



# 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

Wednesday 27 July 2022

Minutes of the Extra-Ordinary Council Meeting of Parkes Shire Council held at the Parkes Shire Council Offices 2 Cecile Street Parkes, commencing at 1.30 PM for the purpose of considering the items included on the Agenda.

An audio recording of this meeting was also placed on the Council website page for a period of 12 months after the conclusion of the meeting.

**GENERAL MANAGER:** Kent Boyd PSM



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## Extra-Ordinary Council Meeting

**Minutes of the Extra-Ordinary Council Meeting held in the Parkes Shire Council  
Offices 2 Cecile Street Parkes, on Wednesday, 27 July 2022 at 1.30 PM.**

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### **PRESENT**

Councillor K J Keith OAM, (in the Chair)  
Councillor K M McGrath  
Councillor M E Applebee  
Councillor G S Wilson  
Councillor WP Jayet

Councillor N C Westcott  
Councillor G W Pratt  
Councillor J P Cass  
Councillor D R Weber

### **IN ATTENDANCE**

General Manager - K Boyd  
Director Customer, Corporate Services & Economy - C Middleton  
Director Planning and Community Services - B Hayes  
Director Operations- B Howard  
Director Infrastructure & Strategic Futures - A Francis  
Chief Financial Officer - J Barnard  
Manager Facilities - S Ross  
Probity Advisor & Tender Evaluation Panel Member - K Roach  
Minutes - M Wyatt

### **MEETING COMMENCEMENT**

The Meeting commenced at 1.30pm.

The Mayor opened the meeting with the following declaration. It is now 1.30pm Wednesday 27 July 2022 and as the Mayor I declare the Extra-Ordinary Meeting of the Parkes Shire Council being held face to face and electronically due to the restrictions surrounding the COVID-19.

A copy of the audio recording will be available on the Council website for a period of 12 months

## 1. PRAYER

The General Manager commenced the meeting with a prayer.

## 2. APOLOGIES

### 22 - 256 Resolution

That

Cr Louise O'Leary be granted leave of absence (REASON: Work commitments).

Moved Councillor KM McGrath, seconded Councillor GW Pratt.

**CARRIED**

## 3. CONFIRMATION OF PREVIOUS MINUTES

That the Minutes of the Ordinary Meeting of Parkes Shire Council held on 19 July 2022 copies of which have been forwarded to Councillors, be confirmed.

Moved Councillor JP Cass, seconded Councillor DR Weber

**CARRIED**

## 4. DECLARATIONS OF INTEREST

Councillor Ken Keith OAM disclosed a non-pecuniary interest in relation to Item 16.1 (DO) Facility Management Parkes Aquatic Facilities - PSC2022/026 and chose to participate in the discussion and voting on this item. The reason given was:

*He is a regular lap swimmer at the Parkes Aquatic Centre and is also a friend of one of the tenderers.*

Councillor Ken McGrath disclosed a non-pecuniary interest in relation to Item 16.1 (DO) Facility Management Parkes Aquatic Facilities - PSC2022/026 and chose to participate in the discussion and voting on this item. The reason given was:

*He is a pool builder who has given advice to one of the tenderers on the proposed indoor heated pool facility. He has not received any money and does not intend on building the proposed indoor pool facility.*

Councillor Jacob Cass disclosed a non-pecuniary interest in relation to Item 16.1 (DO) Facility Management Parkes Aquatic Facilities - PSC2022/026 and chose to participate in the discussion and voting on this item. The reason given was:

*He is an active promoter, unpaid, of two competitors of one of the tenderers, on his private social media page and uses one of these services.*

Councillor Daniel Weber disclosed a non-pecuniary interest in relation to Item 16.1 (DO) Facility Management Parkes Aquatic Facilities - PSC2022/026 and chose to participate in the discussion and voting on this item. The reason given was:  
*He is a casual swimmer at the Parkes Aquatic Centre.*

Councillor Bill Jayet disclosed a non-pecuniary interest in relation to Item 16.1 (DO) Facility Management Parkes Aquatic Facilities - PSC2022/026 and chose to participate in the discussion and voting on this item. The reason given was:  
*He is a casual swimmer at the Parkes Aquatic Centre.*

Council's General Manager, Mr Kent Boyd, disclosed a non-pecuniary interest in relation to Item 16.1 (DO) Facility Management Parkes Aquatic Facilities - PSC2022/026 and chose to participate in the discussion and voting on this item. The reason given was:  
*In his capacity as General Manager, he has had official dealings with a developer and one of the tenderers over their proposed development which includes an indoor heated pool.*

Council's Director Operations, Mr Ben Howard, disclosed a non-pecuniary interest in relation to Item 16.1 (DO) Facility Management Parkes Aquatic Facilities - PSC2022/026 and chose to participate in the discussion and voting on this item. The reason given was:  
*He is a casual swimmer at the Parkes Aquatic Centre and a previous employer of one of the tenderers.*

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

Nil

## **6. LATE BUSINESS**

Nil

## **16 CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS**

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 Extra-Ordinary Council Meeting.

### **22 - 257 Resolution**

That the meeting be closed for consideration of the listed items as they involve: Personnel matters concerning particular individuals (other than Councillors) or information that would if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business or commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it or advice concerning litigation or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege

Moved Councillor GW Pratt, seconded Councillor NC Westcott.

**CARRIED**

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## **16. CONSIDERATION OF CONFIDENTIAL ITEMS**

### **16.1. (DO) Facility Management Parkes Aquatic Facilities - PSC2022/026**

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#### **Executive Summary**

Council requested a review of the Aquatic Facilities Management portfolio and subsequently resolved to put to tender the Facility Management - Parkes Shire Aquatic Facilities, including the Townships of Peak Hill, Trundle and Tullamore facilities.

Tenders closed on 15 June 2022 with five (5) submissions received.

#### **Recommendation**

1. That Council award the contract Facility Management - Parkes Shire Aquatic Facilities - PSC2022/026 to Belgravia Leisure for the lump sum of \$2,946,859 for a three (3) year term, with an option of a two (2) year extension, subject to satisfactory performance.
2. That Council determine the source of funding from either Capital programs or Director Operations - Operational Budget, and provide a report back to Council on the funding source before 30 September 2022.

#### **22 - 258 Resolution**

That the recommendation be adopted.

Moved Councillor ME Applebee, seconded Councillor JP Cass.

**CARRIED**

At this time the Mayor called for a show of hands in regards to the Resolution with the following results.

**For:** Councillor KJ Keith, Councillor NC Westcott, Councillor JP Cass, Councillor DR Weber, Councillor ME Applebee, Councillor WP Jayet and Councillor GW Pratt

**Against:** Councillor KM McGrath

**Did not vote:** Councillor GS Wilson

**Absent:** Councillor LA O'Leary

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## **16.2. (DO) Auction of 8 Langlands Street, Parkes**

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### **Executive Summary**

Advice has been received from the Agent engaged to auction 8 Langlands Street, (being Lot 2 DP 1276025), Parkes that Council consider giving an addition of a "Put to Call" Option to the contract for sale to provide a certainty that a purchaser can have first right of refusal on the land at the rear of 8 Langlands Street situated in Hanlon Street, Parkes that is yet to be developed.

### **Recommendation**

That Council allows a "Put to Call" option on the contract for sale of 8 Langlands Street (Lot 2 DP 1276025) subject to the following terms.

1. That the proposed purchaser of 8 Langlands Street, Parkes execute the "Put to Call" option to secure proposed Lot 7 Hanlon Street, the intention will be to merge both Lots into one allotment with service connections to the Langlands Street frontage only.
2. That the purchaser has no expectations to the timeframe of the development of the proposed Lot 7 Hanlon Street, Parkes.
3. That the future value of the land under the "Put to Call" option be increased at 5% per annum each year compounding at the end of each month.
4. That the Lot size and dimensions of proposed Lot 7 Hanlon Street, Parkes may vary up to 10% at the discretion of the developer without penalty.

### **22 - 259 Resolution**

That the recommendation be adopted.

Moved Councillor JP Cass, seconded Councillor ME Applebee.

**CARRIED**



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### **16.3. (DO) Expression of Interest for Purchase of Englobo Land Parcels, Parkes Industrial Estate**

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#### **Executive Summary**

Parkes Shire Council ("Council") continues to receive enquiries for industrial land, including both developed and undeveloped parcels. Due to current staff shortages, combined with delivery of a substantial Capital Works Program; Council's ability to develop land in the short-term is limited. This report recommends that Council formally resolve to invite Expressions of Interest, by way of a 28-day public exhibition period, for the purchase of englobo parcels of lands located in the Parkes Industrial Estate as outlined in this report and receive a further report following conclusion of the public exhibition period.

#### **Recommendation**

That Council:

1. Undertake a 28-day public exhibition period regarding the proposed sale of the englobo land located in the Parkes Industrial Estate, as defined in the map appended at *Attachment 1* to this report and invite Expressions of Interest for the purchase of this land during the exhibition period.
2. Receive a further report regarding the sale of englobo land located in the Parkes Industrial Estate following conclusion of the public exhibition period.

#### **22 - 260 Resolution**

That the recommendation be adopted.

Moved Councillor JP Cass, seconded Councillor DR Weber.

**CARRIED**

### **17. MEETING CLOSURE**

There being no further business the Mayor declared the Extra-Ordinary Council meeting closed at 3.35pm.