



ORDINARY COUNCIL MEETING

AGENDA

1 FEBRUARY 2022

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993 that an **ORDINARY MEETING of ORANGE CITY COUNCIL** will be held in the **COUNCIL CHAMBER, CIVIC CENTRE, BYNG STREET, ORANGE** on **Tuesday, 1 February 2022** commencing at **7.00PM**.

David Waddell

CHIEF EXECUTIVE OFFICER

For apologies please contact Administration on 6393 8106.

AGENDA

EVACUATION PROCEDURE

In the event of an emergency, the building may be evacuated. You will be required to vacate the building by the rear entrance and gather at the breezeway between the Library and Art Gallery buildings. This is Council's designated emergency muster point.

Under no circumstances is anyone permitted to re-enter the building until the all clear has been given and the area deemed safe by authorised personnel.

In the event of an evacuation, a member of Council staff will assist any member of the public with a disability to vacate the building.

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1 INTRODUCTION

1.1 APOLOGIES AND LEAVE OF ABSENCE

1.2 LIVESTREAMING AND RECORDING

This Council Meeting is being livestreamed and recorded. By speaking at the Council Meeting you agree to being livestreamed and recorded. Please ensure that if and when you speak at this Council Meeting that you ensure you are respectful to others and use appropriate language at all times. Orange City Council accepts no liability for any defamatory or offensive remarks or gestures made during the course of this Council Meeting. A recording will be made for administrative purposes and will be available to Councillors.

1.3 OPENING PRAYER

1.4 ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the Traditional Custodians of the land on which we meet today, the people of the Wiradjuri Nation. I pay my respects to Elders past and present, and extend those respects to Aboriginal Peoples of Orange and surrounds, and Aboriginal people here with us today.

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

The provisions of Chapter 14 of the Local Government Act, 1993 (the Act) regulate the way in which Councillors and designated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public role.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons given for declaring such interest.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussion or voting on that matter, and requires that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code of Conduct also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

RECOMMENDATION

It is recommended that Councillors now disclose any conflicts of interest in matters under consideration by the Council at this meeting.

2 MAYORAL MINUTES

Nil

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Orange City Council held on 16 November 2021 (copies of which were circulated to all members) be and are hereby confirmed as a true and accurate records of the proceedings of the Council meeting held on 16 November 2021.

ATTACHMENTS

- 1 Minutes of the Ordinary Meeting of Orange City Council held on 16 November 2021

ORANGE CITY COUNCIL

MINUTES OF THE

ORDINARY COUNCIL MEETING

HELD IN COUNCIL CHAMBER, CIVIC CENTRE, BYNG STREET, ORANGE

ON 16 NOVEMBER 2021

COMMENCING AT 5.30PM

1 INTRODUCTION

ATTENDANCE

Cr R Kidd (Mayor), Cr K Duffy, Cr J Hamling, Cr T Mileto, Cr S Munro, Cr S Nugent, Cr S Romano Cr R Turner, Cr J Whitton

Chief Executive Officer, Director Corporate and Commercial Services, Director Development Services, Director Community, Recreation and Cultural Services, Director Technical Services, A/Manager Corporate Governance, Gallery and Museum Director, Manager Engineering Services, Aquatic Centre Manager, Museum Manager, Manager Central West Libraries, Water & Sewer Strategic Manager, Manager Building Services, Community Services Manager, Water Treatment Manager, Manager Waste Services and Technical Support, Manager Information Technology, Manager Depot, Airport and Emergency Services, Works Manager, A/Manager Human Resources, Performing Arts and Venues Manager, Manager Building and Environment, Natural Resources Coordinator, Operations Manager, Chief Financial Officer, A/Executive Support Manager, Executive Support Administration Officer

1.1 APOLOGIES

RESOLVED - 21/444

Cr K Duffy/Cr S Romano

That the apologies be accepted from Cr G Taylor for the Council Meeting of Orange City Council on 16 November 2021.

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

Against: Nil

Absent: Cr Taylor

1.2 LIVESTREAMING AND RECORDING

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

1.3 OPENING PRAYER

BERNADETTE COLLINS OF THE SHALOM HOUSE OF PRAYER LED THE COUNCIL IN PRAYER

The Mayor paid tribute to the late Dennis Gregory and observed a minute's silence.

The Mayor acknowledged the recent efforts of local resident Andrew Romano (Cr Romano's son) chosen in the Western Force football team.

1.4 ACKNOWLEDGEMENT OF COUNTRY

The Mayor conducted an Acknowledgement of Country.

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

Nil

THERE WAS NO OPEN FORUM

RESOLVED - 21/445

Cr J Hamling/Cr S Romano

That the following late items be accepted:

- 2.1 Referendum on Number of Orange City Councillors
- 2.2 Waiving of Function Centre Fees – Funeral
- 5.10 Joint Regional Planning Panel – Orange Region Representative Extension

2 MAYORAL MINUTES

2.1 REFERENDUM ON NUMBER OF ORANGE CITY COUNCILLORS

TRIM REFERENCE: 2021/2701

RESOLVED - 21/446

Cr R Kidd/Cr T Mileto

That the information contained in this Mayoral Minute be acknowledged. That the matter of referendum on number of Orange City Councillors be put to the new council for consideration.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr Nugent, Cr Munro, Cr Mileto, Cr Romano, Cr Turner, Cr Whitton
Against: Nil
Absent: Cr Taylor

2.2 WAIVING OF FUNCTION CENTRE FEES - FUNERAL

TRIM REFERENCE: 2021/2702

RESOLVED - 21/447

Cr T Mileto/Cr S Romano

That the information contained in this Mayoral Minute be acknowledged. That the function centre fees be waived for Dennis Gregory's funeral on Monday 22 November 2021.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr Nugent, Cr Munro, Cr Mileto, Cr Romano, Cr Turner, Cr Whitton
Against: Nil
Absent: Cr Taylor

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**RESOLVED - 21/448****Cr S Nugent/Cr T Mileto**

That the Minutes of the Ordinary Meeting of Orange City Council held on 2 November 2021 (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 November 2021.

MATTER ARISING**Cr T Mileto**

Cr Mileto made the following statement referring to the meeting of 02 November 2021:

Mr Mayor, in relation to the Small Donations Program request for financial assistance made by the Orange Community Radio Station at the last council meeting, I had considered that there was no direct conflict of interest in regards to one of the candidates on my Election Ticket being a volunteer committee member of the station.

I subsequently supported the application for funds to the radio station along with all of the other councillors. It has since been brought to my attention of a potential conflict of interest that had been suggested by another councillor. However, I stand by my original decision that there was no direct conflict of interest and in any event the candidate has subsequently resigned from the voluntary position, which was his intention to do so and not in any way related to the approval of the grant.

Councillors will recall that when the matter was brought forward for the consideration of approval, that it was I who spoke strongly for the matter to be held and considered in open Council and not in closed Council as had previously been proposed.

MATTER ARISING**Cr S Munro**

Cr Munro made the following statement referring to the meeting of 02 November 2021:

I'm sorry if there has been any confusion regarding a regarding last week's meeting in regards to Item 6.6 – Proposed Sale of 94 Woodward Street on 2 November 2021 I'd like to make it absolutely clear that I have not sold or purchased any property for this Council, I am not in negotiations with anyone regarding the sale of any council land in saying this I have no pecuniary interest in any Council property's.

I had previously asked some questions regarding the property.

I have written to the CEO David Waddell informing him while ever I am a councillor, I will not sell or purchase any property for this council.

I would like to put my position on the public record, I understand that transparency is very important as a council and this is important to me to let the people of Orange know that I'm here to serve them.

This statement is made to dispel any doubt in my commitment to my constraints.

I'd like this statement recorded in tonight's minutes please.

Cr Duffy asked if this Council could move a rescission motion on *Item 6.1 – Small Donations Program 2021/2022 – Reconsideration of Deferred Request for Financial Assistance from Round 2* from the 02 November 2021 meeting

The Chief Executive Officer responded by saying that as per the Code of Meeting Practice a rescission motion must be submitted to the CEO no later than 12pm on the proceeding day after the meeting at which the resolution was adopted. If a rescission motion was raised now it would be invalid.

Cr Whitton commented that his understanding was that if there was additional information put forward in regards to the rescission motion it may be allowed

The Chief Executive Officer responded by saying that there is a timeframe in which he must receive the rescission motion in writing prior to the meeting it was to be raised

Cr Duffy commented that he would like a legal decision to be made on this matter

The Chief Executive Officer asked the Director of Corporate and Commercial Services if the donation had been paid to date

The Director of Corporate and Commercial Services commented that it was in the process of being paid but had not been receipted

RESOLVED - 21/449**Cr K Duffy/Cr R Kidd**

That legal advice be sought in regard to the current Council bringing a rescission motion on *Item 6.1 – Small Donations Program 2021/2022 – Reconsideration of Deferred Request for Financial Assistance from Round 2* from the 02 November 2021 meeting and monies held until such time as this advice is received.

4 NOTICES OF MOTION/NOTICES OF RESCISSION

4.1 TERM IN REVIEW 2017-2021

TRIM REFERENCE: 2021/260

RESOLVED - 21/450**Cr R Kidd/Cr J Hamling**

That the information provided in the report by the General Manager on the Term in Review be acknowledged.

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

Against: Nil

Absent: Cr Taylor

The Chief Executive Officer advised the meeting that this document was produced as per Office of Local Government guidelines, and that a user friendly document that would be enhanced and circulated to all post-election.

MATTER ARISING**Cr R Kidd**

That the final copy of the Term in Review include a full picture of the current Council and senior staff.

5 GENERAL REPORTS

5.1 RECOMMENDATIONS AND RESOLUTIONS FROM POLICY COMMITTEES

TRIM REFERENCE: 2020/2580

RESOLVED - 21/451**Cr S Nugent/Cr R Turner**

- 1 That the resolutions made by the Planning and Development Committee at its meeting held on 2 November 2021 be noted.
- 2 That the resolutions made by the Employment and Economic Development Policy Committee at its meeting held on 2 November 2021 be noted.
- 3 That the resolutions made by the Infrastructure Policy Committee at its meeting held on 2 November 2021 be noted.
- 4 That the resolutions made by the Environmental Sustainability Policy Committee at its meeting held on 2 November 2021 be noted.
- 5 That the resolutions made by the Finance Policy Committee at its meeting held on 2 November 2021 be noted.
- 6 That the resolutions made by the Services Policy Committee at its meeting held on 2 November 2021 be noted.

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

Against: Nil

Absent: Cr Taylor

5.2 FUTURE CITY ASSISTANCE FUND - ROUND 2 (SEPTEMBER 2021) - POST EXHIBITION REPORT

TRIM REFERENCE: 2021/2291

RESOLVED - 21/452**Cr S Munro/Cr S Nugent**

That Council resolves funding for Round 2 (September 2021) Future City Assistance Fund as follows:

That Council resolves:

- 1 To provide financial assistance of \$1,805.00 (ex-GST) from the Future City Assistance Fund to the Greek Community of Orange and District (Refurbishment of Façade – 46 McNamara Street, Orange).
- 2 To provide financial assistance of \$5,000.00 (ex GST) from the Future City Assistance Fund to 2nd Orange Scout Club (Refurbishment of Façade – 94 Kite Street, Orange).

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

Against: Nil

Absent: Cr Taylor

5.3 ANNUAL WASTE DIVERSION AND EDUCATION STRATEGY IMPLEMENTATION-2020/2021

TRIM REFERENCE: 2021/2533

RESOLVED - 21/453**Cr S Nugent/Cr S Munro**

That the information provided in the report on Annual Waste Diversion and Education Strategy Implementation-2020/2021 be acknowledged.

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

Against: Nil

Absent: Cr Taylor

5.4 STRATEGIC POLICY REVIEW - ORANGE REGIONAL GALLERY COLLECTION POLICY

TRIM REFERENCE: 2021/2543

RESOLVED - 21/454**Cr S Munro/Cr K Duffy**

That Council resolves to:

- 1 Place the following policy on public exhibition for a period of 28 days:
 - ☐ ST032 – Orange Regional Gallery Collection Policy
- 2 Allow the Chief Executive Officer to approve under delegation if no submissions are received at the end of the exhibition period.

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

Against: Nil

Absent: Cr Taylor

5.5 STATEMENT OF INVESTMENTS - OCTOBER 2021

TRIM REFERENCE: 2021/2548

RESOLVED - 21/455**Cr K Duffy/Cr S Munro**

That Council resolves:

- 1 To note the Statement of Investments as at 31 October 2021.
- 2 To adopt the certification of the Responsible Accounting Officer.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr Nugent, Cr Munro, Cr Mileto, Cr Romano, Cr Turner,
Cr Whitton
Against: Nil
Absent: Cr Taylor

5.6 SMALL DONATIONS PROGRAM 2021/2022 - ROUND 3 REQUEST FOR FINANCIAL ASSISTANCE

TRIM REFERENCE: 2021/2588

RESOLVED - 21/456**Cr S Nugent/Cr K Duffy**

- 1 That a donation of \$1,000.00 be made from the Small Donations Program to Anglicare for Christmas Party 2021 for Children and Carers (Out-of-Home Care).

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr Nugent, Cr Munro, Cr Mileto, Cr Romano, Cr Turner,
Cr Whitton
Against: Nil
Absent: Cr Taylor

5.7 SERVICE NSW FOR BUSINESS

TRIM REFERENCE: 2021/2589

RESOLVED - 21/457**Cr J Whitton/Cr T Mileto**

- 1 That Council delegates authority to the Chief Executive Officer to enter into an agreement with Service NSW to conduct the Service NSW for Business program.
- 2 That Council grants permission for any necessary documents needed to be authorised for execution under the Common Seal of Council.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr Nugent, Cr Munro, Cr Mileto, Cr Romano, Cr Turner,
Cr Whitton
Against: Nil
Absent: Cr Taylor

5.8 EXTENSION OF THE TERM FOR THE AUSTRALIA DAY AWARDS COMMITTEE

TRIM REFERENCE: 2021/2592

RESOLVED - 21/458**Cr R Turner/Cr J Hamling**

That Council approve the ongoing operation of the Australia Day Awards Committee until the new Council formally meets in February 2022.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr Nugent, Cr Munro, Cr Mileto, Cr Romano, Cr Turner,
Cr Whitton
Against: Nil
Absent: Cr Taylor

5.9 COUNCIL SPORTING AMENITIES ASBESTOS REPORT

TRIM REFERENCE: 2021/2653

RESOLVED - 21/459**Cr S Munro/Cr T Mileto**

That the information contained in the report by Director Technical Services be acknowledged.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr Nugent, Cr Munro, Cr Mileto, Cr Romano, Cr Turner,
Cr Whitton
Against: Nil
Absent: Cr Taylor

Cr Mileto asked now does Council treat asbestos when removed from Council premises, where does it go and how is it managed

The Director Technical Services advised that there is a code of practice for handling asbestos which Council follows, it is wetted down, double wrapped and disposed of at the Ophir Road Resource Recovery Centre, large amounts are dealt with by contractors and a similar process is followed.

5.10 JOINT REGIONAL PLANNING PANEL - ORANGE REGION REPRESENTATIVE EXTENSION

TRIM REFERENCE: 2021/2665

RESOLVED - 21/460**Cr J Hamling/Cr S Nugent**

That Council resolves to extend the appointment of Councils representative on the Joint Regional Planning Panel, Mr Allan Renike, for 6 months (until 01 May 2022) as an interim measure until the matter can be reviewed in more detail after the local government elections.

That staff commence an expression of interest process to seek interested members of the community to serve as local representatives on the JRPP with selections to be confirmed by Council as soon as practicable after the local government elections.

FOR: CR KIDD, CR DUFFY, CR HAMLING, CR NUGENT, CR MUNRO, CR MILETO, CR ROMANO, CR TURNER,
CR WHITTON
AGAINST: NIL
ABSENT: CR TAYLOR

6 CLOSED MEETING

Nil

The Chief Executive Officer (CEO) addressed the meeting on behalf of staff and read a letter addressed to the Mayor from Tony and Laurie Leahey. The CEO thanked all Managers and their teams for their efforts over the past four years. He thanked all Councillors and the Mayor for their ambitious vision over this term and wished those that were running again best of luck. A gift was presented to each Councillor.

Each Councillor stood and spoke to the meeting thanking their fellow Councillors, CEO, Directors, Managers and all staff of Council for their hard work over this Term.

The Mayor reflected on his time at Council thanking the CEO and staff for their guidance and close working relationship during his 32 years as a Councillor. He expressed that he will be taking this time to spend with his family and take a long-awaited rest.

THE MEETING CLOSED AT 7.03PM.

This is Page Number 14 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 16 November 2021.

4 NOTICES OF MOTION/NOTICES OF RESCISSION

Nil

5 GENERAL REPORTS

5.1 OATH OR AFFIRMATION OF OFFICE BY COUNCILLORS

TRIM REFERENCE: 2021/255

AUTHOR: David Waddell, Chief Executive Officer

EXECUTIVE SUMMARY

Under the Local Government Act 1993, Councillors (including Mayors) are required to take an oath or affirmation of office. Oaths or affirmations of office must be taken by each Councillor at or before the first meeting of the Council after being elected.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “17.1 Collaborate - Provide representative, responsible and accountable community governance”.

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

The requirement to take an oath or affirmation of office is at Section 233A of the Local Government Act 1993.

RECOMMENDATION

That each Councillor take the oath or affirmation of office.

FURTHER CONSIDERATIONS

Consideration has been given to the recommendation’s impact on Council’s service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

SUPPORTING INFORMATION

Under Section 233A of the Local Government Act 1993 it is a requirement of Councillors (including the Mayor) to take an oath or affirmation, notice from the Office of Local Government sets out:

- A Councillor must take an oath of office or make an affirmation of office at or before the first meeting of the Council after the Councillor is elected.
- An oath or affirmation should be taken by each councillor as the first item of business for the meeting.
- The general manager must ensure that a record is kept of the taking of the oath or affirmation. This can be done by way of a signed statement containing the oath or affirmation or by recording the taking of the oath or affirmation by each councillor in the minutes of the council meeting.

5.1 Oath or Affirmation of Office by Councillors

- If the councillor is unable to attend the first council meeting, he or she may take the oath or affirmation of office at another location in the presence of the general manager.
- The oath or affirmation of office may also be taken before an Australian legal practitioner or a Justice of the Peace.
- The taking of the oath or affirmation outside a council meeting must be publicly recorded by the council.
- Where an oath or affirmation is taken outside a council meeting, a council staff member should also be present to ensure that an accurate record can be kept by the council.
- A councillor who fails, without a reasonable excuse, to take the oath or affirmation of office, will not be entitled to attend council meetings until they do so and will be taken to be absent without leave.
- If a councillor is absent without leave for three consecutive ordinary council meetings their office is automatically declared vacant and a by-election must be held.

A Councillor may select the oath or the affirmation. In law, an affirmation is a solemn declaration allowed to those who conscientiously object to taking an oath. An affirmation has exactly the same legal effect as an oath but is usually taken to avoid the religious implications of an oath; it is thus legally binding but not considered a religious oath. The oath is not required to be sworn on a bible.

The required wording for both the oath and the affirmation is provided below.

Oath

I [name of Councillor] swear that I will undertake the duties of the office of Councillor in the best interests of the people of Orange and the Orange City Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgement.

Affirmation

I [name of Councillor] solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people of Orange and the Orange City Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgement.

5.2 ELECTION OF DEPUTY MAYOR

RECORD NUMBER: 2021/257

AUTHOR: David Waddell, Chief Executive Officer

EXECUTIVE SUMMARY

The Local Government Act 1993 provides that Council may elect a Councillor to be the Deputy Mayor (section 231). Traditionally Orange City Council has elected a Deputy Mayor every 12 months. This report will suggest an alternative to this option. This report is prepared on the basis that Council wishes to elect a Deputy Mayor and provides a process for this election to take place.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy "17.1 Collaborate - Provide representative, responsible and accountable community governance".

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Section 231 of the Local Government Act provides that the term of the Deputy Mayor can be for the mayoral term or a shorter term. This report proposes two options for the election of Deputy Mayor given that this mayoral term concludes in September 2024.

RECOMMENDATION

That Council resolves:

- 1 To elect a Deputy Mayor for the either of these periods**
 - a) February 2022 to September 2023 (then re-elect in September 2023 for 12 months); or**
 - b) February 2022 to September 2024**
- 2 That the method of voting for the election of Deputy Mayor be ordinary ballot.**
- 3 That the Chief Executive Officer, acting as the Returning Officer, conduct the election for the Deputy Mayor.**

FURTHER CONSIDERATIONS

Consideration has been given to the recommendation's impact on Council's service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

SUPPORTING INFORMATION

Traditionally Orange City Council has elected our Deputy Mayor every 12 months. Given this Term of Council is a shortened term, two options seem feasible, they being:

- a) Elect the Deputy Mayor for a slightly longer than 12 month period being February 2022 to September 2023, then re-elect in September 2023 for 12 months; or
- b) Elect the Deputy Mayor for the full Term being February 2022 to September 2024.

The procedure to be followed for the conduct of the Elections is to be in accordance with Schedule 7 of the Local Government (General) Regulation 2005 which states (in part):

- 1 The General Manager [CEO] is the Returning Officer.
- 2
 - a) A Councillor may be nominated without notice for election as Deputy Mayor
 - b) The nomination is to be made in writing by two or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing
 - c) The nomination is to be delivered or sent to the Returning Officer
 - d) The Returning Officer is to announce the names of the nominees at the Council Meeting at which the election is to be held.

Nominations can be lodged in a locked ballot box, which is located in the Chief Executive Officer's office and will be in the Council Chamber prior to the Meeting. A nomination form has been provided with this report and will be available in the chamber at the start of the meeting.

At the start of the meeting, the Returning Officer will unlock the box and announce the nominated Councillors for the position of Deputy Mayor. Nominated Councillors will be given the opportunity to decline nomination for position of Deputy Mayor at this time.

The Election count and procedures for nominations, as set out in the Local Government (General) Regulation 2005 Schedule 7, are detailed below:

Election

- 3
 - (1) If only one Councillor is nominated, that Councillor is elected.
 - (2) If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
 - (3) The election is to be held at the Council Meeting at which the Council resolves on the method of voting.
 - (4) "ballot" has its normal meaning of secret ballot
"open voting" means voting by a show of hands or similar means.

Ordinary Ballot or Open Voting**Marking of Ballot Papers**

- 5 (1) If the election proceeds by ordinary ballot, the Returning Officer is to decide the manner in which votes are to be marked on the ballot-papers.
- (2) The formality of a ballot-paper under this Part must be determined in accordance with clause 345 (1) (b) and (c) and (6) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

Count - 2 Candidates

- 6 (1) If there are only 2 candidates, the candidate with the higher number of votes is elected.
- (2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.

Count - 3 or more candidates

- 7 (1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If 3 or more candidates remain, a further vote is taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
- (3) If, after that, 3 or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only 2 candidates remain.
- (4) A further vote is to be taken of the 2 remaining candidates.
- (5) Clause 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.
- (6) If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

It is recommended the ballot be undertaken by Ordinary Ballot. The process for a Preferential Ballot is outlined below.

Preferential Ballot**Ballot-papers and Voting**

- 9 (1) The ballot-papers are to contain the names of all the candidates. The Councillors are to mark their votes by placing the numbers '1', '2' and so on against the various names so as to indicate the order of their preference for all the candidates.
- (2) The formality of a ballot-paper under this Part is to be determined in accordance with clause 345 (1) (b) and (c) and (5) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

Count

- 10 (1) If a candidate has an absolute majority of first preference votes, that candidate is elected.
- (2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preference on those ballot-papers.
- (3) A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.
- (4) In this clause, absolute majority, in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.

In the past, Council has nominated to conduct the election of Deputy Mayor by Ordinary Ballot and therefore that method of voting is recommended.

Choosing by Lot

- 12 To choose a candidate by lot, the names of candidates who have equal numbers of votes are written on similar slips of paper by the Returning Officer, the slips are folded by the Returning Officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the Returning Officer and the candidate whose name is on the drawn slip is chosen.

Result

- 13 The result of the election is:
- a) To be declared to the Councillors at the Council Meeting at which the election is held by the Returning Officer; and
- b) To be delivered or sent to the Chief Executive of the Office of Local Government and to the Secretary of Local Government New South Wales.



NOMINATION FOR THE POSITION OF DEPUTY MAYOR

(Under Schedule 7, Local Government (General) Regulation 2005)

We, the undersigned, hereby nominate _____

for the position of **DEPUTY MAYOR** for the 2021/22 Term of Office.

*** A minimum of two nominators is required***

Nominator _____
Name Signed

Nominator _____
Name Signed

Nominator _____
Name Signed

Nominator _____
Name Signed

_____ Date _____ 2022

I, _____ CONSENT TO MY NOMINATION FOR THE
POSITION OF **DEPUTY MAYOR** FOR THE 2021/22 TERM OF OFFICE

SIGNED _____ **DATE** _____

5.3 COUNCILLOR VACANCY - COUNTBACK METHOD

RECORD NUMBER: 2021/754

AUTHOR: David Waddell, Chief Executive Officer

EXECUTIVE SUMMARY

The NSW Office of Local Government advises that following the 2021 local government elections, councils will, for the first time, have the option of using a countback of votes cast at the last ordinary election to fill casual vacancies occurring in the offices of councillors in the first 18 months after the election. If councils do not resolve to fill casual vacancies using a countback at their first meeting after the election, by-elections will need to be held to fill vacancies.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “17.1 Collaborate - Provide representative, responsible and accountable community governance”.

FINANCIAL IMPLICATIONS

If Council chooses to use a countback to fill any vacancy that may occur, this will result in a lower cost than the cost of holding a by-election.

POLICY AND GOVERNANCE IMPLICATIONS

The General Manager (CEO) is required under the Local Government (General) Regulation 2005 (the Regulation) to notify the election manager of the council’s ordinary election of the council’s resolution within 7 days of the resolution.

RECOMMENDATION

That pursuant to section 291A(1)(b) of the Local Government Act 1993, Orange City Council declares that casual vacancies occurring in the office of a Councillor within 18 months after the last ordinary election of Councillors for the Council on 4 December 2021 are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act and directs the General Manager to notify the NSW Electoral Commission of the Council’s decision within 7 days of the decision.

FURTHER CONSIDERATIONS

Consideration has been given to the recommendation’s impact on Council’s service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

5.4 DAY, TIME AND FREQUENCY OF COUNCIL MEETINGS

TRIM REFERENCE: 2021/789

AUTHOR: David Waddell, Chief Executive Officer

EXECUTIVE SUMMARY

This report seeks to confirm the day of the week, time and frequency of Council meetings.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “14.3 Collaborate - Provide opportunities for widespread and quality engagement, and where appropriate, shared decision-making.”.

FINANCIAL IMPLICATIONS

The time of day that a Council meeting is held will have financial implications as far as staff time, catering and in some cases staff accommodation costs. Financial implications may also be involved in terms of carer costs associated with Councillors or staff requiring a carer to look after children whilst at afterhours Council meetings.

POLICY AND GOVERNANCE IMPLICATIONS

Any change to meeting frequency set by the previous Council will require an amendment to the Code of Meeting Practice. Any change to this Code must be placed on public exhibition for 28 days prior to resolution by Council for any change to be put into place.

RECOMMENDATION

That Council resolves to:

- 1. Confirm it will hold Council meetings in accordance with the Code of Meeting Practice with the Ordinary Meeting of Council on the first Tuesday of the month and the combined Ordinary Meeting of Council and Policy Committees on the 3rd Tuesday of each month commencing at 6.30pm and ending at 9.30 p.m.**
- 2. Place the amended Code of Meeting Practice on public exhibition for 28 days.**

FURTHER CONSIDERATIONS

Consideration has been given to the recommendation’s impact on Council’s service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

SUPPORTING INFORMATION

Council is required to have in place a Code of Meeting Practice. The Code includes the scheduling details of Council meetings. Determining the frequency of meetings for the new Council is the subject of this report.

The current Code of Meeting Practice identifies Ordinary Meetings of Council are to be held from 7pm on the first and third Tuesdays of each month. This will be changed if Council resolved to alter the meeting times.

Council can change the meeting frequency and times however any change will require a change to the Code of Meeting Practice. Changes to the Code require a public exhibition process and report back to Council of any comments received prior to the change to the Code being implemented (Local Government Act clauses 360,362 and 363).

Council has many different options for times and days of the week to hold Council meetings, of course, dependent upon Councillor availability. The Mayor and current Councillors are seeking to introduce a more family-friendly approach.

This report seeks Council's determination of the current schedule of meetings as listed in the Code of Meeting Practice and whether the current schedule is to continue under the new Council.

It should be noted that Council can conduct a public forum, where required, at the commencement of the Ordinary Meeting of Council. Topics discussed must be items in the business paper in order to satisfy the requirement for Council to give proper notice (Local Government Act clause 367, Code of Meeting Practice clause 2.5) of the topics being discussed at its meetings.

The former Council also established Policy Committees each year. All Councillors were members and these Committees were formed to receive reports on specific topic areas and to consider issues and minutes of Community and other committees who consider similarly themed matters.

Reports to the Policy Committees were received at the meetings of the first Tuesday of each month.

A report on the previous Policy Committee previous structure and the community and other committees that report to the Policy Committees, will be prepared for Council's consideration on 15 February 2022, following a Councillor Briefing scheduled prior to that meeting to enable the Council to discuss the Policy and Community Committee framework.

5.5 ENDORSEMENT OF FEES FOR USE OF THE RETAIL PODS UNDER FUTURE CITIES

RECORD NUMBER: 2021/2864

AUTHOR: Kate Shepherd, Administration Officer Governance

EXECUTIVE SUMMARY

Under the Future Cities project Council has purchased two modified shipping containers to use as retail pods to assist home-based and start-up business to transition to full commercial retail environment. This report seeks to endorse the fees for the use of the retail pods and endorse the participation by Biz HQ in the project. Biz HQ to providing start-up business placement service for the use of the pods, estimated at \$240 per placement.

The proposed fees for the hire of each pod is:

Occupancy (per day)	Rate m ²	Sub total	Utilities	Total
Longer-term (7 days plus)	\$1.50	\$21.00	\$3.00	\$24.00
Casual (1-6 days)	\$2.00	\$28.00	\$3.00	\$31.00

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “12.4 Prosper - Partner with key stakeholders to enhance opportunities for local business to grow and prosper”.

FINANCIAL IMPLICATIONS

The pods have already been purchased under Future Cities Tranche 1 funding and are in situ.

POLICY AND GOVERNANCE IMPLICATIONS

The above fees were placed on public exhibition for the required 28 days in accordance with the Local Government Act 1993, there were no comments or contest to the fees received during the exhibition period.

RECOMMENDATION

That Council:

- 1. Adopt the fees as recommended.**
- 2. Endorse the fee for service payment to Biz HQ for providing the start-up business placement service for the use of the pods.**

FURTHER CONSIDERATIONS

The recommendation of this report has been assessed against Council’s other key risk categories and the following comments are provided:

Financial	The recommended fees have been calculated to ensure that all costs are covered and that Council is able to recoup its return on investment over time.
Reputation	The price point of the fees and other eligibility criteria will allow Council to demonstrate that the retail pods are not a direct competitor to existing commercial landlords.

5.6 ITEMS APPROVED UNDER THE DELEGATED AUTHORITY OF COUNCIL

RECORD NUMBER: 2021/2477

AUTHOR: Paul Johnston, Manager Development Assessments

EXECUTIVE SUMMARY

Following is a list of more significant development applications approved by the Chief Executive Officer under the delegated authority of Council, and two development applications approved by the Western Regional Planning Panel. Not included in this list are residential scale development applications that have also been determined by staff under the delegated authority of Council (see last paragraph of this report for those figures).

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “7.1 Preserve - Engage with the community to develop plans for growth and development that value the local environment”.

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Nil

RECOMMENDATION

That Council resolves to acknowledge the information provided in the report by the Manager Development Assessments on Items Approved Under the Delegated Authority of Council.

FURTHER CONSIDERATIONS

Consideration has been given to the recommendation’s impact on Council’s service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

Reference: DA 354/2009(2) **Determination Date:** 10 December 2021**PR Number** PR2512**Applicant/s:** Mrs F Rossiter**Owner/s:** Mr PD and Mrs FA Rossiter**Location:** Lot A DP 330618 – 66 Cecil Road, Orange**Proposal:** Modification of development consent - dual occupancy and awning addition. The original development involved family occupation of the dual occupancy. Development contributions under Section 7.11 and Section 64 were not imposed; and a Conditional caveat on title to limit the use was registered.

It is now intended that the dual occupancy be occupied by other than family members. The modified proposal involves deletion of Conditions 8 and 12, which restrict the use to family members only; and payment of applicable development contributions.

Value: \$0

5.6 Items Approved Under the Delegated Authority of Council

Reference: DA 225/2013(4) **Determination Date:** 1 November 2021
PR Number PR5116
Applicant/s: Mr SJ Forsyth
Owner/s: Mr BA and Mrs RR Westgeest
Location: Lot 2 DP 660443 - 87 Hill Street, Orange
Proposal: Modification of development consent - food and drink premises. The modified proposal sought to provide additional seating, with one (1) table and four (4) chairs in the northern area within property boundaries, and two (2) tables and four (4) chairs along the footpath. The applicant also requested the extension of hours of operation for the outdoor space to 10pm, to match the trading hours of the indoor premises.
Value: \$0

Reference: DA 203/2016(4) **Determination Date:** 5 November 2021
PR Number PR27615
Applicant/s: Rawson Homes Pty Ltd
Owner/s: Benryan Py Ltd
Location: Lot 105 DP 1225229 - 33 William Maker Drive, Orange
Proposal: Modification of development consent - exhibition home and business identification signage. The modified proposal amended Condition 38 of the latest consent relating to the extended use of the exhibition home for a further two years.
Value: \$0

Reference: DA 322/2018(2) **Determination Date:** 28 October 2021
PR Number PR599
Applicant/s: Andy's Design and Drafting
Owner/s: ASG One Pty Ltd
Location: Lot 12 DP 527396 - 175 Anson Street, Orange
Proposal: Modification of development consent - health consulting room (change of use from dwelling house and bed and breakfast accommodation). The modified proposal sought to delete the ancillary overnight accommodation component, where these areas will be used as ancillary office space; as well as delete car parking spaces to the rear that are not required as per the assessment and consent conditions of the original consent.
Value: \$0

Reference: DA 357/2019(1) **Determination Date:** 8 November 2021
PR Number PR9871
Applicant/s: Mr N Varley
Owner/s: Mr N Varley
Location: Lot 3 DP 223002 - 112 Phillip Street, Orange
Proposal: Demolition (existing garage), subdivision (two lot Torrens) and carport
Value: \$0

5.6 Items Approved Under the Delegated Authority of Council

Reference: DA 392/2019(1) **Determination Date:** 8 November 2021
PR Number PR10681
Applicant/s: Mrs D Hayter
Owner/s: Mrs D Hayter
Location: Lot 1 Pce CR DP 515376 - 62 Sale Street, Orange
Proposal: Subdivision (two lot residential) and demolition (ancillary structures and tree removal).
Value: \$0

Reference: DA 172/2020(2) **Determination Date:** 17 December 2021
PR Number PR21275
Applicant/s: L-con Building and Construction
Owner/s: Sainsbury and McAlpine Pty Ltd
Location: Lot 25 DP 270446 - 16A Cameron Place, Orange
Proposal: Modification of development consent - vehicle sales premises and vehicle repair station. The proposal sought to change the external walls on the southern and eastern elevations from reinforced concrete panels to selected Colorbond cladding.
Value: \$0

Reference: DA 76/2021(2) **Determination Date:** 4 January 2022
PR Number PR11400
Applicant/s: Cameron Anderson Architects
Owner/s: Mr GS and Mrs SR Rollin
Location: Lot 1 DP 173254 - 1060 Pinnacle Road, Canobolas
Proposal: Modification of development consent - farm stay accommodation. The proposal involved minor internal reconfiguration of the cabins, changes to glazing and positioning, inclusion of separate retaining walls, and minor change in cabin site set outs. No other elements of the original proposal are proposed to be modified.
Value: \$0

Reference: DA 105/2021(2) **Determination Date:** 28 October 2021
PR Number PR20403
Applicant/s: Mr J Levi
Owner/s: Eastern Developments (NSW) Pty Ltd
Location: Lot 18 DP 270446 - 7 Gateway Crescent, Orange
Proposal: Modification of development consent - place of public worship. The modification principally related to an adjustment to the entry foyer space to better utilise the area above the office and meeting room for storage, provide a more attractive internal space to the foyer and provide an area for tea and coffee making for after service gatherings in the foyer.
Value: \$0

5.6 Items Approved Under the Delegated Authority of Council

Reference: DA 183/2021(1) **Determination Date:** 3 December 2021
PR Number PR15883
Applicant/s: Mr P Heller
Owner/s: Mr PJ Heller
Location: Lot 633 DP 843698 - 22 McNeilly Avenue, Orange
Proposal: General Industry (two industrial buildings)
Value: \$500,000

Reference: DA 184/2021(2) **Determination Date:** 22 October 2021
PR Number PR20257
Applicant/s: Mr R Littlefield
Owner/s: Mr RW and Mrs CF Littlefield
Location: Lot 102 DP 1079487 - 4004 Mitchell Highway, Shadforth
Proposal: Dual Occupancy (one additional rural dwelling)
Value: \$0

Reference: DA 185/2021(1) **Determination Date:** 8 November 2021
PR Number PR15976
Applicant/s: Mr K White
Owner/s: Mr KJ and Mrs TA White
Location: Lot 17 DP 846647 - 1 Ploughmans Lane, Orange
Proposal: Subdivision (four lot Torrens title)
Value: \$0

Reference: DA 211/2021(1) **Determination Date:** 1 November 2021
PR Number PR7189
Applicant/s: Universal Property Group Pty Limited
Owner/s: Mr AJ Richards
Location: Lot 82 DP750401 - 65 Lysterfield Road, Orange
Proposal: Subdivision (42 residential lots, 1 mixed use/village centre lot and new roads) and demolition (trees)
Value: \$1,647,401.89

Reference: DA 214/2021(1) **Determination Date:** 12 November 2021
PR Number PR12120
Applicant/s: Mr BW Draper
Owner/s: Mr BW and Mrs KL Draper
Location: Lot 11 DP 700977 - 207 Canobolas Road, Orange
Proposal: Subdivision (five lots)
Value: \$0

5.6 Items Approved Under the Delegated Authority of Council

Reference: DA 254/2021(1) **Determination Date:** 24 November 2021
PR Number PR15042
Applicant/s: Rosedale Gardens Estate Pty Ltd
Owner/s: Mr RA Healy (Lot 15)
Transport Asset Holding Entity of New South Wales (Lot 7017)
Location: Lot 15 DP 6694 – 463 Leeds Parade
Lot 7017 DP 1010836 – railway corridor
Proposal: Demolition (existing buildings and ancillary structures)
Value: \$1,372,000.00

Reference: DA 265/2021(1) **Determination Date:** 24 November 2021
PR Number PR7191
Applicant/s: Universal Property Group Pty Limited
Owner/s: Mr A Manciangli
Location: Lot 78 DP750401 - 76 Lysterfield Road, Orange
Proposal: Subdivision (55 residential lots, one (1) open space lot and new roads)
demolition (dwelling, outbuildings, and trees)
Value: \$2,323,439.00

Reference: DA 266/2021(1) **Determination Date:** 4 November 2021
PR Number PR28488
Applicant/s: Orange MS Investments Pty Ltd
Owner/s: Orange MS Investments Pty Ltd
Location: Lot 34 DP 1259275 - Tanika Street, Orange
Proposal: Subdivision (10 lot residential - Torrens title)
Value: \$0

Reference: DA 296/2021(1) **Determination Date:** 24 November 2021
PR Number PR25503
Applicant/s: Colmar Estate
Owner/s: Mr WS and Mrs PJ Shrapnel
Location: Lot 100 DP 1168350 - 790 Pinnacle Road, Orange
Proposal: Farm stay accommodation and carport
Value: \$580,000

Reference: DA 317/2021(1) **Determination Date:** 8 November 2021
PR Number PR28506
Applicant/s: Advantage (NSW) Pty Ltd
Owner/s: Mr DP and Ms L Banjade
Location: Lot 18 DP 1259318 - 49 Stevenson Way, Orange
Proposal: Subdivision (two lot residential)
Value: \$700,000

5.6 Items Approved Under the Delegated Authority of Council

Reference: DA 328/2021(1) **Determination Date:** 24 November 2021
PR Number PR28478
Applicant/s: Bell River Homes Pty Limited
Owner/s: Bell River Homes Pty Limited
Location: Lot 24 DP 1259275 - 7 Tanika Street, Orange
Proposal: Exhibition home (change of use from dwelling)
Value: \$0

Reference: DA 330/2021(1) **Determination Date:** 8 November 2021
PR Number PR29006
Applicant/s: Contemporary Homes
Owner/s: Ms JL Thurn and Ms JL Wyatt
Location: Lot 304 DP 1273534 - 14 Fahy Crescent, Orange
Proposal: Dwelling (two storey) and attached garage
Value: \$668,710

Reference: DA 344/2021(1) **Determination Date:** 29 November 2021
PR Number PR7304
Applicant/s: JDVP Marlow Partnership
Owner/s: Ms PV Marlow and Ms V Marlow and
Messrs DP and JP Marlow
Location: Lot 64 DP 706356 - 30 Burrendong Way, Orange
Proposal: Pub (alterations and additions)
Value: \$755,700

Reference: DA 377/2021(1) **Determination Date:** 10 December 2021
PR Number PR4256
Applicant/s: Cavalier Homes
Owner/s: Mr GC and Mrs KL Mansell
Location: Lot 4 DP 236915 - 52 Franklin Road, Orange
Proposal: Dual occupancy (one additional dwelling) and demolition (existing garage)
Value: \$350,000

Reference: DA 388/2021(1) **Determination Date:** 1 December 2021
PR Number PR3698
Applicant/s: Akura Properties Pty Ltd
Owner/s: Akura Properties Pty Ltd
Location: Lot 4 DP 545249 - 8 Edward Street, Orange
Proposal: Subdivision (21 lot industrial strata)
Value: \$0

5.6 Items Approved Under the Delegated Authority of Council

Reference: DA 395/2021(1) **Determination Date:** 12 November 2021
PR Number PR26074
Applicant/s: Appledale Processors Co-Operative Ltd
Owner/s: Subdivision (two lot industrial)
Location: Lot 45 DP 1183075 - 5 Stephen Place, Orange
Proposal: Subdivision (two lot industrial)
Value: \$0

Reference: DA 397/2021(1) **Determination Date:** 1 November 2021
PR Number PR28664
Applicant/s: RPS Group
Owner/s: Mrs MJ O'Brien
Location: Lot 304 DP 1264617 - 7 Hilldale Crescent, Orange
Proposal: Dwelling (temporary dwelling)
Value: \$150,000

Reference: DA 398/2021(1) **Determination Date:** 12 November 2021
PR Number PR15490
Applicant/s: Albert Smith Group
Owner/s: NR Hawke Pty Ltd
Location: Lot 628 DP 836599 - 4 Corporation Place, Orange
Proposal: Business identification signage
Value: \$20,072

Reference: DA 400/2021(1) **Determination Date:** 2 December 2021
PR Number PR18701
Applicant/s: SOILCQUEST Pty Ltd
Owner/s: Division of Facilities Management
Charles Sturt University
Location: Lot 301 DP 1047282 - 346 Leeds Parade, Orange
Proposal: Educational establishment (part change of use of Building 1120 for a research laboratory)
Value: \$193,600

Reference: DA 404/2021(1) **Determination Date:** 21 October 2021
PR Number PR11586
Applicant/s: Southern Cross Shopfitting
Owner/s: Z & T Rossi Pty Ltd and Mrs T Rossi
Location: Lot 1 DP 67426 - 207 Anson Street, Orange
Proposal: Shop (facade alterations) and signage
Value: \$20,350

5.6 Items Approved Under the Delegated Authority of Council

Reference: DA 412/2021(1) **Determination Date:** 14 December 2021
PR Number PR2956
Applicant/s: Southwell Design Drafting
Owner/s: Mr JN and Mrs AF Carruthers
Location: Lot 3 DP 7713 - 9 Coronation Drive, Orange
Proposal: Dwelling (part demolition, and alterations and additions), garage and studio (outbuilding)
Value: \$466,250

Reference: DA 413/2021(1) **Determination Date:** 24 November 2021
PR Number PR28988
Applicant/s: Beltrasna Property Pty Ltd
Owner/s: Beltrasna Property Pty Ltd
Location: Lot 1 DP 1269658 - 17 Emmaville Street, Orange
Proposal: Secondary dwelling and carport
Value: \$95,000

Reference: DA 419/2021(1) **Determination Date:** 29 November 2021
PR Number PR15980
Applicant/s: Mr S Oborn
Owner/s: Mrs BJ Oborn
Location: Lot 3 DP 84613 - 436 Beasley Road, Spring Hill
Proposal: Farm building (hayshed)
Value: \$68,000

Reference: DA 424/2021(1) **Determination Date:** 28 October 2021
PR Number PR19676
Applicant/s: St Marys Primary School
Owner/s: Trustees Roman Catholic Church
Location: Lot 20 DP 1073611 - Park Street, Orange
Proposal: School (ancillary storage shed)
Value: \$10,900

Reference: DA 426/2021(1) **Determination Date:** 20 December 2021
PR Number PR25579
Applicant/s: Shopping Centres Australasia Property Group Limited
Owner/s: Shopping Centres Australasia Property Group Limited
Location: Lot 700 DP 1171441 - 9 Telopea Way, Orange
Proposal: Retail premises (supermarket alterations and additions and ancillary site works)
Value: \$3,678,400

5.6 Items Approved Under the Delegated Authority of Council

Reference: DA 427/2021(1) **Determination Date:** 4 November 2021
PR Number PR11620
Applicant/s: SLR Consulting Australia Pty Ltd
Owner/s: Ampol Property (Holdings) Pty Ltd
Location: Lot 1 DP 87409 – 74 Summer Street
Lot A DP 152616 – 72 Summer Street
Lot B DP 152616 – 68 Hill Street
Proposal: Business identification signs
Value: \$55,000

Reference: DA 432/2021(1) **Determination Date:** 15 December 2021
PR Number PR9480
Applicant/s: AWR Industries
Owner/s: Future Build Construction Property Development Pty Ltd and others
Location: Lot 7 Sec 9 DP 2986 - 2 Paling Street, Orange
Proposal: Demolition (shed, slabs and tree removal) and subdivision (three lot Torrens)
Value: \$50,000

Reference: DA 454/2021(1) **Determination Date:** 25 November 2021
PR Number PR11580
Applicant/s: Platinum Planning Solutions
Owner/s: Alceon Group Pty Limited
Location: Lot 564 PCE C DP 776383 - 212-220 Summer Street , Orange
Proposal: Shop (fitout - Tenancy 24 - "Strandbags")
Value: \$22,062

Reference: DA 455/2021(1) **Determination Date:** 3 December 2021
PR Number PR6929
Applicant/s: Parlour O
Owner/s: Formdell Pty Limited
Location: Lot 59 DP 736583 - 173 Lords Place, Orange
Proposal: Business premises (hair and beauty salon)
Value: \$70,000

Reference: DA 456/2021(1) **Determination Date:** 3 December 2021
PR Number PR20113
Applicant/s: Mrs JK Wood
Owner/s: Mrs JK Wood
Location: Lot 5 DP 1077302 - 7 West Street, Orange
Proposal: Secondary dwelling
Value: \$100,000

5.6 Items Approved Under the Delegated Authority of Council

Reference: DA 458/2021(1) **Determination Date:** 25 November 2021
PR Number PR11580
Applicant/s: Bras N Things
Owner/s: Alceon Group Pty Limited
Location: Lot 564 PCE C DP 776383 - 212-220 Summer Street, Orange
Proposal: Shop (fitout - Tenancy 12 - "Bras N Things")
Value: \$120,000

Reference: DA 460/2021(1) **Determination Date:** 17 December 2021
PR Number PR18150
Applicant/s: Planning Potential
Owner/s: Mr SA Isbester
Location: Lot 110 DP 1027433 - 4536 Mitchell Highway, Lucknow
Proposal: Subdivision (four lot Torrens title)
Value: \$0

Reference: DA 477/2021(1) **Determination Date:** 15 December 2021
PR Number PR1947
Applicant/s: Family Hotel Maitland Pty Ltd
Owner/s: Family Hotel Maitland Pty Ltd
Location: Lot 1 DP 86529 - 69 Byng Street, Orange
Proposal: Pub (temporary kitchen addition)
Value: \$30,000

Reference: DA 479/2021(1) **Determination Date:** 5 January 2022
PR Number PR29046
Applicant/s: Oceanbreak Holdings Pty Limited
Owner/s: Oceanbreak Holdings Pty Limited
Location: Lot 6 SP 103491 - 6/231 McLachlan Street, Orange
Proposal: Depot (change of use from industrial and internal fitout)
Value: \$172,656

Reference: DA 539/2021(1) **Determination Date:** 17 January 2022
PR Number PR11580
Applicant/s: Premise
Owner/s: Alceon Group Pty Limited
Location: Lot 564 DP 776383- 212-220 Summer Street, Orange
Proposal: Retail tenancy fitout (Shop 23 – "Price Attack")
Value: \$150,000

TOTAL NET* VALUE OF DEVELOPMENTS APPROVED BY THE CEO UNDER DELEGATED AUTHORITY IN THIS PERIOD:	\$14,369,490.89
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ITEMS APPROVED BY THE WRPP

Reference: DA 234/2018(1) **Determination Date:** 21 October 2021
PR Number PR27695
Applicant/s: Health Infrastructure on behalf of Health Administration Corporation
Owner/s: Health Administration Corporation
Location: Lot 2 DP 1230592 - 129-133 Sale Street, Orange
Proposal: Demolition of a Heritage Item (all buildings, structures, and vegetation to be removed) and Category 1 Remediation (asbestos removal)
Value: \$1,800,000.00 (as originally submitted)
\$3,945,295.00 (revised application)

Reference: DA 423/2019(3) **Determination Date:** 22 December 2021
PR Number PR26437
Applicant/s: ITP Development Pty Ltd
Owner/s: Mr A and Mrs EB Ruggiero
Location: Lot 200 DP 1194585 - 643 Mitchell Highway, Orange
Proposal: Modification of development consent - electricity generating works (5 MW solar farm). The subject application sought to modify the conditions of consent, being Condition (1)(b) and Condition (44) of Part B, to extend the maximum period of the lifespan of the approved solar farm from 25 years to 35 years. Council, in its initial report and conditions to the Panel, recommended an operational timeframe of 35 years. Whilst the land had been identified within a strategy area as a long-term development option for residential land use, the recommendation of 35 years was based on the logical progression of urban residential expansion, serviceability, landform, and site environmental constraints. However, it is understood that the Western Regional Planning Panel found it necessary to restrict the life span of the development to a 25 year period in view of current housing supply demands in Orange and purported projections by the NSW State Government indicating that the subject land would be under pressure to be development before 2050.
Value: \$8,965,861 (original cost of development)

** **Net** value relates to the value of modifications. If modifications are the same value as the original DA, then nil is added. If there is a plus/minus difference, this difference is added or taken out.*

Additionally, since the October 2021 meeting report period (21 October 2021 to 20 January 2022), another 85 development applications were determined under delegated authority by other Council staff with a combined value of \$14,268,406.

6 CLOSED MEETING – NIL ITEMS