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# ORANGE CITY COUNCIL

## MINUTES OF THE ORDINARY COUNCIL MEETING

HELD via ONLINE VIDEO CONFERENCING ZOOM

ON 21 APRIL 2020

COMMENCING AT 7.00PM

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### 1 INTRODUCTION

#### ATTENDANCE

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Cr R Kidd (Mayor), Cr S Romano (Deputy Mayor), Cr K Duffy, Cr J Hamling, Cr J McRae, Cr T Mileto, Cr S Munro (until 7.19pm), Cr S Nugent, Cr M Previtiera, Cr G Taylor, Cr R Turner, Cr J Whitton

Chief Executive Officer, Acting Director Corporate and Commercial Services, Director Development Services, Director Community, Recreation and Cultural Services, Director Technical Services, Governance Coordinator, Administration Officer – Governance, Executive Support Manager, Manager Financial Services

#### 1.1 APOLOGIES

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**RESOLVED - 20/113****Cr K Duffy/Cr J Hamling**

That the apology be accepted from 7.19pm onwards for Cr Munro for the Council Meeting of Orange City Council on 21 April 2020.

#### 1.2 LIVESTREAMING AND RECORDING

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The Mayor advised that the meeting was being livestreamed and recorded.

#### 1.3 OPENING PRAYER

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Brant Waterson of the Lutheran Church led the Council in Prayer.

#### 1.4 ACKNOWLEDGEMENT OF COUNTRY

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The Mayor conducted the Acknowledgement of Country.

#### 1.5 DECLARATION OF PECUNIARY INTERESTS, SIGNIFICANT NON-PECUNIARY INTERESTS AND LESS THAN SIGNIFICANT NON-PECUNIARY INTERESTS

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Cr M Previtiera declared a Significant Pecuniary interest in item 5.7 (Development Application DA 18/2020(1) – 1185 Pinnacle Road) as it involves a property he owns.

Cr S Romano declared a Pecuniary Interest in item 5.7 (Development Application DA 18/2020(1) – 1185 Pinnacle Road) as he quoted on work associated with the development.

## 2 MAYORAL MINUTES

Nil

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE OPEN FORUM AT 7.04PM

### OPEN FORUM

**Mr Len Banks (Orange Rotary Club)**

Mr Banks spoke on the 2021 Banjo Paterson Australian Poetry Festival.

THE MAYOR DECLARED THE COUNCIL RESUMED AT 7.10PM

## 3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

**RESOLVED - 20/114**

**Cr S Nugent/Cr S Munro**

That the Minutes of the Ordinary Meeting of Orange City Council held on 7 April 2020 (copies of which were circulated to all members) be and are hereby confirmed as a true and accurate record of the proceedings of the Council meeting held on 7 April 2020 with an amendment to the wording of a Matter Arising on page 4 of the minutes to read "*Cr Nugent requested an update on the impact of COVID-19 on Council staffing, in particular Council's casual workforce, in the light of the rapidly changing situation with jobseeker, jobkeeper and other assistance packages...*"

## 4 NOTICES OF MOTION/NOTICES OF RESCISSION

Nil

## 5 GENERAL REPORTS

### 5.1 STATEMENT OF INVESTMENTS - MARCH 2020

TRIM REFERENCE: 2020/429

**RESOLVED - 20/115**

**Cr J Hamling/Cr S Munro**

That Council resolves:

- 1 To note the Statement of Investments as at 31 March 2020.
- 2 To adopt the certification of the Responsible Accounting Officer.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Mileto, Cr Munro, Cr Nugent, Cr Previtiera, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Nil

**5.2 CODE OF CONDUCT COMPLAINT REPORTING**

TRIM REFERENCE: 2019/2771

**RESOLVED - 20/116****Cr S Nugent/Cr K Duffy**

That the report on Code of Conduct Complaint Reporting be acknowledged.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Mileto, Cr Munro, Cr Nugent, Cr Previtiera, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Nil

**5.3 STRATEGIC POLICY REVIEW**

TRIM REFERENCE: 2020/441

**RESOLVED - 20/117****Cr S Munro/Cr S Nugent**

That Council resolves to adopt the following policies:

- ST100 – Vandalism Reporting Reward Scheme
- ST029 – Donations and Grants
- ST144 – Event Sponsorship Program
- ST088 – Fraud and Corruption Prevention

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Mileto, Cr Munro, Cr Nugent, Cr Previtiera, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Nil

**MATTER ARISING**

Cr Mileto requested information be circulated to Councillors on the uptake of the Vandalism Reporting Reward Scheme.

#### 5.4 BANJO PATERSON MEMORIAL PARK - HERITAGE LANDSCAPE PLAN, REPORT FOLLOWING PUBLIC EXHIBITION PERIOD

TRIM REFERENCE: 2020/562

##### RESOLVED - 20/118

Cr S Munro/Cr S Nugent

That Council resolves:

- 1 That the report on Banjo Paterson Memorial Park – Heritage Landscape Plan – Report Following Public Exhibition be acknowledged.
- 2 To endorse The Banjo Paterson Memorial Park – Heritage Landscape Plan.
- 3 That cost estimates be sought for Stage 2 components of the Heritage Landscape Plan and that funding be sought to complete the project.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Mileto, Cr Munro, Cr Nugent, Cr Previtiera, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Nil

#### 5.5 DEVELOPMENT APPLICATION DA 259/2019(1) - 448 THE ESCORT WAY

TRIM REFERENCE: 2020/605

*\*\* Cr Munro left the meeting during discussion of this item with the time being 7.19pm due to a power failure. \*\**

##### RESOLVED - 20/119

Cr R Turner/Cr K Duffy

That Council consents to development application DA 259/2019(1) for Subdivision (37 lot residential and one (1) drainage reserve) at Lot 3 DP 1036031 - 448 The Escort Way, Orange pursuant to the conditions of consent in the attached Notice of Approval.

##### Division of Voting

<b>Voted For</b>	Cr R Kidd (Mayor), Cr S Romano (Deputy Mayor), Cr K Duffy, Cr J Hamling, Cr J McRae, Cr T Mileto, Cr S Nugent, Cr M Previtiera, Cr G Taylor, Cr R Turner, Cr J Whitton
<b>Voted Against</b>	Nil
<b>Absent</b>	Cr S Munro

**5.6 DEVELOPMENT APPLICATION DA 108/2020(1) - 270 MCLACHLAN STREET**

TRIM REFERENCE: 2020/611

**RESOLVED - 20/120****Cr R Turner/Cr S Nugent**

That Council consents to development application DA 108/2020 (1) for Depot (storage shed) at 270 McLachlan Street, Orange pursuant to the conditions of consent in the attached Notice of Approval.

**Division of Voting**

<b>Voted For</b>	Cr R Kidd (Mayor), Cr S Romano (Deputy Mayor), Cr K Duffy, Cr J Hamling, Cr J McRae, Cr T Mileto, Cr S Nugent, Cr M Previtiera, Cr G Taylor, Cr R Turner, Cr J Whitton
<b>Voted Against</b>	Nil
<b>Absent</b>	Cr S Munro

**5.7 DEVELOPMENT APPLICATION DA 18/2020(1) - 1185 PINNACLE ROAD**

TRIM REFERENCE: 2020/613

*Cr M Previtiera declared a pecuniary interest in this item, as it involves a property he owns, was put into the online meeting waiting room and took no part in the debate or voting on this item.*

*Cr Romano declared a pecuniary conflict of interest in this item, as he quoted on work associated with the development, was put into the online meeting waiting room and took no part in the debate or voting on this item.*

**RESOLVED - 20/121****Cr R Turner/Cr T Mileto**

That Council consents to development application DA 18/2020(1) for Demolition (existing packing shed) and Agricultural Produce Industry (new packing shed) at Lot 1 DP 543928 - 1185 Pinnacle Road, Orange pursuant to the conditions of consent in the attached Notice of Approval.

**Division of Voting**

<b>Voted For</b>	Cr R Kidd (Mayor), Cr K Duffy, Cr J Hamling, Cr J McRae, Cr T Mileto, Cr S Nugent, Cr G Taylor, Cr R Turner, Cr J Whitton
<b>Voted Against</b>	Nil
<b>Absent</b>	Cr M Previtiera, Cr S Romano (Deputy Mayor), Cr S Munro

**\*\* Crs Previtiera and Romano re-joined the online meeting. \*\***

### 5.8 DRAFT DELIVERY PROGRAM 2018/2019 TO 2020/2021 AND OPERATIONAL PLAN 2020/2021 (YEAR 3 OF THE CURRENT DELIVERY PROGRAM)

TRIM REFERENCE: 2020/646

#### MOTION

Cr J McRae/Cr S Nugent

That Council resolves:

- 1 To place the draft Operational Plan 2020/2021 and draft Budget 2020/2021 (including draft Statement of Revenue Policy 2020/2021 and draft Fees and Charges 2020/2021) and updated draft resourcing strategies Long Term Financial Plan 2020/2021 to 2029/2030 and Workforce Management Plan 2020/2021 to 2023/2024 on public exhibition for a minimum of 28 days.

#### AMENDMENT

Cr K Duffy/Cr S Romano

That Council resolves to defer consideration of the matter to the next Council Meeting to give Councillors a further opportunity to raise questions with staff and consider further.

For: Cr Hamling, Cr Duffy, Cr Kidd, Whitton, Cr Taylor, Cr Romano, Cr Previterra

Against: Cr McRae, Cr Nugent, Cr Turner, Cr Mileto

Absent: Cr Munro

**THE AMENDMENT ON BEING PUT TO THE MEETING WAS CARRIED AND BECAME THE MOTION**

**THE MOTION ON BEING PUT TO THE MEETING WAS CARRIED**

#### RESOLVED - 20/122

Cr K Duffy/Cr S Romano

That Council resolves to defer consideration of the matter to the next Council Meeting to give Councillors a further opportunity to raise questions with staff and consider further.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr Taylor, Cr Romano, Cr Whitton, Cr Previterra

Against: Crs Turner, Cr Nugent, Cr McRae and Cr Mileto

Absent: Cr Munro

#### MATTER ARISING

Cr McRae tendered her resignation as Chairperson of the Finance Policy Committee.

## 6 CLOSED MEETING

In accordance with the Local Government Act 1993, and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

In response to a question from the Mayor, the Chief Executive Officer advised that no written submissions had been received relating to any item listed for consideration by the Closed Meeting of Council.

**RESOLVED - 20/123****Cr R Turner/Cr K Duffy**

That Council adjourn into a Closed Meeting and members of the press and public be excluded from the Closed Meeting, and access to the correspondence and reports relating to the items considered during the course of the Closed Meeting be withheld unless declassified by separate resolution. This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the following provisions:

**6.1 Adjustment of Waste Disposal Charges Due to Quoting Discrepancy**

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (d)i commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**6.2 2019 Third and Fourth and 2020 First Quarter Water Consumption Charges - 131A March Street, Orange**

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (b) the personal hardship of any resident or ratepayer.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Mileto, Cr Nugent, Cr Previtiera, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Munro

The Mayor declared the Ordinary Meeting of Council adjourned for the conduct of the Closed Meeting at 7.54pm.

The Mayor declared the Ordinary Meeting of Council resumed at 8.04pm

**7 RESOLUTIONS FROM CLOSED MEETING**

The Chief Executive Officer read out the following resolutions made in the Closed Meeting of Council.

**6.1 ADJUSTMENT OF WASTE DISPOSAL CHARGES DUE TO QUOTING DISCREPANCY**

TRIM REFERENCE: 2020/254

**RESOLVED - 20/124****Cr R Turner/Cr K Duffy**

That Council adopt the adjustment of Debtors Account No 6196.90, Invoice 63553 for waste depot charges from \$334.00/tonne to \$154.75/tonne due to a quoting discrepancy. The total adjustment is \$12,766.19.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Mileto, Cr Nugent, Cr Previtiera, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Munro

**6.2 2019 THIRD AND FOURTH AND 2020 FIRST QUARTER WATER CONSUMPTION CHARGES - 131A MARCH STREET, ORANGE**

TRIM REFERENCE: 2020/610

**RESOLVED - 20/125****Cr R Turner/Cr S Nugent**

That Council resolves to:

- 1 Reduce the total water consumption of \$1,199.21 over the three billing periods by 40 per cent for ratepayers not eligible for a pension rebate and a credit of \$479.68 be applied to each of nine assessments, a total of \$4,317.12.
- 2 Reduce the total water consumption of \$1,199.21 over the three billing periods pro-rata to previous consumption for ratepayers eligible for a pension rebate and a credit of \$938.93 be applied to each of the remaining five assessments, a total of \$4,694.65.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Mileto, Cr Nugent, Cr Previterra, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Munro

**THE MEETING CLOSED AT 8.08PM**

This is Page Number 8 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 21 April 2020.