



# 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.*

## Ordinary Council Meeting MINUTES

**Tuesday, 20 September 2022**

Minutes of the Ordinary Council Meeting of Parkes Shire Council held at the Parkes Shire Council Offices 2 Cecile Street Parkes, commencing at 2:00 PM for the purpose of considering the items included on the Agenda.

**GENERAL MANAGER: KENT BOYD PSM**



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## Ordinary Council Meeting

Minutes of the Ordinary Council Meeting held in the Parkes Shire Council Offices 2  
Cecile Street Parkes, on Tuesday, 20 September 2022 at 2:00 PM.

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### PRESENT

Councillor K J Keith OAM, (in the Chair)  
Councillor W P Jayet  
Councillor G W Pratt  
Councillor L A O'Leary  
Councillor G S Wilson

Councillor N C Westcott  
Councillor K M McGrath  
Councillor M E Applebee  
Councillor J P Cass  
Councillor D R Weber

### IN ATTENDANCE

Acting General Manager - B Howard  
Director Customer, Corporate Services & Economy - C Middleton  
Director Planning and Community Services - B Hayes  
Acting Director Operations- L Hignett  
Director Infrastructure & Strategic Futures - A Francis  
Executive Manager Corporate Services - A McGrath  
Chief Financial Officer - J Barnard  
Minutes - M Wyatt

### 1. OPENING OF MEETING

The Mayor opened the meeting with the following declaration.

It is now 2pm Tuesday 20 September 2022 and as the Mayor I declare the 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.

## 2. ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement of Country was read by Cr ME Applebee.

I begin today by acknowledging the Wiradjuri people, Traditional Custodians of the land on which we meet today and pay my respects to their Elders past and present. I extend that respect to Aboriginal and Torres Strait Islander peoples here today.

Traditional Language Acknowledgement of Country

### Traditional Language Acknowledgement of Country

**Guwambanha ngindhugir**

Goo wam bunna Nin doo gir

Welcome everyone

*Wiradjuri language*

*Phonetic*

*pronunciation*

*English translation*

**Badhu yanagha yindyamarra gu Wiradjuri Ngurambang**

Baa doo yana Gaa. Yind ya Marra gu Wiradjuri noo rum bung

I give respect to Wiradjuri Country

*Wiradjuri language*

*Phonetic*

*pronunciation*

*English translation*

**Gangula Marambang ngindhugir Nginha**

Gan gula Maram bung Nindoo gir Nin naa

It's good you're all here

*Wiradjuri language*

*Phonetic*

*pronunciation*

*English translation*

**Mandaang guwu**

Mun dung goo woo

Thank you

*Wiradjuri language*

*Phonetic*

*pronunciation*

*English translation*

*We also thank the Parkes Wiradjuri language group for their assistance in compiling this traditional language acknowledgment of country.*

## 3. PRAYER

The Acting General Manager commenced the meeting with a prayer.

## 4. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE

Nil

The Mayor noted that Kent Boyd PSM General Manager was on leave of absence and that Ben Howard was Acting General Manager.

Further, the Mayor advised that Deputy Mayor NC Westcott will be away for the first half of Council meeting and that Cr JP Cass would have to step out of the meeting temporarily at 2.30pm.

**5. APPLICATIONS TO ATTEND BY AUDIO-VISUAL LINK**

Nil

**6. CONFIRMATION OF MINUTES**

That the Minutes of the Ordinary Meeting of Parkes Shire Council held on 16 August 2022, copies of which have been forwarded to Councillors, be confirmed.

Moved Councillor JP Cass, seconded Councillor GW Pratt.

**CARRIED**

**7. DECLARATIONS OF INTERESTS**

Nil

**8. 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.

**22 - 293 Resolution**

That Late Item/s 17.4 be considered at this Council meeting.

Moved Councillor WP Jayet, seconded Councillor GW Pratt.

**CARRIED**

**9. MAYORAL MINUTE(S)****9.1. Mayoral Minute - Death of Her Late Majesty Queen Elizabeth II**

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**Executive Summary**

The Parkes Shire was deeply saddened to hear of the passing of Her Late Majesty Queen Elizabeth II, which was announced by the Governor-General, General David Hurley AC, on 09 September 2022 following advice from Buckingham Palace.

**Recommendation**

That Council:

1. Extend its condolences to His Majesty the King and to members of the Royal Family on the death of Her Late Majesty, Queen Elizabeth II.
2. Note that a National Day of Mourning will be held on Thursday, 22 September 2022, with one minute's silence to be observed at 11.00am.

**22 - 294 Resolution**

That the recommendation be adopted.

Moved Councillor LA O'Leary, seconded Councillor ME Applebee.

**CARRIED**

The Mayor asked everyone in attendance to stand for one minute's silence.

**9.2. Mayoral Minute - Proclamation of His Majesty King Charles III**

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**Executive Summary**

Following the passing of Her Late Majesty Queen Elizabeth II; on 11 September 2022, His Royal Highness the Prince of Wales was proclaimed King of Australia.

**Recommendation**

That Council:

1. Receive and note the Proclamation of His Majesty King Charles III, appended at *Attachment 1*.

**22 - 295 Resolution**

That the information contained within the Report be received and noted.

Moved Councillor WP Jayet, seconded Councillor KM McGrath.

**CARRIED**

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### 9.3. 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.

Social distancing restrictions implemented due COVID-19, has resulted in meetings being held electronically.

#### Recommendation

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

#### 22 - 296 Resolution

That the information contained within the Report be received and noted.

Moved Councillor ME Applebee, seconded Councillor GW Pratt.

**CARRIED**

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### 9.4. Mayoral Minute - Coming Known Events for Mayor and Councillors

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#### Executive Summary

A report on 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 on upcoming functions for the Mayor, Councillors or Senior Staff be received and noted.

#### 22 - 297 Resolution

That the information contained within the Report be received and noted.

Moved Councillor JP Cass, seconded Councillor ME Applebee.

**CARRIED**

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## 9.5. Mayoral Minute - Federal Government Support for Inland Rail Program

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### Executive Summary

This report recommends that Parkes Shire Council ("Council") receive correspondence from the Minister for Infrastructure, Transport, Regional Development and Local Government, appended at *Attachment 1*, and note the Federal Government's ongoing support for the Inland Rail Program.

### Recommendation

That Council:

1. Receive the correspondence from the Minister for Infrastructure, Transport, Regional Development and Local Government, the Hon. Catherine King MP, appended at *Attachment 1*.
2. Note the Federal Government's ongoing support for delivery of the Inland Rail Program, as expressed by the Minister in her correspondence.

### 22 - 298 Resolution

That the recommendation be adopted.

Moved Councillor KM McGrath, seconded Councillor GW Pratt.

**CARRIED**



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## 9.6. Mayoral Minute - Accounting Treatment of NSW Rural Fire Service Assets

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### Executive Summary

This report recommends that Parkes Shire Council ("Council") receive and note correspondence from the Member for Orange, Philip Donato MP, regarding ongoing advocacy efforts regarding the accounting treatment of NSW Rural Fire Service ("RFS") assets by local councils, appended at *Attachment 1*.

### Recommendation

That Council:

1. Receive the correspondence from the Member for Orange, Philip Donato MP, regarding ongoing advocacy efforts regarding the accounting treatment of NSW Rural Fire Service assets vested in local councils.
2. Note that the NSW Country Mayors Association continues to advocate for reform with respect to this matter.

### 22 - 299 Resolution

That the recommendation be adopted.

Moved Councillor ME Applebee, seconded Councillor DR Weber.

**CARRIED**

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## 9.7. Mayoral Minute - Regional Health Ministerial Advisory Panel

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### Executive Summary

The Hon Bronnie Taylor MLC has approved my appointment as an inaugural member of the Regional Health Ministerial Advisory Panel under Section 20 of the *Health Administration Act 1982*.

### Recommendation

1. That the Report be received and noted.

### 22 - 300 Resolution

That the information contained within the Report be received and noted.

Moved Councillor ME Applebee, seconded Councillor GW Pratt.

**CARRIED**

## **9.8. Mayoral Minute - Regional Express 20th Birthday Celebrations**

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### **Executive Summary**

Deputy Mayor Neil Westcott and myself attended the 20th birthday celebrations for Regional Express Airlines on Wednesday 24 August 2022. Over 300 guests were invited, including the Mayors of Wagga Wagga City Council, Narrandera Shire Council and Parkes Shire Council.

### **Recommendation**

1. That this report be received and noted.

### **22 - 301 Resolution**

That the information contained within the Report be received and noted.

Moved Councillor JP Cass, seconded Councillor ME Applebee.

**CARRIED**

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**9.9. Mayoral Minute - Civic Reception for Mr Sun Ruiwen, CEO of China Molybdenum Company Ltd**

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**Executive Summary**

On Friday 26 August 2022, Parkes Shire Council, in partnership with CMOC-Northparkes Mines (Northparkes) and Forbes Shire Council, hosted a Civic Reception in honour of visiting CMOC Executive Director, Mr Sun Ruiwen.

**Recommendation**

1. That the Report be received and noted.

**22 - 302 Resolution**

That the information contained within the Report be received and noted.

Moved Councillor ME Applebee, seconded Councillor WP Jayet.

**CARRIED**

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**9.10. Mayoral Minute - Paint the Town REaD**

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**Executive Summary**

On Friday 26 August 2022, Paint the Town REaD was held in Parkes Shire with events located throughout the Parkes CBD involving preschool and K-2 children.

**Recommendation**

1. That this report is received and noted.

**22 - 303 Resolution**

1. That the information contained within the Report be received and noted.
2. That Council writes to the Committee to congratulate them on the success of this event.

Moved Councillor WP Jayet, seconded Councillor ME Applebee.

**CARRIED**

**9.11. Mayoral Minute - 'Go Rural' Experience Presentation**

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**Executive Summary**

On Saturday 27 August 2022, I presented at Parkes Hospital for health students participating in the 'Go Rural' Experience.

**Recommendation**

1. That this report be received and noted

**22 - 304 Resolution**

That the information contained within the Report be received and noted.

Moved Councillor ME Applebee, seconded Councillor GW Pratt.

**CARRIED**

**9.12. Mayoral Minute - Opening of Pol Cruz' exhibition From Here**

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**Executive Summary**

On Friday 9 September 2022, I officially opened of the From Here exhibition in the Coventry Room of the Parkes Shire Library and Cultural Centre.

**Recommendation**

1. That this report be received and noted

**22 - 305 Resolution**

That the information contained within the Report be received and noted.

Moved Councillor WP Jayet, seconded Councillor JP Cass.

**CARRIED**

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**9.13. Mayoral Minute - Newell Highway Taskforce Annual General Meeting 13 September 2022**

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**Executive Summary**

The Newell Highway Taskforce Committee held its Annual General Meeting on Tuesday 13 September 2022 in Parkes. I was re-elected the Chair with succession planning for a new Chair in the next 12 months.

**Recommendation**

1. That the Report be received and noted.

**22 - 306 Resolution**

That the information contained within the Report be received and noted.

Moved Councillor ME Applebee, seconded Councillor LA O'Leary.

**CARRIED**

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**9.14. Mayoral Minute - Councillors Report - Executive Certificate for Elected Members course**

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**Executive Summary**

Councillor Marg Applebee has submitted a report following her successful completion of the Executive Certificate for Elected Members, which is provided by the University of Technology, Sydney in partnership with Local Government NSW.

**Recommendation**

That Council:

1. Receive and note the report provided by Councillor Marg Applebee following her completion of the Executive Certificate for Elected Members course.

**22 - 307 Resolution**

That the information contained within the Report be received and noted.

Moved Councillor ME Applebee, seconded Councillor JP Cass.

**CARRIED**

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**10. REPORTS OF COMMITTEES****10.1. Committee Minutes - Parkes Elvis Festival Committee Meeting 10 August 2022**

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**Executive Summary**

Meetings of the Elvis Festival Committee were held at the Parkes Shire Council on 29 June 2022. The Minutes are attached for Council's endorsement. Due to the Minutes containing confidential information, they have been distributed to Councillors under separate cover

**Recommendation**

1. That the Minutes of the Elvis Festival Committee meeting held on 10 August 2022 be noted and the recommendations of the Committee be endorsed by Council.
2. That Council thanks The Hon Sam Faraway for his assistance in securing a 3 year agreement for Elvis Express.

**22 - 308 Resolution**

That the recommendation be adopted.

Moved Councillor GW Pratt, seconded Councillor ME Applebee.

**CARRIED**

Councillor JP Cass left the meeting at 2.32pm.

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**10.2. Committee Minutes - Parkes Floodplain Risk Management Committee Meeting, 11 August 2022**

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**Executive Summary**

The Parkes Floodplain Risk Management Committee held their meeting on 11 August 2022. The Minutes of that meeting are attached the information of Council.

**Recommendation**

1. That the Minutes of the Floodplain Risk Management Committee held on 11 August 2022 be received and any actions endorsed.

**22 - 309 Resolution**

That the recommendation be adopted.

Moved Councillor ME Applebee, seconded Councillor GW Pratt.

**CARRIED**

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**10.3. Committee Minutes - Waste Committee meeting 16 August 2022**

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**Executive Summary**

The Parkes Shire Council Waste Facilities Committee was held on 16 August 2022.

**Recommendation**

1. That the Minutes of the Parkes Shire Council Waste Facilities Committee held on 16 August 2022 be adopted and note any actions from the minutes.

**22 - 310 Resolution**

That the recommendation be adopted.

Moved Councillor GW Pratt, seconded Councillor ME Applebee.

**CARRIED**

## 10.4. Committee Minutes - Community Financial Assistance Panel, 06 September 2022

### Executive Summary

The Community Financial Assistance Program Evaluation Panel ("the Panel") met on 06 September 2022 to assess the applications received in Round 1 of the 2022/2023 Program. This reports recommends that Parkes Shire Council ("Council") receive the Minutes of that meeting, appended at *Attachment 1*, and approve the provision of financial assistance as recommended by the Panel.

### Recommendation

That Council:

1. Receive the Minutes of the Community Financial Assistance Panel meeting held 06 September 2022, appended at *Attachment 1* to this report.
2. Approve the provision of financial assistance to the following recipients, as recommended by the Community Financial Assistance Panel:

Organisation/Group	Activity	Amount
Currajong Disability Services	Pension Rebate on Group home support accommodation and offices	\$5,192.46
Parkes Masonic Temple	Pension Rebate on property	\$1,763.74
Frazer Court Committee	Pension rebate on property	\$425.00
Country Women's Association - Trundle	Waiving Charges for property	\$431.00
Bogan Gate Memorial Hall Inc.	Waiving Charges for property	\$531.00
Peak Hill Men's Shed	Pension Rebate on property	\$425.00
Southern Cross Community Centre Peak Hill	Water Charges for property	\$185.00
Kooringle Fundraisers Incorporated	Pension Rebate and Water Charges on property	\$771.00
CanAssist Parkes Branch	Fundraising for cancer patients within the Shire	\$1,000.00
Central West Astronomical Society	2022 Annual Astrofest	\$500.00
Para Marcia - Koinonia Church Peak Hill	Installation of Electricity to Kinonia Weberek base, East Timor-Leste	\$700.00
<b>TOTAL</b>		<b>\$11,924.20</b>

3. Provide public notice of its intention to provide financial assistance to the abovementioned organisations.
4. Subject to no formal submissions being received, approve the financial assistance from the Parkes Shire Council Section 356 Appeals and Donations budget.



**22 - 311 Resolution**

That the recommendation be adopted.

Moved Councillor WP Jayet, seconded Councillor DR Weber.

**CARRIED**

**10.5. Committee Minutes - Parkes Sports Council Meeting, 13 September 2022**

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**Executive Summary**

This report recommends that Council receive and note the Minutes of the Parkes Sports Council Committee Meeting held on 9 August 2022, which includes the Parkes Masters Games Sub-Committee Minutes, and endorse the Committee's recommendations contained therein.

**Recommendation**

That Council:

1. Receive and note the minutes of the Parkes Sports Council Meeting and the Parkes Masters Games Sub-Committee Meeting held on 13 September 2022, appended at *Attachment 1*.

**22 - 312 Resolution**

That the recommendation be adopted.

Moved Councillor LA O'Leary, seconded Councillor WP Jayet.

**CARRIED**

## **11. REPORTS OF THE GENERAL MANAGER**

### **11.1. (GM) Investments and Borrowings as at 31 August 2022**

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#### **Executive Summary**

The carrying value of Council's cash and investments at 31 August 2022 was \$37,613,536.00 and the principal outstanding on Council's borrowings was \$17,912,035.

#### **Recommendation**

1. That the information in relation to investments held and borrowings at 31 August 2022 be received and noted.

#### **22 - 313 Resolution**

That the information contained within the Report be received and noted.

Moved Councillor GW Pratt, seconded Councillor ME Applebee.

**CARRIED**

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## **12. REPORTS OF THE DIRECTOR CUSTOMER, CORPORATE SERVICES AND ECONOMY**

### **12.1. (DCCSE) Public Exhibition of draft Councillor Expenses and Facilities Policy**

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#### **Executive Summary**

Under the *Local Government Act 1993* ("the Act"), Parkes Shire Council ("Council") is required to review and re-adopt its Councillor Expenses and Facilities Policy within the first twelve months of each term of a Council. This report recommends that Council formally endorse the public exhibition of the draft Councillor Expenses and Facilities Policy, appended at *Attachment 1* to this report, for a period of 28 days, noting that a further report will be provided to Council prior to the adoption of the draft policy.

#### **Recommendation**

That Council:

1. Endorse the public exhibition of the draft Councillor Expenses and Facilities Policy, appended at *Attachment 1*, for a period of 28 days.
2. Receive a further report following the conclusion of the exhibition period that considers any submissions received, prior to adoption of the draft Councillor Expenses and Facilities Policy.

#### **22 - 314 Resolution**

That the recommendation be adopted.

Moved Councillor ME Applebee, seconded Councillor LA O'Leary.

**CARRIED**

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## 12.2. (DCCSE) Endorsement of Committee Structure and Appointment of Councillor Committee Members

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### Executive Summary

The *Local Government Act 1993* ("the Act") provides that Parkes Shire Council ("Council") may establish committees to inform its strategy-setting and decision-making processes, and provide a mechanism for community involvement in the provision of Council facilities and services. Council traditionally reviews its committee framework, including the appointment of Councillors to its committees, at its Ordinary Meeting each September. This report recommends that Council adopt the proposed committee framework appended at *Attachment 1*, and resolve to appoint Councillor members for the coming 12-month period.

### Recommendation

That Council:

1. Endorse the committee framework, appended at *Attachment 1* to this report, for a two-year period, and note a further review will be conducted following the next Local Government ordinary elections, scheduled to be held in September 2024.
2. Endorse the appointment of Councillor delegates for the coming 12-month period, as proposed in the committee framework appended at *Attachment 1*.
3. Extend its appreciation to the community representatives who have served on those committees that are not included in the revised committee framework.
4. Invite Expressions of Interest from members of the public to serve on those committees including community representatives in their membership, and receive a further report following conclusion of the Expression of Interest process

### 22 - 315 Resolution

1. That the recommendations be adopted subject to the following:
  - a. That a ballot be conducted to determine the Councillor nominated for the General Manager Performance Review Panel as Cr GS Wilson and Cr ME Applebee both nominated.
  - b. That Councillor JP Cass and Councillor KM McGrath be included in the Youth Committee in an advisory capacity.
  - c. That Councillor WP Jayet be a voting member of the Economy, Innovation and investment Advisory Committee.

Moved Councillor KM McGrath, seconded Councillor DR Weber.

**CARRIED**

A ballot was conducted at 5pm by the Returning Officer, the Director Customer, Corporate Services & Economy. The results of the ballot were as follows:

Cr GS Wilson - Three (3) votes  
Cr ME Applebee - Seven (7) votes

Accordingly, Cr ME Applebee is the Councillor nominated by Council for the General Manager Performance Review Panel.

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### 12.3. (DCCSE) Endorsement of Major Grant Project Applications

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#### Executive Summary

Parkes Shire Council ("Council") is currently preparing grant applications to secure funding to deliver a range of major projects, which have been identified as community priorities through the development of Council's Integrated Planning and Reporting ("IP&R") framework. This report recommends that Council formally endorse the submission of grant applications under the Stronger Country Communities Fund, Regional Tourism Activation Fund and Resources for Regions Fund, as detailed in this report.

#### Recommendation

That Council:

1. Endorse the submission of the proposed grant submissions under Round 2 of the Regional Tourism Activation Fund, Round 9 of the Resources for Regions Program and Round 5 of the Stronger Country Communities Fund, as detailed in *Attachment 1*.

#### 22 - 316 Resolution

That the recommendation be adopted.

Moved Councillor ME Applebee, seconded Councillor GW Pratt

**CARRIED**

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## 12.4. (DCCSE) Use of Town Improvement Funds to Support Stronger Country Communities Grant Applications

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### Executive Summary

This report recommends that Parkes Shire Council ("Council") approve the use of Town Improvement Funds to support applications made under Round 5 of the Stronger Country Communities Fund ("SCCF") to progress priority projects identified in Peak Hill, Trundle and Tullamore, respectively.

### Recommendation

That Council:

1. Approve the allocation of up to \$240,000 from the Peak Hill Town Improvement Fund to support the SCCF grant application for the Peak Hill Memorial Pool Upgrade.
2. Approve the allocation of up to \$10,000.00 from the Trundle Town Improvement Fund to support the SCCF grant application for the Berryman Oval Fencing and Footpath Project.
3. Approve the allocation of up to \$60,000.00 from the Tullamore Town Improvement Fund to support their SCCF grant application for the Memorial Park Amenities Improvement Project.

### 22 - 317 Resolution

That the recommendation be adopted.

Moved Councillor LA O'Leary, seconded Councillor GW Pratt.

**CARRIED**

Deputy Mayor joined the meeting at 2.59pm.

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## 12.5. (DCCSE) Request of Financial Assistance - Peak Hill Preschool Kindergarten Inc

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### Executive Summary

The Peak Hill Preschool Kindergarten Inc, through the Peak Hill Community Consultative Committee ("CCC"), has requested that Parkes Shire Council ("Council") make a donation equivalent to the fees associated with the costs to prepare a Concept Design and Cost Estimate to redevelop the Frazer Court building and land into a 43-place Preschool and Long Day Care facility to meet the needs of the Peak Hill Community. This report recommends that Council resolve to provide the requested donation of \$5,280.00 from the Peak Hill Town Improvement ("TI") Fund, subject to the provisions of section 356 of the *Local Government Act 1993* ("the Act").

### Recommendation

That Council,

1. Receive and note the correspondence from the Peak Hill CCC with the letter from the Peak Hill Preschool Kindergarten Inc. appended at *Attachment 1*.
2. Provide public notice of its intention to provide \$5,280.00 in financial assistance to the Peak Hill Preschool Kindergarten Inc., being an amount equivalent to the fees to produce a Concept Plan and Cost Estimate to convert the Frazer Court facility into a preschool and long day care facility.
3. Subject to no submissions being received, approve the provision of \$5,280.00 in financial assistance from the Peak Hill Town Improvement Fund to the Peak Hill Preschool Kindergarten Inc.

### 22 - 318 Resolution

That the recommendation be adopted.

Moved Councillor ME Applebee, seconded Councillor NC Westcott.

**CARRIED**

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## 12.6. (DCCSE) Request for Financial Assistance - Trundle Bush Tucker Day

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### Executive Summary

This report recommends that Parkes Shire Council ("Council") approve a belated request from the Trundle and District Progress Association Inc. (Community Consultative Committee) to use funds from the Trundle Town Improvement Fund to provide assistance to the Trundle Bush Tucker Day Committee for temporary fencing to stage their event.

### Recommendation

That Council,

1. Receive and note the correspondence from the Trundle Progress Association, with request from the Trundle Bush Tucker Day Committee appended at *Attachment 1*.
2. Approve the allocation of \$2,880 in financial assistance from the Trundle Town Improvement Fund to cover the cost of providing temporary fencing for the Trundle Bush Tucker Day.

### 22 - 319 Resolution

That the recommendation be adopted.

Moved Councillor WP Jayet, seconded Councillor GW Pratt.

**CARRIED**

Councillor JP Cass returned to the meeting at 3.02pm.



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**13. REPORTS OF THE DIRECTOR INFRASTRUCTURE AND STRATEGIC FUTURES****13.1. (DISF) Major Projects & Current Works - Progress as at 20 September 2022**

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**Executive Summary**

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

**Recommendation**

1. That the information be received and noted.

**22 - 320 Resolution**

1. That the information contained within the Report be received and noted.
2. That the Director Infrastructure & Strategic Futures give a presentation to the Bogan Gate Community Consultative Committee regarding the future of the pipeline for water supply from Forbes to Tottenham.

Moved Councillor ME Applebee, seconded Councillor GW Pratt.

**CARRIED**

**14. REPORTS OF THE DIRECTOR OPERATIONS****14.1. (DO) Major Projects & Current Works - Progress as at 20 September 2022**

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**Executive Summary**

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

**Recommendation**

1. That the information be received and noted.

**22 - 321 Resolution**

1. That the information contained within the Report be received and noted.

Moved Councillor JP Cass, seconded Councillor GW Pratt.

**CARRIED**

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## 14.2. (DO) Acquisition of Land for Road to Parkes Cemetery

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### Executive Summary

During investigations into the tenure of land in the vicinity of the Parkes Cemetery for the purpose of acquiring land for the Recycled Water Main Booster Pump Station, it was revealed that the Cemetery Access Road is not a formal road. Approval has been granted from Crown Lands to acquire the subject road, however the Office of Local Government requires a Council resolution identifying the road. Lot 3 DP 1274588 is the legal description for the subject road to facilitate the acquisition process.

### Recommendation

1. That Council acquire land identified as Lot 3 DP1274588 being part of Lot 7025 DP 1117167 for access road for access road to the Parkes Cemetery and Booster Pump Station 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 land be classified as operational.
3. That where required, the Seal of Council be applied to facilitate the acquisition.

### 22 - 322 Resolution

That the recommendation be adopted.

Moved Councillor KM McGrath, seconded Councillor ME Applebee.

**CARRIED**

### **14.3. (DO) Request for Skydiving Activities at Parkes Regional Airport**

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#### **Executive Summary**

Council has received a request from Skydive Oz seeking permission to operate tandem skydiving activities at Parkes Regional Airport on 12 and 13 November 2022.

#### **Recommendation**

That Skydive Oz be granted approval for the use of Parkes Regional Airport for tandem skydiving activities on the weekend of 12 and 13 November 2022 subject to:

- Provision of evidence of not less than \$20 Million Public Liability Insurance;
- Arrangements being made with RPT Services to avoid conflict; and
- Compliance with Council's access requirements for Parkes Regional Airport

#### **22 - 323 Resolution**

That the recommendation be adopted.

Moved Councillor WP Jayet, seconded Councillor JP Cass.

**CARRIED**

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**15. REPORTS OF THE DIRECTOR PLANNING AND COMMUNITY SERVICES**  
**15.1. (DPCS) Major Projects & Current Works - Progress Report as of 20**  
**September 2022**

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**Executive Summary**

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

**Recommendation**

1. That the information be received and noted.

**22 - 324 Resolution**

That the information contained within the Report be received and noted.

Moved Councillor KM McGrath, seconded Councillor GW Pratt.

**CARRIED**

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**15.2. (DPCS) August 2022 Building Statistics**

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**Executive Summary**

During the month of August 2022 there were seventeen (17) Development Applications received totalling \$8,465,349.00 and twelve (12) consents were issued. Four (4) Complying Development Certificates were received totalling \$1,550,990.00 and four (4) consents were issued.

**Recommendation**

1. For the information of Council.

**22 - 325 Resolution**

That the information contained within the Report be received and noted.

Moved Councillor JP Cass, seconded Councillor ME Applebee.

**CARRIED**

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### 15.3. (DPCS) Adoption of draft Parkes Community Participation Plan

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#### Executive Summary

In 2018 the EP&A Act introduced a requirement for Council's to prepare a plan that outlined how and when Council would engage the community across their planning functions. Council's current development application neighbour notification and public exhibition requirements have been reviewed. A new, proposed public notification and exhibition framework has been developed and put into a stand-alone Community Participation Plan. Development types have been carefully reviewed and rationalised with consideration to legislative process timeliness of assessment. The Draft Community Participation Plan has been on public exhibition and is now ready to be adopted by Council.

#### Recommendation

1. That the Draft Community Participation Plan be adopted by Council and in force from 4 October 2022.

#### 22 - 326 Resolution

1. That the recommendation be adopted subject to the following:
  - a. The draft Plan be amended to correctly refer to "Parkes Shire" rather than "Parkes"
  - b. The General Manager be authorised to amend the Plan following adoption, to reflect the 2021 Census data, once published.

Moved Councillor LA O'Leary, seconded Councillor GW Pratt.

**CARRIED**

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**16. NOTICES OF MOTIONS/QUESTIONS WITH NOTICE****16.1. Notice of Motion - Costings of Parkes Waste Facility Operations (Cr G Wilson)**

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**Submitted by**

Councillor Glenn Wilson

**Report**

On DD August 2022, Cr Wilson wrote to the General Manager submitting the below Notice of Motion for the September Ordinary Meeting.

Cr Wilson has submitted the following background information:

*"Several building contractors have complained that they are unable to dispose of builders' rubbish at the waste facility on a Monday, which at times delays their working schedule.*

*Residents that mow their lawn on a Sunday, and finish later on the evening, are unable to dispose of the cuttings until Tuesday.*

*If Council staff operate on a nine-day fortnight, then even now there would be a rotation of staff to have the waste facility operate on a 12 fortnight presently."*

**Comments from General Manager or Director**

As part of original RFT and ensuing contract terms discussion and final determination, the provision of the facilities closure on Mondays was negotiated and ultimately resolved by Council.

The request for costings to review this condition of contract will require several aspects to be investigated including

1. Contract Variation costs, including legal and operational
2. Contractor acceptance
3. Increased staffing levels
4. Operational activities including ability to have limited access for specified waste streams or general public access

The consideration of these changes will involve consultation with several parties and include both financial and staff operational matters. These aspects will need to be dealt with due consideration of the confidential nature of the requests

It is seen as appropriate for the request be investigated and both the financial considerations and operational considerations be provided to the Waste committee for their consideration and appropriate recommendation to Council.

**Motion**

That Council:

1. Request the General Manager supply Councillors with costings to have the Parkes Waste Facility open on a Monday, in addition to the current six days a week it currently operates.
2. Request the General Manager supply Councillors with costings to have the Parkes Waste Facility open on Monday, only for those products that do not require being covered with earth, such as builders' waste, grass cuttings, tree branches, scrap metal and white goods.

Moved Councillor GS Wilson, seconded Councillor KM McGrath.

**CARRIED**

After discussion, the Motion was put to a vote in show of hands as follows.

**Vote FOR** - Cr KJ Keith, Cr NC Westcott, Cr JP Cass, Cr DR Weber, Cr ME Applebee, Cr WP Jayet, Cr LA O'Leary, Cr GS Wilson, Cr GW Pratt and Cr KM McGrath

**Vote AGAINST** - Nil

The motion became the resolution.

**22 - 327 Resolution**

That Council:

1. Request the General Manager supply Councillors with costings to have the Parkes Waste Facility open on a Monday, in addition to the current six days a week it currently operates.
2. Request the General Manager supply Councillors with costings to have the Parkes Waste Facility open on Monday, only for those products that do not require being covered with earth, such as builders' waste, grass cuttings, tree branches, scrap metal and white goods.

Moved Councillor GS Wilson, seconded Councillor KM McGrath.

**CARRIED**



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## 16.2. Notice of Motion - Monthly Warrant of Expenditure (Cr G Wilson)

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### Submitted by

Councillor Glenn Wilson

### Report

On 24 August 2022, Cr Wilson wrote to the General Manager submitting the below Notice of Motion for the September Ordinary Meeting.

Cr Wilson has submitted the following background information:

*"At present the monthly figures, which contain good information as a final figure, do not supply any information to Councillors, as to where the funds are being spent, and for what value to the residents and ratepayers, and whether in the opinion of Councillors, good value.*

*I was informed that Parkes Shire Council used to supply Expenditure warrants in previous years to Councillors. This needs to recommence as,-*

*A Parkes Councillor at present is not able to perform their duties in this area, as described in the Local Government Act 1993, or in the current Councillor Handbook December 2021, as issued by the Office of Local Government, and acknowledged by the Minister, the Honourable Wendy Tuckerman."*

### Comments from General Manager or Director

Section 223 of the *Local Government Act 1993* ("the Act") outlines the role of Council's governing body, which includes, amongst other responsibilities, *"to ensure to ensure as far as possible the financial sustainability of the Council"*.

The [Councillor Handbook](#) published by the Office of Local Government, as referenced by Cr Wilson, provides the following (refer page 65):

*"Although Councillors are responsible and accountable for the financial management of a Council, Councillors should not be involved in the detailed assessment of complex financial figures.*

*Rather, Councillors are responsible for making strategic decisions in relation to the financial management of the Council that determines or affects the types of services, level of services and the strategic direction of the Council."*

Accordingly, approval of this Motion is contrary to the higher-order strategic role expected by the OLG of an elected Councillor. Council's governing body makes strategic decisions with respect to the organisation's financial management through developing and adopting the Integrated Planning and Reporting ("IP&R") framework, including the 10-year Long Term Financial Plan and annual Operational Plan (including the organisation's annual budget, Revenue Policy and schedule of fees and charges).

Section 335 of the Act clarifies that the role of the General Manager includes responsibility for *"the day-to-day management of the Council in accordance with the strategic plans, programs and strategies and policies of the Council"*.

Councillors are provided with a range of regular reports to support them in discharging their responsibilities under the Act, including half-yearly progress reports to Council on the implementation of the Delivery Program and Operational Plan; Quarterly Budget Review Statements; and monthly reports on Council's investments and borrowings. Indeed, in its publication titled [Quarterly Budget Review Statement for NSW Local Government](#), the OLG has clarified the role of the Quarterly Budget Review Statement in supporting Councillors to (refer page 4):

*"A quarterly budget review should act as a barometer of Council's financial health during the year. It needs to adequately disclose Council's overall financial position, provide sufficient information to Enable informed decision making while ensuring transparency in decision making. It is also a means by which Councillors can ensure that Council remains on track to meet its objectives, targets and outcomes as set out in its Operational Plan."*

A monthly report to Councillors that lists what expenses were incurred in the day-to-day operation of Council's organisation over the previous month will not provide Councillors with strategic information, as it focuses on what has already happened. Instead, Councillors are provided - both at Ordinary Meetings, and through informal means such as Councillor Workshops - briefings on Council's projects, services and events, both planned and underway, including updates on how those projects, services and events are tracking to budget. Any financial concerns or implications are identified by Council Officers in their reports to Council.

## Motion

That Council:

1. Request the General Manager provide, through the Chief Financial Officer, supply Councillors at each Ordinary Meeting a written warrant of expenditure for the previous month, detailing the expenditure during that period for:
  - Contractors engaged by Council, and to what product and quantity of supplied materials;
  - The rental of equipment, such as road building equipment/plant;
  - The purchase of general goods and services;
  - Any extra ordinary purchase;
  - The rental of any buildings;
  - The payments to any Consultant to council, and the service provided; and
  - The monthly payments to contractors for tendered works and for what works completed.

Moved Councillor GS Wilson, seconded Councillor KM McGrath.

**CARRIED**

After discussion, the Motion was put to a vote and was lost:

**Vote FOR** - Cr DR Weber, Cr KM McGrath and Cr GS Wilson

**Vote AGAINST** - Cr KJ Keith, Cr NC Westcott, Cr JP Cass, Cr ME Applebee, Cr WP Jayet, Cr LA O'Leary ad Cr GW Pratt'.

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### 16.3. Notice of Motion - Medlyn Street Footpath Construction (Cr G Wilson)

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#### Submitted by

Councillor Glenn Wilson

#### Report

On 24 August 2022, Cr Wilson wrote to the General Manager submitting the below Notice of Motion for the September Ordinary Meeting.

Cr Wilson has submitted the following background information:

*"There is an urgent need for this to be done for the following reasons:*

- *There is no footpath at all in this area, It is quite steep, and the water erosion has cut grooves in the ground and has loose gravel.*
- *There are school children slipping over on this area on a regular basis.*
- *The water currently runs off the current Council bare area and into the fence of 18 Medlyn Street and then runs into the back yard and floods their back yard.*

*The footpath should be two meters wide and 120 millimetres thick with mesh and joints with dowl bars.*

*As there is a lot of water flow down this slope, causing erosion, and a superior footpath construction will be required to stop it being undermined, and breaking up and moving. The area under the footpath should be built up and compacted and profiled, to cause the water to run off to the gutter in Medlyn Street from the concrete footpath.*

*The funding for this footpath could come out of the funding mentioned at recent council meetings that has been set aside for footpaths. There are footpaths being replaced right now that have a much lower need to be replaced, then in comparison to this need for a new footpath.*

*I requested in writing months ago, via the General Manager, that Council look at this very same requirement for this footpath, and not received any reply. Therefore, I request the Governing Body of the Council, at the September Council meeting, approve and direct such work to be carried out as a matter of urgency."*

**Note:** In his correspondence to the General Manager, Cr Wilson included further background information, which contained personal and health information of members of the public. Publication of such information by Council in this Business Paper may constitute a breach of the *Privacy and Personal Information Protection Act 1998* and *Health Records and Information Privacy Act 2002*, and as such, has not been included.

## Comments from General Manager or Director

In 2016, Parkes Shire Council formally adopted its Pedestrian and Cycling Strategy which was developed to identify a range of infrastructure improvements and social initiatives, whilst aimed at enhancing pedestrian and cycling opportunities. The strategy proposed targeted improvements that were assessed against evaluated criteria to have the most benefits and user support. The Pedestrian and Cycling Strategy represents the findings of Councils extensive review of latest trends and initiatives for all users including pedestrians and cyclists, as well as findings from community engagement, audits and local conditions.

The aim and objectives of the strategy aims to make pedestrian and cycling activities a safe, healthy and attractive travel option. The specific objectives are more detailed in the document.

The strategy also covered the townships of Peak Hill, Trundle and Tullamore where existing pedestrian facilities existed.

The needs of pedestrians and cyclists are not all the same, the different needs must be considered when planning active movement across the Shire, which included mobility and access facilities for disabled and older users within the community. Key generators were considered during the development of the strategy and these generators have been divided into the following four groups:

1. Primary Activity Area - This included the CBD, and business districts of towns, public amenities etc
2. Secondary Activity Area - This included schools, shops, sporting precincts, hospitals, clubs churches etc
3. Primary Routes - This included key routes from residential areas to connect with primary or secondary areas, to form a base collector network
4. Hazard Areas = This included analysis of crash data, consultation, incident reports or pedestrian and cycling known constraint areas

Following the consultation process, the facilities and treatments identified to create a cohesive, safe, direct, attractive network formed the basis of the proposed infrastructure improvements. These improvements were then reviewed through a multi criteria analysis approach to identify priorities and scoring of individual projects resulting in a ranking of projects. The ranking of these projects has then formed the basis of Councils ongoing infrastructure upgrade program, supporting grant applications and where other funding options are derived.

Whilst Council has been progressively completing these priority projects, there has been approximately 25% of these projects delivered (Parkes only in this list as township projects have been delivered also separately)

Council continues to review the priority list and is scheduling the current financial years priorities to be included in this year's program. The project listed in the notice of motion is not included in the adopted plan and therefore has not been deemed a project of high importance during the previous consultation and preparation of the strategy. The strategy is currently under review and if funded new rounds of consultation will be developed to identify any new key areas for infrastructure upgrades.

**Motion**

That Council:

1. Approve a section of new concrete footpath in Medlyn Street, on the northern side opposite the Middleton School, starting on the flat area, at least two metres west of the boundary on 18 Medlyn Street and continuing east to join with the current footpath that terminates approximately 44 metres along, which shall be two metres wide and 120 millimetres thick with mesh and joints with dowl bars.
2. Require the footpath construction works be completed within three weeks of the Council meeting at which the works are approved.

Moved Councillor GS Wilson, seconded Councillor DR Weber.

**CARRIED**

After discussion, the Motion was put to a vote and was lost.:

**Vote FOR** - Cr GS Wilson, Cr DR Weber and Cr KM McGrath

**Vote AGAINST** - Cr KJ Keith, Cr NC Westcott, Cr JP Cass, Cr ME Applebee, Cr WP Jayet, Cr LA O'Leary and Cr GW Pratt

**17 CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS**

The Mayor asked the Meeting whether it agreed that the items listed by the Acting General Manager appeared to be items which should be discussed in closed session for the reasons given. The Acting General Manager advised that there were no written representations from the public on the proposed closure of the Council Meeting.

**22 - 328 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 JP Cass, seconded Councillor GW Pratt.

**CARRIED**

**17. CONFIDENTIAL MATTERS****17.1. (DO) Design and Construction of Stephen Davies Field - Contract #PSC2022/059**

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**Executive Summary**

Council has invited tenders for the Design and Construction of Stephen Davies Hockey Field – Contract 2022059.

Submissions closed on Friday 19 August 2022.

**Recommendation**

1. That Council award the Design and Construction of Stephen Davies Hockey Field – Contract 2022059. to Polytan Asia PTY LTD subject to satisfactory negotiations to enable delivery of the project within budget constraints.
2. That Council obtains all funding approvals and evidence of Parkes Hockey contribution prior to the signing of the Instrument of Agreement.

**22 - 329 Resolution**

That the recommendation be adopted.

Moved Councillor LA O'Leary, seconded Councillor KM McGrath.

**CARRIED**

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**17.2. (Mayor) General Manager Performance Review - 30 June 2022**

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**Executive Summary**

The Senior Staff Committee has now finalised the General Manager's annual performance review. This report recommends that Parkes Shire Council ("Council") formally receive the General Manager's Performance Review, and note the result of that process, as detailed in this report.

**Recommendation**

That Council:

1. Receive the General Manager's Performance Review, appended at *Attachment 1*, and note the overall score of 3.
2. Congratulate the General Manager on the result of his Performance Review.

**22 - 330 Resolution**

1. That Council notes the overall score of 3.55 and congratulates the General Manager on his performance review.
2. That the overall score be changed to 4 given the General Manager's performance.

Moved Councillor KM McGrath, seconded Councillor NC Westcott.

**CARRIED**

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### **17.3. Committee Minutes - Economic Development Committee Meeting 20 September 2022**

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#### **Executive Summary**

Minutes of the Economic Development Committee meeting held on Tuesday 20 September 2022 are attached for Council's consideration.

#### **Recommendation**

That Council:

1. Receives and notes the minutes of the Economic Development Committee dated 20 September 2022.
2. Adopts the recommendation of the Economic Development Committee in relation to the subject land.
3. Authorises the Mayor and General Manager to negotiate the sale arrangements, generally in accordance with the expression of interest offer and the recommendations of the Economic Development Committee.
4. The seal of council be applied as required to give effect to this resolution including the sale of land.

#### **22 - 331 Resolution**

That the recommendation be adopted.

Moved Councillor JP Cass, seconded Councillor NC Westcott.

**CARRIED**



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## **17.4 (DO) PSC2022/088 - Construction of Trundle Skate Park and Parkes Pump Track**

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### **Executive Summary**

Council has invited tenders for the Construction of Trundle Skate Park and Parkes Pump Track - PSC2022/088.

### **Recommendation**

1. That the tender for PSC2022/088 - Construction of Trundle Skate Park and Parkes Pump Track be awarded to Haley Constructions PTY LTD for \$680,600.50 (ex G.S.T) pending satisfactory reference checks and associated supply of responses to tender clarifications

### **22 - 332 Resolution**

That the recommendation be adopted.

Moved Councillor JP Cass, seconded Councillor KM McGrath

**CARRIED**

## **18. REPORT OF CONFIDENTIAL MATTERS**

The Mayor re-opened the meeting at 5.17pm and read out the resolutions of the Confidential session.

## **19. CONCLUSION OF MEETING**

The Mayor closed the meeting at 5.21pm