the General Manager.
- 12.2. Councillors must not enter staff-only areas of Council buildings without the approval of the General Manager.

13. Appropriate and Inappropriate Interactions

- 13.1. Examples of appropriate interactions between Councillors and Council staff include, but are not limited to, the following:
 - (a) Councillors and Council staff are courteous and display a positive and professional attitude towards one another,
 - (b) Council staff ensure that information necessary for Councillors to exercise their civic duties is made equally available to all Councillors, in accordance with this Policy and any other relevant Council policies,
 - (c) Council staff record the advice they give to Councillors in the same way they would if it was provided to members of the public,
 - (d) Council staff, including Council's Executive Leadership Team members, document Councillor requests via the Councillor requests system,
 - (e) Council meetings and Councillor briefings are used to establish positive working relationships and help Councillors to gain an understanding of the complex issues related to their civic duties,
 - (f) Councillors and Council staff feel supported when seeking and providing clarification about Council-related business,
 - (g) Councillors forward requests through the Councillor requests system and staff respond in accordance with the timeframes stipulated in this Policy.
- 13.2. Examples of inappropriate interactions between Councillors and staff include, but are not limited to, the following:
 - (a) Councillors and Council staff conducting themselves in a manner which:
 - i. is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety, or
 - ii. constitutes harassment and/or bullying within the meaning of the Code of Conduct, or is unlawfully discriminatory.

Page 9 of 15



Councillor Access to Information and Interaction with Staff



- (b) Councillors approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters.
- (c) Staff approaching Councillors to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters
- (d) Subject to clause 7.9, Council staff refusing to give information that is available to other Councillors to a particular Councillor,
- (e) Councillors who have lodged an application with the Council, discussing the matter with Council staff in staff-only areas of the Council,
- (f) Councillors being overbearing or threatening to Council staff,
- (g) Council staff being overbearing or threatening to Councillors,
- (h) Councillors making personal attacks on Council staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of the Code of Conduct in public forums, including social media,
- (i) Councillors directing or pressuring Council staff in the performance of their work, or recommendations they should make, or
- (j) Council staff providing ad hoc advice to Councillors without recording or documenting the interaction as they would if the advice was provided to a member of the community.
- 13.3. Where a Councillor engages in conduct that, in the opinion of the General Manager, puts the health, safety or welfare of Council staff at risk, the General Manager may restrict the Councillor's access to Council staff.
- 13.4. Any concerns relating to the conduct of staff under this Policy should be raised with the General Manager.

14. Complaints

- 14.1. Complaints about a breach of this policy should be made to the General Manager (if the complaint is about a Councillor or member of Council staff), or the Mayor (if the complaint is about the General Manager).
- 14.2. Clause 14.1 does not operate to prevent matters being reported to OLG, the NSW Ombudsman, the NSW Independent Commission Against Corruption or any other external agency.

Page 10 of 15



Councillor Access to Information and Interaction with Staff



Schedule 1 - Authorised Staff Contacts for Councillors

- 1. Clause 8.1 of this Policy provides that Councillors may directly contact members of Council staff that are listed in *Table A*, below. The General Manager may amend this list at any time.
- 2. Councillors can contact Council staff listed in *Table A*, below, about matters that relate to the Council staff member's area of responsibility.
- 3. Councillors should as far as practicable, only contact Council staff during normal business hours.
- 4. If Councillors would like to contact a member of Council staff not listed in *Table A*, below, they must receive permission from the General Manager or their delegate.
- 5. If a Councillor is unsure which authorised Council staff member can help with their enquiry, they can contact the General Manager or the Executive and Councillor Support Officer who will provide advice about which authorised Council staff member to contact.
- 6. In some instances, the General Manager or a member of the Council's Executive Leadership Team may direct a Council staff member to contact Councillors to provide specific information or clarification relating to a specific matter.

Table A: Council Staff Contacts	
Position	Incumbent
General Manager	Kent Boyd PSM
Director Customer, Corporate Services and Economy (Public Officer)	Cian Middleton
Director Infrastructure and Strategic Futures	Andrew Francis
Director Operations	Ben Howard
Director Planning and Community Services	Brendan Hayes
Chief Financial Officer (Responsible Accounting Officer)	Jaco Barnard
Executive and Councillor Support Officer	Shona Henry

Page 11 of 15



Council Policy Councillor Access to Information and Interaction with Staff



	From Whom				
Request Type	Information is to be Requested	How Information is to be Requested	How Information is to be Provided	Restrictions to Information	Recordkeeping Requirements
Access to Documents	General Manager, Public Officer.	It is the Councillor's choice whether a request is submitted in writing or made verbally. The General Manager and Public Officer are required to keep a file note of verbal requests when appropriate.	Inspection of documents will only be permitted on the premises. Copies of publicly available documents will be permitted. Documents that are not publicly available can be inspected but not copied. The General Manager has overriding discretion.	There are no specific restrictions. However, the General Manager and the Public Officer have discretion to refuse a request on legitimate grounds. If access is refused, a Notice of Motion, the GIPA Act and the Agency Information Guide are the alternative forms of access	The Council Officer must keep a record of all transactions pertaining to the request.
Operational or Strategic Advice	General Manager, Directors, Chief Financial Officer.	It is the Councillor's choice whether a request is submitted in writing or made verbally. Council Officers are required to keep a file note of verbal requests when appropriate.	The response will be provided verbally, memo or email. The timeframe for a response will be two (2) ordinary days.	There are no specific restrictions. However the General Manager and Directors have discretion to refuse a request on legitimate grounds. If access is refused, a Notice of Motion or a Question with Notice of Motion is the	The Council Officer must keep a record of all transactions pertaining to the request.

Page **12** of **15**



Council Policy Councillor Access to Information and Interaction with Staff



				alternative forms of access.	
Councillor Support Requests	General Manager, Executive and Councillor Support Officer.	It is the Mayor or Councillor's choice whether their request is submitted in writing or made verbally. Council Officers are required to keep a file note of verbal requests when appropriate.	The timeframe for a response will be two (2) ordinary days.	The administrative assistance must be in accordance with the <i>Councillor Expenses</i> and Facilities Policy.	The general principle is to keep a record of all transactions. However, this is not required if it is only a routine matter.

Page 13 of 15



Councillor Access to Information and Interaction with Staff



Schedule 2 - Role and Responsibilities of Councillors

1. The Governing Body (section 222, Local Government Act 1993)

The elected representatives, called "Councillors," comprise the governing body of the council.

2. Role of Governing Body (section 223, Local Government Act 1993)

The role of the governing body is as follows:

- (a) to direct and control the affairs of the council in accordance with this Act,
- (b) to provide effective civic leadership to the local community,
- (c) to ensure as far as possible the financial sustainability of the council,
- (d) to ensure as far as possible that the council acts in accordance with the principles set out in Chapter 3 and the plans, programs, strategies and polices of the council,
- (e) to develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council,
- (f) to determine and adopt a rating and revenue policy and operational plans that support the optimal allocation of the council's resources to implement the strategic plans (including the community strategic plan) of the council and for the benefit of the local area,
- (g) to keep under review the performance of the council, including service delivery,
- (h) to make decisions necessary for the proper exercise of the council's regulatory functions,
- (i) to determine the process for appointment of the General Manager by the council and to monitor the General Manager's performance,
- (j) to determine the senior staff positions within the organisation structure of the council,
- (k) to consult regularly with community organisations and other key stakeholders and keep them informed of the council's decisions and activities,
- (I) to be responsible for ensuring that the council acts honestly, efficiently and appropriately

3. Role of the Mayor (section 226, *Local Government Act* 1993)

The role of the Mayor is as follows:

- (a) to be the leader of the council and a leader in the local community,
- (b) to advance community cohesion and promote civic awareness,
- (c) to be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities,
- (d) to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council,
- (e) to preside at meetings of the council,
- (f) to ensure that meetings of the council are conducted efficiently, effectively and in accordance with this Act,
- (g) to ensure the timely development and adoption of the strategic plans, programs and policies of the council,
- (h) to promote the effective and consistent implementation of the strategic plans, programs and policies of the council,
- (i) to promote partnerships between the council and key stakeholders,

Page 14 of 15



Councillor Access to Information and Interaction with Staff



- (j) to advise, consult with and provide strategic direction to the General Manager in relation to the implementation of the strategic plans and policies of the council,
- (k) in conjunction with the General Manager, to ensure adequate opportunities and mechanisms for engagement between the council and the local community,
- (I) to carry out the civic and ceremonial functions of the Mayoral office,
- (m) to represent the council on regional organisations and at intergovernmental forums at regional, State and Commonwealth level,
- (n) in consultation with the Councillors, to lead performance appraisals of the General Manager,
- (o) to exercise any other functions of the council that the council determines.

4. Role of a Councillor (section 232(1), *Local Government Act* 1993)

The role of a Councillor is as follows:

- (a) to be an active and contributing member of the governing body,
- (b) to make considered and well informed decisions as a member of the governing body,
- (c) to participate in the development of the Integrated Planning and Reporting framework,
- (d) to represent the collective interests of residents, ratepayers and the local community,
- (e) to facilitate communication between the local community and the governing body,
- (f) to uphold and represent accurately the policies and decisions of the governing body,
- (g) to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor.

Page 15 of 15



12.2 ANNUAL CODE OF CONDUCT COMPLAINT STATISTICAL RETURN 2022

IP&R Linkage:	Pillar: Leadership		
	Goal: Our local government is open, accountable, and representative.		
	Strategy: Provide open and transparent decision-making and undertake the civic duties of Council with professionalism and integrity.		
Author:	Cian Middleton, Director Customer, Corporate Services and Economy		
Authoriser:	Cian Middleton, Director Customer, Corporate Services and Economy		
Annexures:	A. Annual Code of Conduct Complaint Statistical Return - 01 September 2021 to 31 August 2022 J		

RECOMMENDATION

That Council:

1. Note the submission of the Code of Conduct Complaints Statistical Return for the period 01 September 2021 to 31 August 2022, appended at *Annexure A*, to the Office of Local Government, pursuant to clause 11.1 of the *Procedures for the Administration of the Code of Conduct*.

BACKGROUND

Under Part 11.1 of the *Procedures for the Administration of the Code of Conduct* ("the Procedures"), Council's Complaints Coordinator must arrange for the following statistics to be reported to Council within three (3) months of the end of September each year:

- the total number of Code of Conduct complaints made about Councillors and the General Manager under the Code of Conduct in the year to September (the reporting period),
- (b) the number of Code of Conduct complaints referred to a conduct reviewer during the reporting period,
- (c) the number of Code of Conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints,
- (d) the number of Code of Conduct complaints investigated by a conduct reviewer during the reporting period,
- (e) without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period,
- (f) the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and
- (g) the total cost of dealing with Code of Conduct complaints made about Councillors and the General Manager during the reporting period, including staff costs.

Part 11.2 of the Procedures requires Council to report the statistics referred to in Part 11.1 to the Office of Local Government ("the OLG") within three months of the end of September each year.

ISSUES AND COMMENTARY

Council's Complaints Coordinator, the Director Customer, Corporate Services and Economy, has prepared the statistical return for submission to the OLG. The statistical return is contained at *Annexure A* and has been lodged with the OLG.



As detailed in the statistical return, one (1) complaint regarding a Councillor was received during the reporting period. However, as this complaint was received in August 2022, it was not finalised during the reporting period (which ended 31 August 2022). This matter has since been finalised and resolved and will be included in Council's statistical return for the current reporting period (01 September 2022 to 31 August 2023).

Consistent with Part 12 of the Procedures, individual details and information about complaints and the management and investigation of complaints must be treated as confidential and not disclosed publicly.

LEGISLATIVE AND POLICY CONTEXT

As detailed above, Council is required under the Procedures to prepare an annual Code of Conduct Statistics return and submit it to the OLG within three months of the end of September.

FINANCIAL IMPLICATIONS

There are no financial implications for Council associated with this report.

RISK IMPLICATIONS

Endorsement of the Officer's Recommendation will ensure Council's compliance with its obligations under the Code of Conduct and accompanying Procedures.

COMMUNITY CONSULTATION

There are no community consultation requirements for Council associated with this report.

CONCLUSION

Consistent with Council's legislative obligations, the Code of Conduct Complaint Statistical Return for 2021-2022 (refer *Annexure A*) has been reported to the OLG and is now provided to Council for its information.



Office	e of Local Government
Мо	odel Code of Conduct
C	complaints Statistics
Ŭ	omplaints otatistics
Reporting Pe	eriod: 1 September 2021 - 31 August 2022
ח	ate Due: 31 December 2022
D	
Survey return ema	ail address: codeofconduct@olg.nsw.gov.au
Council Name:	Parkes Shire Council
Contact Name:	Cian Middleton
Contact Phone:	02 6861 2333
Contact Position:	Director Customer, Corporate Services and Economy
Contact Email:	cian.middleton@parkes.nsw.gov.au
	All responses to be numeric.
	•
Where t	there is a zero value, please enter 0.
Enquiries:	Performance Team
•	Office of Local Government
	Phone: (02) 4428 4100
	Enquiry email: olg@olg.nsw.gov.au



	Model Code of Conduct Complaints Statistics Parkes Shire Council			
N	um	ber of Complaints		
1	а	The total number of complaints received in the period about councillors and the General Manager (GM) under the code of conduct	1	
	b	The total number of complaints finalised in the period about councillors and the GM under the code of conduct	0	
0	Overview of Complaints and Cost			
2	а	The number of complaints finalised at the outset by alternative means by the GM or Mayor	0	
	b	The number of complaints referred to the Office of Local Government (OLG) under a special complaints management arrangement	0	
	с	The number of code of conduct complaints referred to a conduct reviewer	0	
	d	The number of code of conduct complaints finalised at preliminary assessment by conduct reviewer	0	
	e	The number of code of conduct complaints referred back to GM or Mayor for resolution after preliminary assessment by conduct reviewer	0	
	f	The number of finalised code of conduct complaints investigated by a conduct reviewer	0	
	g	The number of finalised complaints investigated where there was found to be no breach	0	
	h	The number of finalised complaints investigated where there was found to be a breach	0	
	i	The number of complaints referred by the GM or Mayor to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police	0	
	j	The number of complaints being investigated that are not yet finalised	0	
	k	The total cost of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs	0	
Pr	elir	ninary Assessment Statistics		
3		e number of complaints determined by the conduct reviewer at the preliminary assessment stage by each the following actions:		
	а	To take no action (clause 6.13(a) of the 2020 Procedures)	0	
	b	To resolve the complaint by alternative and appropriate strategies (clause 6.13(b) of the 2020 Procedures)	0	
	с	To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies (clause 6.13(c) of the 2020 Procedures)	0	
	d	To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police (clause 6.13(d) of the 2020 Procedures)	0	
	e	To investigate the matter (clause 6.13(e) of the 2020 Procedures)	0	



Investigation Statistics

4	The number of investigated complaints resulting in a determination that there was no breach , in which the following recommendations were made:		
	а	That the council revise its policies or procedures	0
	b	That a person or persons undertake training or other education (clause 7.40 of the 2020 Procedures)	0
5		e number of investigated complaints resulting in a determination that there was a breach in which the lowing recommendations were made:	
	а	That the council revise any of its policies or procedures (clause 7.39 of the 2020 Procedures)	0
	b	In the case of a breach by the GM, that action be taken under the GM's contract for the breach (clause 7.37(a) of the 2020 Procedures)	0
	С	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 (clause 7.37(b) of the 2020 Procedures)	0
	d	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 and that the matter be referred to OLG for further action (clause 7.37(c) of the 2020 Procedures)	0
6		Matter referred or resolved after commencement of an investigation (clause 7.20 of the 2020 Procedures)	0
Ca	ateg	gories of misconduct	
7		e number of investigated complaints resulting in a determination that there was a breach with respect to ch of the following categories of conduct:	
	а	General conduct (Part 3)	0
	b	Non-pecuniary conflict of interest (Part 5)	0
	с	Personal benefit (Part 6)	0
	d	Relationship between council officials (Part 7)	0
	e	Access to information and resources (Part 8)	0
0	utc	ome of determinations	
8		e number of investigated complaints resulting in a determination that there was a breach in which the uncil failed to adopt the conduct reviewers recommendation	0
9	The	e number of investigated complaints resulting in a determination that there was a breach in which the uncil's decision was overturned following a review by OLG	0



12.3 AMENDMENT TO OPERATIONAL PLAN - CENTRAL WEST FAMILY DAY CARE FEES AND CHARGES

IP&R Linkage:	Pillar: Leadership		
	Goal: Our local government is sustainable and plans for the future.		
	Strategy: Operate in a financially sustainable and responsible manner.		
Author:	Brendan Hayes, Director Planning and Community Services		
Authoriser:	Cian Middleton, Director Customer, Corporate Services and Economy		
Annexures:	Nil		

RECOMMENDATION

That Council:

- 1. Amend the 2022/23 Operational Plan, pursuant to section 405 of the *Local Government Act 1993*, to reflect the revised Central West Family Day Care fees:
 - (a) Administration Levy: \$1.80 per hour.
 - (b) Educator Administration Levy: \$18.00 per week.

BACKGROUND

Section 405 of the *Local Government Act 1993* ("the Act") requires Council to develop and adopt an Operational Plan prior to the commencement of each financial year. Under the *Integrated Planning and Reporting Guidelines* prescribed under section 23A of the Act, Council's Operational Plan must include the Schedule of Fees and Charges for the financial year.

ISSUES AND COMMENTARY

Council's 2022/23 Operational Plan and Budget, incorporating the Schedule of Fees and Charges for the current financial year, was adopted by Council at its Ordinary Meeting held 28 June 2022 [res. 22-205].

The endorsed Operational Plan includes fees for the Central West Family Day Care, including an Administration Levy and Educator Administration Levy. These levies are currently set at \$1.30 per hour and \$16.00 per week, respectively.

Given Central West Family Day Care currently operates on a calendar year budget rather than a financial year budget; these fees have been reviewed and it is proposed that both fees increase in the 2023 calendar year. The proposed fees are detailed in *Table 1*, below:

Table 1: Proposed Fee Increases - Central West Family Day Care				
Fee	Adopted Fee (2022)	Revised Fee (2023)		
Administration Levy (per hour)	\$1.30 per hour	\$1.80 per hour		
Educator Administration Levy (per week)	\$16.00 per week	\$18.00 per week		

Given Council's fees and charges are contained in the Operational Plan, a resolution of Council is required to adjust the fees to the recommended revised levels.



LEGISLATIVE AND POLICY CONTEXT

Section 377 of the Act provides that Council cannot delegate specific functions, including the making of charges and fixing of fees, to the General Manager. Such decisions must be made by a resolution of Council's governing body.

FINANCIAL IMPLICATIONS

As noted above, Council's Operational Plan includes the organisation's Schedule of Fees and Charges and spans the financial year. However, historically, Council's fees for Central West Family Day Care have been set for the calendar year.

Given the Administration Levy and Educator Administration Levy are due to increase in the current 2023 calendar year, Council's Schedule of Fees and Charges must be amended by Council resolution for the revised fees to be levied.

The Administration Levy is proposed to increase by 50 cents per hour, from \$1.30 per hour to \$1.80 per hour, while the Educator Administration Levy is proposed to increase by \$2.00 per week, from \$16.00 per week to \$18.00 per week.

RISK IMPLICATIONS

There are no risk implications for Council associated with this report.

COMMUNITY CONSULTATION

There are no community consultation requirements for Council associated with this report.

CONCLUSION

Central West Family Day Care fees are currently set by the calendar year, rather than the financial year. It is recommended that Council formally resolve to amend its 2022/23 Operational Plan to reflect the revised Administration Levy and Educator Administration Levy as detailed in *Table 1*.



12.4 APPOINTMENT OF COUNCILLOR DELEGATES TO 2023 CONFERENCES

IP&R Linkage:	Pillar: Leadership		
	Goal: Our local government is open, accountable, and representative.		
	Strategy: Advocate and provide strong representation for our community at the regional, state, and federal levels.		
Author:	Shona Henry, Executive and Councillor Support Officer		
Authoriser:	Cian Middleton, Director Customer, Corporate Services and Economy		
Annexures:	Nil		

RECOMMENDATION

That Council:

- 1. Endorse the attendance of the following Councillors at the conferences being held in 2023:
 - (a) Local Government NSW ("LGNSW") Annual Conference: The Mayor, Cr ______ and Cr ______ (*three Councillors*).
 - (b) ALGA National General Assembly of Local Government: The Mayor (one Councillor).
 - (c) ALGA National Local Roads and Transport Congress: Cr _____ (one Councillor).
 - (d) ALGWA NSW Conference: Cr _____ (one Councillor).
 - (e) Australian Logistics Council Forum: Cr _____ (one Councillor).
 - (f) IPWEA NSW Local Roads Congress: Cr _____ (one Councillor).
 - (g) LGNSW Water Management Conference: Cr _____ (one Councillor).
 - (h) LGNSW Destination and Visitor Economy Conference: Cr _____ (one Councillor).
 - (i) NSW Public Libraries Association Conference: Cr _____ (one Councillor).
- 2. Approve reimbursement of out-of-pocket expenses by Councillor delegates in attending the above conferences, in accordance with the Councillor Expenses and Facilities Policy.

BACKGROUND

Parkes Shire Council ("Council") is committed to supporting the continued professional development of its Councillors and ensuring that they remain up to date with contemporary issues facing Council and the Parkes Shire community, as well as the NSW Local Government sector more broadly.

Attendance at sector conferences provides Councillors with new skills and knowledge on particular issues to ensure they can perform their duties and represent residents to the best of their ability. It also provides Councillors with the opportunity to network with elected representatives from other local government areas, as well as State and Federal parliamentarians, and advocate on issues of importance to the Parkes Shire community.

At its Ordinary Meeting held 15 November 2022, Council reviewed and adopted its current *Councillor Expenses and Facilities Policy* **[res. 22-375]**. Clause 6.32 of the Policy provides that, at its first Ordinary Meeting of the year; Council shall resolve to nominate:

• Three (3) Councillors, one of whom shall be the Mayor, to attend the Local Government NSW ("LGNSW") Annual Conference; and



- One (1) Councillor to attend each of the following conferences and seminars:
 - Australian Local Government Association ("ALGA") National General Assembly of Local Government,
 - o ALGA National Local Roads and Transport Congress,
 - o Australian Local Government Women's Association ("ALGWA") NSW Conference,
 - o Australian Logistics Council Forum,
 - o Institute of Public Engineering Australasia (IPWEA) NSW Local Roads Congress,
 - LGNSW Water Management Conference,
 - o LGNSW Destination and Visitor Economy Conference, and
 - NSW Public Libraries Association Conference.

ISSUES AND COMMENTARY

Determining Councillor attendance at the first Ordinary Meeting of the year enables each Councillor to plan their professional development in advance, and gives them the opportunity to indicate their interest in participating in conferences that are of interest to them and which they believe will best support their individual professional development needs. This practice also ensures that the annual Councillor Conferences and Seminars Budget is distributed equitably across all Councillors.

Details of the sector conferences scheduled to be held throughout 2023, including the dates and venues/locations of each conference, are outlined in *Table 1*, below, in order of when they will occur throughout the year:

Table 1: Local Government Sector Conferences 2023				
Conference	Date	Location		
ALGA National Roads and Transport Congress	To Be Advised	Canberra		
Australian Logistics Council Forum	To Be Advised (Mid May 2023)	To Be Advised (Melbourne or Brisbane)		
ALGWA State Conference	27 - 29 April 2023	Forbes, NSW		
LGNSW Destination and Visitor Economy Conference	29-31 May 2023	Northern Beaches, NSW		
IPWEA NSW Local Roads Congress	05 June 2023	Sydney, NSW		
ALGA National General Assembly of Local Government	18-21 June 2023	Canberra, ACT		
LGNSW Water Management Conference	26-28 June 2023*	Parkes, NSW		
LGNSW Annual Conference	12-14 November 2023	Parramatta, NSW		
NSW Public Libraries Association Conference	14-17 November 2023	Penrith, NSW		
*Note: Council's Ordinary Meeting in June 2023 will be held Tuesday, 20 June 2023				



LEGISLATIVE AND POLICY CONTEXT

Councillor expenses, including costs associated with conference and seminar attendance, must comply with the *Guidelines for the Payment of Expenses and Provision of Facilities for Mayors and Councillors in NSW* ("the Guidelines") issued by the Office of Local Government and prescribed under section 23A of the *Local Government Act 1993* ("the Act"), as well as *Council's Councillor Expenses and Facilities Policy* ("the Policy") adopted under sections 252 and 253 of the Act.

The Policy provides that attendance of Councillors at each conference shall be limited to one (1), except the LGNSW Annual Conference, which shall be limited to three (3) Councillors, including the Mayor. The principle of having one (1) Councillor attend is considered best practice for a rural council and consistent with community expectations.

Approval arrangements for Councillor attendance at conferences should occur, where possible, at a full meeting of the Council. This is reflected in clause 1.6.7 of the Guidelines as well as clause 6.32 of the Policy.

FINANCIAL IMPLICATIONS

The Policy establishes a budget of \$16,000 per annum for Councillor attendance at conferences and seminars, which is reflected in Council's annual Operational Plan adopted each June.

Consistent with the Policy and Guidelines, Council will reimburse or pay registration fees, accommodation, meals, parking, telephone and travel expenses associated with attendance at the conference plus any other reasonable and directly related out-of-pocket expenses.

RISK IMPLICATIONS

There are no risk implications for Council associated with this report.

COMMUNITY CONSULTATION

There are no community consultation requirements for Council associated with this report.

CONCLUSION

Consistent with Council's *Councillor Expenses and Facilities Policy*, it is recommended that Council determine to appoint three (3) Councillors to attend the LGNSW Special Conference and one (1) Councillor to attend each of the other conferences listed in the Officer's Recommendation. It is further recommended that Council approve reimbursement of out-of-pocket expenses incurred by Councillor delegates attending each of the specified conferences.



12.5 CONDUCT OF THE 2024 LOCAL GOVERNMENT ORDINARY ELECTION

IP&R Linkage:	Pillar: Leadership
	Goal: Our local government is open, accountable, and representative.
	Strategy: Provide open and transparent decision-making and undertake the civic duties of Council with professionalism and integrity.
Author:	Cian Middleton, Director Customer, Corporate Services and Economy
Authoriser:	Cian Middleton, Director Customer, Corporate Services and Economy
Annexures:	A. Circular 22-35 - Councils' decisions on the administration of their September 2024 ordinary elections (Office of Local Government, 11 November 2022) J.

RECOMMENDATION

That Council:

- 1. Enter into an election arrangement by contract for the NSW Electoral Commissioner to administer all elections of the Council, pursuant to sections 296(2) and 296(3) of the *Local Government Act 1993*.
- 2. Authorise the Mayor and General Manager to sign and affix the Council Seal to all relevant documents pertaining to the contract with the NSW Electoral Commissioner, pursuant to clause 400 of the *Local Government (General) Regulation 2021.*

BACKGROUND

The *Local Government Act 1993* ("the Act") requires Council to plan appropriately for the administration of its elections. Under section 296AA of the Act, Council must make a decision on how its September 2024 ordinary election is to be conducted and administered by 13 March 2023. Further information is contained in Circular 22-35, issued by the Office of Local Government on 11 November 2022 (refer *Annexure A*).

ISSUES AND COMMENTARY

Council has historically engaged the NSW Electoral Commission ("the NSWEC") to facilitate its Local Government ordinary elections, and it is recommended that this practice continue and the NSWEC be engaged to administer the next Local Government ordinary election scheduled to be held in September 2024.

As in previous elections, Council will share a Returning Officer with the neighbouring Forbes Shire Council and Lachlan Shire Council, which will assist in reducing administration costs. The NSWEC is proposing the shared Returning Office to be in Forbes, however; the location of the shared Returning Office is subject to the availability of suitable accommodation being arranged and may change should the NSWEC be unable to secure appropriate accommodation in Forbes.

LEGISLATIVE AND POLICY CONTEXT

Under the Act, Council's elections must be administered by an electoral services provided engaged by Council. As detailed above, Council is required under section 296AA of the Act to formally decide by resolution on how its ordinary election in September 2024 is to be administered. This decision must be made by 13 March 2023.



Requirements in relation to Council's Seal are detailed in clause 400 of the *Local Government (General) Regulation 2021*, which provides that the Council Seal must not be affixed to a document unless the document relates to Council business and the Council has resolved that the Seal be so affixed to the document. As such, it is prudent that Council formally authorise the Mayor and General Manager to affix the Council Seal to the proposed contract with the NSWEC.

FINANCIAL IMPLICATIONS

Costs for engaging the NSWEC to administer the 2021 Local Government ordinary election were expected to total \$208,233.00, which was higher than expected due to the COVID-19 disruptions and additional precautions and social distancing measures that were required to be observed in line with the Public Health Orders in force at that time. However, the NSWEC absorbed some of these costs, and as result, costs to Council totalled \$136.003.00.

The NSWEC has advised that it is experiencing significant price increases in the leasing of election venues for the forthcoming 2023 NSW General Election, far exceeding CPI or inflation. As such, it can be expected that costs associated with facilitating the 2024 Local Government ordinary election may be consistent with those incurred in 2021.

Once the NSWEC has confirmed expected costs, an allocation will be made in Council's Delivery Program and this will be reflected in Council's 2024/25 Operational Plan and Budget.

RISK IMPLICATIONS

In recommending the NSWEC be engaged to facilitate the 2024 Local Government ordinary election, consideration has been given to both service delivery risks and image and reputation risks.

The NSWEC has conducted Local Government ordinary election for Parkes Shire, as well as the neighbouring Forbes Shire Council and Lachlan Shire Council, for many years and has demonstrated that it can provide a high level of service. Council does not have the resources or expertise to facilitate the election in-house, and consideration of in-house management - or engaging another external services provider - would have significant impacts on Council's staffing resources.

It is critical that the 2024 Local Government ordinary election is conducted as efficiently and effectively as possible. It is considered that the experience of the NSWEC, coupled with its standing as an independent statutory agency, offers the highest level of comfort for Council and the Parkes Shire community that the election process will be conducted and managed appropriately.

COMMUNITY CONSULTATION

There are no community consultation requirements for Council associated with this report.

CONCLUSION

It is recommended that Council resolve to enter into an election arrangement with the NSWEC, by contract, for the Electoral Commissioner to administer the forthcoming 2024 Local Government ordinary election. Further, it is recommended that Council authorise the affixture of the Council Seal to all documentation required to give effect to the contract with the NSWEC.





Circular to Councils

Circular Details	Circular No 22-35/ Date 11 November 2022/ A839620
Previous Circular	18-43 – Council decisions on the administration of the September
	2020 elections
Who should read this	Councillors / General Managers / Council governance staff
Contact	Council Governance Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Council to Implement

Councils' decisions on the administration of their September 2024 ordinary elections

What's new or changing

- Under section 296AA of the *Local Government Act 1993* (the Act), councils are required to make a decision on how their ordinary elections in September 2024 are to be administered by **13 March 2023**.
- Each council must resolve either:
 - to enter into an election arrangement with the NSW Electoral Commissioner (NSWEC) to administer all the council's elections, polls and constitutional referenda or
 - that the council's elections are to be administered by another electoral services provider engaged by the council.
- If a council does not resolve to engage the NSWEC to administer its elections by 13 March 2023, it must engage another electoral services provider to do so.

What this will mean for your council

- Councils are required to make a decision under section 296AA by 13 March 2023 on the administration of their next ordinary election. Information to assist councils in making that decision is provided in the attached FAQ.
- If a council is proposing to engage the NSWEC to administer its elections, it should resolve to do so as soon as possible and notify the NSWEC.

Key points

- Where councils resolve to engage the NSWEC to administer their elections, polls and referenda, a model resolution is suggested in the attached FAQ.
- If a council resolves to adopt an electoral services provider other than the NSWEC, the resolution must state whether the general manager has identified an electoral services provider to be engaged for the next ordinary election and, if so, the name of that provider.



Where to go for further information

- Further information to assist councils' decisions on the administration of their September 2024 ordinary elections is contained in the FAQ attached to this circular.
- Contact the Office of Local Government's Council Governance Team by telephone on 02 4428 4100 or by email at <u>olg@olg.nsw.gov.au</u>.
- Contact Steve Robb at the NSW Electoral Commission by telephone on 1300 135 736.

Melanie Hawyes Deputy Secretary, Crown Lands and Local Government



FREQUENTLY ASKED QUESTIONS

Part 1 Decision making on the administration of elections

What decisions must councils make on the administration of their elections?

Under section 296AA of the *Local Government Act* 1993 (the Act), each council must resolve by **13 March 2023** either:

- to engage the NSW Electoral Commissioner (NSWEC) to administer the council's elections, polls and referenda, or
- that the council's elections are to be administered by another electoral services provider.

What happens if a council fails to make a decision on the administration of its elections by 13 March 2023?

If a council fails to make a decision on the administration of its elections, polls and referenda by 13 March 2023, it will not be able to engage the NSWEC to administer its ordinary election and it will be required to make its own arrangements with another electoral services provider for the administration of its elections.

A council that fails to make a decision on the administration of its elections by 13 March 2023 will also be required to publish a notice of that failure on the council's website.

Part 2 Election arrangements with the NSWEC

What election arrangements can councils enter into with the NSWEC?

The election arrangement is a standardised contract for all councils. The service schedule and costs schedule of the standardised contract will vary between councils and are made by the NSWEC in consultation with each council.

Where a council resolves to engage the NSWEC to administer its elections, polls and referenda, the election arrangement with the NSWEC will apply to the 2024 ordinary election and every election, poll and referendum including any by-election or countback election until the contract is automatically terminated 18 months before the following ordinary election of councillors.

Where a council resolves to engage the NSWEC to administer its elections, polls and referenda, it should use the model resolutions provided below.

If a council wishes to engage the NSWEC to administer its elections, polls and referenda what form should its resolution take?

Councils wishing to make a resolution that an election arrangement be entered into for the NSWEC to administer all elections, polls and referenda under section 296(3) of the Act should use the following model resolution:

The [insert full description of council] ("the Council") resolves:

1. pursuant to s. 296(2) and (3) of the Local Government Act 1993 (NSW) ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.



- 2. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
- 3. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

When must the election arrangements with the NSWEC be finalised?

Where councils have resolved to enter into an election arrangement with the NSWEC, the contract with the NSWEC must be finalised no later than 15 months before the next ordinary elections (ie **13 June 2023**).

Can election arrangements with the NSWEC be terminated?

Yes, but only after the council's ordinary election. An election arrangement for the NSWEC to administer all elections, polls and referenda of a council can be terminated by the council or the NSWEC at any time after the ordinary election by giving written notice of termination and in accordance with any notification requirements set out in the contract.

If the election arrangement is not terminated by either party, the arrangement is automatically terminated 18 months before the following ordinary election when the council will be required to determine who will conduct its next ordinary election.

If a council does not engage the NSWEC to administer its ordinary election, can it engage the NSWEC to administer a particular by-election, poll or referendum after the ordinary election?

Yes. Where a council does not enter into an election arrangement with the NSWEC to administer its ordinary election, the council may resolve to enter into an election arrangement with the NSWEC to administer a particular by-election, poll or referendum following the ordinary election.

If councils resolve to engage the NSWEC to administer a particular by-election, poll or referendum after the ordinary election, they should use the model resolutions provided below.

If a council wishes to engage the NSWEC to administer a particular by-election or countback election, what form should its resolution take?

Councils wishing to engage the NSWEC to administer a particular by-election or countback election after the ordinary election should use the following model resolution:

The [insert full description of council] (*"the Council"*) resolves pursuant to ss. 296(2) and (4) of the Local Government Act 1993 (NSW) that:

- 1. an election arrangement is to be entered into for the Electoral Commissioner to administer [insert description of the particular election but do not do so by date in case the election date is changed or postponed]; and
- 2. such election arrangement is to be entered into by contract between the Electoral Commissioner and the Council.



Note: Please refer below for additional information concerning limitations with respect to countback elections.

If a council wishes to engage the NSWEC to administer a particular poll, what form should its resolution take?

Councils wishing to engage the NSWEC to administer a particular poll after the ordinary election should use the following model resolution:

The [insert full description of council] ("the Council") resolves pursuant to ss. 296(2) and (4) of the Local Government Act 1993 (NSW), as applied and modified by s.18, that:

- 1. a council poll arrangement be entered into for the Electoral Commissioner to administer [insert description of the council poll but do not do so by date in case the poll date is changed or postponed]; and
- 2. such council poll arrangement be entered into by contract between the Electoral Commissioner and the Council.

If a council wishes to engage the NSWEC to administer a particular referendum, what form should its resolution take?

Councils wishing to engage the NSWEC to administer a particular referendum after the ordinary election should use the following model resolution:

The [insert full description of council] ("the Council") resolves pursuant to ss. 296(2) and (4) of the Local Government Act 1993 (NSW), as applied and modified by s.18, that:

- 1. a constitutional referendum arrangement be entered into for the Electoral Commissioner to administer [insert description of the constitutional referendum but do not do so by date in case the referendum date is changed or postponed]; and
- 2. such constitutional referendum arrangement be entered into by contract between the Electoral Commissioner and the Council.

If a council does not engage the NSWEC to administer its ordinary election, can it engage the NSWEC to administer a countback election following the ordinary election?

No. Under section 291A(b) of the Act, if the council's ordinary election was administered by an electoral services provider other than the NSWEC, a countback election to fill a casual vacancy must be conducted by a returning officer appointed by that electoral services provider.

Part 3 Election arrangements with other electoral services providers

What information must be included in a resolution to engage an electoral services provider other than the NSWEC?

Under section 296AA, where a council resolves that its elections are to be administered by an electoral services provider other than the NSWEC, the resolution must also state whether the general manager has identified an electoral services provider to be engaged for the next ordinary election and, if so, the name of that provider.



As soon as practicable after the resolution is made, the general manager must publish a copy of the resolution on the council's website.

What should councils consider before making a decision to engage an electoral services provider other than the NSWEC?

In considering the use of other electoral services providers, it is important to clarify that they can deliver the elections for the council.

Councils need to be satisfied that if the provider claims to be able to obtain all the electoral material, or hire the necessary venues, or arrange the printing of the ballot papers, or conduct the count, that they can demonstrate their successful completion of these tasks in similar circumstances.

A key consideration will be whether the provider is able to administer the complex counts required under the weighted inclusive Gregory method of preference allocation prescribed under the *Local Government (General) Regulation 2021* (the Regulation) for council elections using the proportional system.

It is also a requirement that the method proposed to be used by the provider to conduct the count of the ballot papers (whether through the use of data entry or scanning equipment) can comply with the formality, scrutiny and record keeping provisions contained in the Act and Regulation.

If councils decide to use a commercial electoral services provider, is it necessary to go to tender?

Section 55 of the Act exempts councils from tendering when entering into a contract or arrangement for the NSWEC to administer the council's elections, referendums and polls. This exemption does not apply to contracts or arrangements with any other service provider.

As the amount involved in conducting council elections can be significant it is important to ensure that any commercial organisation is providing value for money. It is also important to ensure that as public funds are being expended, principles of openness, transparency and accountability are not compromised.

Unless the cost of administering the elections is under \$250,000 or any of the other exemptions provided for in section 55 apply, councils will be required to go to tender or to conduct a selective tender when engaging a commercial electoral services provider.

What should councils consider when entering into a contract with a commercial electoral services provider?

In negotiating arrangements for the administration of their elections with commercial electoral services providers, councils need to ensure that:

- there will be an appropriate number of pre-poll and polling places
- there will be adequate staffing levels
- the provider uses counting software that can undertake counts using the weighted inclusive Gregory method
- the potential need for the provider to administer countback elections in the 18 months following the ordinary election.



What is the appropriate number of polling places?

The appropriate number of polling places for any one council will depend on its individual characteristics and factors such as the number of electors, the geographic area it covers, available transport options and suitable venues.

While the cost of hiring venues will be a consideration, councils should also consider the following when negotiating the number and type of venues to be used with the electoral service provider:

- How many voters are there in total in the area, and how many voters can each particular venue comfortably handle?
- What venues have been used in the past by either the Australian Electoral Commission for federal elections or the NSWEC for either state or local government elections? What was the previous attendance pattern at these venues?
- Is the venue conveniently located, particularly in light of transport options?
- Is it suitable for the purpose of conducting an election? For example, is there
 sufficient space for the various tables, voting screens, ballot boxes, throughput
 of voters? Is there appropriate furniture for electoral officials? For example, if
 small tables and chairs are used in a primary school these are not appropriate
 for adults involved in election-related activities.
- Is it easily accessible for all voters and in particular those with a disability, mobility issues, the elderly or frail, parents with prams?
- Are there venues located close to ward boundaries that can issue ballot papers for both the ward in which they are located as well as votes for adjoining ward/s? Or in the case of an undivided council, venues located close to the boundary of another council or councils?
- Is appropriate public liability insurance in place?

It is likely that the more electors a council has, the more polling places it will need.

What are the appropriate staffing levels for a council election?

Determining the appropriate number of staff required for any particular council area depends on the estimated number of votes likely to be cast and the volume for each particular voting option (pre-poll, declared institution, postal and election day) as this will have an impact on the categories of staff recruited. For example, if it is anticipated that there will be a high demand for pre-poll voting it may be necessary to have more office assistants available in the returning officer's office than in an area where it is likely that more votes will be taken on election day at polling places.

Under the legislation, all polling places must have a minimum of two staff, one of whom is the polling place manager.

The NSWEC's polling place staffing formula is based on 450 votes per issuing table (at one election official per table) and the overall projected number of votes for the polling place determines the number of issuing tables. The number of issuing tables determines whether a particular polling place requires a deputy polling place manager, a ballot box guard and/or an enquiry officer.



Is it possible to conduct the count and distribution of preferences manually?

No. The weighted inclusive Gregory method used for allocating preferences at elections using the proportional system, uses a fractional transfer system. All ballot papers of the elected candidate are used to distribute the surplus (instead of a sample). The ballot papers are distributed at a reduced rate with each transfer of votes by applying a transfer value, making manual counts impossible.

Councils should ensure that any commercial electoral services provider they engage to conduct their elections is able to undertake a count utilising counting software that allocates preferences using the weighted inclusive Gregory method.

What arrangements should be made for countback elections?

Councils have the option of filling vacancies that occur in the 18 months following the September 2024 council elections using a countback of the votes cast at the ordinary election instead of a by-election. Countback elections are not available for elections using the optional preferential voting system (including elections for popularly elected mayors).

In order to fill vacancies using a countback election, councils must resolve at their first meeting following the ordinary election that any casual vacancy is to be filled by a countback election.

If councils are proposing to fill vacancies using a countback election, they should factor this into their contractual arrangements with commercial electoral services providers. Among other things, the contractual arrangements should ensure the following:

- the retention of all electoral material, information and data for the 18 month period following the ordinary election during which countback elections may be used
- the safe storage and security of electoral material, information and data (including from cyber-attack)
- the council has ongoing access to the electoral material, information and data from the ordinary election.

What other considerations should councils factor into their contractual arrangements with commercial electoral services providers? Councils should ensure:

- that the commercial electoral services provider has a formal policy that ensures that scrutineers are given as much opportunity as possible to be involved in the counting process by allowing the examination and comparison of ballot papers, the data entry of votes recorded on ballot papers (whether by manual data entry or digital scanning) and electronic or data entry records
- that the commercial electoral services provider has an audit system in place for checking ballot papers against the information entered into the electronic counting system used by the provider and that scrutineers are permitted to observe the audit process and its results
- that the commercial electoral services provider will make full preference data available for publication



 that the source code of counting software used by the commercial electoral services provider has been independently audited by an accredited source code auditor.

What services will the NSWEC provide to councils that engage an electoral services provider to administer their elections?

The NSWEC provides enrolment services to electoral services providers such as the provision of authorised rolls, candidates' rolls, an online look-up facility for non-residential electors, a list of general postal voters and enrolment declaration envelopes. These products and services will be provided at cost to the relevant councils.

What information are councils required to provide to the NSWEC where they engage another electoral services provider to administer their elections?

Councils that have engaged a provider other than the NSWEC to administer their elections are required to provide certain information to the NSWEC to support it in the exercise of its statutory functions in connection with the administration of candidate registration and other electoral funding and disclosure requirements and the enforcement of the failure to vote provisions of the Act and Regulation.

How should election costs be managed?

General managers should prepare a budget for all facets of council elections, and record and monitor expenditure to ensure a shortfall does not occur. Activity based costing will need to be applied to ensure that all costs and expenses are identified.

Areas to be covered include:

- wages of all electoral officials and any council staff engaged in election-related work
- recruitment and training
- advertising including the placement of statutory advertisements
- candidate and elector information
- hire of venues, furniture and equipment
- production of all election-related material, including forms, envelopes and cardboard material
- printing of ballot papers including in Braille, if requested
- transportation of election-related materials
- IT software and hardware
- administration expenses such as telephone, postage, courier services, photocopiers and printers
- insurance

A number of key variables will not be known until the close of nominations, namely whether an election will be uncontested, whether there will need to be a by-election due to insufficient nominations, whether candidates will form groups and request group voting squares, and whether as a result, ballot papers will need to be printed to allow 'above the line' and 'below the line' voting.

These factors will have an impact on costs. However given the lead time required to ensure voting can go ahead at the prescribed times, provision for all likely costs has to be made.



What are the reporting requirements on election costs?

Within six months of the election, the general manager must prepare a report for the Minister for Local Government on the conduct of each election. Full and transparent costings for each election must be disclosed in this report.

The following list is not exhaustive but contains a number of items that should be reported on:

- time spent on the election by the general manager as a proportion of the general manager's remuneration,
- time spent on the election by council staff as a proportion of council staff remuneration,
- the remuneration of council staff employed specifically for the purpose of the election,
- the remuneration, recruitment and training costs of election officials,
- the cost of running any candidate information seminars,
- the cost of hiring venues and equipment for the election, including council venues and equipment and any associated costs,
- the cost of any technological support, including the development of any counting software,
- the cost of preparing the written report on the election required under the Regulation,
- any electoral services provided to electors,
- any electoral services provided to candidates,
- operational details of the election,
- an overall evaluation of the conduct of the election, including feedback from stakeholders,
- the number of electors entitled to vote at the election and the number of electors who voted, specifying the number of electors who voted personally or by post,
- the cost to the council of engaging the electoral services provider to administer the election.

What is meant by 'full and transparent costings'?

It needs to be acknowledged that although council staff may be used to undertake administrative tasks related to the conduct of elections, this comes at a cost. Notably any time spent on election-related work is time not spent on other council duties. Similarly use of council office space or office equipment or resources for electionrelated work is at the expense of other day to day council activities.

The identification of activity-based costs and expenses allows a comparison with the fees charged by the NSWEC, to see whether one option is better value than the other for ratepayers.

Even in the case of an uncontested election or where there are insufficient nominations to enable the election to proceed on election day, there will be costs associated with having reached that stage, which also need to be reported.



12.6 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA) 2023 NATIONAL GENERAL ASSEMBLY CALL FOR MOTIONS

IP&R Linkage:	Pillar: Leadership
	Goal: Our local government is open, accountable, and representative.
	Strategy: Advocate and provide strong representation for our community at the regional, state, and federal levels.
Author:	Shona Henry, Executive and Councillor Support Officer
Authoriser:	Kent Boyd PSM, General Manager
Annexures:	A. 2023 National General Assembly - Call for Motions J

RECOMMENDATION

That Council:

1. Consider motions for submission to the 2023 National General Assembly.

BACKGROUND

Traditionally, the Australian Local Government Association's ("the ALGA") National General Assembly attracts over 800 Mayors, Councillors and senior officers from local councils across Australia and provides the opportunity to contribute to the development of national local government policy.

ISSUES AND COMMENTARY

The ALGA is calling for motions from Councils for discussion at the 29th National General Assembly scheduled to be held in Canberra mid-June 2023.

Motions are requested no later than Friday, 24 March 2023.

It is anticipated that motions for the 2023 National General Assembly will assist the ALGA to maintain the Government's engagement with Local Government and to drive improved outcomes for the Local Government sector at the national level.

The theme for the 2023 National General Assembly is "Our Communities, our Future". The theme conveys the critical importance of our communities, how they are the focus of our attention, and how they are at the centre of all our work.

A discussion paper was provided outlining the criteria and process for submitting motion and is attached for information (refer *Annexure A*).

The 2023 Call for motions eight priority areas:

- 1. Productivity
- 2. Local Government Infrastructure;
- 3. Community Wellbeing;
- 4. Local Government Workforce;
- 5. Ata, Digital Technology and Cyber Security;
- 6. Climate Change and Renewable Energy;
- 7. Natural Disaster; and
- 8. Housing.



Notice of motions should either:

- 1. Focus on practical and deliverable programs and policies that the Australian Government can support and work directly with the Local Government sector to build our communities, or
- 2. New program ideas that would help the Local Government sector to deliver national objectives.

LEGISLATIVE AND POLICY CONTEXT

FINANCIAL IMPLICATIONS

There are no financial implications for Council associated with this report.

RISK IMPLICATIONS

There are no risk implications for Council associated with this report.

COMMUNITY CONSULTATION

There are no community consultation requirements for Council associated with this report.

CONCLUSION

It is recommended that Councillors consider motions for submission to the 2023 National General Assembly, with suggested motions to be raised with the General Manager prior to the Councillor Workshop scheduled for Tuesday, 07 February 2023. Agreed motions will be formatted in line with applicable guidelines and tabled at Council's Ordinary Meeting in February 2023 for resolution.





19 December 2022

Cr Ken Keith OAM Parkes Shire Council PO Box 337 PARKES NSW 2870 council@parkes.nsw.gov.au

To the Mayor, Councillors and CEO (please distribute accordingly).

2023 National General Assembly Call for Motions

We're excited to let you know that in preparation for our 2023 National General Assembly of Local Government (NGA), your Australian Local Government Association (ALGA) is now calling for councils to submit motions.

The theme of our 2023 NGA will be "Our Communities, Our Future", and it will be held at the National Convention Centre in Canberra next June. We are seeking your motions to guide ALGA's Board, in particular, where they identify opportunities for reforming and creating new Federal Government programs and policies that will support councils to build stronger communities into the future.

We heard and responded to your feedback and, as a result, the ALGA Board has ensured we will allocate additional time for debate on motions in 2023 and made improvements to the criteria to support more focused discussion.

We have also heard from some of you that you prefer presentations and panels to debate on motions, so we will be running concurrent sessions as another option for non-voting delegates during these sessions. The attached discussion paper will help you prepare your council's motions, which can be submitted online at www.alga.com.au until Friday 24 March.

Next year's NGA is shaping up to be even bigger than 2022, and we are working with the Prime Minister and Federal Government towards incorporating the return of the Australian Council of Local Government (ACLG).

The ACLG was originally established by the Federal Government in 2007 as an opportunity for councils to engage directly with the Government and key Ministers. We are thrilled that the Albanese Government has committed to re-establishing this forum, and we look forward to working with them to make it a success, and a key part of our NGA.

We are currently finalising the dates for the 2023 NGA and ACLG and will confirm these dates prior to the opening of registrations early next year.

We look forward to receiving your 2023 NGA motions and welcoming you to Canberra next June.

Thank you all for your dedication to your council and community! I wish you all the best for a wonderful holiday season and a happy and healthy 2023.

Yours sincerely,

Linda Sout

Cr Linda Scott ALGA President

8 Geils Court Deakin ACT 2600 PHONE 02 6122 9400 FAX 02 6122 9401 EMAIL alga@alga.asn.au WEB www.alga.asn.au ABN: 31 008 613 876



Ordinary Council Meeting Agenda 24 January 2023



AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

2023 NGA

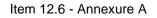


DISCUSSION PAPER Call for Motions

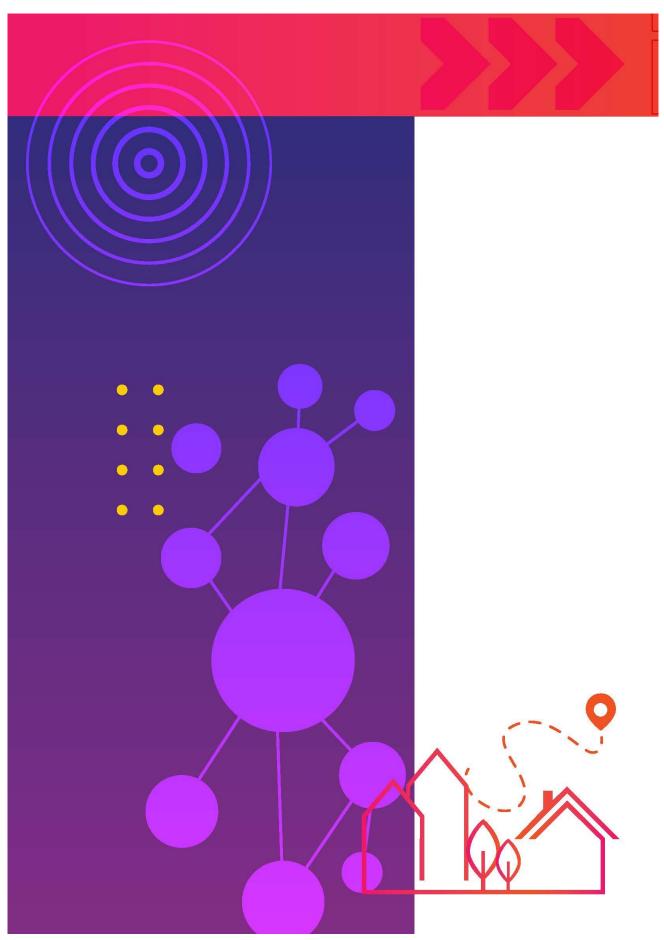
JUNE 2023 NATIONAL CONVENTION CENTRE

CANBERRA

0 0 0 0 0 0







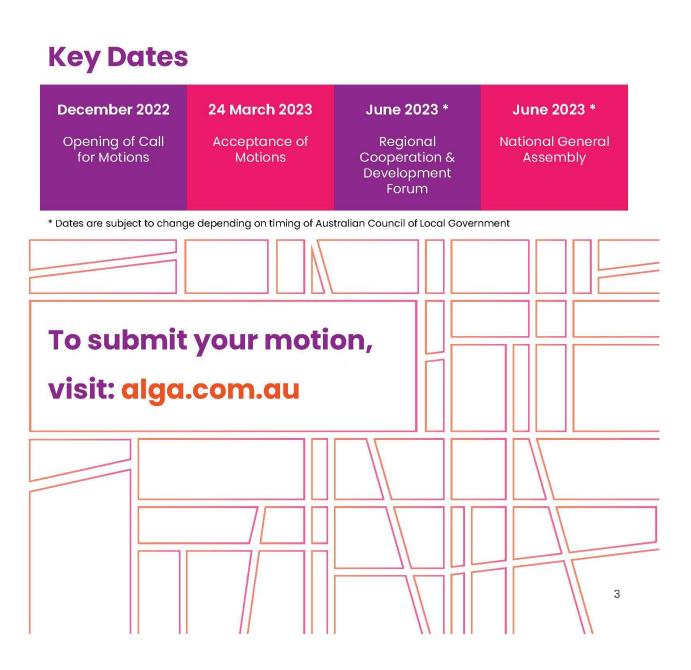




The Australian Local Government Association (ALGA) is pleased to convene the 29th National General Assembly of Local Government (NGA), to be held in Canberra mid June 2023.

This discussion paper contains essential information for Australian councils considering submitting motions for debate at the 2023 NGA.

It is recommended that all councils and delegates intending to attend this event familiarise themselves with the guidelines for motions contained in this paper.





Background to ALGA and the NGA

ALGA was established in 1947, and its structure is a federation of member state and territory local government associations.

Its mission is to champion and strengthen Australian councils by representing the agreed position of ALGA members, the seven local government associations from around Australia, who represent 537 Australian councils.

In 1994, the ALGA Board, in consultation with its member associations, established the NGA as a unique forum to engage with councils directly at the national level.

The purpose of the NGA was to build the profile of local government on the national stage and demonstrate to the Australian Government the strength and value of working with local government nationally.

As part of the NGA, debate on motions was introduced as a vehicle for councils from across the nation to canvas ideas, and solutions to the challenges facing Australia's councils and communities.

Outcomes of debate on motions (NGA Resolutions) could then be used by participating councils to inform their own policies and priorities, as well as their own advocacy to the Federal Government and Federal MPs.

At the same time, they assist ALGA, and its member state and territory associations to gain valuable insight into council priorities, emerging national issues, and gauge the level of need and support for emerging policy and program initiatives and advocacy.

Changes for 2023

The ALGA Board has undertaken a comprehensive review of the motions process.

As a result, ALGA has allocated additional time for debate on motions at the 2023 NGA and amended the criteria with a view to improving the quality and relevance of motions included in the Business Papers.

The updated criteria for motions is listed on page 6.

ALGA's policies and priorities will continue to be informed by motions and determined by the ALGA Board and based on the positions of its member associations.

ALGA's Board thanks all councils for attending the NGA, and those that will take the time to submit motions for debate at this event.





Submitting Motions

The theme of the 2023 NGA: Our Communities, Our Future.

This theme conveys the critical importance of our communities, how they are the focus of our attention, and how they are at the centre of all our work.

Our communities are the reason that local governments exist, and it is the health and wellbeing of our communities that will shape Australia's future.

This discussion paper is a call for councils to submit motions for debate at the 2023 NGA, to be held in Canberra mid June 2023.

A notice of motion to this year's NGA should either:

- Focus on practical and deliverable programs and policies that the Australian Government can support and work directly with the local government sector to build our communities; or
- New program ideas that would help the local government sector to deliver national objectives.

Motions should be concise, practical and able to be implemented.

They must also meet the guidelines for motions outlined in this paper.

You are encouraged to read all the sections of the paper but are not expected to respond to every issue or question. Your council's motion/s should address one or more of the issues identified in the discussion paper.

Motions must be lodged electronically using the online form available at <u>www.alga.com.au</u> and be received no later than 11:59pm on Friday 24 March 2023.

All notices of motions will be reviewed by the NGA Subcommittee to ensure that they meet the criteria included in this paper.

The Subcommittee reserves the right to select, edit or amend notices of motions to facilitate the efficient and effective management of debate on motions at the NGA.

All NGA resolutions will be published on www.nationalgeneralassembly.com.au.

As the convenor of the NGA, the ALGA Board will communicate resolutions to the relevant Australian Government Minister and publish Ministerial responses as they are received on this website.

If your council does submit a motion, there is an expectation that a council representative will be present at the NGA to move and speak to that motion if required.

will be present at the NGA to move and speak to that motion if require
We look forward to hearing from you and seeing you at the 2023 NGA.
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
O
<li



Criteria for motions

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

- 1. Be relevant to the work of local government nationally.
- 2. Not be focused on a specific jurisdiction, location or region unless the project or issue has national implications.
- 3. Be consistent with the themes of the NGA.
- 4. Complement or build on the policy objectives of ALGA and your state or territory local government association.
- 5. Be submitted by a council which is a financial member of their state or territory local government association.
- 6. Propose a clear action and outcome ie call on the Australian Government to act on something.
- 7. Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.
- 8. Address issues that will directly improve the capacity of local government to deliver services and infrastructure for the benefit of all Australian communities.
- 9. Not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
- 10. Be supported by sufficient evidence to support the outcome being sought and demonstrate the relevance and significance of the matter to local government nationally.

Motions must commence with the following wording:

This National General Assembly calls on the Australian Government to ...



Other things to consider

Please note that it is important to complete the background section on the form. Submitters of motions should not assume that NGA delegates will have background knowledge of the proposal.

The background section helps all delegates, including those with no previous knowledge of the issue, in their consideration of the motion.

Motions should not be prescriptive in directing how the matter should be pursued.

Try to keep motions practical, focussed, relatively simple and capable of being implemented to ensure that relevant Australian Government Ministers provide considered, thoughtful and timely responses.

Multi-point motions that require cross portfolio coordination have not historically received meaningful responses from the Government.

All motions submitted will be reviewed by the NGA Subcommittee, in consultation with state and territory local government associations, to determine their eligibility for inclusion in the NGA Business Papers.

When reviewing motions, the Subcommittee will consider the motions criteria, clarity of the motion and the importance and relevance of the issue to local government.

If there are any questions about the substance or intent of a motion, ALGA will raise these with the nominated contact officer. With the agreement of the submitting council, these motions may be edited before inclusion in the NGA Business Papers.

To ensure an efficient and effective debate where there are numerous motions on a similar issue, the Subcommittee will group motions together under an overarching strategic motion.

The strategic motions will have either been drafted by ALGA or will be based on a motion submitted by a council which best summarises the subject matter.

Debate will occur in accordance with the rules for debate on motions published in the Business Papers and will focus on the strategic motions.

Associated sub-motions will be debated by exception only or in accordance with the debating rules.

Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state or territory local government association and will not be included in the NGA Business Papers.

Motions should be lodged electronically using the online form available on the NGA website at: www.alga.com.au.

All motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and endorsement of your council.

> Motions should be received no later than 11:59pm on Friday 24 March 2023.





Setting the scene

'Through a devastating pandemic, through a succession of dangerous and damaging natural disasters, through global uncertainty and painful price rises – The Australian people have demonstrated the best of our national character. Resolute and resilient in hard times. Practical and pragmatic about the challenges we confront. Optimistic and confident in a better future. And ready to work together to build it.'

The Hon Jim Chalmer MP, Federal Treasurer Budget Speech 2022-23

The opening statement of the Federal Treasurer's first Budget Speech describes the backdrop against which the 2023 NGA will be held.

The 2022 NGA was held just weeks after the change in the Federal Government on 21 May 2022. On 25 October 2022, the new Government handed down its first Budget which updated the economic outlook, realigned priorities and outlined how the Government was to meet its election promises.

The Budget update foreshadows deteriorating economic conditions, citing global challenges, slowing growth, high inflation and higher interest rates, and acknowledges the mounting cost of living pressures on individuals, families and communities.

Key updates include:

- The economy is expected to grow solidly this financial year, by 3 ¼ percent before slowing to 1 ½ percent growth for 2023/24, a full percentage point lower than what was forecast in March;
- That slowing growth will have an effect on employment, but jobs will continue to be created, and unemployment is expected to stay low by historical standards – at 4 ½ percent in 2023/24 and 2024/25;
- Inflation is expected to peak at 7 ½ percent late in 2022, before moderating over time to 3 ½ percent through 2023/24, and returning to the Reserve Bank's target range in 2024/25; and that
- When that inflation moderates, real wages are expected to start growing again in 2024.





The Government is also committed to repairing the Budget in a 'measured and responsible' manner consistent with the objective of maintaining full employment and the delivery of essential services. It foreshadows that this will be achieved through spending restraint, with new spending focused on high-quality and targeted investments and building on the capability of the Australian people, expanding the productive capacity of the economy, and supporting action on climate change.

The Budget also included a focus on measuring and improving community wellbeing.

By the time of the 2023 NGA, the Government will have delivered its second Budget, which will provide further updates to the economic outlook and also refine its economic strategy going forward.

The 2023 NGA provides you - the elected representatives of Australia's local councils and communities - with the opportunity to engage with the Federal Government and key Ministers.

Further, it is your opportunity to advocate for new or extended programs and policy initiatives that could strengthen local governments' capacity to deliver services and infrastructure to communities across the nation.

This year's call for motions focusses on eight priority areas:

- Productivity;
- Local Government Infrastructure;
- Community Wellbeing;
- Local Government Workforce;
- Data, Digital Technology and Cyber Security;
- Climate Change and Renewable Energy;
- Natural Disasters; and
- Housing.





1. Productivity

In February 2022, the then Federal Treasurer asked the Productivity Commission to undertake an inquiry into Australia's productivity performance and provide recommendations on productivity enhancing reform.

This inquiry was the second of a regular series, undertaken at five-yearly intervals, and recognises that productivity growth is vital for Australia's future. Drawing on the Intergenerational Report the Treasurer notes that '… future growth in income and living standards will be driven from productivity growth as the participation effects of young migration are offset by an ageing population.'

ALGA engaged SGS Economics and Planning to undertake research to support its submissions to this inquiry.

SGS Principal and Partner Dr Marcus Spiller presented on some of the findings of this research at the 2022 NGA. In his presentation he identified that local governments generate local economic activity through employment, payment of wages and expenditure on goods and services in the local economy. In addition, SGS identified nine ways local government supports the productive capacity of the broader economy.

Figure 1 - Nine ways local governments contribute to the productive capacity of the broader economy:



Sources: Adapted from SGS Research for ALGA's Submission to Productivity Commission (2022)

Are there programs and initiatives that the Commonwealth Government could implement to improve local government's capacity to support productivity growth?

Are there programs that could support one, or all of the identified ways local government contributes to productivity in the broader economy?



2. Local Government Infrastructure

The 2021 National State of the Assets Report (NSoA) shone a spotlight on local government infrastructure assets. While the technical report shows that local government assets such as roads, bridges, buildings, parks and recreation, stormwater, water and wastewater and airports and aerodromes are generally in good to very good condition, around 10 percent are not fit for purpose, and around 20 - 25 percent are only fair and over time will need attention.

Over the past 12 months this situation has further deteriorated as a result of natural disasters, and particularly flooding across the eastern seaboard.

The technical report shows that in 2019/20 non-financial infrastructure assets were valued at \$342 billion and were depreciating at \$7.7 billion per year. Replacement costs of these infrastructure assets were in the order of \$533 billion.

While 86 percent of councils have adopted long term financial plans, one third of councils do not have asset management plans for their major assets, or if they do, they are out-of-date. Of the councils that do have asset management plans only 66 percent included financial projections in their financial plan.

Asset management and long-term financial planning are essential tools for councils to manage community assets now and into the future.

Are there programs or initiatives that the Commonwealth Government could adopt to improve the long-term sustainability of council's infrastructure?

Are there programs or initiatives that the Commonwealth Government could provide to improve the sector's capacity to manage local government infrastructure and to integrate these plans into long-term financial plans?



3. Community Wellbeing

While the NSoA focuses attention on physical assets, local governments also provide a wide range of important community services that improve local wellbeing. These services are provided at the discretion of councils based on local characteristics, needs, priorities and resources of the local community.

Australian Bureau of Statistics (ABS) data shows that local government annual expenditure in 2020/21 was \$43 billion. It is important to note that nationally local government is 83 percent self-sufficient. That is, the vast majority of local government services and infrastructure are funded at the local level either through rates, fees and charges, sale of goods and services, and interest, and only 17 percent comes from grants and subsidies from other levels of government. Unfortunately, many of these grants and subsidies are tied, and often require matching funding which restricts the ability to address local priorities in the way the council and community might like.

Local government community services are broadly defined and may include but not limited to:

- environmental health including food safety;
- childcare, early childhood education;
- aged care, senior citizens;
- services to the disabled;
- programs to address disadvantage, to reduce poverty and homelessness;
- · sporting and recreational programs;
- arts and cultural activities, program and festivals;
- tourism and economic development activities; and
- library services.

Councils also play a key role making places that are attractive and liveable for current and future workers, and closing the gap between Indigenous and non-Indigenous Australians.

ALGA's research shows that almost one in four councils are heavily reliant on federal Financial Assistance Grants, which make up at least 20 percent of their annual operating revenue. Financial sustainability of local governments remains an ongoing issue which threatens local service provision and community wellbeing.

Noting the funding arrangements for the provision of local government community services in your area and across the country, are there programs and initiatives that the Commonwealth Government could implement to improve the delivery of these services?

Are there changes to existing programs, including to administrative arrangements, that would significantly improve local government human service planning and provision of services and infrastructure across Australia?

Are there new programs the Australian Government could develop that would support councils to close the gap between Indigenous and non-Indigenous Australians?

What are the actions the Australian Government could take to support councils to improve their ongoing financial sustainability, and their capacity to deliver the services their communities need?



4. Local Government Workforce

Local government is a major employer in Australia providing employment, career advancement and training opportunities for more than 190,800 Australians, across an estimated 400 occupations. In many communities, the council is one of the largest employers.

There are 537 local councils in Australia. Importantly, they are geographically dispersed and provide essential public administration to every corner of the nation.

According to the 2022 National Local Government Workforce Skills and Capability Survey, more than 90 percent of local governments are experiencing skills shortages, resulting in around two thirds of councils having their projects impacted or delayed.

Skills shortages occur for a variety of reasons including an inability to compete against the private sector, worker accommodation, support services for families, ageing of the workforce and geographic isolation. The attrition rate (or rate of turnover) of local government staff is estimated to be between 15 – 20 percent per annum.

The most cited skills shortages include engineers, urban planners, building surveyors, environmental officers and human resources professionals.

ALGA's submission to the Productivity Commission's Productivity Inquiry called on all levels of government to work together to improve training pathways and address skills and labour shortages for the benefit of councils, communities, and businesses right across Australia.

While local government must face its immediate workforce challenges, it must also anticipate the changing nature of work, and future skills needed to meet the changing needs of our communities.

Are there programs or initiatives that the Commonwealth Government could implement that would enhance local government's capacity to attract and retain appropriately skilled staff now and into the future?

Are there programs or changes to existing programs that would increase local government's ability to employ apprentices and trainees?

Are there other initiatives that the Commonwealth Government could provide to improve the sector's ability to plan and develop skills fit for the future?



5. Data, Digital Technology and Cyber Security

Provision of information technology to all Australians is vital for innovation, economic growth and social equity. However, it is potentially even more important to regional Australia where the tyranny of distance increases the inequity of services available – including education, health, economic and social.

Innovative technology is becoming more broadly available and has the ability to boost productivity and economic growth.

Councils around Australia continue to embrace new technologies to improve their service delivery standards and broaden consultation and engagement with their local communities. However, many councils lack basic technological infrastructure and have a shortage of necessary skills and resources.

In October 2022, cyber-attacks on major Australian corporate organisations including Optus and Medibank Private highlighted the critical importance of cyber security. It is a timely reminder as digital information, services and products become an increasing feature of modern business operation including in local government.

Like all risks, local government must manage the risk of cyber-attack and address cyber security. At a national level, there is a poor understanding of local government's vulnerability to cyber-attacks and a lack or inadequacy of risk management strategies and business continuity planning within the sector. While this is primarily a responsibility of the sector itself, governments at all levels must work together to ensure that the public have confidence in government information management systems and its security.

Drawing upon your own council experience, and your knowledge of other councils within your state, or territory, are there programs and initiatives that the Commonwealth Government could implement to help local government develop its digital technology services and infrastructure and/or to improve cyber security within the sector?



6. Climate Change and Renewable Energy

Local governments are playing an important leadership role in addressing climate change, supporting a wide range of programs to lower the carbon footprint of their own business operations and in their local communities.

As a sector, local government is leading the debate for lowering carbon emissions, sourcing renewable energy, responding creatively to reduce greenhouse gas emissions from landfills, and facilitating the construction of green buildings and water sensitive design of cities and towns.

Councils also have a role to play supporting communities in transition, moving away from fossil fuels to new industries.

Pragmatically, local government has been at the forefront of addressing the impacts of climate change and adapting to reduce its environmental footprint. These impacts include an increased number of days with high temperatures, less rainfall and more droughts in southern Australia, less snow, more intense rainfall and fire weather, stronger cyclones, and sea level rise. These changes will increase stress on Australia's infrastructure and physical assets and natural ecosystems that are already threatened, and significantly affect agriculture, forestry, fisheries, transport, health, tourism, finance and disaster risk management.

At the 2022 NGA, there were five Strategic Motions and 15 associated motions debated concerning this issue. Councils are encouraged to review these motions on ALGA's website prior to developing new motions for debate at the 2023 NGA.

Noting the Government's commitment to reducing emissions, are there programs and initiatives that the Commonwealth Government could develop to assist councils in their work to address climate change and reduce emissions?





7. Natural Disasters

Over the past five years, Australian communities have experienced unprecedented natural disasters. At the time of writing, almost every community in Australia, particularly those on the East Coast, had been adversely affected by wet weather conditions associated with the La Nina weather pattern.

Councils in Western Australia are still recovering from a cyclone in 2021, and the Black Summer bushfires in 2019/20 burned approximately 250,000 square kilometres across the country.

The impacts of heavy rainfall, record breaking floods and associated social disruption and damage to infrastructure have exposed weaknesses as well as the strength of current emergency management systems.

There have been numerous NGA motions in the past regarding natural disasters. This year, councils are encouraged to draw on their practical experience of the improvements that could be made to managing emergencies.

Please note, however, that many aspects of emergency management are state or territory responsibilities, and your motions should focus on how the Commonwealth Government could assist.

What new programs could the Australian Government develop to partner with local government to improve the current natural disaster management systems to further assist in recovery and build resilience?







8. Housing

A lack of affordable housing remains one of the biggest issues for Australian councils and communities.

There is less social and affordable housing stock available than there was a decade ago, and more low-income Australians are experiencing housing stress.

The shortage and rising costs of rental properties and affordable home ownership are having significant social and economic impacts in cities and towns across Australia, including rural and regional communities.

This is due to a range of factors including changes to recent migration patterns, cheap finance and labour and material shortages in the construction sector.

While the provision of affordable housing is not a local government responsibility, councils often facilitate affordable housing within their communities, operating within state/territory planning, financial and other legislation requirements.

Some councils are going further, addressing thin markets and developing land and housing themselves, delivering local solutions to meet the needs of their communities.

Local government also plays an important role addressing some of the causes of homelessness, including social inclusion programs that can assist mental health and family violence issues, as well as providing support for people currently experiencing homelessness.

What new programs and policies could the Australian Government develop to partner with local government to support the provision of more affordable housing?

How can the Australian Government work with councils to address the causes and impacts of homelessness?

 $\triangleright \triangleright \triangleright$





Conclusion

Thank you for taking the time to read this discussion paper and your support for the 2023 National General Assembly of Local Government.

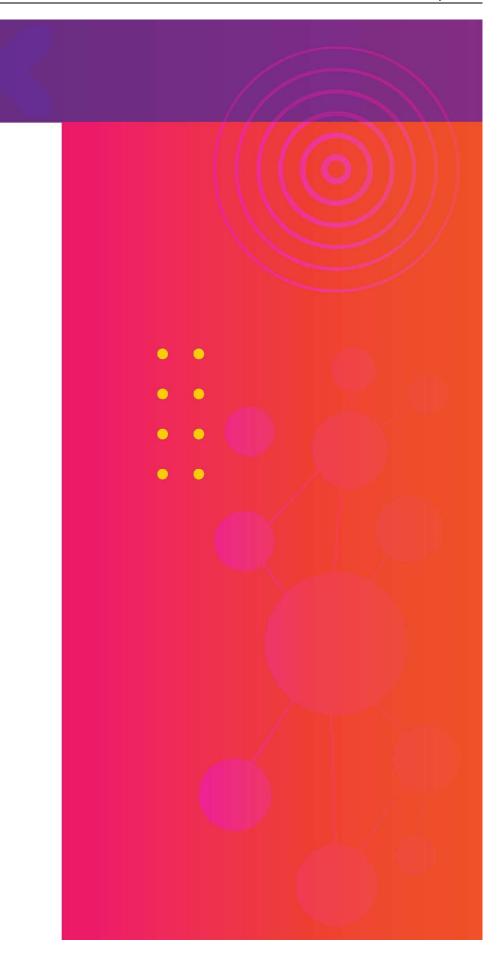
A FINAL REMINDER:

- » Motions should be lodged electronically at www.alga.com.au and received no later than 11.59pm on Friday 24 March 2023.
- » Motions must meet the criteria published in this paper.
- » Motions should commence with the following wording: 'This National General Assembly calls on the Australian Government to...'
- » Motions should not be prescriptive in directing how the matter should be pursued
- » Motions should be practical, focussed and relatively simple.
- » It is important to complete the background section on the form.
- » Motions must not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
- » When your council submits a motion there is an expectation that a council representative will be present at the 2023 National General Assembly to move and speak to that motion if required.

We look forward to hearing from you and seeing you at the 2023 National General Assembly in Canberra.













12.7 REQUEST TO USE ADDITIONAL TULLAMORE TOWN IMPROVEMENT FUNDS FOR MEMORIAL PARK AMENITIES UPGRADE

IP&R Linkage:	Pillar: Community					
	Goal: Our community is liveable, growing and connected.					
	Strategy: Provide vibrant and welcoming town centres, streetscapes, public spaces and meeting places.					
Author:	Anthony McGrath, Executive Manager Corporate Services					
Authoriser:	Kent Boyd PSM, General Manager					
Annexures:	A. Letter from Tullamore CCC requesting additional funds to support the upgrade at Memorial Park <u>U</u>					

RECOMMENDATION

That Council:

1. That Council increase the original allocation of \$60,000 to \$90,000 from the Tullamore Town Improvement Fund to make up to shortfall in grant funding for the Memorial Park Upgrade.

BACKGROUND

Parkes Shire Council ("Council") is guided by the advice provided by the various Community Consultative Committees ("CCC") in determining the most appropriate projects to be included in their Town Improvement Allocations, however, the final decision concerning the expenditure of the funds remains with Council.

Council has previously resolved at its meeting held on 20 September 2022 **[Res. 22-317]** to allow up to \$60,000 to be transferred from the Town Improvement ("TI") Fund, for the upgrade of the Tullamore Memorial Park.

ISSUES AND COMMENTARY

Tullamore Inc. applied for a grant under the Stronger Country Communities Round Five grant program. Council's Grants Team and Project Manager helped Tullamore Inc. to gather the information required for the application and made the submission on their behalf. Under the original grant application, the estimated cost for the upgrade works, which includes a disabled toilet, footpath, painting and lighting was \$160,000. This was to be fully funded by the grant application of \$160,000. In addition, up to \$60,000 from the Tullamore Town Improvement Fund was also allocated to meet any short fall in the final grant amount, which was supported by the Tullamore and District Progress Association (CCC). The actual grant allocation has since been announced by The Hon. Paul Toole and was for \$73,759. This means that the short fall in funding is \$86,241, which is over the originally approved TI fund allocation of \$60,000. The Tullamore CCC has subsequently written to Council requesting that their original request of \$60,000 from the Tullamore TI fund be increased to \$90,000.

LEGISLATIVE AND POLICY CONTEXT

There are no legislative or policy implications for Council associated with this report.



FINANCIAL IMPLICATIONS

Council has allocated funds in its Operational Budget for expenditure on projects within the Parkes Shire local communities as recommended by their CCC. As at January 2023, if the full amount of up to \$90,000 is allocated from the Tullamore TI Fund, the remaining uncommitted balance will be \$68,951.96.

RISK IMPLICATIONS

There is a minor risk that the project may exceed the original estimate of \$160,000, however Council's project manager has allowed for a 10% contingency to provide a buffer in the event of any unforeseen cost overruns.

COMMUNITY CONSULTATION

The Tullamore CCC selected this project as a priority for the Tullamore Community and have been included in the project scoping discussions.

CONCLUSION

This report recommends that Council agree to increase the original allocation of \$60,000 from the Tullamore TI Fund to \$90,000 to ensure that the original scope of the project is delivered.



<u>Tullamore & District Community Consultative</u> <u>Committee</u>

Chair: Mrs Sandy Stanbrook Secretary: Haylock St TULLAMORE NSW 2874 Mob: Email: TullamoreCCC@parkes.nsw.gov.au Mrs Janette McCosker Glenlea 851 Alagala Rd TULLAMORE NSW 2874 Mob: Email:

Mr Anthony McGrath Parkes Shire Council 2 Cecile St PARKES NSW 2870

17th January 2023

Dear Anthony

The Tullamore and District CCC fully support the Tullamore Inc. Stronger Country Communities Round Five Grant Application.

We understand that the amount of \$73,759 has been successfully granted as part funding for the upgrade of existing amenities and installation of a disabled access toilet and footpath at Tullamore Memorial Park. We could not do the upgrade without this assistance.

The amount of \$86,241 to complete the works will come from our Tullamore Town Improvement Fund. Further to this, should the Project exceed \$160,000, the Tullamore & District CCC agrees that the additional costs will also come out of the Tullamore Town Improvement Funds, pending Parkes Shire Council approval.

The financial support from this grant to upgrade our well-used park is greatly appreciated by the community. Thank you.

Yours faithfully

Janette McCosker

Secretary Tullamore & District CCC

Cc: Emma Williams, Tullamore Inc.







13 REPORTS OF THE DIRECTOR INFRASTRUCTURE AND STRATEGIC FUTURES

13.1 MAJOR PROJECTS AND CURRENT WORKS REPORT - INFRASTRUCTURE AND STRATEGIC FUTURES

IP&R Linkage:	Pillar: Leadership				
	Goal: Our local government is open, accountable, and representative.				
	Strategy: Effectively collaborate, engage, and communicate with our community to inform decision making and promote services, projects and initiatives.				
Author:	Sue McGrath, Business Support Coordinator				
Authoriser:	Andrew Francis, Director Infrastructure and Strategic Futures				
Annexures:	A. Major Project and Current Works - Infrastructure & Strategic Futures - January 2023 J				

RECOMMENDATION

That Council:

1. Receive and note the Infrastructure and Strategic Futures Major Projects and Current Works Report for January 2023, appended at *Annexure A*.

BACKGROUND

A monthly status report of Major Projects and Current Works within Parkes Shire Council's Infrastructure and Strategic Futures Department is tabled to keep Council abreast of projects being undertaken across the Parkes Shire.

ISSUES AND COMMENTARY

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

The Major Projects and Current Works Report is appended at Annexure A.

LEGISLATIVE AND POLICY CONTEXT

There are no legislative or policy considerations for Council associated with this report.

FINANCIAL IMPLICATIONS

Projects have been allocated funding either from grants or Council funds as provided in the 2022/23 Operational Budget.

RISK IMPLICATIONS

There are no risk implications for Council associated with this report.

COMMUNITY CONSULTATION

There are no community consultation requirements for Council associated with this report.



CONCLUSION

The Major Projects and Current Works Report, appended at *Annexure A*, provides Council with a briefing on major projects and works underway within the organisation's Infrastructure and Strategic Futures Department. It is recommended that Council formally resolve to receive and note the report. **MAJOR PROJECTS UPDATE - JANUARY 2023**

Project Description	Due Date	Budget	Forecast	Actuals	Status		
Water Supply Drought Relief Program Parkes - Peak Hill	30/06/23 (EoT required)	\$4,270,000	\$4,270,000	\$1,584,672.5	In Progress		
Comments	Bore refurbishment works finalising. Working on renewal details & procurement activities for Bore 2. Pipeline under bores will be developed as the final scope packages. Multiple EoT's have been processed with the grant body in relation to the prolonged wet weather.						
Town Water Security Business Case	28/02/21	\$2,032,075	\$2,032,075	\$2,042,198	Grant now closed		
Comments	Complete						
BBRF - Water Security Project	29/03/24 (EoT required)	\$14,402,488	\$14,402,488	\$331,300.37	In Progress		
Comments	Pre-procurement environmental & the WTP storage upgrades and La	olanning approv Iagoon, Lachlar	als / survey & ge River Pre-treat	eotechnical investment, HV power	stigations for		
RRP - Water Security Project	30/09/24 (EoT required)	\$9,063,012	\$9,063,012	\$53,403.95	In Progress		
Comments	Pre-procurement environmental &				pment /		
Safe & Secure - Water Security Project	30/09/24 (EoT required)	\$38,269,979	\$38,269,979	\$194,037.77	In Progress		
Comments	Pre-procurement environmental &				pment /		
	Communications plan has been enacted and landholder negotiations are underway.						
Resource for Regions Round 9 (R4R9) (Stormwater Mitigation Project Stage 1A)	31/12/25	\$2,684,244	\$2,684,244	\$0	In Progress		
Comments	Scope finalisation underway. Project walk through with project team and Contractors to be completed (2/2/23). Environment planning and approval return brief expected next week.						



13.2 WATER USAGE REBATE FOR AFFECT RESIDENTS

IP&R Linkage:	Pillar: Environment
	Goal: Our utilities are well-planned and efficiently managed.
	Strategy: Ensure the optimisation of water consumption by promoting reuse opportunities and waste minimisation across the Parkes Shire.
Author:	Sue McGrath, Business Support Coordinator
Authoriser:	Andrew Francis, Director Infrastructure and Strategic Futures
Annexures:	Nil

RECOMMENDATION

That Council:

- 1. Offer a one-time up to \$100 rebate for properties connected to town water supply and inundated by the recent rainfall and flooding event on the 14 November 2022.
- 2. That the rebate will need to be applied for by the owner / occupier with appropriate documentation.

BACKGROUND

Council's Hardship Policy allows for Council to determine that due to extenuating circumstances, a rate payer or water customer may have a proportion of their financial obligation to Council offset. Council provides town water supply to customers in a two part tariff, including an annual access charge and a per kL usage charge.

ISSUES AND COMMENTARY

The Parkes Shire experienced a significant rainfall and flood event on 14 November 2022. Approximately 290 properties were assessed for impacts by the NSW SES and RFS. Significant volumes of water were utilised in the post event clean up of houses, sheds, yards and vehicles. Open access was provided to standpipes and the brick-pit post the event to assist with clean-up, especially for those properties without access to a town water connection.

It is proposed to offer an up to \$100 water usage charge rebate for affected properties connected to town water supply to offset the water used as well as to relive some hardship. It is assumed that some properties will not have used \$100 worth of water over the quarter, which equates to approximately 45 kL, as such, a rebate is recommended such that they will have credit for subsequent bills, rather than a direct bill reduction. The rebate will need to be applied for by each resident to allow for verification and will apply to houses inundate by recent floods.

LEGISLATIVE AND POLICY CONTEXT

Under the NSW Best Practice Management of Water Supply and Sewerage guidelines, Council sets annual fees and charges for water supply. Under the guidelines, Council can determine that allocation of water consumption can be supplied under a Community Service Obligation via an application process. Council's Hardship Policy also sets out the ability for Council to "write-off" one-off debts due to extenuating circumstances.



FINANCIAL IMPLICATIONS

Data obtained from the NSW SES along with Council's information in relation to the rainfall and flood event indicates that up to 250 properties could be eligible for the rebate, assuming the full \$100 is claimed by each eligible property owner, the revenue impact would be \$25,000. It is unlikely that this could be claimed by Council through Government programs.

RISK IMPLICATIONS

There is a significant financial risk to Council's water business, however, the social impact is considered to outweigh the financial impact. There will be a governance and customer service risk associated with processing, assessing, and approving each application which will be managed through the development of appropriate control systems by the customer service and finance teams, taking an empathetic approach.

COMMUNITY CONSULTATION

In order for the rebate to be effective and to ensure that all eligible residents are aware of and have access to apply for the rebate, a communications plan will be developed to ensure the right messaging and appropriate channels are utilised, including the potential to use the SMS system to broadcast directly to registered, affected property owners / occupiers.

CONCLUSION

It is recommended that Council offer a one-off rebate of \$100 to rainfall and flood affected property owners / occupiers for water usage charges to offset the water consumed in the clean up of the property and to reduce the financial burden for the owner / occupier.



14 REPORTS OF THE DIRECTOR OPERATIONS

14.1 MAJOR PROJECTS AND CURRENT WORKS - OPERATIONS

IP&R Linkage:	Pillar: Leadership
	Goal: Our local government is open, accountable, and representative.
	Strategy: Effectively collaborate, engage, and communicate with our community to inform decision making and promote services, projects and initiatives.
Author:	Sue McGrath, Business Support Coordinator
Authoriser:	Logan Hignett, Executive Manager Operations
Annexures:	A. Major Projects and Current Works - Operations J.

RECOMMENDATION

That Council:

1. Receive and note the Operations Major Projects and Current Works Report for January 2023, appended at *Annexure A*.

BACKGROUND

A monthly status report of Major Projects and Current Works within Parkes Shire Council's Operations Department is tabled to keep Council abreast of projects being undertaken across the Parkes Shire.

ISSUES AND COMMENTARY

This report presents an update on the current major projects within the Parkes 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.

The Major Projects and Current Works Report is appended at Annexure A.

LEGISLATIVE AND POLICY CONTEXT

There are no legislative or policy considerations for Council associated with this report.

FINANCIAL IMPLICATIONS

Projects have been allocated funding either from grants or Council funds as provided in the 2022/23 Operational Budget.

RISK IMPLICATIONS

There are no risk implications for Council associated with this report.

COMMUNITY CONSULTATION

There are no community consultation requirements for Council associated with this report.

CONCLUSION

The Major Projects and Current Works Report, appended at *Annexure A*, provides Council with a briefing on major projects and works underway within the organisation's Operations Department. It is recommended that Council formally resolve to receive and note the report.



OPERATIONS MAJOR PROJECTS - JANUARY 2023

Project Description	Due Date	Budget	Forecast	Actuals	Status
Parkes - Spicer Oval Amenities	20/10/22	\$2,555,000	\$2,673,060	\$2,652,748	In Progress
Comments	 There has been an overrun of expenditure by approximately \$118,000 due to the cost of the carpark upgrades. This shortfall will be sourced from the Roads budget The Occupation Certificate application has been completed and the initial inspection by the certifier has been undertaken. There are 2 minor carpark items outstanding that need to be completed prior to issue of the certificate. Council is awaiting delivery of materials in order to complete the works. Undertaking of these works are scheduled for the week commencing 23.1.23. Hines Constructions are working through the last remaining building defects which are currently at 99% complete. Carpark resurfacing has been completed with placement of AC and line marking 				
		ccupation certific g of official openii			
Parkes - Currajong Street Rehabilitation – Church to Mitchell Street	June 2023	\$3,693,000	\$3,693,000	\$541,959	In Progress
	 Kerb and guttering commenced on Friday 13th January 2023 along the western side of Currajong Street between Bushman and Victoria. It is anticipated this will take 6 weeks including footpath and driveway connections. Asphalt tender closing on the LGP procurement portal 27/01/2023. Expected costs between \$2 - \$2.5M. Asphalt works will be undertaken between Church Street and Mitchell Street with over 6 weeks. Next Steps: Award Tender on LGP and mobilise asphalting crew. To minimise disruption, Council is considering a combination of night / day works. Implementation of road closures to facilitate road reshaping between Victoria 				
Trundle - Main Street	1/03/2023	Street prior to as \$1,000,050	\$1,000,050	\$775,758.89	In Progress
Comments	 Relocation of power poles and placing power underground. Installation of irrigation Planting out garden beds with plants Next Steps: Construction toilet facility Start of construction of community hub Wire private power in the garden beds for lights 				
Trundle Skate Parkes Shire Council	May 2023	\$260,000	\$230,000	\$208,626	In Progress
SCCF3 - 1158 LRCI Round 3 (part)	 All construction and landscaping elements have been completed as of 23 December 2022. The facility has been open to the public since that date. Next Steps: Supply and installation of suitable disclaimer signage is in progress by a local provider and expected installation is in February 2023 Scheduling of official opening ceremony 				



Project Description	Due Date	Budget	Forecast	Actuals	Status		
Parkes Pump Track	May 2023	\$722,000	\$600,000	\$583,784	In Progress		
SCCF3- 1354 SCCF4- 0822 LRCI Round 3 (part)	• All construction works including pump track, footpaths, viewing platform, cantilevered shelter, stormwater infrastructure and landscaping were 100% complete as of the 13 January 2023. The facility was open to the public on the same day. There are some minor works remaining to be completed to close the project out.						
	 Installation of surrounds in vandalism. Supply and 						
		d installation is F of new CCTV pole	ebruary 2023 e and cameras ar	e scheduled for la	ate January		
	 Supply and completion i All works are 	n early February	e completed by la				
Unsealed Roads Maintenance AGRN1034 Storm Damage & Forecast	June 2023 \$1,382,000 Final TBC \$5,500,000 \$2,410,172 In Progress						
Comments	 Council has received a 6-month extension to assist with delivery Emergency Works (EW) and Immediate Reconstruction Works (IRW) component of the AGRN1034 storm damage claim. 						
	 Councils 6 Grader crews continuing storm damage repairs within zones to facilitate better resource allocation, CRM (Customer Request Management) management and coordination. Council has commissioned an additional 2 x Contract grader crews to assist with storm damage recovery works. Office of Local Government \$1M - Works completed under this program include concreting the following causeways – Middle Trundle Road, Kadina Road, Bulgandramine Road. Scheduled works include; Maguires road, Nelungaloo Road, The Bogan Way and Wyatts Lane. Council has received approximately \$744k under the Fixing Local Roads Pothole Repair Round to assist with Local and Regional Roads within the Shire. A program of works is currently being developed to utilise these resources. 						
	 Next Steps: Continue routine inspections of the network and apply for IRW approval through Council Technical officers and Consultants. Complete package of works to expend the Pothole repair grant in key areas of distress within the road network. Continue Immediate Reconstruction Works (IRW) until 30 June 2023 and 						
		the restorative v		in vv) unui 30 Jur	10 2023 diiu		



15 REPORTS OF THE DIRECTOR PLANNING AND COMMUNITY SERVICES

15.1 DECEMBER 2022 BUILDING STATISTICS REPORT

IP&R Linkage:	Pillar: Environment
	Goal: Our built environment is functional, sustainable and meets the needs of our growing community.
	Strategy: Manage our built environment in line with the Local Environmental Plan (LEP) and relevant legislation.
Author:	Nerida Brown, Development Certificates Coordinator
Authoriser:	Annalise Cummings, Executive Manager Planning and Certification
Annexures:	A. Development Activity Report - December 2022 🕹

RECOMMENDATION

That Council:

1. Receive and note the December 2022 Building Statistics Report.

BACKGROUND

The Building Statistics Report is furnished to Council on a monthly basis and provides a snapshot of development activity in the Shire during that period.

ISSUES AND COMMENTARY

During the month of December 2022 there were five (5) Development Applications received totalling \$2,264,860 and sixteen (16) consents were issued. Two (2) PSC Certifier Complying Development Certificates were received totalling \$496,639.00 and two (2) PSC Certifier consents were issued.



The figures shown Table 1 below are for Development Applications received during December 2022 with respect to the specified building types and a comparison to the December 2021 figures.

Table 1: Development Applications	•			
	De	ecember 2022	December 2021	
Development Category	No.	Estimated Value	No.	Estimated Value
Commercial	1	\$0.00	-	-
Community Facilities	-	-	1	\$126,000.00
Industrial	-	-	1	\$1,112,726.00
Infrastructure	-	-	1	\$275,000.00
Tourist Development	-	-	-	-
Single Dwelling-house	1	\$1,034,510.00	3	\$1,615,628.00
Residential Alterations and Additions inc ancillary / outbuildings	1	\$22,450.00	6	\$334,962.86
Residential Other	-	-	-	-
Multi-Residential	-	-	1	\$496,100.00
Seniors Living	-	-	-	-
Subdivision only	-	-	-	-
Secondary Dwelling	1	\$1,207,900.00	2	\$1,163,580.00
Other inc demolition, earthworks, advertising structure	-	-	-	-
Mixed Development	-	-	-	-
Totals	5	\$2,264,860.00	15	\$5,123,996.86
FYTD Totals	72	\$48,193,944.94	85	\$19,765,473.34

The following list of Development Consents were issued in the month of December 2022.

Application No.	Address	Description
DA2022/0106	15b Rosewood Avenue, Parkes	Proposed Dwelling - House & Secondary Dwelling Attached & Retaining Walls
DA2022/0107	9 Boyd Circuit, Parkes	General Industry
DA2022/0110	52-58 Coronation Avenue, Parkes	Dwelling - House & Outbuilding - Shed
DA2022/0116	2 Medlyn Street, Parkes	Dual Occupancy (Attached) and Strata Subdivision (2 Lots)
DA2022/0118	14 Woodward Street, Parkes	Outbuilding - Shed
DA2022/0119	11 Rosewood Avenue, Parkes	Proposed Dwelling - House & Secondary Dwelling Attached & Retaining Walls
DA2022/0121	18 Brookview Street, Trundle	Outbuilding - Shed
DA2022/0124	Public Recreation, Cross Street, Alectown	Camping Ground (Primitive)
DA2022/0126	10 Talbot Street, Parkes	Dwelling - House
DA2022/0127	13 Talbot Street, Parkes	Alterations & Additions to Existing Dwelling
DA2022/0128	5 Carrington Street, Parkes	Dual Occupancy (Detached) - Manufactured Home
DA2022/0129	19 Rosewood Avenue, Parkes	Dwelling - House and retaining walls
DA2022/0133	21 Rosewood Avenue, Parkes	Strata Subdivision (2 Lots)
DA2022/0134	249-251 Clarinda Street, Parkes	Change of Use - (Business Premises - Laundry to Servery)
DA2022/0135	Peppervale, 35 Endicott Street, Parkes	Dwelling - House & Outbuilding (Shed)
DA2022/0136	213 Nash Street, Parkes	Swimming Pool & Child Resistant Barrier



The figures shown in Table 3 below are for Complying Development Certificates received during December 2022 with respect to the specified building types and a comparison to the December 2021 figures.

Table 3: Complying Development Certificates					
	De	ecember 2022	December 2021		
Development Category	No.	Estimated Value	No.	Estimated Value	
Commercial	-	-	-	-	
Community Facilities	-	-	-	-	
Industrial	-	-	-	-	
Infrastructure	-	-	-	-	
Tourist Development	-	-	-	-	
Single Dwelling-house	1	\$487,654.00	-	-	
Residential Alterations and Additions inc ancillary/outbuildings	1	\$8,985.00	1	\$15,510.00	
Residential Other	-		-	-	
Multi-Residential	-	-	-	-	
Seniors Living	-	-	-	-	
Subdivision	-	-	-	-	
Secondary Dwelling	-	-		-	
Other inc demolition, earthworks, advertising structures	-	-	-	-	
Totals	2	\$496,639.00	1	\$15,510.00	
FYTD Totals	16	\$4,526,668.00	15	\$2,414,597.00	

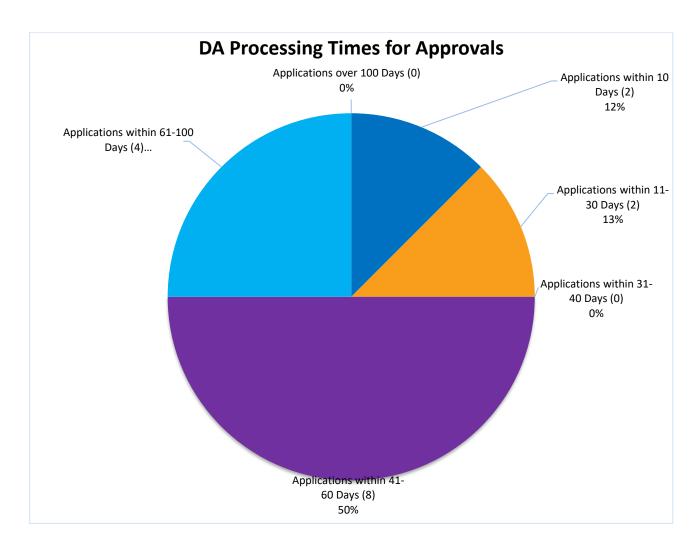
Table 4 below, provides a list of Complying Development Certificates which were issued in the month of December 2022.

Table 4: Complying Development Certificates						
Application No.	Address	Description	Certifying Authority			
CDC2022/0036	70 Mitchell Street, Parkes	Alterations & Additions to Dwelling - Patio	Council			
CDC2022/0044	42 Victoria Street, Parkes	Outbuilding - Shed	Council			



DA Processing Times for Approvals

The information shown in the pie chart below is Development Application approvals issued for the period 1 December 2022 to 31 December 2022. It should be noted that a total of sixteen (16) Development Applications have been approved with an average of 48.04 days.



LEGISLATIVE AND POLICY CONTEXT

There are no legislative or policy considerations for Council associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications for Council associated with this report.

RISK IMPLICATIONS

There are no risk implications for Council associated with this report.

COMMUNITY CONSULTATION

Where a Development Application or Modification Development Application is required to be publicly exhibited, the application was made available for inspection at the Parkes Shire Council Administration Centre commencing from the date on which the public notice was placed in the local newspaper. The application was also included on the Parkes Shire Council website.



For Development Applications requiring neighbour notification, written notification of the proposed development was provided to the owner(s) of land immediately adjoining or adjacent to the subject land (as shown on Council's Property and Rating System at the time of notification) including land that is separated from the subject land by a watercourse, road, pathway, driveway, railway or similar thoroughfare.

Where more than one person is listed as the owner, written notification to one of the owners, is taken to be a notice to all of the registered owners.

CONCLUSION

During the month of December 2022 there were five (5) Development Applications received totalling \$2,264,860 and sixteen (16) consents were issued. Three (2) PSC Certifier Complying Development Certificates were received totalling \$496,639.00 and two (2) PSC Certifier consents were issued.





Development Activity Report

December 2022

Development Applications and Complying Development Certificates lodged and approved in the Parkes Shire.





15.2 DEVELOPMENT ACTIVITY REPORT AND GROWTH MONITOR 2022

IP&R Linkage:	Pillar: Environment			
	Goal: Our built environment is functional, sustainable and meets the needs of our growing community.			
	Strategy: Manage our built environment in line with the Local Environmental Plan (LEP) and relevant legislation.			
Author:	Nerida Brown, Development Certificates Coordinator			
Authoriser:	Brendan Hayes, Director Planning and Community Services			
Annexures:	A. Development Activity Report and Growth Monitor 2022 <u>J</u>			

RECOMMENDATION

That Council:

1. That the information be received and noted.

BACKGROUND

The Development Activity Report and Growth Monitor will assist Council in understanding the supply of land available for development as well as current and forecasted growth to ensure an adequate reserve of land is maintained.

Ongoing collection and analysis of the development activity and growth statistics across the Shire will ensure Council can respond in a timely manner to develop appropriate strategies to rezone land and augment infrastructure to enable continuous growth.

ISSUES AND COMMENTARY

The building and construction industry has faced a range of pressures over the previous two years, particularly from material shortages and price increases, changes in interest rates, trade shortages and consequences of the COVID-19 pandemic. Irrespective of the pressures on the industry development activity has remained strong in the 2021/2022 financial year across the Parkes Shire.

The total number of applications received and approved, as well as total value of development per financial year has exceeded the respective ten year averages across all categories. The positive growth in development activity can be partially attributed to the commencement of works on major projects in the Shire, including but not limited to, the Parkes Special Activation Precinct and Parkes Newell Highway Bypass. Progression of major activity approvals such as the Northparkes Mines expansion project and CleanTeQ Sunrise Mine continue to generate positive interest in development in both commercial / industrial and residential sectors.

Key development statistics across the 2021-2022 financial year are as follows:

- One hundred and fifty-three (151) Development Applications were received in the 2021/2022 financial year with a total development value of \$35,232,774.97.
- One hundred and sixty-six (166) Development Applications were approved in the 2021/2022 financial year with a total development value of \$41,885,101.74.
- Development Applications were determined on average 39.7 days, consistent with the legislated timeframes specified in the *Environmental Planning and Assessment Act 1979.*



• A total of thirty-give (35) Complying Development Certificates have been issued by Council and Private Certifiers with a total value of \$5,805,210.74.

Key growth trends and statistics identified in the Development Activity Report and Growth Monitor include:

- There is an existing supply of one hundred and nine (109) R1 General Residential zoned allotments in the Parkes Urban area which could be developed for dwellingpurposes. Realisation of maximum development potential of un-subdivided R1 General Residential land would provide a potential allotment yield of seven hundred and ninety-two (792) allotments.
- Over the last three financial years forty-two (42) new allotments have been registered and eighty-five (85) allotments have been occupied by residential dwellings. At the existing rate of development there is sufficient land available for approximately seven and a half years.
- There is an existing supply of two hundred and three (203) R5 Large Lot Residential zoned allotments in the Parkes Urban area which could be developed for dwelling-purposes. Based on the existing rates of development there is sufficient land available for approximately twelve years.
- Development statistics reveal there has been limited construction of dwellings in the towns of Alectown, Bogan Gate, Cookamidgera, Trundle and Tullamore over the last three financial years. As such there is an adequate supply of land for future growth.

LEGISLATIVE AND POLICY CONTEXT

There are no legislative or policy considerations for Council associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications for Council associated with this report.

RISK IMPLICATIONS

There are no risk implications for Council associated with this report. Ongoing management of the Parkes Shire Development Activity Report and Growth Monitor will provide Council key information to inform future planning and infrastructure delivery for growth of the Shire.

COMMUNITY CONSULTATION

There are no community consultation requirements for Council associated with this report.

CONCLUSION

The emphasis on strategic planning for future growth by way of the Parkes Shire Local Strategic Planning Statement 2020, the Parkes Shire Housing Strategy 2021, Middleton Masterplan 2022 and ongoing maintenance of the Development Activity Report and Growth Monitor has Parkes Shire Council positioned to make informed and timely planning decisions on new urban growth areas to ensure new and existing residents can be suitably accommodated and housing prices remain affordable.

It is therefore recommended the information be received and noted.







TABLE	OF	CONT	ENTS

INTRODUCTION	PAGE 3
2022 DEVELOPMENT ACTIVITY	PAGE 4
DEVELOPMENT APPLICATIONS DEVELOPMENT APPLICATIONS RECEIVED DEVELOPMENT APPLICATIONS APPROVED AND VALUE DEVELOPMENT APPLICATIONS TIMEFRAMES	PAGE 4 PAGE 4 PAGE 6 PAGE 8
COMPLYING DEVELOPMENT CERTIFICATES	PAGE 10
COMPLYING DEVELOPMENT CERTIFICATES RECEIVED COMPLYING DEVELOPMENT CERTIFICATES APPROVED AND VALUE	PAGE 10 PAGE 11
GROWTH MONITOR	PAGE 14
RESIDENTIAL (R1 GENERAL RESIDENTIAL)	PAGE 14
VACANT LOTS (EXISTING, CREATED EITHER DA/SC AND CONSUMED	PAGE 14
RESIDENTIAL (LARGE LOT)	PAGE 16
VACANT LOTS (EXISTING, CREATED EITHER DA/SC AND	PAGE 16
CONSUMED VILLAGE (BY TOWNSHIP)	PAGE 18
RURAL (RU1)	PAGE 22
COMMERCIAL/INDUSTRIAL	PAGE 22



INTRODUCTION



The Parkes Shire Development Activity Report and Growth Monitor has been developed to assist in achieving the objectives of the Parkes Shire Community Strategic Plan (CSP) 2035 specifically:

OUR BUILT ENVIRONMENT IS FUNCTIONAL, SUSTAINABLE AND MEETS THE NEEDS OF OUR GROWING COMMUNITY

MANAGE OUR BUILT ENVIRONMENT IN LINE WITH THE LOCAL ENVIRONMENTAL PLAN (LEP) AND RELEVANT LEGISLATION

DIRECT NEW HOUSING GROWTH THE APPROPRIATE LOCATIONS WHERE DEMAND IS FORECAST

To satisfy the objectives of the CDP we need to under how the Parkes Shire is growing. The Development Activity Report and Growth Monitor will assist Council in understanding the supply of land available for development as well as current and forecasted growth to ensure an adequate reserve is maintained.

Ongoing collection and analysis of the development activity and growth statistics across the Shire will ensure Council can respond in a timely manner to develop appropriate strategies to rezone land and augment infrastructure to enable continuous growth.



2022 DEVELOPMENT ACTIVITY development applications

COMPLYING DEVELOPMENT CERTIFICATES



The building and construction industry has faced a number of pressures over the previous two years, particularly from material shortages and price increases, changes in interest rates, trade shortages and consequences of the COVID-19 pandemic. Irrespective of the pressures on the industry development activity has remained strong in the 2021/2022 financial year across the Parkes Shire.

The total number of applications received and approved, as well as total value of development per financial year has exceed the respective ten year averages across all categories. The positive growth in development activity can be partially attributed to the commencement of works on major projects in the Shire, including but not limited to, the Parkes Special Activation Precinct and Parkes Newell Highway Bypass. Progression of major activity approvals such as the Northparkes Mines expansion project and CleanTeQ Sunrise Mine continue to generate a positive interest in development in both commercial/industrial and residential sectors.

The following chapter will break down the Development Activity across the Parkes Shire over the 2021/2022 financial year, specifically by Development Consents (Development Applications and Complying Development Certificates), received and determined. The chapter will detail the total value of development activity across the Shire, as well as average timeframes for approvals and provide commentary on development trends.



DEVELOPMENT SNAPSHOTS





31 HOUSES

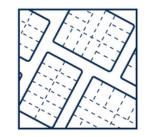




TOTAL NUMBER OF APPROVALS \$41,037,985

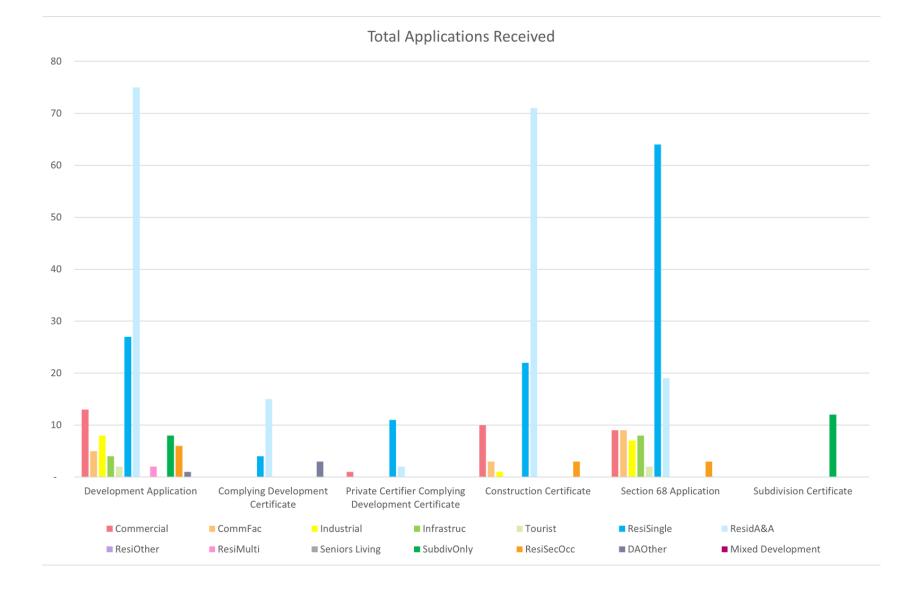


13 COMMERCIAL

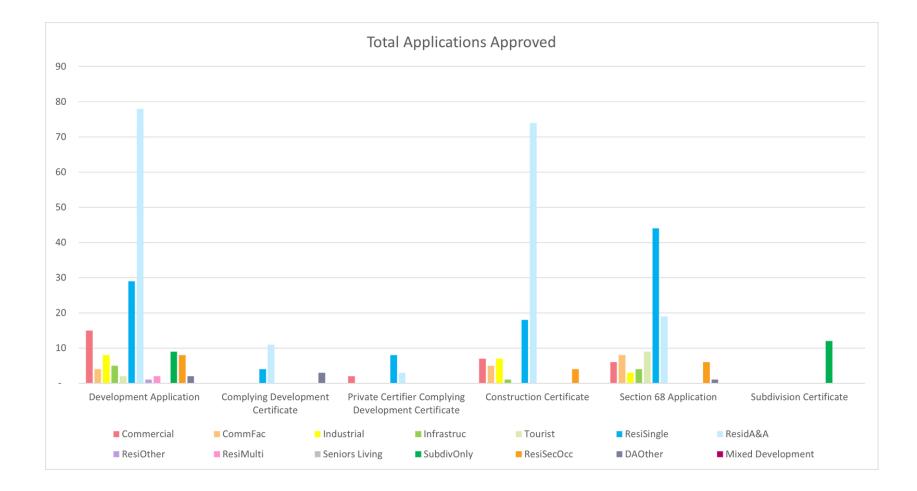


8 SUBDIVISIONS









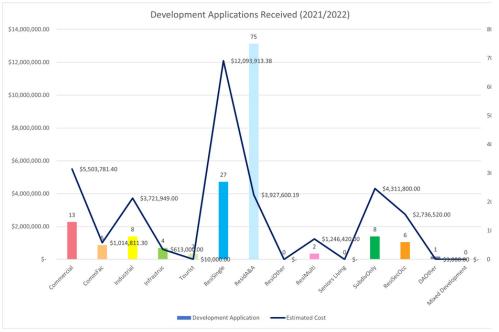


DEVELOPMENT APPLICATIONS

DEVELOPMENT APPLICATIONS RECEIVED

One hundred and fifty-one (151) Development Applications were received in the 2021/2022 financial year with a total development value of \$35,232,774.97

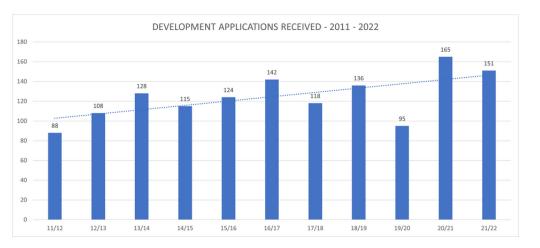
Development has been spread across all sectors including twenty-one (21) commercial/industrial applications, one hundred and ten (110) residential applications, nine (9) infrastructure and community facility applications and eight (8) subdivision applications received throughout the reporting period.





Over the last 10 year period (2011/2012 to 2021/2022) Parkes Shire Council has averaged a total of 137 applications lodged per financial year with an average development value of \$16.85 million. Development Applications received during the 2021/2022 financial year have exceed both the ten-year quantity and value averages which demonstrates positive growth across the Parkes Shire.

A significant increase in Development Applications received and total value is evident in the 2020/2021 and 2021/2022 financial years. This trend can be related to the commencement of large projects such as the Parkes Special Activation Precinct, Parkes Bypass, and project approvals for major developments, particularly the Northparkes Mines expansion. Significant quantities of development in the residential sector can also be associated with the aforementioned large developments as new housing provided for itinerant and ongoing workers and residents respectively. Furthermore, restrictions from COVID-19 such as the prevention of overseas and interstate travel has seen an increase in applications for alterations and additions to residential buildings, as well as new shed and ancillary structures.





DEVELOPMENT APPLCTIONS APPROVED AND VALUE

A total of one hundred and sixty-six (166) Development Applications were approved with a total development value of \$41,885,101.74. Major developments approved through the reporting period include:

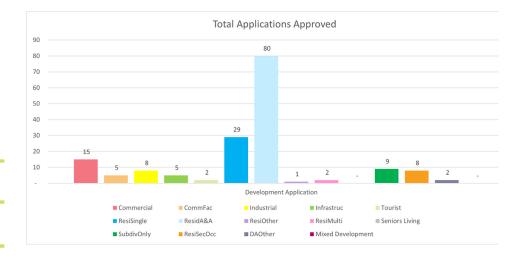
\$3.7 MILLIION INFORMATION AND EDUCATION FACILITY (AVIATION MUSEUM).

\$1.2 MILLION RENOVATION TO A COMMERCIAL PREMISES.

\$1.1 MILLION DOLLAR ADDITIONS TO A RURAL INDUSTRY.

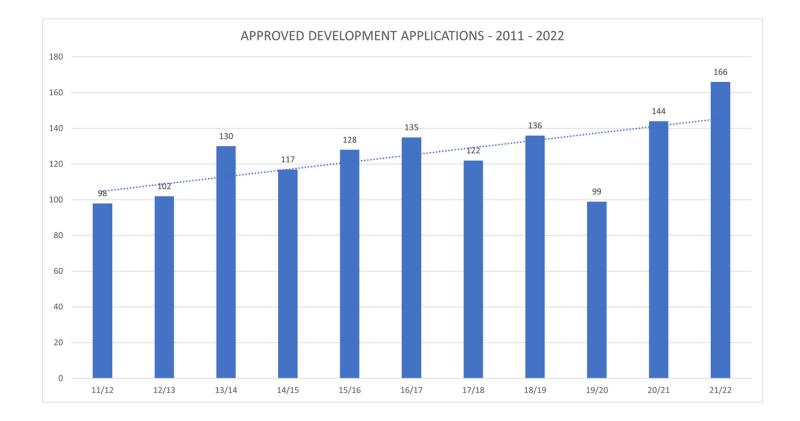
SPICER OVAL GRANDSTAND AND CLUBHOUSE.

35 APPLICATIONS FOR NEW DWELLING - HOUSES (SINGLE DWELLING-HOUSES, DUAL OCCUPANCIES, SECONDARY DWELLINGS AND MULTI-DWELLING-HOUSING).





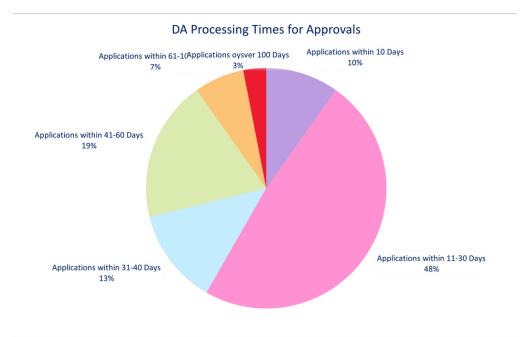
Over the last 10-year period (2011/2012 to 2021/2022) Parkes Shire Council has averaged a total of 137 applications approved per financial year with an average development value of \$60.55 million. Development Applications received during the 2021/2022 financial year have exceed both the ten-year quantity and value averages which demonstrates positive growth across the Parkes Shire.





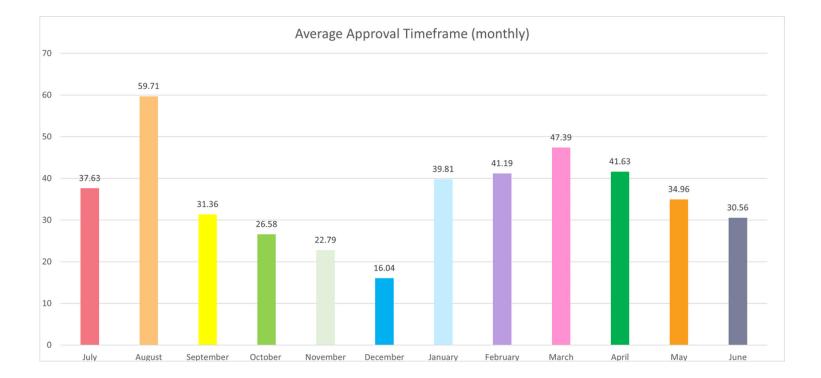
DEVELOPMENT APPLICATION TIMEFRAMES

for large portions of the 2021/2022 financial year the Planning and Community Services Department did not satisfy the full-time equivalent staffing quotas established in the workforce plan across administration and assessment roles, impacting on the workload and capacity of staff members. Notwithstanding the staff shortages, planning reforms (mandated use of the NSW Planning Portal) and process changes resulting from COVID-19, development applications determined by Council averaged 39.7 days across the 2021/2022 financial year, consistent with the legislated timeframes specified in the Environmental Planning and Assessment Act 1979.





The following graph shows the majority of applications (71%) are determined before forty (40) assessment days which is consistent with the regulated timeframes set out in the Environmental Planning and Assessment Regulation 2021. The majority of applications are determined between eleven and sixty days which is expected given Council is required to notify most applications to adjoining landowners for a fourteen (14) day period in accordance with Council's community engagement strategy.





COMPLYING DEVELOPMENT CERTIFICATES

Complying Development Certificates are fast-tracked combined planning/building approvals that have strict development standards detailed in the State Environmental Planning Policies. Complying Development Certificates can be issued by either Council or Private Certifier, subject to complying with the relevant development standards. Private Certifiers are required to register any Complying Development Certificates they have issued with Council.

Over the 2021/2022 financial year a total of thirty-five (35) Complying Development Certificates were issued in the Parkes Shire with a total development value of \$5,805,210.74

COMPLYING DEVELOPMENT CERTIFICATES RECEIVED

Twenty-one (21) Complying Development Applications were received in the 2021/2022 financial year by Council with a total development value of \$ 2,028,814.74.

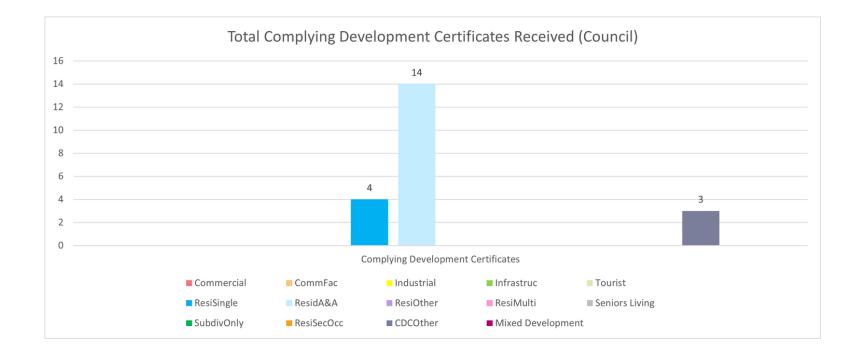
Complying Development Certificates have primarily been received for residential alterations and additions as well as new dwelling-houses with three (3) applications for demolition.

COMPLYING DEVELOPMENT CERTIFICATES APPROVED AND VALUE

A total of twenty-one (21) Complying Development Certificates were issued with a total development value of \$2,028,814.74 by Council in the 2021/2022 financial year.

A further fourteen (14) Complying Development Certificates have been issued by Private Certifiers in the 2021/2022 financial year with a total development value of \$3,776,396.00.







COMPLYING DEVELOPMENT CERTIFICATES APPROVED AND VALUE

The below graph shows the total number of Complying Development Certificates issued in the Parkes Shire over the last 10-year period by Council staff and Private Certifiers. The declining rates of Complying Development Certificates issued in the Parkes Shire can be attributed to two key factors: promotion of the now defunct Electronic Housing Code, a state initiative to promote fast-track approvals and general complexity of using the State Environmental Planning Policy (Exempt and Complying Development Codes 2008) for adhoc developers.















GROWTH MONITOR

ESIDENTIAL (R1 GENERAL RESIDENTIAL)

ESIDENTIAL (LARGE LOT)

ILLAGE (BY TOWNSHIP)

URAL (RU1)

OMMERCIAL / INDUSTRIAL



GROWTH MONITOR

Parkes Shire is well placed to become a major centre for national transport logistics, as well as a world leader in circular economy and sustainable-base industries following the development of the first Special Activation Precinc in New South Wales. In response to the anticipated growth of the Shire, Council has prepared the Parkes local Strategic Planning Statement 2020 ar Parkes Shire Housing Strategy 2021.

Key directions of the Parkes Shire Housing Strategy 2021 include:

DIRECTING NEW HOUSING GROWTH TO APPROPRIATE LOCATIONS WHERE DEMAND IS FORECAST

PACKAGING LAND FOR RESIDENTIAL RELEASE IN STAGES TO ENSURE EFFICIENT AUGMENTATION OF SERVICES AND INFRASTRUCTURE AND SUBSEQUENT LAND DEVELOPMENT

SHOW LEADERSHIP THROUGH THE DEVELOPMENT OF STRATEGIC DEVELOPMENT SITES.

In order for land to be subdivided into smaller allotments there are a number of actions which must be satisfied, including establishing an appropriate minimum allotment size, obtaining approval for the subdivision (Development Application), undertaking construction works of roads, water/sewer mains and utility services and formally registering the newly created land parcels with the NSW Lands Registry Office

The key statistics of the Growth Monitor will identify growth rates of development and trends across both residential and commercial sectors which will enable Council to plan for the future by undertaking timely studies and investigations into appropriate growth areas and supporting planning schemes to provide developable land in a cost-effective manner, that meets the communities demand.



RESIDENTIAL (R1 GENERAL RESIDENTIAL)

VACANT LOTS (EXISTING, CREATED EITHER DA/SC AND CONSUMED)

A review of the Parkes Urban Area identifies a total of one hundred and nine (109) vacant allotments zone R1 general Residential. A number of the existing vacant allotments have further subdivision potential that has not been realised, with a maximum allotment potential of seven hundred and ninety-two (792) lots. Vacant allotments and potential maximum allotment yields are evenly distributed across Parkes as follows:

CENTRAL/NORTH PARKES: 18 VACANT LOTS / 92 POTENTIAL LOTS

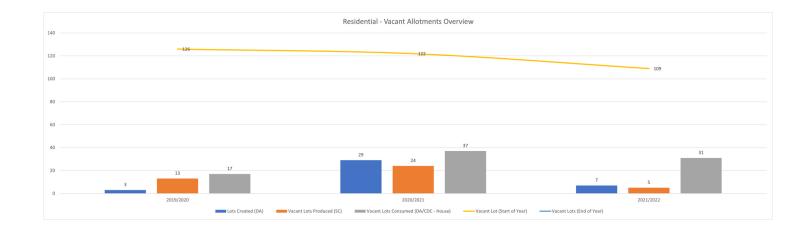
EAST PARKES: 28 VACANT LOTS / 209 POTENTIAL LOTS

SOUTH PARKES: 19 VACANT LOTS / 138 POTENTIAL LOTS

WEST PARKES: 44 VACANT LOTS / 353 POTENTIAL LOTS

Over the last twelve month period (2021/2022 financial year) there has been seven (7) lots created under Development Consents, five (5) lots realised through the release of Subdivision Certificates and thirty-one (31) allotments consumed through the approval of applications for new dwelling-houses.





The above graph demonstrates a decline in the total number of vacant residential allotments available for development in the Parkes Township. The above graph also shows that since 2019/2020 a total of thirty-nine (39) allotments have been granted development consent and forty-two (42) have been created through the registration of a subdivision certificate; whereas, eighty-five (85) allotments have been occupied by a new residential dwelling.

Between 2019/2020 and 2021/2022 there has an average of 28.3 dwelling-houses built on R1 Large Lot Residential land per annum. At the existing rate of development there is a sufficient land available for approximately seven and a half years. Although the graph demonstrates a decline of developable land it should ne noted that there is in excess of sixty (60) allotments which have previously been approved for subdivision prior to 2019/2020 that can be created into developable allotments, should the developer decide to complete works and register the subdivision.

Furthermore, Parkes Shire Council is currently undertaking the Middleton Masterplan, a residential release strategy to ensure that sufficient land is zoned and serviced to enable residential subdivision.

Should all of the existing vacant zone R1 General Residential land be subdivided there would be a potential allotment yield of seven hundred and ninety-two (792) lots.



RESIDENTIAL (LARGE LOT)

VACANT LOTS (EXISTING, CREATED EITHER DA/SC AND CONSUMED)

A review of the Large lot housing area identifies a total of two hundred and three (203) vacant allotments zone R5 Large Lot Residential. A number of the existing vacant allotments have further subdivision potential that has not been realised, with a maximum allotment potential of three hundred and sixty-eight (368) lots. Vacant allotments and potential maximum allotment yields are distributed across the large lot areas as follows:

NORTH-EAST PARKES: 17 VACANT LOTS / 61 POTENTIAL LOTS

SOUTH PARKES: 80 VACANT LOTS / 151 POTENTIAL LOTS

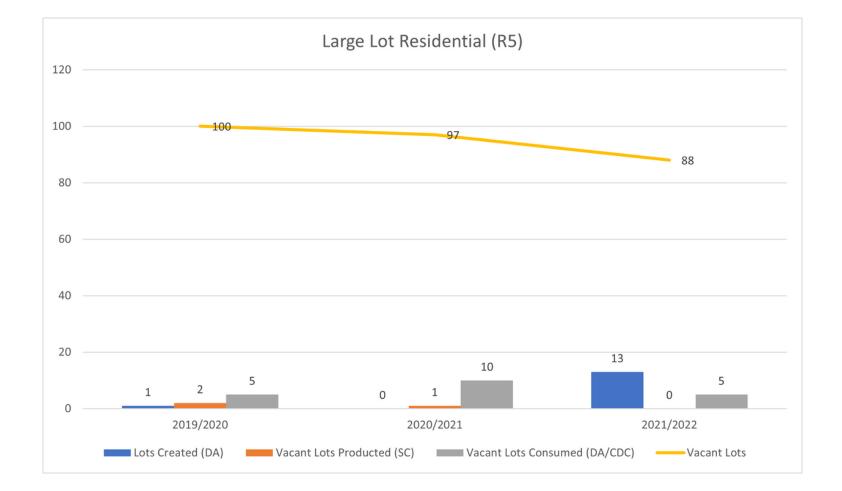
NORTH-WEST PARKES: 106 VACANT LOTS / 156 POTENTIAL LOTS

Over the last twelve month period (2021/2022 financial year) there has been thirteen (13) allotments created under Development Consents, eleven (11) lots released through the release of Subdivision Certificates and five (5) allotments consumed through the approval of applications for dwelling-houses.

The R5 Large lot Residential vacant allotment graph shows a decline in the total number of vacant developable R5 Large Lot Residential allotments, attributed to the lack of subdivision of R5 Large Lot Residential land around the Parkes township, offset by the continuous construction of dwelling-houses.

Between 2019/2020 and 2021/2022 there has been an average of 6.6 dwelling-houses built on R5 Large Lot Residential land per annum. At the existing rate of development there is sufficient land available for in excess of twelve years. Furthermore, should all of the existing vacant zone R5 Large Lot Residential land be subdivided there would be a potential allotment yield of three hundred and sixty-eight (368) lots.







TOWNSHIPS

ALECTOWN

A review of the Alectown Urban Area identifies a total of twenty-two (22) vacant allotments zone for residential purposes. A number of the existing vacant allotments have further subdivision potential that has not been realised.

Over the last twelve month period (2021/2022 financial year) there has been nil (0) allotments created under Development Consents, nil (0) lots released through the release of Subdivision Certificates and nil (0) allotments consumed through the approval of applications for dwelling-houses.

Data from the 2019/2020 financial year until now confirms that there has been no applications for subdivision or dwelling-houses within the urban area over the last three years.

BOGAN GATE

A review of the Bogan Gate Urban Area identifies a total of ninety-three (93) vacant allotments zoned for residential purposes. A number of the existing vacant allotments have further subdivision potential that has not been released.

Over the last twelve month period (2021/2022 financial year) there has been nil (0) allotments created under Development Consents, nil (0) released through the release of Subdivision Certificates, nil (0) allotments consumed through the approval of applications for dwelling-houses.

Data from the 2019/2020 financial year until now confirms that there has been no applications for subdivision and one (1) development consent granted for a dwelling-house within the urban area over the last three years.



COOKAMIDGERA

A review of the Cookamidgera Urban Area identifies a total of thirty-three (33) vacant allotments zone for residential purposes. A number of the existing vacant allotments have further subdivision potential that has not been realised.

Over the last twelve month period (2021/2022 financial year) there has been nil (0) allotments created under Development Consents, nil (0) lots released through the release of Subdivision Certificates and nil (0) allotments consumed through the approval of applications for dwelling-houses.

Data from the 2019/2020 financial year until now confirms that there has been one (1) application for subdivision (creation of 1 additional allotment) and no applications for dwelling-houses within the urban area over the last three years.

PEAK HILL

A review of the Peak Hill Urban Area identifies a total of fifty-nine (59) vacant allotments zone for residential purposes. A number of the existing vacant allotments have further subdivision potential that has not been realised, with a maximum allotment potential of eighty-six (86) lots.

Over the last twelve month period (2021/2022 financial year) there has been nil (0) allotments created under Development Consents, nil (0) lots released through the release of Subdivision Certificates and nil (0) allotments consumed through the approval of applications for dwelling-houses.

Data from the 2019/2020 financial year until now confirms that there has been no applications for subdivision and one (1) development consent granted for a dwelling-houses within the urban over the last three years.



TRUNDLE

A review of the Trundle Urban Area identifies a total of sixty-four (64) vacant allotments zone for residential purposes. A number of the existing vacant allotments have further subdivision potential that has not been realised, with a maximum allotment potential of eighty-seven (87) lots.

Over the last twelve month period (2021/2022 financial year) there has been nil (0) allotments created under Development Consents, nil (0) lots released through the release of Subdivision Certificates and nil (0) allotments consumed through the approval of applications for dwelling-houses.

Data from the 2019/2020 financial year until now confirms that there has been no application for subdivision and no applications for dwelling-houses within the urban area over the last three years.

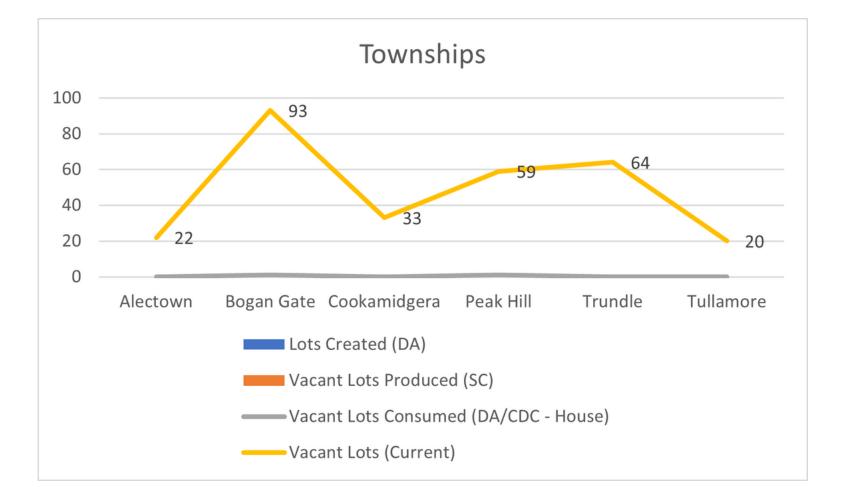
TULLAMORE

A review of the Tullamore Urban Area identifies a total of twenty (20) vacant allotments zone for residential purposes. A number of the existing vacant allotments have further subdivision potential that has not been realised.

Over the last twelve month period (2021/2022 financial year) there has been nil (0) allotments created under Development Consents, nil (0) lots released through the release of Subdivision Certificates and nil (0) allotments consumed through the approval of applications for dwelling-houses.

Data from the 2019/2020 financial year until now confirms that there has been no application for subdivision and no applications for dwelling-houses within the urban area over the last three years.











15.3 RANGERS QUARTERLY REPORT OCTOBER TO DECEMBER 2022

IP&R Linkage:	Pillar: Environment
	Goal: Our natural environment is preserved and enhanced for current and future generations.
	Strategy: Support healthy ecosystems and identify and manage threats to local flora and fauna.
Author:	Sharyn Ware, Administration Officer
Authoriser:	Brendan Hayes, Director Planning and Community Services
Annexures:	Nil

RECOMMENDATION

That Council:

1. Notes the information

BACKGROUND

Provision of quarterly report to Council detailing Companion Animal impounding and Ranger compliance.

ISSUES AND COMMENTARY

Due to wet weather and favourable growth conditions, Council has seen an increased number of overgrown complaints, with 50% compliance by owners. Animal impounding numbers remain consistent to that of the previous report.

LEGISLATIVE AND POLICY CONTEXT

There are no legislative or policy considerations for Council associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications for Council associated with this report.

RISK IMPLICATIONS

Nil

COMMUNITY CONSULTATION

There are no community consultation requirements for Council associated with this report.

CONCLUSION

For Council's information.



DOGS								
	Parkes	Peak Hill	Tullamore	Trundle	Bogan Gate	Alectown	Cookamidgera	TOTAL
Seized	36	7					1	44
Dumped at Pound	27							27
Surrendered by owner	9							9
Released to owner	36							36
Euthanised	27	7					1	35
Sold	1							1
Released for rehoming	8							8
Died at Pound								
Stolen/escaped								
Holding pending Court								
Still in Pound								

CATS								
	Parkes	Peak Hill	Tullamore	Trundle	Bogan Gate	Alectown	Cookamidgera	TOTAL
Seized								
Dumped at Pound	64							64
Surrendered by owner								
Released to owner	3							3
Euthanised	54							54
Sold								
Released for rehoming	7							7
Died at Pound								
Stolen/escaped								
Holding pending Court								
Still in Pound								



Area Impounded			_	_				
	Parkes	Peak Hill	Tullamore	Trundle	Bogan Gate	Alectown	Cookamidgera	Disposal Method
Cattle								
Sheep								
Horses								
Trolleys								

Small Towns Patrolled								
	Yarrabandai	Peak Hill	Tullamore	Trundle	Bogan Gate	Alectown	Cookamidgera	Gunningbland
Number of Patrols	1	15	4	7	10	17	6	12
Approx. kms travelled	116	1740	800	1162	960	986	312	780

Parking Patrol Parkes	
Full Day Patrols CBD & Disabled	-
Random Number of Patrols CBD & Disabled	6
Number of Patrols School Zones	4
Number of Penalty Infringement Notices Issued	-
Number of Court Appeals	-

Overgrown/Untidy Blocks Program			1	1	1			
	Parkes	Peak Hill	Tullamore	Trundle	Bogan Gate	Alectown	Cookamidgera	Gunningbland
Number of Complaints Received	35	8	0	1	0	0	0	0
Number of Patrols and Monitoring of blocks (including previous complaints)								
Number of Blocks Mown during quarter	16	3	0	1	0	0	0	0



15.4 USE OF PARKES TOWN IMPROVEMENT FUNDS FOR DEVELOPMENT OF COOKE PARK MASTERPLAN

IP&R Linkage:	Pillar: Community
	Goal: Our community is liveable, growing and connected.
	Strategy: Provide vibrant and welcoming town centres, streetscapes, public spaces and meeting places.
Author:	Sharyn Ware, Administration Officer
Authoriser:	Brendan Hayes, Director Planning and Community Services
Annexures:	Nil

RECOMMENDATION

That Council:

1. Approve the allocation of \$30,000 from the Parkes Town Improvement Fund to develop the Cooke Park Masterplan.

BACKGROUND

Parkes Shire Council is guided by the advice provided by the various Community Consultative Committee (CCC) in determining the most appropriate projects to be included in their Town Improvement Allocations, however, the final decision concerning the expenditure of the funds remain with Council.

ISSUES AND COMMENTARY

Cooke Park provides a central focus for community activity in the Parkes CBD precinct. It has been identified that to fully realise the functionality of the Cooke Park Precinct in providing best community benefit, both operational and strategic planning is required. This investigation requires the consideration of all aspects of its use including its built form, festival use, special function use and general community use. The appropriate process is to develop an overall masterplan incorporating but not limited to these aspects.

External consultancy with Council staff input and management will be required to achieve this outcome.

LEGISLATIVE AND POLICY CONTEXT

There are no legislative or policy implications for Council associated with this report.

FINANCIAL IMPLICATIONS

Council has allocated funds in its Operational Budget for expenditure on projects within the Parkes Shire. There is a current uncommitted balance \$116,000 in the Parkes Town Improvement Fund able to support this capital item.

RISK IMPLICATIONS

There are no risk implications for Council associated with this report.

COMMUNITY CONSULTATION

There are no community consultation requirements for Council associated with this report.



CONCLUSION

To fully realise the functionality of the Cooke Park Precinct in providing best community benefit, both operational and strategic planning is required. This investigation requires the consideration of all aspects of its use including its built form, festival use, special function use and general community use. The appropriate process is to develop an overall masterplan incorporating but not limited to these aspects.

External consultancy with Council staff input and management will be required to achieve this outcome.

16 NOTICES OF MOTION/QUESTIONS WITH NOTICE



17 CONFIDENTIAL MATTERS

RECOMMENDATION

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:

17.1 PARKES EARLY CHILDHOOD CENTRE

This matter is considered to be confidential under Section 10A(2) - d(ii) 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 competitor of the council.

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.

17.2 MANAGEMENT OF THE 2023 TRUNDLE ABBA FESTIVAL

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.

17.3 FINAL DISTRIBUTION - LEHMAN BROTHERS AUSTRALIA

This matter is considered to be confidential under Section 10A(2) - g 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 advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

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.

17.4 PROJECT MANAGEMENT OFFICE - SERVICES TENDER

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.



17.5 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.

BACKGROUND, ISSUES AND COMMENTARY

In accordance with section 10A(2) of the *Local Government Act 1993*, Council may close part of its meeting to deal with business of the following kind:

- (a) Personnel matters concerning particular individuals (other than councillors).
- (b) Personal hardship of any resident or ratepayer.
- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
- (d) Commercial information of a confidential nature that would, if disclosed:
 - (i) Prejudice the commercial position of a person who supplied it: or
 - (ii) Confer a commercial advantage on a competitor of Council;
 - (iii) Reveal a trade secret.
- (e) Information that would, if disclosed, prejudice the maintenance of law.
- (f) Matters affecting the security of Council, Councillors, Council staff and Council property.
- (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.
- (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) Alleged contraventions of any Code of Conduct requirements applicable under section 440.

It is my opinion that the business listed in the recommendation is of a kind referred to in section 10A(2) of the *Local Government Act 1993* and, under the provisions of the Act and the *Local Government (General) Regulation 2021*, should be dealt with in a part of the meeting that is closed to members of the public and the media.

Pursuant to section 10A(4) of the Act and clauses 14.9–14.10 of Council's Code of Meeting Practice, members of the public may make representations to the meeting immediately after the motion to close part of the meeting is moved and seconded, as to whether that part of the meeting should be closed.



18 **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.