



# PARKES SHIRE COUNCIL

*Our Mission: To Deliver Progress and Value to our Community*

## *Our Communities Vision:*

*In 2022 the Parkes Shire will be a progressive regional centre, embracing a national logistics hub with vibrant communities, diverse opportunities, learning and healthy lifestyles.*

## MINUTES

TUESDAY 21 MAY 2019

Minutes of the Ordinary Meeting of Parkes Shire Council held at the Council Administration Centre, 2 Cecile Street, Parkes, commencing at 2.00 pm for the purpose of considering the items included on the Agenda.

**GENERAL MANAGER:** Kent Boyd

## Ordinary Meeting

**Minutes of the Ordinary Meeting held in the Council Chambers, 2 Cecile Street on Tuesday 21 May 2019 at 2.00pm.**

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### **PRESENT**

Councillor K J Keith OAM, (in the Chair)  
Councillor W P Jayet  
Councillor K M McGrath  
Councillor P J Smith  
Councillor N C Westcott

Councillor B F Newton  
Councillor LA O'Leary  
Councillor G W Pratt  
Councillor AJ Ward

### **IN ATTENDANCE**

General Manager - K Boyd  
Director Technology and Corporate Services - L Finn  
Director Planning and Environment - Acting H Orr  
Director Works & Services - B Howard  
Director Infrastructure - A Francis  
Minutes Secretary - S Henry

### **MEETING COMMENCEMENT**

The Meeting commenced at 2.00pm.

#### **1 PRAYER**

The Mayor asked the General Manager to open proceedings with a prayer.

#### **2 APOLOGIES**

##### **19 - 122 Resolution**

That Councillor Wally Biles be granted leave of absence (REASON: Work Commitments).

Moved Councillor Pat Smith, seconded Councillor Ken McGrath.

**CARRIED**

#### **3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

##### **19 - 123 Resolution**

That the Minutes of the Ordinary Meeting of Parkes Shire Council held on Tuesday 16 April 2019 copies of which have been forwarded to Councillors, be confirmed.

Moved Councillor Ken McGrath, seconded Councillor Barbara Newton.

**CARRIED**

## **4 DECLARATIONS OF INTEREST**

Councillor KJ Keith declared an interest in Item 13.1 (REASON Interest in land near land mentioned in report).

## **5 NOTICES OF MOTION/RESCISSION**

Nil

## **6 LATE BUSINESS**

In accordance with Council's Code of Meeting Practice 3.7(c) a decision is now required to determine which, if any Late item/s submitted to the meeting will be dealt with at the meeting or deferred for further consideration at a future Ordinary Meeting of Parkes Shire Council.

### **19 - 124 Resolution**

That late Items/s being the Mayoral Minute Items 7.3, 7.4, 7.5 Director Technology and Corporate Services Report Item 11.4 and Confidential Director Works & Services Report Item 17.9 and Item 16.1 Q&M regarding Compliance with Conditions of Consent DA17054

be considered at this meeting

Moved Councillor George Pratt, seconded Councillor Barbara Newton.

**CARRIED**

## **7 MAYORAL MINUTES**

### **7.1 Mayoral Minute - Functions attended by Mayor and Councillors**

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#### **Executive Summary**

A report on functions recently attended by the Mayor, Councillors or Senior Staff in relation to community events or civic matters.

#### **Recommendation**

1. That the report of functions attended by the Mayor, Councillors or Senior Staff be received and noted.

### **19 - 125 Resolution**

That the information be received and noted.

Moved Councillor Neil Westcott, seconded Councillor George Pratt.

**CARRIED**

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## **7.2 Mayoral Minute - Coming Known Events for Mayor and Councillors**

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### **Executive Summary**

A report on the upcoming functions requiring the attendance of the Mayor, Councillors or Senior Staff in relation to community events or civic matters.

### **Recommendation**

1. That the report of upcoming functions for the Mayor, Councillors or Senior Staff be received and noted

### **19 - 126 Resolution**

That the information be received and noted.

Moved Councillor Bill Jayet, seconded Councillor Pat Smith.

**CARRIED**

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## **7.3 Mayoral Minute - Parkes Regional Airport Business Park**

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### **Executive Summary**

The Hon Michael McCormack, Deputy Prime Minister, The Hon Wes Fang MLC and Councillor Alan Ward were in attendance at the official opening of the Parkes Airport Business Park Extension on 16 May 2019.

A media release from Mr McCormack's office is attached for the information of Councillors.

### **Recommendation**

1. That the information be received and noted.

### **19 - 127 Resolution**

That the information be received and noted.

Moved Councillor Alan Ward, seconded Councillor George Pratt.

**CARRIED**

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## **7.4 Mayoral Minute - Parkes Bypass**

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### **Executive Summary**

RIVERINA Nationals' MP, Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development Michael McCormack confirmed that a re-elected Liberal and Nationals' Government will deliver the long-awaited Parkes Bypass.

The media release from Mr McCormack's office dated 16 May 2019 is attached for Councillors information.

### **Recommendation**

1. That the information be received and noted.

### **19 - 128 Resolution**

1. That the information be received and noted.
2. That an invitation be extended to Roads & Maritime Services (RMS) for a presentation to Council on the revised Parkes Bypass plan

Moved Councillor Bill Jayet, seconded Councillor George Pratt.

**CARRIED**

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## **7.5 Mayoral Minute - Federal Election 2019**

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### **Executive Summary**

On Saturday 18 May 2019 the 2019 Federal Election was held. At the time of this report, it would appear that the Liberal/National Coalition will form a majority government.

### **Recommendation**

1. That our Local Member the Hon Michael McCormack Member for Riverina, leader of the Nationals, Deputy Prime-Minister be congratulated on his re-election and thanked for his strong commitment and dedication to the local region.
2. That the Member for Parkes the Hon Mark Coulton MP and the Member for Calare the Hon Andrew Gee MP be congratulated on their re-election.
3. That the Prime Minister the Hon Scott Morrison MP be congratulated on his electoral victory.
4. And an invitation be extended via the local members, to visit the region in due course.

### **19 - 129 Resolution**

That the recommendation be adopted.

Moved Councillor Bill Jayet, seconded Councillor Neil Westcott.

**CARRIED**

## **8 COUNCILLORS' REPORTS**

Nil.

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## **9 INWARDS CORRESPONDENCE**

### **9.1 (ICR) Letters of Appreciation**

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#### **Executive Summary**

During the exercise of its various functions, Council frequently receives letters of appreciation for services rendered or actions taken by Councillors and staff.

The most recently received are from Gladys Berejiklian MP Premier of New South Wales, The Hon. John Barilaro MP Deputy Premier, Minister for Regional New South Wales, Minister for Industry and Trade and Hockey NSW thanking Council for accommodating the Kookaburra 8s Carnival.

#### **Recommendation**

1. That the information be received and noted.

### **19 - 130 Resolution**

That the information be received and noted.

Moved Councillor Louise O'Leary, seconded Councillor Barbara Newton.

**CARRIED**

## **10 GENERAL MANAGER'S REPORT**

### **10.1 (GM) Adoption of 2019 2020 Operational Plan**

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#### **Executive Summary**

The draft 20219-2020 Operational Plan has been on display for the statutory period of 28 days (Closing on 15 May 2019). Council has not received any public submissions in respect of the Plan.

#### **Recommendation**

1. That pursuant to Sections 405 and 406 of the Local Government Act 1993, the draft 2019-2020 Operational Plan as tabled at Council's meeting of 16 April 2019, be adopted by Council.

### **19 - 131 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Barbara Newton.

**CARRIED**

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## **10.2 (GM) Adoption of 2019.20 Operational Budget**

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### **Executive Summary**

The draft Integrated Plan incorporating the 2019/20 Operational Budget has been on display for the statutory period of 28 days. Council has not received any public submissions in respect of the plan.

### **Recommendation**

1. That the draft integrated 2019/20 Operational Budget as tabled at Council's meeting of 23 April 2019 be adopted.
2. That the draft schedule of fees and charges made under Section 608 of the Local Government Act, 1993 and included in the draft Revenue Policy be adopted.
3. That pursuant to section 405 of the Local Government Act, 1993, the draft Statement of Revenue Policy be adopted for the year 2019/20.
4. That Council hereby approves and votes the expenditure in the 1 July 2019 to 30 June 2020 Operational Plan and Operational Budget.
5. That the statement of amounts and rates to be charged for works on private land for 2019/20 contained with the draft Operational Plan be adopted.

### **19 - 132 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Barbara Newton.

**CARRIED**



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## **11 DIRECTOR TECHNOLOGY AND CORPORATE SERVICES REPORT**

### **11.1 (DTCS) Quarterly Budget Review as at 31 March 2019.**

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#### **Executive Summary**

The quarterly budget review to 31 March 2019 is submitted for Council's consideration.

#### **Recommendation**

1. That the budget review report to 31 March 2019 be adopted and the variations to income and expenditure be voted.

#### **19 - 133 Resolution**

That the recommendation be adopted.

Moved Councillor Barbara Newton, seconded Councillor George Pratt.

**CARRIED**

### **11.2 (DTCS) Investment Report as at 30 April 2019**

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#### **Executive Summary**

The carrying value of Council's investments at 30 April 2019 was \$23,481,699.

#### **Recommendation**

1. That the information in relation to investments held at 30 April 2019 be received and noted.

#### **19 - 134 Resolution**

That the information be received and noted.

Moved Councillor Neil Westcott, seconded Councillor Pat Smith.

**CARRIED**

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### **11.3 (DTCS) Formation of Parkes Shire Arts Advisory Committee**

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#### **Executive Summary**

Pursuant to wishes of the community and Council in relation to establishing a body to guide the development of Arts in the Shire, it is proposed to form the Parkes Shire Arts Advisory Committee.

#### **Recommendation**

1. That Council agree to form the Parkes Shire Arts Advisory Committee in accordance with the Charter be developed and submitted to the next meeting of Council.
2. That Council nominate Mayor Ken Keith, Deputy Mayor Barbara Newton and Councillors Bill Jayet and Neil Westcott to be the nominated representatives for the Parkes Shire Arts Advisory Committee.
3. That the newly formed Committee as soon as practicable commence a strategic planning exercise involving the community to explore desired outcomes.

#### **19 - 135 Resolution**

1. That Council agree to form the Parkes Shire Arts Advisory Committee in accordance with Section 355 of the Local Government Act, 1993, and that a Committee Charter be developed and submitted to the next meeting of Council.
2. That Council nominate Mayor Ken Keith, Deputy Mayor Barbara Newton and Councillors Bill Jayet and Neil Westcott to be the nominated representatives for the Parkes Shire Arts Advisory Committee.
3. That the newly formed Committee meet as soon as practicable to commence a strategic planning exercise involving the community to explore desired outcomes.

Moved Councillor Bill Jayet, seconded Councillor Neil Westcott.

**CARRIED**

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## 11.4 (DTCS) 2019 Under 13s Girls Hockey Championships

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### Executive Summary

Parkes Hockey Incorporated together with Hockey NSW will host the NSW Hockey Under 13s Girls Hockey Championship on 11-14 July 2019. The Championship is set to attract over 40 teams and in excess of 1,800 players, coaching staff, support team, crew and spectators. The Championship will utilise Turf 1 and Turf 2, as well as grass fields at the Parkes Hockey Complex.

### Recommendation

1. That Traffic Control on Baker Street be implemented on 11-14 July 2019 with assistance and provision of equipment including signs and setup for the road closures (including Coach/Bus parking areas);
2. That Council mark out two (2) grass playing fields for the duration of the U13's carnival on the McGlynn Sporting complex;
3. That Council assist with the installation/removal of grass field goal mouths from the Station Street car park;
4. That a site drawing of the Fields be provided for planning purposes;
5. That in the occurrence of pre-event wet weather, bark chip or similar suitable material be applied or installed in identified wet areas at the entrance to the Turfs to prevent tracking of mud and damage to the synthetic turf;
6. That Council owned relocatable grandstands are loaned to the Committee and set up prior to and dismantled following the event;
7. That Council owned shade shelters are loaned to the Committee for use in front of the clubhouse, if available;
8. That Council assist with the provision of two (2) Portable Buildings for use as Umpire and Medical areas;
9. That Council provides portable toilet blocks inclusive of toilet paper at the McGlynn sporting complex for the duration of the Championships including delivery, pick up and pump out (if required) and daily clean;
10. That Council arrange additional event bins and collection on a daily basis;
11. That Council provide a portable PA system for use at the presentation ceremony;
12. That the Mayor and/or Councillor accept the invitation to attend the Presentation Ceremony on Sunday the 14th of July if calendar permits - time will be confirmed closer to the date;
13. That in exchange for the provision of this support, Council seeks appropriate sponsorship recognition and acknowledgement from Organisers of the event through the use of both Parkes Hockey Incorporated; and
14. Hockey NSW social media platforms as well as through the use of the Council and Destination tear drop Banners and pop up gazebos/marquees, if available.

## 19 - 136 Resolution

That the recommendation be adopted.

Moved Councillor Louise O'Leary, seconded Councillor Pat Smith.

**CARRIED**

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## **12 DIRECTOR PLANNING AND ENVIRONMENT'S REPORT**

### **12.1 (DPE) DA2019/0043 Proposed Advertising Signage at Lot 21 DP 1048646, 48-54 Welcome Street, Parkes**

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#### **Development Application Information**

**Application No:** DA2019/0043

**Applicant:** McPickelway Pty Ltd T/A

**Property:** Lot 21 DP 1048646, 48-54 Welcome Street, Parkes

**Proposal:** Advertising Signage

#### **Recommendation**

It is recommended that the application be approved subject to the conditions contained in the report.

#### **Conditions**

##### **Approved Plans and Documentation**

1. The development shall be carried out in accordance with:
  - I. The approved stamped plan(s) prepared by Barnson, numbered 31132-A01 and 31132-A02, dated 15 April 2019
  - II. The Statement of Environmental Effects prepared by Barnson, dated 15 April 2019

except as varied by the conditions listed herein or as marked in red on the plans. A current and approved copy of the approved stamped by Parkes Shire Council is to be maintained on site for constructional and reference purposes

##### **Prior to Commencement**

2. The Applicant is to obtain a Construction Certificate from either Council or an Accredited Certifying Authority, certifying that the proposed works are in accordance with the Building Code of Australia and applicable Council standards prior to any building works commencing.

**Note.** No building, engineering or excavation work is to be carried out in relation to this development until the necessary construction certificates have been obtained.

**Note.** It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable Council standards in the case of building work. This may entail alterations to the proposal so that it complies with these standards.

3. The applicant is to submit to Parkes Shire Council, at least two (2) days prior to the commencement of any works, a 'Notice of Commencement of Building or Subdivision Works' and 'Appointment of Principal Certifying Authority'.
4. Any work on a public place (e.g. footpath, road or public reserve) shall be approved by Parkes Shire Council's Director Works and Services as per an Application to Occupy Roads and Footpath under Section 138 of the Roads Act 1993, including the submission of a Traffic Management Plan prepared by an accredited Traffic Controller.

### **Signage / Display Conditions**

5. All signage approved under this consent is not to flash, move, be objectionably glaring or luminous, replicate any road guide warning or regulatory sign or be prejudice to the travelling public, with particular attention to the following limitations:
  - (a) The sign shall not emit glare that is unacceptable to motorists and pedestrians.
  - (b) The sign shall not flash or change the signage contents in quick succession (including video footage). Instead the change of display should be limited to one image change per hour, or an alternate frequency approved by Council's Director Works and Services.
  - (c) The sign shall not display regulatory or other traffic signage or signals such as 'STOP' that could cause confusion or create unsafe or undesirable motorist behaviour.
6. Materials to be used on the signage shall be of a new appearance and in good condition.
7. The signage shall be adequately maintained so as not to lose its structural and cosmetic integrity.

### **Prescribed Conditions**

8. A development consent for development that involves any building work must be issued subject to the following conditions:
  - (a) that the work must be carried out in accordance with the requirements of the *Building Code of Australia*, in force on the date of the application.
  - (b) in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance must be entered into and be in force before any building work authorised to be carried out by the certificate commences.
9. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
  - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - (c) stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

10. Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
  - (a) in the case of work for which a principal contractor is required to be appointed:
    - (i) the name and licence number of the principal contractor, and
    - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
  - (b) in the case of work to be done by an owner-builder:
    - (i) the name of the owner-builder, and
    - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

## **19 - 137 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Bill Jayet.

**CARRIED**

For: Cr KJ Keith, Cr BF Newton, Cr PJ Smith, Cr LA O'Leary, Cr WP Jaye, Cr NC Westcott, Cr AJ Ward Cr GW Pratt, Cr KM McGrath

Against: Nil

Cr WJ Biles did not vote - absent from meeting

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## **12.2 (DPE) April 2019 Building Statistics**

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### **Executive Summary**

During the month of April 2019 there were nine (9) Development Applications received totalling \$734,183.62 and ten (10) consents were issued. Three (3) Complying Development Certificates were received totalling \$122,500.00 and two (2) consents were issued.

### **Recommendation**

1. That the information be received and noted.

### **19 - 138 Resolution**

That the information be received and noted.

Moved Councillor Neil Westcott, seconded Councillor George Pratt.

**CARRIED**

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## **12.3 (DPE) Rangers Quarterly Report January to March 2019**

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### **Executive Summary**

A summary of Ranger activities for the quarter ending March 2019 is provided for Council's information.

### **Recommendation**

1. That the information be noted.

### **19 - 139 Resolution**

That the information be received and noted.

Moved Councillor Barbara Newton, seconded Councillor Bill Jayet.

**CARRIED**

At this stage being 3.05pm the Mayor temporarily left the meeting having declared an interest in the following item.

Deputy Mayor BF Newton took the Chair.

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## **13 DIRECTOR WORKS AND SERVICES REPORT**

### **13.1 (DWS) Road Closure - Millers Lookout Road**

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#### **Executive Summary**

Following the 18 February 2018 Council meeting's resolution to allow the closure and sale of Miller's Lookout Road, the process of closing the road was transferred from a NSW Trade and Investment - Crown Lands process to a Council process under the Roads Act 1993.

Section 38D of the Roads Act 1993 advises that following a notification process and consideration of responses from the public and public authorities/utilities, Council is to provide approval to close a council public road.

#### **Recommendation**

1. That Council approve the closure of the identified section of Miller's Lookout Road commencing from Brolgan Road.
2. That necessary documents be signed and the common seal applied as necessary to give effect to the closure and sale of this road.
3. That in accordance with Section 38D(1) of the Roads Act, 1993, the General Manager publish a notice in the government gazette formerly closing the section of Millers Lookout Road previously described
4. That the road so closed be classified as operational land in accordance with the Public Land provisions of the Local Government Act 1993 and the Gazette Notice contain a statement to this effect.
5. That the previous delegations to the General Manager and Director Technology and Corporate Services to dispose of the land at an agreed price to the adjoining owner be endorsed.

#### **19 - 140 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

**CARRIED**

The Mayor returned to the meeting at 3.10pm and resumed the Chair.



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## 13.2 (DWS) Categorisation of Crown Reserves

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### Executive Summary

Council at its Meeting of 18 September 2018 considered a report for the Reclassification of Crown Reserves. The classification of the identified reserves has been approved by the Minister.

The next step in complying with the Crown Land Management Act 2016 (CLM Act) is to categorise the reserves to be managed by Council as Crown Land Managers in line with Local Government Act 1993 Community Land Categories.

Workshops have been conducted with relevant staff to identify the main categorisation for each Reserve, noting that secondary categorisations will be included during the Plan of Management processes.

### Recommendation

1. That application be made to the Minister for categorisation of Parkes Shire Council Crown Reserves as identified in Attachment 1.

## 19 - 141 Resolution

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

**CARRIED**

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## 13.3 (DWS) Airport Masterplan

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### Executive Summary

The final draft of the Parkes Regional Airport Master Plan has been received by Council. The plan details the preferred future developments and long-term planning of the airport precinct, along with ongoing management of the facilities. Clearly the completion of any works identified in these plans will be entirely dependent on availability of funds.

### Recommendation

1. That the Parkes Airport Master Plan be adopted by Council
2. That Council formally enter into a Memorandum of Understanding (MoU) with the Historical Aircraft Restoration Society Inc (HARS) including the preparation of associated contractual documentation

## 19 - 142 Resolution

That the recommendation be adopted.

Moved Councillor Alan Ward, seconded Councillor Bill Jayet.

**CARRIED**

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## **14 DIRECTOR INFRASTRUCTURE REPORT**

### **14.1 (DI) Acquisition of Easement under Billabong Creek for Recycled Water Ring Main Project**

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#### **Executive Summary**

Council may recall at its Meeting of 17 April 2018 recommending the acquisition of an easement for the recycled water ring main.

Through consulting with Crown Lands, it has been drawn to Council's attention that an application for an easement under Billabong Creek is required as the land under the creek was not included in the original application.

#### **Recommendation**

1. That Council acquire the easement through Billabong Creek for the recycled water ring main 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. That on acquisition, the acquired easement be classified as operational.
3. That where required, the Seal of Council be applied to facilitate the easement acquisition.

#### **19 - 143 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

**CARRIED**

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## **14.2 (DI) Southern Lights Project**

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### **Executive Summary**

This report seeks to provide advice to Council on the status of the Southern Lights project and to gain in principle support for funding negotiations through the Joint Organisation.

### **Recommendation**

That Council note the report on the Southern Lights Project and

1. Provide in principle support for Central NSW Joint Organisation in seeking funding to progress the replacement of Council's existing street lights with smart-enabled LED lighting; and
2. Monitor the timeframe from Essential Energy for the Bulk Lamp Replacement for street lights.

### **19 - 144 Resolution**

That the recommendation be adopted.

Moved Councillor Neil Westcott, seconded Councillor Barbara Newton.

**CARRIED**

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## **14.3 (DI) Pesticide Use Notification Plan 2019-2022**

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### **Executive Summary**

The Pesticides Regulation 2017 requires all NSW public authorities (including local councils) that use pesticides in outdoor places to prepare a Pesticide Use Notification Plan.

Parkes Shire Council is due to update its Pesticide Use Notification Plan.

### **Recommendation**

1. That Council endorse the Notification Plan for Pesticide Use in Public Places 2019 - 2022.

### **19 - 145 Resolution**

That the recommendation be adopted.

Moved Councillor Barbara Newton, seconded Councillor George Pratt.

**CARRIED**

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At this time being 3.30pm the Mayor adjourned the meeting for afternoon tea.

The meeting resumed at 3.50pm.

## **15 CONSIDERATION OF COMMITTEE MINUTES**

### **15.1 Committee Minutes - Parkes Local Traffic Committee Meeting 8 May 2019**

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#### **Executive Summary**

The Parkes Local Traffic Committee Meeting was held on Wednesday 8 May 2019. The minutes of the meeting are attached.

#### **Recommendation**

1. That the minutes of the Parkes Shire Local Traffic Committee Meeting held on 8 May 2019 be adopted.

#### **19 - 146 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

**CARRIED**

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## **15.2 Committee Minutes - Parkes Sports Council Meetings**

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### **Executive Summary**

The Minutes of the Parkes Sports Council Meetings held in March, April and May 2019 are presented for the information of Council. At the last meeting the groups again discussed the issue of dogs off their leash on sporting fields. An option to address the issue was the use of the CCTV trailer to monitor the fields. Many groups expressed their concern at the poor finish to the tiling in the updated Keast Park amenities and a proposal to lobby Council to consider employing a Sport and Recreation officer was discussed.

### **Recommendation**

1. That the minutes of the Parkes Sports Council meetings held in March, April and May be received and noted.

### **19 - 147 Resolution**

1. That the minutes of the meetings be received and noted.
2. That a refresher education campaign be undertaken in regards to dogs off/on leashes and owners responsibility for cleaning up after their dogs using the facilities provided at the sporting grounds.

Moved Councillor Louise O'Leary, seconded Councillor Neil Westcott.

**CARRIED**

## **16 QUESTIONS AND MATTERS OF URGENCY**

In accordance with Clause 17(4) of Council's Code of Meeting Practice the following business was allowed by the Chairperson.

### **16.1 Compliance with Conditions of Consent DA17054**

Councillor Alan Ward has been approached in relation to Development Consent No. DA 17054 for a Telecommunications Facility at 29 Thomas Street Parkes. Concerns from residents have been received in relation to the need to remove a redundant telecommunications equipment and pole structure from the site. Cr Ward asked whether Council has taken any action to follow up compliance of the conditions of consent.

The Acting Director Planning & Environment advised that several pieces of correspondence have been sent to Catalyst (the applicant of the Vertel Telecommunications Facility) regarding compliance with the development consent, which included decommissioning the existing pole and relocating existing telecommunications equipment to the telecommunications facility approved under DA 17054.

Council correspondence has been sent to the applicant on 22 May 2018, 21 November 2018, 18 April 2019 as well as several more recent emails and telephone conversations during April and May 2019 to organise compliance work with Catalyst and Vertel.

On 14 May 2019 Council received correspondence from Catalyst advising that Vertel will be completing relocation works and pole decommissioning between 10 June 2019 and 21 June 2019.

Council staff will continue to liaise with Catalyst to ensure compliance within the advised completion timeframe.

#### **Attachments**

Nil

#### **Recommendation**

1. For the information of Council.

### **19 - 148 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

**CARRIED**

## **CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS**

The meeting of the Ordinary Council meeting was closed to the public at 4.22pm.

The Mayor asked the Meeting whether it agreed that the items listed by the General Manager appeared to be items which should be discussed in closed session for the reasons given.

The General Manager advised that there were no written representations from the public on the proposed closure of the Council Meeting.

### **(DTCS) Sale of Council Owned Industrial Land - Proposed Lot 8 and Lot 15 (New Industrial Land Subdivision)**

**Prepared By: Director Technology and Corporate Service**

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### **Executive Summary**

Council has received an Expression of Interest offer for the purchase of land in the industrial estate.

### **Recommendation**

1. That the subject land be offered for sale in accordance with the provisions of this Report.
2. That an option of 1 year be offered in accordance with the provision of this Report.

### **19 - 149 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Neil Westcott.

**CARRIED**

## **(DTCS) Purchase of Land - Parkes Central Business District (CBD)**

**Prepared By: Director Technology and Corporate Service**

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### **Executive Summary**

Council has received an offer which would allow the purchase of land in the CBD area of Parkes.

### **Recommendation**

1. That Council endorses the offer as detailed in the report.
2. That Council authorise the General Manager to complete the purchase if the terms in the report are acceptable to the vendor.
3. That should the offer be accepted by the vendor, all necessary documentation to give effect to the purchase be completed under seal of council where necessary.
4. That should the offer be accepted that upon acquisition the land be categorised as Operational land under the Public Land provisions of the Local Government Act, 1993

### **19 - 150 Resolution**

That the recommendation be adopted.

Moved Councillor Alan Ward, seconded Councillor Ken McGrath.

**CARRIED**



## **(DTCS) Tender Report for Cooke Park Multipurpose Centre Contract PSC2019/010**

**Prepared By: Director Technology and Corporate Service**

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### **Executive Summary**

The need for redefining the Cooke Park parkland to become a more effective venue for events, festivals, outdoor eating and as a meeting place was identified in the Parkes CBD Vibrancy Strategy. The multipurpose building is pivotal to strengthening Cooke Park's role as a central park for the Parkes CBD and wider township. Site analysis and preliminary landscape planning have been undertaken as part of the Vibrancy Strategy and a site for the multipurpose building has been identified.

King and Campbell and other building services consultants have been engaged to help project manage the detail design of the building taking it from Development Authority (DA) to a construction certificate and tender documentation for the building.

Council has recently proceeded to Tendering for the building and landscaping of the Multipurpose Centre.

Submissions closed on 15 April 2019. Three (3) Tenders were received.

### **Recommendation**

1. That Council award the contract to Cabonne Constructions PTY LTD as Principal Contractor for the Provision of Construction Services - Cooke Park Multipurpose Centre and commence final contract negotiations to ensure the delivery of the project is within budget constraints.

### **19 - 151 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Neil Westcott.

**CARRIED**

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## **(DPE) Status Legal Action Bogan Gate Hoarding**

**Prepared By:    Acting Director Planning & Environment**

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### **Executive Summary**

Action has commenced in relation to the property at Lot 1 Section 7 DP758125 & Lot 1 DP1086877 & Lot 2 DP1086877 - 6 Hutton Street Bogan Gate. The matter was listed in the Land and Environment Court for an appeal against Council Order on 10 May 2019.

### **Recommendation**

1. That the information be noted.

### **19 - 152      Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor Bill Jayet.

**CARRIED**

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## **(DPE) Peak Hill Awning Inspection Programme**

**Prepared By: Director Planning & Environment**

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### **Executive Summary**

Council has received grant funding toward the rejuvenation of the main street of Peak Hill under the Stronger Country Communities Programme. An inspection programme for awnings in the main street has been conducted. An update of the status of the programme is provided.

### **Recommendation**

1. That the action taken by Council to build structural engineering designed support under the two awnings identified as needing demolition to make safe for the interim until they are demolished be noted.

### **19 - 153 Resolution**

That the recommendation be adopted.

Moved Councillor Barbara Newton, seconded Councillor George Pratt.

**CARRIED**

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## **(DWS) Sale or Lease of 93 Caswell Street Peak Hill**

**Prepared By:** Director Works and Services

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### **Executive Summary**

A request has been received for the purchase or lease of 93 Caswell Street, Peak Hill for use by the adjoining Peak Hill Clubhouse Hotel. The Hotel proposes to maintain the memorial plaque on the site, place a vegetable garden and store shed on the remainder of the land.

### **Recommendation**

1. That the matter be referred to the Peak Hill Community Consultative Committee for their input.
2. That Council further investigate the requirements for leasing land categorised as Community Land under the Public Lands provisions of the Local Government Act, 1993.

### **19 - 154 Resolution**

That the recommendation be adopted.

Moved Councillor Louise O'Leary, seconded Councillor Barbara Newton.

**CARRIED**

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## **(DWS) Sale of Tullamore Saleyards**

**Prepared By: Director Works and Services**

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### **Executive Summary**

Council has received a purchase request from the adjoining owner of the Tullamore Saleyards.

The Tullamore Saleyards have been leased to this adjoining owner for over 15 years.

### **Recommendation**

1. That the land known as Tullamore Saleyards comprising Lot 17 DP 754014 be sold to Mr W Edwards of Tullamore for \$2,500.
2. That Mr Edwards pay all conveyancing costs associated with the sale.

### **19 - 155 Resolution**

That the recommendation be adopted.

Moved Councillor Neil Westcott, seconded Councillor George Pratt.

**CARRIED**

## **(DI) CENTROC Electricity Procurement**

**Prepared By: Director Infrastructure**

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### **Executive Summary**

Member councils of the Central NSW Joint Organisation (CNSWJO) (formerly Centroc) have been procuring electricity collaboratively for over 10 years. In the past this has provided substantial cost savings to members.

### **Recommendation**

1. Acknowledge that there are extenuating circumstances surrounding the procurement of electricity due to the 2-day validity of offers from electricity retailers where anything longer than this is likely to include a price risk component and as such Council should be excused from the tendering requirements under S55(3)(i) of the LG Act for the procurement of electricity for small tariff sites, large contract sites and street lighting which are due to commence on 1 January 2020,
2. Delegate the authority to execute the contracts for the supply of electricity for small tariff sites, large contract sites and street lighting to the General Manager,
3. Contribute 20% (note - this percentage can be higher, but minimum is 20%) of Council's electricity load to a renewable energy Power Purchase Agreement where the pricing is financially advantageous, and
4. Advise Central NSW Joint Organisation of Council's decision.

### **19 - 156 Resolution**

That the recommendation be adopted.

Moved Councillor Neil Westcott, seconded Councillor George Pratt.

**CARRIED**

## **(DWS) Parkes Main Street Revitalisation - Tenders for Civil and Electrical Works**

**Prepared By: Director Works and Services**

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### **Executive Summary**

#### **CONTRACT Tender No:**

200181 - 9001143 Civil Construction Works

200181 - 9001148 Electrical Construction Works

The Procurement process for the Parkes Main Street Revitalisation Project Civil Construction Works and Electrical Construction Works packages is well advanced with tenders closing on Friday 10 May at 5:00pm.

The Civil Construction Works has received 2 submissions whilst the Electrical Construction Works has received 1 submission.

### **Recommendation**

- (1) Due to Council not being satisfied that value for money could be obtained for Tender Number: 200181 - 9001143 (Tender) for the following reasons, Council reject all tender offers under regulation 178(3)(e) of the Local Government (General) Regulation 2005 (NSW):
  - (a) Council only received two tender submissions for Tender from:
    - (i) Community Assets & Infrastructure 158 439 948 (**CAI**);
    - (ii) Civil Engineered Construction 620 263 121 (**CEC**).
  - (b) The tender received from CEC was not compliant and was excluded from the Tender evaluation.
  - (c) The tender offer received from CAI was above Council's budget for the Tender;
  - (d) Council considers that the CAI price for the Tender included unnecessary, and overly conservative, allowances for risk in the project and that this can be explained, clarified and adjusted during a negotiation process with CAI;
  - (e) Council only received one acceptable tender from the Tenderer in any event, and so it is not considered appropriate, or beneficial, to go back to market through a further tender process;
  - (f) Accordingly, Council does not consider that the tender from CAI represents value for money; and
  - (g) Council considers the best way to achieve value for money for this Tender is to reject that tender and enter into negotiations with CAI.
- (2) Council enter into negotiations with Community Assets & Infrastructure for the Parkes Main Street Revitalisation Project - Civil Construction Works to obtain a value for money outcome.
- (3) Due to Council not being satisfied that value for money could be obtained for Tender Number: 200181 - 9001148 (Tender) for the following reasons, Council reject all

tender offers under regulation 178(3)(e) of the Local Government (General) Regulation 2005 (NSW):

- (a) Council only received one tender submission in respect of the Tender from Activenergy 65 149 078 197 (Tenderer);
  - (b) The Tenderer's offer was above Council's budget for the Tender;
  - (c) Council considers that the Activenergy price for the Tender included unnecessary, and overly conservative, allowances for risk in the project and that this can be explained, clarified and adjusted during a negotiation process with Activenergy;
  - (d) Council only received one tender from the Tenderer in any event, and so it is not considered appropriate, or beneficial, to go back to market through a further tender process;
  - (e) Accordingly, Council does not consider that the Tenderer (being the only tenderer in any event) represented value for money; and
  - (f) Council considers the best way to achieve value for money for this Tender is to reject all tenders and enter into negotiations with Activenergy.
- (4) Council enter into negotiations with Activenergy for the Parkes Main Street Revitalisation Project - Electrical Construction Works in order to seek to obtain a value for money outcome.
- (5) Authority be delegated to the General Manager and Director Works and Services to approach Activenergy to negotiate and execute the contract relating to the Tender.
- (6) Authority be delegated to the General Manager and Director Works and Services to approach to Community Assets & Infrastructure to negotiate and execute the contract relating to the Tender.

## **19 - 157 Resolution**

That the recommendation be adopted.

Moved Councillor Ken McGrath, seconded Councillor George Pratt.

**CARRIED**

At this stage being 5.35pm the Closed meeting concluded and the Mayor re-opened the Meeting to the public. The Mayor read aloud the resolutions of the Confidential Business items tabled in the Closed Meeting for the benefit of the public gallery.

There being no further business the Mayor declared the meeting closed at 5.40pm