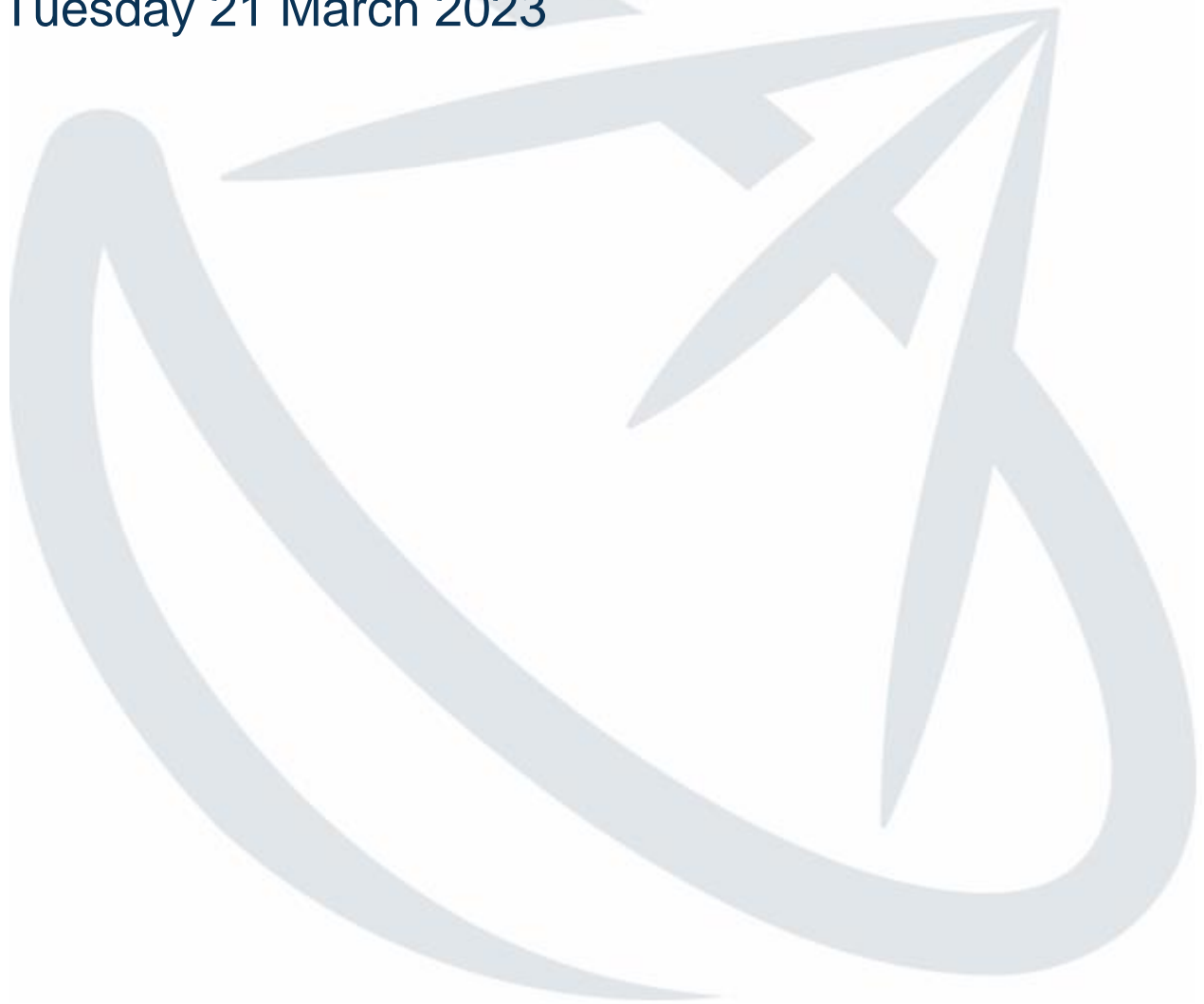


Ordinary Council Meeting

Minutes

Tuesday 21 March 2023



Minutes of the Ordinary Council Meeting
Held on Tuesday, 21 March 2023 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 Ben Howard	Director Operations
Mr Andrew Francis	Director Infrastructure and Strategic Futures
Mr Brendan Hayes	Director Planning and Community Services
Mr Jaco Barnard	Chief Financial Officer
Mr Anthony McGrath	Executive Manager Corporate Services (Acting Director Customer, Corporate Services and Economy)
Mrs Shona Henry	Executive and Councillor Support (Minutes)

NOTES

The meeting commenced at 2.00pm and concluded at 4.39pm.

1 OPENING OF MEETING

The Mayor declared the Ordinary Council Meeting of Tuesday 21 March 2023 open and welcomed Councillors, Council Officers and members of the public attending and listening to the meeting.

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

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

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

2 ACKNOWLEDGEMENT OF COUNTRY

The Mayor read the following Acknowledgement of Country:

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

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 21 FEBRUARY 2023

MOTION

MOVED: CR WILLIAM JAYET

SECONDED: CR MARG APPLEBEE

THAT ORDINARY COUNCIL MEETING RECEIVE AND CONFIRM THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY 21 FEBRUARY 2023 APPENDED AT ANNEXURE A.

WITH THE FOLLOWING AMENDMENTS

CR WEBER DECLARED AN INTEREST IN THE AMENDED MOTION OF ITEM 15.6, LEFT THE MEETING AND DID NOT PARTICIPATE IN DISCUSSION OR VOTE.

RESOLVED OCM 032/23

MOVED: CR WILLIAM JAYET

SECONDED: CR MARG APPLEBEE

THAT THE FOLLOWING AMENDMENT BE INCLUDED IN THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY 21 FEBRUARY 2023

CR WEBER DECLARED AN INTEREST IN THE AMENDED MOTION OF ITEM 15.6, LEFT THE MEETING AND DID NOT PARTICIPATE IN DISCUSSION OR VOTE.

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 KEN KEITH OAM DISCLOSED A PECUNIARY INTEREST IN RELATION TO ITEM ENDORSEMENT OF TOWN CRIER'S ATTENDANCE AT 2023 NATIONAL TOWN CRIER CHAMPIONSHIPS AND CHOSE TO LEAVE MEETING, NOT PARTICIPATE IN DEBATE AND DISCUSSION ON THE MATTER, AND NOT VOTE ON THE MATTER TAKE. THE REASON PROVIDED WAS:

"RELATED TO A PERSON MENTIONED IN THE REPORT."

CR KEN KEITH OAM DISCLOSED A PECUNIARY INTEREST IN RELATION TO ITEM REQUEST FOR FINANCIAL ASSISTANCE - PARKES CORADGERY & DIGGERS AMATEUR RACE CLUB INC. AND CHOSE TO LEAVE MEETING, NOT PARTICIPATE IN DEBATE AND DISCUSSION ON THE MATTER, AND NOT VOTE ON THE MATTER TAKE. THE REASON PROVIDED WAS:

"MAYOR IS PATRON OF THE ORGANISATION AND RELATED TO PRESIDENT OF THE ORGANISATION MENTIONED IN THE REPORT.."

CR MARG APPLEBEE DISCLOSED A PECUNIARY INTEREST IN RELATION TO ITEM REQUEST FOR FINANCIAL ASSISTANCE - RETURNED AND SERVICES LEAGUE OF AUSTRALIA NSW SUB-BRANCHES AND CHOSE TO LEAVE MEETING, NOT PARTICIPATE IN DEBATE AND DISCUSSION ON THE MATTER, AND NOT VOTE ON THE MATTER TAKE. THE REASON PROVIDED WAS:

"AFFILIATED MEMBER OF ORGANISATION MENTIONED IN THE REPORT."

CR GEORGE PRATT DISCLOSED A PECUNIARY INTEREST IN RELATION TO ITEM REQUEST FOR FINANCIAL ASSISTANCE - RETURNED AND SERVICES LEAGUE OF AUSTRALIA NSW SUB-BRANCHES AND CHOSE TO LEAVE MEETING, NOT PARTICIPATE IN DEBATE AND DISCUSSION ON THE MATTER, AND NOT VOTE ON THE MATTER TAKE. THE REASON PROVIDED WAS:

"AFFILIATED MEMBER OF ORGANISATION 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.

RESOLVED OCM 033/23

Moved: Cr Jacob Cass
Seconded: Cr Neil Westcott

That the meeting receive the late item/s of business and resolve to consider the item/s at this meeting.

1. Item 10.6 Minutes of the Tourism, Destination and Events Advisory Committee Meeting held on 7 March 2023
2. Item 12.8 Request for Financial Assistance - Inkredible Experience Tattoo Gallery

CARRIED

9 MAYORAL MINUTE(S)

9.1 MEETINGS, FUNCTIONS AND EVENTS ATTENDED BY MAYOR AND COUNCILLORS

RESOLVED OCM 034/23

Moved: Cr Marg Applebee
Seconded: Cr Neil Westcott

That Council:

1. Note the report on the meetings, functions and events attended by the Mayor and Councillors during the period 21 February 2023 through to 20 March 2023.
2. Letters of congratulations be forwarded to the organisers of the 125 Bogan Gate Festival and the Back to Peak Hill event on the success of their respective events.

CARRIED

9.2 COMING KNOWN EVENTS FOR MAYOR AND COUNCILLORS**RESOLVED OCM 035/23**

Moved: Cr Marg Applebee

Seconded: Cr Jacob Cass

That Council:

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

CARRIED**10 REPORTS OF COMMITTEES****10.1 MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 7 MARCH 2023****RESOLVED OCM 036/23**

Moved: Cr George Pratt

Seconded: Cr Neil Westcott

That Council:

1. Receive and confirm the Minutes of the Extraordinary Council Meeting held on Tuesday 7 March 2023 appended at *Annexure A*.

CARRIED**10.2 MINUTES OF THE COMMUNITY, LIVEABILITY AND ACCESS ADVISORY COMMITTEE MEETING HELD ON 7 MARCH 2023****RESOLVED OCM 037/23**

Moved: Cr Marg Applebee

Seconded: Cr William Jayet

That Council:

1. Receive and confirm the Minutes of the Community, Liveability and Access Advisory Committee Meeting held on Tuesday 7 March 2023 appended at *Annexure A*.
2. Note that Councillor Marg Applebee has been appointed Chair of Community Liveability and Access Advisory Committee.
3. That Councillors Jayet and Westcott have been appointed as additional members of the Community Liveability and Access Advisory Committee.

CARRIED

10.3 MINUTES OF THE FLOODPLAIN MANAGEMENT COMMITTEE MEETING HELD ON 23 FEBRUARY 2023**RESOLVED OCM 038/23**

Moved: Cr Neil Westcott

Seconded: Cr Marg Applebee

That Council:

1. Receive and confirm the Minutes of the Floodplain Management Committee Meeting held on Thursday 23 February 2023 appended at *Annexure A*.

CARRIED**10.4 MINUTES OF THE PARKES SPORTS COUNCIL MEETING HELD ON 14 MARCH 2023****RESOLVED OCM 039/23**

Moved: Cr Jacob Cass

Seconded: Cr William Jayet

That Council:

1. Receive and confirm the Minutes of the Parkes Sports Council Meeting held on Tuesday 14 March 2023 appended at *Annexure A*.

CARRIED**10.5 MINUTES OF THE WASTE ADVISORY COMMITTEE MEETING HELD ON 7 MARCH 2023****RESOLVED OCM 040/23**

Moved: Cr Marg Applebee

Seconded: Cr George Pratt

That Council:

1. Receive and confirm the Minutes of the Waste Advisory Committee Meeting held on Tuesday 7 March 2023 appended at *Annexure A*.
2. Note that Councillor George Pratt had been appointed as Chair of the Waste Advisory Committee.

CARRIED

10.6 MINUTES OF THE TOURISM, DESTINATION AND EVENTS ADVISORY COMMITTEE MEETING HELD ON 7 MARCH 2023**RESOLVED OCM 041/23**

Moved: Cr William Jayet

Seconded: Cr Neil Westcott

That Council:

1. Receive and confirm the Minutes of the Tourism, Destination and Events Advisory Committee Meeting held on Tuesday 7 March 2023 appended at *Annexure A*.
2. Note that Councillor Jacob Cass had been appointed as Chair of the Tourism, Destination and Events Advisory Committee.

CARRIED**11 REPORTS OF THE GENERAL MANAGER****11.1 INVESTMENT AND BORROWINGS REPORT AS AT 28 FEBRUARY 2023****RESOLVED OCM 042/23**

Moved: Cr William Jayet

Seconded: Cr Jacob Cass

That Council:

1. Receive and note the Statement of Investments and Borrowings as at 28 February 2023.

CARRIED**11.2 ADOPTION OF DRAFT FINANCIAL RESERVES POLICY****RESOLVED OCM 043/23**

Moved: Cr Marg Applebee

Seconded: Cr Neil Westcott

That Council:

1. Adopt the draft *Financial Reserves Policy*, appended at *Annexure 1*, as exhibited for inclusion in Council's Policy Register.

CARRIED

**11.3 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM - ROUND 3 -
REQUEST TO CHANGE PROJECTS****RESOLVED OCM 044/23**

Moved: Cr Marg Applebee

Seconded: Cr Daniel Weber

That Council:

1. Apply to remove the Cooke Park Power Upgrade from LRCI Phase 3 and replace it with the Lions Park playground upgrade project.
2. Apply to remove the *Grace of Graceland Project* from LRCI Phase 3 and replace it with the Lions Park playground upgrade project.

CARRIED**11.4 2022 NATIONAL GENERAL ASSEMBLY - RESPONSE TO MOTIONS****RESOLVED OCM 045/23**

Moved: Cr William Jayet

Seconded: Cr George Pratt

That Council:

1. Note the response from Australian Local Government Association.

CARRIED

12 REPORTS OF THE DIRECTOR CUSTOMER, CORPORATE SERVICES AND ECONOMY

At this stage Mayor Ken Keith asked Cr Neil Westcott to Chair the meeting for the following item.

The Mayor having declared an interest in the following item left the meeting, did not participate in discussions or vote on the following item.

12.1 ENDORSEMENT OF TOWN CRIER'S ATTENDANCE AT 2023 NATIONAL TOWN CRIER CHAMPIONSHIPS

RESOLVED OCM 046/23

Moved: Cr William Jayet

Seconded: Cr Marg Applebee

That Council:

1. Endorse the attendance of Parkes Shire Council's Town Crier, Mr Tim Keith, at the Australian Town Crier Championships in Maryborough, Queensland from 29 June to 2 July 2023 inclusive.
2. Reimburse travel and accommodation costs incurred by Mr Keith upon presentation of receipts.
3. Endorse the presentation of a gift comprising a Council tie/scarf, lapel pin, cufflinks and *Welcome to Parkes* book be organised for presentation to the Mayor of Fraser Coast Regional Council, Councillor George Seymour, by the Town Crier at the Championships.

CARRIED

The Mayor re-joined the meeting and resumed the Chair.

12.2 PUBLIC EXHIBITION OF DRAFT GATES OF GRACELAND AT PARKES DESIGN CONCEPT

RESOLVED OCM 047/23

Moved: Cr William Jayet

Seconded: Cr Jacob Cass

That Council:

1. Endorse public exhibition of the draft design concept for the *Gates of Graceland at Parkes*, appended at *Annexure A*, for a period of 28 days, as recommended by Council's Tourism, Destination and Major Events Advisory Committee.

CARRIED

12.3 PUBLIC EXHIBITION OF DRAFT CORPORATE SPONSORSHIP POLICY**RESOLVED OCM 048/23**

Moved: Cr Jacob Cass

Seconded: Cr Marg Applebee

That Council:

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

CARRIED**12.4 ADOPTION OF DRAFT COUNCILLOR ACCESS TO INFORMATION AND INTERACTION WITH STAFF POLICY****RESOLVED OCM 049/23**

Moved: Cr Jacob Cass

Seconded: Cr William Jayet

That Council:

1. Adopt the draft *Councillor Access to Information and Interaction with Staff Policy*, appended at *Annexure A*, for inclusion in Council's Policy Register.

CARRIED

At this stage Cr George Pratt and Cr Marg Applebee having declared an interest in the following item left the meeting, did not participate in the discussions or vote on the following item.

12.5 REQUEST FOR FINANCIAL ASSISTANCE - RETURNED AND SERVICES LEAGUE OF AUSTRALIA NSW SUB-BRANCHES**RESOLVED OCM 050/23**

Moved: Cr William Jayet

Seconded: Cr Jacob Cass

That Council:

1. Provide public notice of its intention to provide \$9,400.00 in financial assistance to the Returned and Services League of Australia NSW ("RSL") Sub-Branches by way of in-kind support to deliver the ANZAC Ceremonies across Parkes Shire in April 2023.
2. Approve the provision of \$9,400.00 in financial assistance by way of in-kind support to support the delivery of the annual ANZAC Ceremonies, subject to no formal submissions being received.

CARRIED

Cr Pratt and Cr Applebee re-joined the meeting.

The Mayor asked Cr Neil Westcott to Chair the meeting for the following item.

The Mayor having declared an interest in the following item left the meeting, did not participate in discussions or vote on the following item.

12.6 REQUEST FOR FINANCIAL ASSISTANCE - PARKES CORADGERY & DIGGERS AMATEUR RACE CLUB INC.

RESOLVED OCM 051/23

Moved: Cr Ken McGrath

Seconded: Cr Marg Applebee

That Council:

1. Receive and note the correspondence from the Parkes Coradgery & Diggers Amateur Club Inc., appended at *Annexure A*.
2. Provide public notice of its intention to provide \$4,500.00 in financial assistance to the Parkes Coradgery & Diggers Amateur Club Inc by way of in-kind support, as detailed in this report, to support the delivery of the Parkes Picnic Races event in June 2023.
3. Approve the provision of \$4,500.00 in financial assistance by way of in-kind support to support the delivery of the Parkes Picnic Races in June 2023, subject to no formal submissions being received.

CARRIED

The Mayor re-joined the meeting and resumed the Chair.

12.7 USE OF GUNNINGBLAND TOWN IMPROVEMENT FUNDS - GUNNINGBLAND HALL

RESOLVED OCM 052/23

Moved: Cr Marg Applebee

Seconded: Cr Jacob Cass

That Council:

1. Authorise the allocation of \$782.10 from the Gunningbland Town Improvement Fund for the electrical upgrade work undertaken at the Gunningbland Hall.

CARRIED

12.8 REQUEST FOR FINANCIAL ASSISTANCE - INKREDIBLE EXPERIENCE TATTOO GALLERY**RESOLVED OCM 053/23**

Moved: Cr William Jayet

Seconded: Cr Jacob Cass

That Council:

1. Receive and note the correspondence from the Inkredible Experience Tattoo Gallery, appended at *Annexure A*.
2. Provide public notice of its intention to provide \$7,400.00 in financial assistance to the Inkredible Experience Tattoo Gallery by way of in-kind support, as detailed in this report, to support the delivery of the 2023 Fundraiser and Flash Day event in May 2023.
3. Approve the provision of \$7,400.00 in financial assistance by way of in-kind support to support the delivery of the 2023 Fundraiser and Flash Day in May 2023, subject to no formal submissions being received.
4. That the current Community Financial Assistance policy be reviewed.

CARRIED**13 REPORTS OF THE DIRECTOR INFRASTRUCTURE AND STRATEGIC FUTURES****13.1 MAJOR PROJECTS AND CURRENT WORKS REPORT - INFRASTRUCTURE AND STRATEGIC FUTURES****RESOLVED OCM 054/23**

Moved: Cr Ken McGrath

Seconded: Cr William Jayet

That Council:

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

CARRIED

14 REPORTS OF THE DIRECTOR OPERATIONS**14.1 REQUEST FOR LEASE OF COUNCIL LAND FOR TELECOMMUNICATIONS TOWER****RESOLVED OCM 055/23**

Moved: Cr Neil Westcott

Seconded: Cr George Pratt

That Council:

1. Endorse the leasing of a 10-metre x 10 metre area of Lot 1 DP 1019963 for the Telecommunications Tower to be leased in five-year periods from 2023 to 2038 for \$10,000 per annum, indexed at 2 per cent each year.

CARRIED**14.2 MAJOR PROJECTS AND CURRENT WORKS - OPERATIONS****RESOLVED OCM 056/23**

Moved: Cr Jacob Cass

Seconded: Cr William Jayet

That Council:

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

CARRIED**15 REPORTS OF THE DIRECTOR PLANNING AND COMMUNITY SERVICES****15.1 FEBRUARY 2023 BUILDING STATISTICS REPORT****RESOLVED OCM 057/23**

Moved: Cr Neil Westcott

Seconded: Cr Marg Applebee

That Council:

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

CARRIED**16 NOTICES OF MOTION/QUESTIONS WITH NOTICE**

Nil

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:

REQUEST FOR FINANCIAL ASSISTANCE - PARKES GUN CLUB

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.

TENDER EVALUATION - PSC2023/003 EARTHWORKS FOR DEVELOPMENT OF PARKES WETLANDS

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 3.57pm, the Meeting went into Closed Session.

RESOLVED OCM 058/23

Moved: Cr William Jayet
Seconded: Cr Marg Applebee

That Ordinary Council Meeting:

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

CARRIED

At 4.35pm, 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.

17.1 REQUEST FOR FINANCIAL ASSISTANCE - PARKES GUN CLUB

RESOLVED OCM 059/23

Moved: Cr Ken McGrath

Seconded: Cr George Pratt

That Council:

1. Provide public notice if its intention to provide up to \$35,000.00 (ex. GST) in financial assistance (invoice based) to the Parkes Gun Club to facilitate the completion of the new Club Building.
2. Approve the provision of up to \$35,000.00 in financial assistance support to facilitate the completion of the new Club Building, subject to no formal submissions being received.

CARRIED

17.2 TENDER EVALUATION - PSC2023/003 EARTHWORKS FOR DEVELOPMENT OF PARKES WETLANDS

RESOLVED OCM 060/23

Moved: Cr Ken McGrath

Seconded: Cr Marg Applebee

That Council:

1. Endorses the Tender Evaluation Report and endorses that Steve Magill Earthmoving be nominated as the Preferred Tenderer for the Earthworks for the Development of the Parkes Wetlands project.
2. Endorses executing the Contract following the finalisation of the Contract with the Preferred Tenderer.

CARRIED

19 CONCLUSION OF MEETING

The meeting concluded at 4.39pm.

This is the final page of the minutes comprising pages numbered 1 to 14 of the Ordinary Council Meeting held on Tuesday, 21 March 2023 and confirmed on Tuesday, 18 April 2023.



Cr Ken Keith OAM

MAYOR