
ORANGE CITY COUNCIL

MINUTES OF THE

ORDINARY COUNCIL MEETING

HELD IN VIA ONLINE VIDEO CONFERENCING PLATFORM ZOOM

ON 16 JUNE 2020

COMMENCING AT 7.00PM

1 INTRODUCTION

ATTENDANCE

Cr R Kidd (Mayor), Cr S Romano (Deputy Mayor), Cr K Duffy, Cr J Hamling, Cr J McRae, Cr T Mileto, Cr S Munro, 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, Manager Financial Services, Governance Coordinator, Administration Assistant Governance

1.1 APOLOGIES

Nil

1.2 LIVESTREAMING AND RECORDING

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

1.3 OPENING PRAYER

ROB MCKEAN OF THE ORANGE PRESBYTERIAN CHURCH LED THE COUNCIL IN PRAYER

1.4 ACKNOWLEDGEMENT OF COUNTRY

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

Cr R Turner declared a less than significant non-pecuniary interest in item 6.4 – Initiatives to Support CBD Businesses, as he owns property in the CBD.

Cr T Mileto declared a less than significant non-pecuniary interest in item 6.4 – Initiatives to Support CBD Businesses, as he owns property with family members in the CBD.

Cr J McRae declared a less than significant non-pecuniary interest in item 4.2 – Notice of Motion – Rowing on Spring Creek Reservoir – Orange Community Rowing Club as family work at Kinross Wolaroi School.

2 MAYORAL MINUTES

Nil

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE OPEN FORUM AT 7.05PM

OPEN FORUM

Mr Neil Jones (Item 4.1 – Rescission Motion – Removal of No-Fishing Sign, Ploughmans Creek Wetlands)

Mr Jones spoke in favour of the Rescission Motion.

Mr John Da Rin (Item 4.1 – Rescission Motion – Removal of No-Fishing Sign, Ploughmans Creek Wetlands and Item 4.3 – Notice of Motion – Orange Showground Toilet and Canteen Facilities Meeting)

A statement was read out by Mr Da Rin in favour of the Rescission Motion and regarding the Showground.

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 7.15PM

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED - 20/171

Cr S Munro/Cr K Duffy

That the Minutes of the Ordinary Meeting of Orange City Council held on 2 June 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 2 June 2020.

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

Against: Nil

Absent: Nil

4 NOTICES OF MOTION/NOTICES OF RESCISSION**4.1 RESCISSION MOTION - REMOVAL OF NO-FISHING SIGN, PLOUGHMANS CREEK WETLANDS**

TRIM REFERENCE: 2020/907

RESCISSION MOTION**Cr S Nugent/Cr J McRae**

That Council rescind the following resolution of the Council Meeting of 2 June 2020:

4.1 Notice of Motion - Removal of No Fishing Sign, Ploughmans Creek Wetlands

TRIM Reference: 2020/850

RESOLVED - 20/154**Cr M Previtera/Cr S Romano**

That Council remove the recently installed No Fishing Sign at Ploughmans Creek Wetlands and once again allow fishing at the wetlands.

THE RESCISSION MOTION ON BEING PUT TO THE MEETING WAS LOST

For: Cr McRae, Cr Mileto, Cr Nugent

Against: Cr Kidd, Cr Duffy, Cr Hamling, Cr Munro, Cr Previtera, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Absent: Nil

MATTER ARISING

Cr Nugent request a report be presented on how Council best implement access to the wetlands while protecting the ecological value and water quality issues at the wetland.

4.2 NOTICE OF MOTION - ROWING ON SPRING CREEK RESERVOIR - ORANGE COMMUNITY ROWING CLUB

TRIM REFERENCE: 2020/879

*Cr J McRae declared a less than significant non-pecuniary interest in item 4.2 – Notice of Motion – Rowing on Spring Creek Reservoir – Orange Community Rowing Club as family work at Kinross Wolaroi School, remained in the meeting and took part on the discussion and voting on this matter.***RESOLVED - 20/172****Cr R Kidd/Cr R Turner**

That Orange City Council review and report on the feasibility of allowing organised, and supervised rowing on Spring Creek Reservoir to be called “Orange Community Rowing Club” and that Mr Joe Donnelly be invited to be the person to be in discussion with Kinross Wolaroi School in conjunction with Council.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr Mileto, Cr Munro, Cr Previtera, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Cr Nugent, Cr McRae

Absent: Nil

MATTER ARISING

Cr Nugent requested that water bird monitoring data from Spring Creek Reservoir be included in report.

4.3 NOTICE OF MOTION - ORANGE SHOWGROUND TOILET AND CANTEEN FACILITIES MEETING

TRIM REFERENCE: 2020/877

RESOLVED - 20/173**Cr R Turner/Cr S Munro**

That the report on Orange Showground Toilet and Canteen Facilities meeting be noted.

FOR: CR KIDD, CR DUFFY, CR HAMLING, CR MCRAE, CR MILETO, CR MUNRO, CR NUGENT, CR PREVITERA, CR ROMANO, CR TAYLOR, CR TURNER, CR WHITTON

AGAINST: NIL

ABSENT: NIL

5 GENERAL REPORTS**5.1 RECOMMENDATIONS AND RESOLUTIONS FROM POLICY COMMITTEES**

TRIM REFERENCE: 2020/908

RESOLVED - 20/174**Cr J Hamling/Cr S Nugent**

- 1 That the resolutions made by the Planning and Development Committee at its meeting held on 2 June 2020 be noted.
- 2 That the resolutions made by the Infrastructure Policy Committee at its meeting held on 2 June 2020 be noted.
- 3 That the resolutions made by the Environmental Sustainability Policy Committee at its meeting held on 2 June 2020 be noted.
- 4 That the resolutions made by the Finance Policy Committee at its meeting held on 2 June 2020 be noted.

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

Against: Nil

Absent: Nil

MATTERS ARISING

Cr Duffy asked when could the Policy Review Committee meet. The CEO advised that a response would be forthcoming.

Cr Duffy asked when a section of Icely Road would be repaired. The Director of Technical Services advised it would be considered under the repair budget but was not in the plans for a renewal.

Cr Hamling asked where the Mountain Bike Park proposal was up to. The Mayor advised that the matter had been raised at a recent meeting with the Minister for Energy and Environment, Matthew Kean MP, and there would be a follow up meeting with representatives of the National Parks and Wildlife Service to put Orange's case.

5.2 STATEMENT OF INVESTMENTS - MAY 2020

TRIM REFERENCE: 2020/898

RESOLVED - 20/175

Cr K Duffy/Cr S Munro

That Council resolves:

- 1 To note the Statement of Investments as at 31 May 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 Previtera, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Nil

5.3 EMPLOYMENT OF APPRENTICES, TRAINEES AND CADETS AT COUNCIL

TRIM REFERENCE: 2020/852

RESOLVED - 20/176

Cr S Nugent/Cr S Munro

That Council resolves to acknowledge the report by Manager Human Resources on the Employment number of Apprentices, Trainees and Cadets at Council.

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

Against: Nil

Absent: Nil

5.4 SYNTHETIC TURF WITHIN ROAD VERGES

TRIM REFERENCE: 2020/855

RESOLVED - 20/177

Cr R Turner/Cr K Duffy

That Council resolves to:

- 1 Not allow the installation of synthetic turf on road reserves.
- 2 Require hydro seeding of the road verge in front of new dwellings if turf watering is unable to be maintained under current water restrictions.

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

Against: Cr Mileto

Absent: Nil

5.5 ORANGE REGIONAL GALLERY EXTENSION

TRIM REFERENCE: 2020/933

RESOLVED - 20/178

Cr S Nugent/Cr J Hamling

That Council adopt the Fundraising Strategy as detailed in this report.

FOR: CR KIDD, CR DUFFY, CR HAMLING, CR MCRAE, CR MILETO, CR MUNRO, CR NUGENT, CR PREVITERA, CR ROMANO, CR TAYLOR, CR TURNER, CR WHITTON

AGAINST: NIL

ABSENT: NIL

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 - 20/179**Cr G Taylor/Cr J Hamling**

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 Acquisition of Easement - Spring Creek/Icely Road Pipeline - Lot 111 DP 736116

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 (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.2 Acquisition of Easement - Stage 4 Southern Feeder Road - Lot 44 DP788920

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 (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.3 Visy Recycling and JR Richards & Sons Proposed Recyclables Supply Agreement

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 (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.4 Initiatives to Support CBD Businesses

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 (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

The Mayor declared the Ordinary Meeting of Council adjourned for the conduct of the Closed Meeting at 8.16pm.

The Mayor declared the Ordinary Meeting of Council resumed at 8.40pm.

7 RESOLUTIONS FROM CLOSED MEETING

Council.

6.1 ACQUISITION OF EASEMENT - SPRING CREEK/ICELY ROAD PIPELINE - LOT 111 DP 736116

TRIM REFERENCE: 2020/834

RESOLVED - 20/180

Cr S Munro/Cr K Duffy

- 1 That Council acquire as easement approximately 0.1176 ha over Lot 111 DP 736116 under the voluntary provisions of the Land Acquisitions (Just Terms Compensation) Act 1991.
- 2 That the Chief Executive Officer be authorised to finalise the acquisition.
- 3 That permission be granted for the use of the Council Seal on any document if required.

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

6.2 ACQUISITION OF EASEMENT - STAGE 4 SOUTHERN FEEDER ROAD - LOT 44 DP788920

TRIM REFERENCE: 2020/837

RESOLVED - 20/181

Cr J Hamling/Cr K Duffy

- 1 That Council acquire an easement approximately 605 m² over Lot 44 DP 788920 under the voluntary provisions of the Land Acquisitions (Just Terms Compensation) Act 1991.
- 2 That the Chief Executive Officer be authorised to finalise the acquisition.
- 3 That permission be granted for the use of the Council Seal on any document if required.

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

6.3 VISY RECYCLING AND JR RICHARDS & SONS PROPOSED RECYCLABLES SUPPLY AGREEMENT

TRIM REFERENCE: 2020/914

RESOLVED - 20/182**Cr J McRae/Cr S Nugent**

That Council resolves to:

- 1 Delegates to the CEO and Mayor to approve by application of the Council Seal to vary the existing domestic waste and recycling contract between Orange City Council and JR & EG Richards Pty Ltd to pay for increased recycling processing costs by Visy Recycling up to \$45.00 (plus GST) per tonne indexed by the CPI for a two year contract term commencing 1 July 2020 to 30 June 2022; and
- 2 That Council relinquishes the existing Refund Sharing Agreement with Visy Recycling under the NSW Container Deposit Scheme and formally advises the Environment Protection Authority of the termination date, being 30 June 2020.

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 Turner requested that congratulations be passed on to Wayne Davis, Manager Waste Services and Technical Support, regarding the Resource Recovery Centre and how tidy it is looking.

6.4 INITIATIVES TO SUPPORT CBD BUSINESSES

TRIM REFERENCE: 2020/932

Cr R Turner declared a less than significant non-pecuniary interest in item 6.4 – Initiatives to Support CBD Businesses, as he owns premises in the CBD, was taken out of the room, and took no part in the debate or voting on this item, and did not return to the meeting with the time being 8.34pm.

Cr T Mileto declared a less than significant non-pecuniary interest in item 6.4 – Initiatives to Support CBD Businesses, as he in ownership of property with family members in the CBD, was taken out of the room, and took no part in the debate or voting on this item.

RESOLVED - 20/183**Cr S Nugent/Cr S Munro**

That Council resolves:

- 1 That the report by the Acting Chief Executive Officer be acknowledged.
- 2 That a business support program be developed as part of the OC Future City Project.

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

Against: Nil

Absent: Cr Mileto, Cr Turner

MATTERS ARISING

Cr Kidd requested a report on the back number of empty shops in the CBD. As well as a report back the CEO advised that retail consultant Peter Leyshon would come to Orange to give session to Councillors on retail trends.

Cr Duffy requested a cost estimate of a CBD mall in Anson Street from Summer Street to Kite Street.

THE MEETING CLOSED AT 8.43PM

This is Page Number 10 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 16 June 2020.