



ORDINARY COUNCIL MEETING

AGENDA

15 MARCH 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, 15 March 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 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.

1.4 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.

COUNCIL MEETING ADJOURNS FOR THE CONDUCT OF THE OPEN FORUM

COUNCIL MEETING RESUMES

2 MAYORAL MINUTES

2.1 INDOOR PLAYGROUND

RECORD NUMBER: 2022/323

MAYORAL MINUTE

That Council investigate the possibility of a temporary indoor playground for the 2022 winter season.

RECOMMENDATION

That the information contained in this Mayoral Minute be acknowledged

Jason Hamling

MAYOR

2.2 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA) - NATIONAL FEDERAL ELECTION PRIORITIES

RECORD NUMBER: 2022/324

MAYORAL MINUTE

The next Federal Election is expected to be held in May 2022.

Working in conjunction with its member state and territory associations, the Australian Local Government Association (ALGA) has developed a framework and resources for a national advocacy campaign that will run in the lead up to this election.

Based around the tagline of “Don’t Leave Local Communities Behind”, the goal is to secure funding and policy commitments that will support every Australian council and community, and ensure all Australians have an equal opportunity to share in the benefits of Australia’s post-pandemic recovery.

All Australian councils have been asked to participate in this campaign to ensure a coordinated approach that will deliver the best possible outcomes.

RECOMMENDATION

That:

1. Council supports the national funding priorities of the Australian Local Government Association (ALGA), which would contribute an estimated \$6.46 billion per year to Australia’s GDP and create 43,444 jobs; and
2. Council agrees to support and participate in the Australian Local Government Association’s advocacy for their endorsed national funding priorities by writing to the local Federal Member(s) of Parliament, all known election candidates in local Federal electorates and the President of the Australian Local Government Association to:
 - a. express support for ALGA’s funding priorities;
 - b. identify priority local projects and programs that could be progressed with the additional financial assistance from the Federal Government being sought by ALGA; and
 - c. seek funding commitments from the members, candidates and their parties for these identified local projects and programs.

Jason Hamling
MAYOR

SUPPORTING INFORMATION

The Don't Leave Local Communities Behind campaign will promote 17 priority asks in the portfolios of economic recovery, transport and community infrastructure, building resilience, circular economy and intergovernmental relations.

These priorities are based on motions passed by councils at ALGA's annual National General Assembly and have been endorsed by ALGA's Board which is comprised of representatives from all state and territory Local Government Associations.

They have been assessed by independent economists and would add around \$6.46 billion per year to Australia's Gross Domestic Product while creating 43,444 jobs.

The Don't Leave Local Communities Behind campaign will run for five weeks, with each week focussing on one of the five portfolio areas.

The full list of national Federal Election priorities that will be promoted through this campaign is outlined below:

Economic recovery

1. An initial injection of Financial Assistance Grants to local government of \$1.3 billion to support communities and jobs and also resolve the current practice of bringing forward two quarterly Financial Assistance Grant payments each year.
2. A commitment to return Financial Assistance Grants to at least one percent of Commonwealth taxation revenue via a phased approach.

Transport and community infrastructure

3. \$500 million per annum for a four-year continuation of the Local Roads and Community Infrastructure Program.
4. A strategic local roads investment program of \$300 million per annum over four years to address road transport first and last mile issues and congestion on local roads.
5. An increase in Roads to Recovery to \$800 million per annum (an additional \$300 million per annum) and the Black Spot Program to \$200 million per annum over four years, while addressing the South Australian road funding anomaly by making the additional \$20 million per annum to SA in 2021-22 and 2022-23 permanent.
6. Continuing the Stronger Regional Digital Connectivity Package at \$55 million over four years.
7. \$200 million over four years to assist councils to develop and implement innovative housing partnerships.

Building resilience

8. A targeted disaster mitigation program of \$200 million per annum for four years which will reduce the costs of response and recovery and strengthen community resilience.
9. A commitment to ensuring betterment funding as a core element of disaster recovery funding arrangements.
10. A commitment to include community infrastructure that is publicly accessible and owned, and local government waste, water and wastewater assets under Disaster Recovery Funding Arrangements.
11. A Local Government Climate Response Partnership Fund of \$200 million over four years to enable planning and preparation to minimise the impacts of climate change in local communities and enable councils to achieve climate neutrality as soon as practicable.
12. \$100 million per annum over four years provided directly to local governments to support the capabilities of Indigenous councils and the implementation of the Closing the Gap local/regional voice.

Circular economy

13. Support to provide guidance and advice to councils on how to unlock the circular economy locally, particularly in rural, regional, and remote areas.
14. Support to investigate and, if feasible, implement a national bin harmonisation program that will improve kerbside recycling, reduce contamination, and maximise opportunities for reuse.
15. \$100 million per annum over four years to fund local government circular waste innovation projects.

Intergovernmental relations

16. Reinstating local government representation to the primary intergovernmental forum in Australia, the National Cabinet.
17. Ensuring local government's ongoing voting membership of other relevant Ministerial forums.

ALGA has developed free campaign resources that can be adapted and used by all councils to ensure a consistent and effective approach.

Participating in a national advocacy campaign does not preclude this council from advocating on additional local needs and issues, but it will strengthen the national campaign and support all 537 Australian local governments.

2.3 CENTRAL NSW JO BOARD MEETING - 24 FEBRUARY 2022

RECORD NUMBER: 2022/326

MAYORAL MINUTE

I attended the Central NSW Joint Organisation Board meeting with the Chief Executive Officer on Thursday 24 February 2022 in Canowindra. This Mayoral Minute provides a summary of that meeting and attaches minutes for your information.

RECOMMENDATION

That the information contained in this Mayoral Minute be acknowledged and that Council:

- 1. Provide a response to the Central West and Orana Transport Plan including that the Plan ought:**
 - a) Use population planning assumptions that mirror the lived experience in region; and**
 - b) Make provision for longer term delivery of a safe swift link between Sydney and Central NSW.**

Jason Hamling

MAYOR**SUPPORTING INFORMATION**

The Board elected a new Chair Cr Kevin Beatty Mayor of Cabonne and Deputy Chair, Cr Mark Kellam Mayor of Oberon. Both were elected unopposed reflecting the collegiate culture of the Board.

Cr Kellam was one of four new Mayors in the region welcomed to the Board, the others being Cr Robert Taylor, Mayor of Bathurst, Cr Jason Hamling, Mayor of Orange and Cr Craig Bembrick, Mayor of Weddin.

Cr John Medcalf, Mayor of Lachlan reflected on his term as Chair and welcomed in the new leadership team.



Subsequent to warm words from the new Chair, there was unanimous support for a vote of thanks for Cr Medcalf.

The meeting itself considered twelve reports where the full agenda is available on the website <https://www.centraljo.nsw.gov.au/business-papers-agendas/>:

1. Review of the CNSWJO Advocacy position for a safe, swift link between Central NSW and Sydney
2. Advocacy Tactics to the State and Federal Elections
3. Developing the Statement of Strategic Regional Priority for this term of the JO
4. Regional State Government/Local Government Workshop – Informing Community Strategic Plans
5. Policy for Competitive Funding
6. Regional Procurement and Contracts
7. Energy Program
8. Destination Network Central West Report
9. Regional Water Security
10. Matters raised by members – Bathurst Regional Council Section 10 Application on the Mount Panorama Wahluu Area
11. Financial Report
12. Quarterly review of implementation of the Statement of Strategic Regional Priority

2.3 Central NSW JO Board Meeting - 24 February 2022

There was significant discussion on advocacy tactics and key messaging into the Federal and State elections with a separate report on a safe swift link between Sydney and Central NSW.

The Board resolved to organise a workshop on refining the policy position on the safe swift link between Sydney and Central NSW. It was recognised that it is difficult to criticise a \$4bn spend on the Great Western Highway, however when the current upgrade of Medlow Bath underway includes two sets of traffic lights, an unimpeded journey over the mountains at 100kph suitable for freight is clearly not being progressed. Worse, the Draft Central West and Orana Transport Plan has removed all references to the long term need for a highspeed transport link between Sydney and Central NSW. It is recommended that Council provide a response to the Draft Plan including on the need for planning for this link and to take an alternative approach to population assumptions being made in all State plans at present that show population decline or small growth in all Central NSW communities.

With the Federal election imminent the Board resolved to meet with both the government and opposition to advocate for the following priorities which align with:

1. Opportunities along the Lachlan Valley to do business differently to support the nation's growth aspirations. Raising the dam wall at Wyangala is an important first step to deliver better flood immunity and water security to enable the agricultural sector.
2. The roll out of Inland Rail with funding support for enabling infrastructure in region.
3. Regional activation precincts like the one in Parkes and the 20 suggested by the National Farmers Federation for agricultural place-based development.
4. Connectivity, including to ports includes ensuring a safe swift link between Western Sydney and the Central West including the current upgrades along the Great Western Highway and more importantly securing a corridor for dual carriageway for a future crossing at 100kph. How is it that Queensland has two safe swift highways at 100kph to the west of Brisbane and NSW has not one?
5. A progressive increase in Financial Assistance Grants to at least one percent of Commonwealth taxation revenue (at least \$4.5 billion per year), and an initial injection of additional Financial Assistance Grants funding.
6. A solutions-based approach to health workforce shortages and aged care that puts the needs of regional communities first.
7. A Federal Government led fully funded support program for apprenticeships in local government codesigned with local government.
8. A Local Government Climate Response Partnership Fund of \$200m over four years to enable planning and preparation to minimise the impacts of climate change in local communities and enable councils to achieve climate neutrality as soon as practicable.
9. Continuation of the Stronger Regional Digital Connectivity Package at \$55m over four years to improve community resilience and local economic recovery.

Discussion at the Board level suggested that media prioritise key messaging in:

1. A progressive increase in Financial Assistance Grants
2. Health and aging
3. Water
4. Connection – transport and digital

Review of the CNSWJO Strategy

Like Council, CNSWJO must review its strategy each term. Given JO Board meetings are quarterly, 6 Mayors nominated to take on the role of development of the strategy. The mandated Statement of Strategic Regional Priority is due in December 2022.

Regional Submissions

Members have forwarded requests for the JO to lodge submissions, where all advice provided is within existing policy. All are available on the CNSWJO website at <https://www.centraljo.nsw.gov.au/submissions/>

The Board has approved submissions be lodged for the:

- a. DPE Draft Central West and Orana Regional Plan
- b. TfNSW Draft Central West and Orana Regional Transport Plan
- c. AER Framework and Approach Consultation;
- d. NSW Public Lighting Code Review; and
- e. AEMC Review of Regulatory Framework for Metering Services
- f. IPART Review of Electricity Network Operators' Licenses

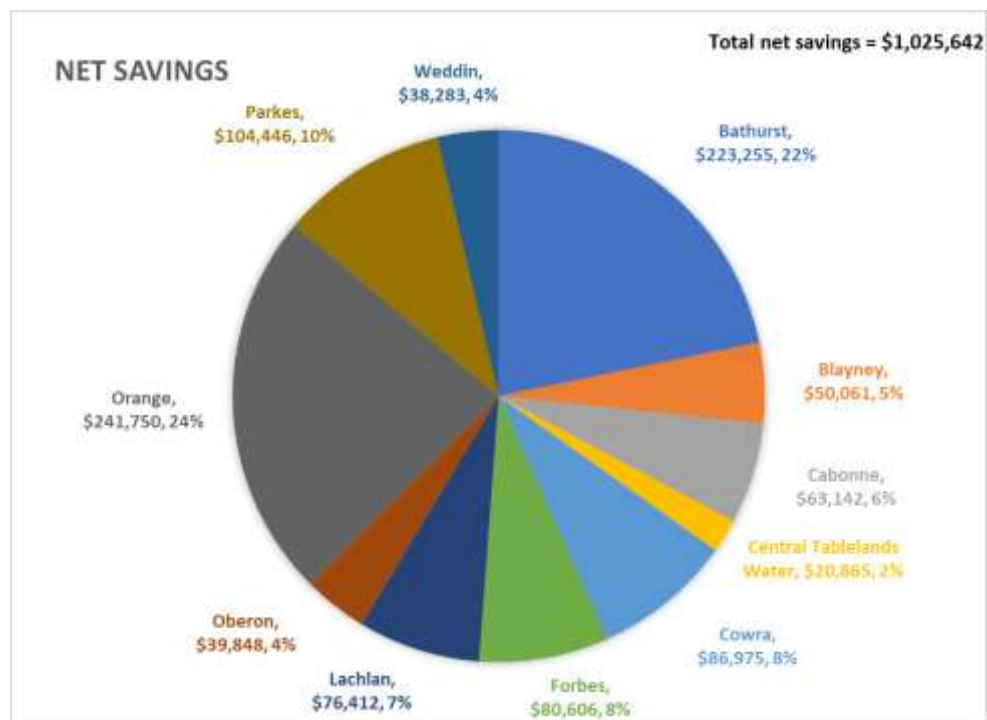
Value to members

A snapshot of the value to members of the various activities undertaken by the JO for their members in the context of the CNSWJO Strategic Plan follows.

| VALUE FOR MEMBERS 2020/2021 | FY 2019/2020 | FY 2020/2021 | FYTD 2021/2022 |
|---|--------------|--------------|----------------|
| SUBMISSIONS | 20 | 23 | 10 |
| PLANS, STRATEGIES AND COLLATERAL | 26 | 12 | 2 |
| GRANTS SEEKING | 3 | 3 | 0 |
| GRANT FUNDING RECEIVED | \$215k | \$736k | 0 |
| COMPLIANCE | 13 | 9 | 9 |
| DATA | 6 | 3 | 0 |
| MEDIA INCLUDING SOCIAL MEDIA | 13 | 18 | 11 |
| COST SAVINGS | \$1.87m | \$2.2m | \$1.03m |
| REPRESENTATION | 147 | 159 | 156 |
| OPPORTUNITIES COUNCILS HAVE BEEN AFFORDED | 35 | 102 | 72 |

Savings

The following chart shows the savings achieved by member councils through aggregated procurement and programming net of JO costs. An explanation of the meaning of each column has been reported previously and is available on request. The chart reflects savings in the 21/22 financial year to date.

**FINANCIAL IMPLICATIONS**

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Nil

ATTACHMENTS

- 1 Minutes 24 February 2022, JO Board Meeting, D22/13176 [↓](#)

Minutes of the CNSWJO Board Meeting 24 February 2022 in Canowindra

In Attendance

| | | | |
|------------------------|---------------------------|-------------------------|-----------------------|
| Cr R Taylor | Bathurst Regional Council | Cr J Medcalf OAM | Lachlan Shire Council |
| Cr S Ferguson | Blayney Shire Council | Cr M Kellam | Oberon Council |
| Cr K Beatty | Cabonne Council | Cr J Hamling | Orange City Council |
| Cr B West | Cowra Shire Council | Cr K Keith OAM | Parkes Shire Council |
| Cr P Miller OAM | Forbes Shire Council | Cr C Bembrick | Weddin Shire Council |

| | | | |
|---------------------------|---------------------------|------------------------|--------------------------|
| Mr D Sherley | Bathurst Regional Council | Cr D Somerville | Central Tablelands Water |
| Ms R Ryan | Blayney Shire Council | Mr G Rhodes | Central Tablelands Water |
| Mr B Byrnes | Cabonne Council | | |
| Mr P Devery | Cowra Shire Council | Ms J Bennett | CNSWJO |
| Mr S Loane OAM | Forbes Shire Council | Ms M Macpherson | CNSWJO |
| Mr G Tory | Lachlan Shire Council | Ms K Barker | CNSWJO |
| Mr G Wallace | Oberon Council | | |
| Mr D Waddell | Orange City Council | | |
| Mr K Boyd PSM | Parkes Shire Council | | |
| Mr J Rath (Acting) | Weddin Shire Council | | |

Meeting opened at 10:04am by Chair Cr John Medcalf, OAM

1. **Welcome from the Chair, Cr John Medcalf OAM**
2. **Acknowledgement of Country**
3. **Apologies applications for a leave of absence by Joint Voting representatives – Nil**
4. **Conflicts of Interest – Nil**
5. **Stepping down of outgoing Chair**
Cr John Medcalf OAM, stepped down from Chair after 5 years, welcomed new Board members and thanked everyone in the room for their support.

| | |
|--|-------------------------------|
| Resolved | Cr K Keith/Cr P Miller |
| That the Board record its appreciation of the outgoing Chair, Cr John Medcalf. | |

6. **Election of Chairperson and Deputy Chairperson**
Ms J Bennett became Returning Officer and advised she had received 1 nomination for the position of Chair and 1 nomination for the position of Deputy Chair.
No further nominations were provided from the floor.

Cr Kevin Beatty was elected as Chair unopposed

Cr Mark Kellam was elected as Deputy Chair unopposed

Cr Medcalf welcomed Cr Beatty to the Chair.

Cr K Beatty Assumes Chair.

Cr K Beatty thanks Cr Medcalf, acknowledges Country and welcomes the Board to Cabonne

7. Minutes

Confirmation of the Minutes of the Central NSW Joint Organisation meeting 25 November 2021 held in Orange

| | |
|---|----------------------------------|
| Resolved | Cr P Miller/Cr S Ferguson |
| That the Central NSW Joint Organisation Board confirm the Minutes of the meeting 25 November 2021 held in Orange. | |

8. Business Arising from the Minutes – Matters in Progress

| | |
|---|-------------------------------|
| Resolved | Cr B West/Cr J Hamling |
| That the Central NSW Joint Organisation Board note the Matters in Progress, making deletions as suggested, and amend item 1 regarding ‘resilience and recovery subcommittee.’ | |

9. Reports on Statement of Regional Strategic Priority

Priority One: Inter-Council Co-operation

a. Financial Report

| | |
|---|---------------------------------|
| Resolved | Cr P Miller/Cr J Medcalf |
| That the Board note the Financial Report. | |

b. Review of the CNSWJO Advocacy position for a safe, swift link between Central NSW and Sydney

| | |
|--|----------------------------------|
| Resolved | Cr J Hamling/Cr J Medcalf |
| That the Board note the report on its advocacy position for a safe, swift link between Central NSW and Sydney and | |
| 1. Reiterate that this transport connection remains a priority of the CNSWJO Board; | |
| 2. Provide a response to the Draft Central West and Orana Regional Transport Plan emphasizing its key messages; | |
| 3. Circulate the response to the Draft Central West and Orana Regional Transport Plan for member noting; | |
| 4. Include other important connections such as Hume to Newell, Mitchell and opportunities to link to Sydney, Port Kembla and Canberra; and | |
| 5. Hold a workshop to revitalise strategy connection to the east coast, inviting TfNSW and including rail. | |

c. Advocacy Tactics to the State and Federal Elections

| | |
|---|-------------------------------|
| Resolved | Cr J Medcalf/Cr B West |
| That the Board note the report on advocacy tactics to the Federal and State elections and | |
| 1. Adopt the CNSWJO Advocacy Policy; | |
| 2. Adopt the Advocacy Plans for | |

- a. Transport and Infrastructure;
- b. Water;
- c. Regional Prosperity; and
- d. Energy;
3. Adopt the "Central NSW Joint Organisation Advocacy Priorities to the Federal Election;"
4. Adopt the priorities for the Federal election as:
 - a. Opportunities along the Lachlan Valley to do business differently to support the nation's growth aspirations. Raising the dam wall at Wyangala is an important first step to deliver better flood immunity and water security to enable the agricultural sector.
 - b. The roll out of Inland Rail with funding support for enabling infrastructure in region.
 - c. Regional activation precincts like the one in Parkes and the 20 suggested by the National Farmers Federation for agricultural place-based development.
 - d. Connectivity, including to ports includes ensuring a safe swift link between Western Sydney and the Central West including the current upgrades along the Great Western Highway and more importantly securing a corridor for dual carriageway for a future crossing at 100kph. How is it that Queensland has two safe swift highways at 100kph to the west of Brisbane and NSW has not one?
 - e. A progressive increase in Financial Assistance Grants to at least one percent of Commonwealth taxation revenue (at least \$4.5 billion per year) and an initial injection of additional Financial Assistance Grants funding.
 - f. A solutions-based approach to health workforce and aged care shortages that puts the needs of regional communities first.
 - g. A Federal Government led fully funded support program for apprenticeships in local government codesigned with local government.
 - h. A Local Government Climate Response Partnership Fund of \$200m over four years to enable planning and preparation to minimise the impacts of climate change in local communities and enable councils to achieve climate neutrality as soon as practicable.
 - i. Continuation of the Stronger Regional Digital Connectivity Package at \$55m over four years to improve community resilience and local economic recovery.
5. Draft collateral to the Federal election from these priorities for feedback from members;
6. Delegate up to \$10K to the Executive Officer for the development of collateral to the State and Federal elections;
7. Commend to members they attend the round table led by the Shadow Duty Senators for Calare and the Riverina 17 March;
8. Commend to members they attend a meeting with the Government in Canberra 31 March;
9. Commend to members they support the rollout of weekly media releases via Mayors on key regional issues leading into both the Federal and State elections;
10. Develop key messaging for the State election based on existing priority and strategic work undertaken in the development of the Statement of Strategic Regional Priority with a report to be provided to the Board in May 2022; and
11. Advocacy at the State level to align with and leverage Country Mayors, the Joint Organisation Chairs' Forum and Local Government NSW.

d. Developing the Statement of Strategic Regional Priority for this term of the JO

| Resolved | Cr R Taylor/Cr S Ferguson |
|--|----------------------------------|
| That the Board note the report on developing the Statement of Strategic Regional Priority (SSRP) for this term of the JO and | |
| 1. Note that the Statement is to be developed by 4 December 2022; | |
| 2. Adopt an approach to an output similar to the last term – that being a high level two page summary document supported by a more detailed plan for the term of this Joint Organisation plus one year thereafter including a risk management plan and communication strategy; | |

3. Adopt the following timeline:
 - a. Two workshops in June and July 2022 informed by the following outputs:
 - i. A Risk Management Plan developed by a subcommittee of the Board identified at the Board meeting;
 - ii. An environmental scan of strategies and plans by the State and Federal Governments;
 - iii. A report on member priorities for the JO informed by consultation with members;
 - iv. A summary report of CSPs;
 - v. A State agency snapshot developed through the regional CSP support program;
 - a. A draft SSRP for adoption at the August Board that seeks feedback from members;
 - b. Final SSRP and Strategic Plan to the November Board meeting; and
4. Monitor the rollout of ABS data from the 2020 Census and include this where possible;
5. Delegate to a subcommittee of Cr Beatty, Cr Kellam, Cr Medcalf, Cr Ferguson, Cr West, Cr Miller, the development of a Risk Management Plan and oversight of the SSRP process;
6. Include considerations for the subcommittee of Mayors the timing and focus for a Summit bringing together Councils in the region;
7. Direct a Draft Statement of Budget and Revenue Policy be prepared for the meeting in May that as best as possible resources the strategic direction of the Board on the SSRP to date; and
8. Note that the workshop on the SSRP in June will need to have a formal component to adopt the Statement of Budget and Revenue Policy.

e. Regional State Government/Local Government Workshop – Informing Community Strategic Plans

| Resolved | Cr J Medcalf/Cr P Miller |
|--|--------------------------|
| That the Board note the CSP Report and provide a report to the May meeting on the feasibility of repeating this program in the future including the recommendations from the work undertaken to date, those being: | |
| <ol style="list-style-type: none"> 1. To provide an ongoing opportunity to inform “State of the City/Shire” reporting and the development and monitoring of future Community Strategic Plans it is proposed that a similar forum bringing State agencies and local government together be held in a scheduled, ongoing way: <ol style="list-style-type: none"> a. Around June/July ahead of each local government election to get updated data to inform reporting and the development of the next CSP; b. Following each local government election to share draft CSPs and confirm opportunities for implementation and delivery of local strategies; and c. Around the mid-point of each council term to monitor the progress of implementing CSP strategies. | |

f. Policy for Competitive Funding

| Resolved | Cr J Hamling/Cr B West |
|---|------------------------|
| That the Board note the Policy for Competitive Funding report and approve the Competitive Funding Policy to be added to the policy and procedure suite. | |

g. Regional Procurement and Contracts

| Resolved | Cr P Miller/Cr J Medcalf |
|--|--------------------------|
| That the Board notes the report on Procurement and Contract Management and approves the JO to conduct new regional procurement processes for the following, along with the corresponding contract management fees: | |

1. LED lighting upgrades for buildings with a 1% contract management fee;
2. LED lighting upgrades at parks and sporting fields with a 1% contract management fee;
3. variable speed drives with a 3% contract management fee;
4. power factor correction devices with a 3% contract management fee;
5. smart management system for new and existing solar installations with a 3% contract management fee;
6. solar panels and battery storage with a 1% contract management fee; and
7. receive a presentation on the outcomes of the Best Practice in Aggregated Procurement Program.

h. Energy Program

| Resolved | Cr B West/Cr R Taylor |
|---|------------------------------|
| That the Board notes the report on the Energy Program and endorses the following submissions: | |
| <ol style="list-style-type: none"> 1. AER Framework and Approach Consultation; 2. NSW Public Lighting Code Review; 3. AEMC Review of Regulatory Framework for Metering Services; nd 4. IPART Review of Electricity Network Operators' Licenses. | |

Priority Two: Regional Prosperity

i. Destination Network Central West Report

| Resolved | Cr P Miller/Cr K Keith |
|---|-------------------------------|
| That the Board note the report on the mooted Destination Network Central West and monitor the situation weekly through the Deputy Premier, Paul Toole's Office to ascertain timing of the Cabinet review of the boundary. | |

Priority Four: Regional Water Security

j. Water Update

| Resolved | Cr B West/Cr S Ferguson |
|--|--------------------------------|
| That the Board note the Regional Water report and | |
| <ol style="list-style-type: none"> 1. circulate a report on the regulatory framework and 2. draft a submission and policy seeking to abolish the 75/25 rule. | |

k. Matters Raised by Members: Bathurst Regional Council Section 10 application on the Mount Panorama area

| Resolved | Cr R Taylor/ Cr K Keith |
|---|--------------------------------|
| That the Board note the report and provide the enclosed correspondence as a formal submission to the section 10 reporter in relation to the current section 10 application lodged under the ATSHIP Act in relation to lands at or near Mount Panorama Wahluu in support of Bathurst Regional Council's efforts in maintaining and developing the Mount Panorama Wahluu site as a tourism destination of international significance. | |

l. Report to the Central NSW JO Strategic Plan and Statement of Regional Strategic Priority

| Resolved | Cr S Ferguson/ Cr P Miller |
|--|-----------------------------------|
| That the Board note the Report to the Central NSW JO Strategic Plan and Statement of Regional Strategic Priority and | |
| <ol style="list-style-type: none"> 1. Submit the Board response to the Draft Central West and Orana Regional Plan; 2. Submit the attached response to the Draft Central West and Orana Transport Plan; 3. Undertake advocacy regarding the content of both submissions, particularly in regard to <ol style="list-style-type: none"> a. Consideration of Central NSW separately due to its pattern of settlement; | |

- b. The use of common planning assumptions;
- c. The need for a safe swift link between Central NSW and Sydney to be included in the Draft Transport Plan with advice on steps to be taken in this 5 year period;
- d. Commend to members they lodge their own submissions; and
- 4. Correspondence be provided to the Auditor General on the use of Common Planning Assumptions and their impacts in Central NSW.

10. Late reports – Nil

11. Matters raised by Members

a. **Cr Scott Ferguson requested a report to the next Board meeting on remuneration of the Chair.**

b. **IPART decision for the 0.7% rate rise**

| | |
|--|--------------------------------|
| Resolved | Cr B West/ Cr J Medcalf |
| That the Board express its strong dissatisfaction of the 0.7% rate rise. | |

c. **Thanks to administrative support staff at Lachlan and in the CNSWJO**

| | |
|---|----------------------------------|
| Resolved | Cr J Medcalf/ Cr M Kellam |
| That correspondence be provided thanking the administrative support staff for their support of the term for the outgoing Chair. | |

12. Speakers to next meeting - TBA

13. Next meeting

Special Board Meeting 17 March 2022 with our Duty ALP Senators and Members of Shadow Cabinet TBA- Orange at CSU Campus TBC

Board– 30/31 March 2022 Parliament House Canberra

GMAC – 28 April 2022 - Blayney

Meeting close 12.14pm

Page 6 is the last page of the Central NSW Joint Organisation meeting 24 February 2022

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**RECOMMENDATION**

That the Minutes of the Ordinary Meeting of Orange City Council held on 3 March 2022 (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 3 March 2022.

ATTACHMENTS

- 1 Minutes of the Ordinary Meeting of Orange City Council held on 3 March 2022

ORANGE CITY COUNCIL

MINUTES OF THE ORDINARY COUNCIL MEETING

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

ON 3 MARCH 2022

COMMENCING AT 7.00PM

1 INTRODUCTION

ATTENDANCE

Cr J Hamling (Mayor), Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power (Deputy Mayor), Cr J Whitton

Chief Executive Officer, Director Corporate and Commercial Services, Director Development Services, Director Community, Recreation and Cultural Services, A/Director Technical Services (Gailey), A/Manager Corporate Governance, Administration Officer 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

Khalid Tufail of the NSW Regional Islamic Centre led the Council in prayer.

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

Cr Duffy declared a non-significant, non-pecuniary interest in IPC Item 2.1 – Extraordinary – City of Orange Traffic Committee as he is an employee of Orange Bus Lines and will remain in the Chamber and will vote on this item.

Cr Hamling declared a non-significant, non-pecuniary interest in Item 5.4 Leave of Absence as it is he who is requiring the resolution to take leave and will remain in the Chamber and will not vote on this item.

Cr Hamling declared a non-significant, non-pecuniary interest in IPC Item 2.1 – Extraordinary – City of Orange Traffic Committee as he is an employee of Orange High School and will remain in the Chamber and will not vote on this item.

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

Amber Gunn – PDC Agenda Item 2.2 DA 507/2021(1) – 314 Anson Street - Against
Geoff Metcalfe - PDC Agenda Item 2.2 DA 507/2021(1) – 314 Anson Street – For – wants to defer this item to allow Councillors to inspect the proposed development

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 7.12pm.

The Mayor presented Council with a Giants netball team bib that was presented to the City during their recent visit to Orange.

The Mayor commented on the LGNSW Conference which was held in Sydney this week and believed a lot of knowledge was gained by the 7 Councillors that attended. A report will come back to Council.

Cr Whitton commented that 50% of attendance at the LGNSW Conference was new Councillors and new Mayors.

Cr Greenhalgh commented that the knowledge gained was priceless.

Cr Power commented that it was valuable to learn about where other NSW Councils are heading. The amount of indigenous Councillors that were present was encouraging.

Cr Duffy acknowledged that our previous Mayor Cr Kidd received recognition for his years of service at the Conference.

2 MAYORAL MINUTES

Nil

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED - 22/034**Cr J Whitton/Cr M McDonell**

That the Minutes of the Ordinary Meeting of Orange City Council held on 15 February 2022 (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 15 February 2022.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Nil

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE POLICY COMMITTEE MEETINGS AT 7.18pm.

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 7.36pm.

4 NOTICES OF MOTION/NOTICES OF RESCISSION

4.1 NOTICE OF MOTION - DYLAN ALCOTT

TRIM REFERENCE: 2022/231

RESOLVED - 22/041**Cr S Peterson/Cr T Greenhalgh**

That Dylan Alcott OAM be invited to attend a community event within Orange.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Nil

5 GENERAL REPORTS

5.1 REALLOCATION OF FUNDING FOR CRICKET FIELD OF PLAY FENCING

TRIM REFERENCE: 2021/2682

RESOLVED - 22/042**Cr J Hamling/Cr K Duffy**

That funding for installation of a picket fence at the Spring Hill Recreation Ground be reallocated to installation of a picket fence at Riawena Oval.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Nil

Cr Duffy asked if Council could get clarification on whether or not the Spring Hill Association received funding to go towards their cricket field

The Director Community Recreation and Cultural Services responded by saying yes that is my understanding, the Local Member announced this just before Christmas

Cr Mileto asked the question were the quotes for Riawena Oval \$100,000.

The Director Community Recreation and Cultural Services said that the contractor had already been engaged for the Spring Hill fence and was asked to look to see if there were any additional costs and then confirmed there would be no additional costs. Yes the quote remained at \$100,000.

Cr Kinghorne asked how was the Spring Hill Committee and Orange City Council on such different wavelengths, we are supposed to be engaging with them, I don't understand how it could have been resolved this way.

The Chief Executive Officer responded by saying that he would circulate further information on this to Councillors

Cr Kinghorne asked is the successful tenderer local

The Director Community Recreation and Cultural Services responded yes they are local

Cr Mileto asked about the internment wall at Spring Hill, when will it be finished and when can people add to this wall

The Director Community Recreation and Cultural Services responded saying that Council was currently going through the mechanics and it will be completed in the near future

5.2 POLICY COMMITTEE DRAFT CHARTERS

TRIM REFERENCE: 2022/176

RESOLVED - 22/043

Cr J Whitton/Cr D Mallard

That Council adopt the Charters for each Policy Committee consisting of Planning and Development, Employment and Economic Development, Environmental Sustainability, Sport and Recreation, Infrastructure, Finance and Services.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Nil

5.3 COMMUNITY COMMITTEE DRAFT CHARTERS

TRIM REFERENCE: 2022/216

RESOLVED - 22/044**Cr J Whitton/Cr M McDonell**

That Council adopt the Charters for each of the Community Committees as resolved on the 15 February 2022 Council meeting.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against:

Absent:

Cr Mileto pointed out that the Economic Development Community Committee Draft Charter listed these meetings would occur bi-monthly when it should state 'monthly' as this is the frequency at which these meetings have historically been held

The Director Corporate and Commercial Services commented that when the Draft Charter goes to the Committee they can resubmit it with this change

Cr Mallard asked the question about maximum numbers of community members on each community committee – all charters specify a maximum number of community reps, at least one had many more people express interest. Can we alter this.

The Chief Executive Officer commented that tonight is about discussing this matter, unlimited or limited numbers we can decide tonight

Cr Peterson asked if there are lots of people on the committee that do not show up, does this affect the quorum

The Chief Executive Officer commented that yes it could well affect the quorum

Cr Greenhalgh asked have we turned people away from these committees previously

The Chief Executive Officer responded by saying yes, a person represented a particular political group which we did not see as being beneficial to the Committee involved

MATTER ARISING**Cr J Hamling**

That Councillors be briefed on the number of Expressions of Interest received for each Community Committee through a Councillor Briefing session prior to Committee Charters going to each Community Committee.

5.4 LEAVE OF ABSENCE

TRIM REFERENCE: 2022/240

Cr Hamling declared a non-significant, non-pecuniary interest in this Item as it is he who is requiring the resolution to take leave and will remain in the Chamber and will not vote on this item.

RESOLVED - 22/045**Cr J Whitton/Cr F Kinghorne**

That Leave of Absence be granted for the Mayor, Cr Jason Hamling for the Meeting of Council to be held Tuesday 19 April 2022.

For: Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne,
Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power , Cr J Whitton

Against: Nil

Absent: Cr J Hamling

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.

The Mayor extended an invitation to any member of the public present at the meeting to make a presentation to the Council as to whether the meeting should be closed for a particular item.

RESOLVED - 22/046**Cr J Whitton/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 Submission Redactions February 2022

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 (e) information that would, if disclosed, prejudice the maintenance of law.

6.2 Electricity Procurement

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)ii information that would, if disclosed, confer a commercial advantage on a competitor of the council and (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Information contained in this paper is subject to legal professional privilege and is strictly confidential. Any disclosure of this paper, including a verbal disclosure of its content or conclusions, beyond Council officers directly involved in this matter may result in the loss of legal professional privilege and cause damage to the Council's legal and financial position. Councillors have a good faith duty to strictly maintain confidentiality of privileged communications, and any failure to do so may result in a penalty under section 664 of the Local Government Act 1993 and action under the Code of Conduct.

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE CLOSED MEETING AT 7.55PM.

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 8.34PM.

7 RESOLUTIONS FROM CLOSED MEETING

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

6.1 SUBMISSION REDACTIONS FEBRUARY 2022

TRIM REFERENCE: 2022/175

RESOLVED - 22/047**Cr K Duffy/Cr D Mallard**

That the information in this report be acknowledged.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne,
Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Nil

6.2 ELECTRICITY PROCUREMENT

TRIM REFERENCE: 2022/236

MOTION

That Council

1. Note the report on electricity procurement;
2. Note that a reduced tender period has been considered;
3. Resolve that because of the extenuating circumstances set out in the report a satisfactory result would not be achieved by inviting tenders for the aggregated procurement of electricity for large market sites and streetlighting which are due to commence on 1 January 2023;
4. Note that the reasons for the decision of the Council in resolution 3 are as follows:
 - a. The services with respect to which the tender relates can only be provided by energy retailers.
 - b. Council has received expert advice that due to the nature of the relevant market, offers from those retailers which will be made in response to the request for tender will only be open for acceptance for a period of 1-2 weeks.
 - c. Even if the tender period was shortened to 7 days as permitted under the Regulations, some if not all of the relevant tenders would expire prior to Council being able to undertake an assessment of tenders, report the matter to Council and resolve to accept or reject any tenders.
 - d. This would result in Council either having no valid tenders which it is able to accept, or it would not be able to consider for acceptance all of the tenders lodged in response to the request for tender.
 - e. This would not be a satisfactory result for Council.
5. Delegate the authority to execute the contracts for the supply of electricity for large market sites and streetlighting to the Chief Executive Officer; and
6. Advise Central NSW Joint Organisation of Council's decision.

AMENDMENT**Cr D Mallard/Cr M McDonell**

That the motion be amended by inserting an additional point 7:

1. Makes representations to the Central NSW Joint Organisation that the procurement process should exclude seeking to enter into a power purchase agreement with any provider involved in new projects for coal, gas or oil extraction or energy generation, for example Origin Energy, which continues to seek to expand its gas and oil exploration, production and fracking in areas such as the Northern Territory's Beetaloo Basin, Queensland's channel country and Western Australia's Canning Basin.

For: Cr D Mallard, Cr M McDonell, Cr G Power

Against: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr T Mileto, Cr S Peterson, Cr J Whitton

Absent: Nil

THE AMENDMENT ON BEING PUT TO THE MEETING WAS LOST

RESOLVED - 22/048

Cr J Whitton/Cr T Greenhalgh

That Council

1. Note the report on electricity procurement;
2. Note that a reduced tender period has been considered;
3. Resolve that because of the extenuating circumstances set out in the report a satisfactory result would not be achieved by inviting tenders for the aggregated procurement of electricity for large market sites and streetlighting which are due to commence on 1 January 2023;
4. Note that the reasons for the decision of the Council in resolution 3 are as follows:
 - a. The services with respect to which the tender relates can only be provided by energy retailers.
 - b. Council has received expert advice that due to the nature of the relevant market, offers from those retailers which will be made in response to the request for tender will only be open for acceptance for a period of 1-2 weeks.
 - c. Even if the tender period was shortened to 7 days as permitted under the Regulations, some if not all of the relevant tenders would expire prior to Council being able to undertake an assessment of tenders, report the matter to Council and resolve to accept or reject any tenders.
 - d. This would result in Council either having no valid tenders which it is able to accept, or it would not be able to consider for acceptance all of the tenders lodged in response to the request for tender.
 - e. This would not be a satisfactory result for Council.
5. Delegate the authority to execute the contracts for the supply of electricity for large market sites and streetlighting to the Chief Executive Officer; and
6. Advise Central NSW Joint Organisation of Council's decision.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Nil

Cr Peterson sought background on the motion regarding whether decisions in the future would need to be made together with the other councils or if Orange City Council could do things independently.

The Chief Executive Officer advised the last council and the councils involved resolved to go to market as a collective and ask for a 50% renewable electricity in the next contract we buy (January next year). The Chief Executive Officer confirmed that we are in the process of this procurement now. This motion is effectively Councillors giving me (CEO) the delegation to make quick decisions when we go to market, which will be happening in the next month or two. Collectively we are looking at the energy load in all the councils, compiling the information and going to the electricity market and saying we want 50% renewable, we will take 50% other and you give us your best price. In the months ahead when we start that process trying to obtain the tenders to take to council to get a resolution is going to take too long and we risk losing the good price.

Cr Peterson asked that if you make the decision for Orange does that mean the other councils involved will also have their CEOs make the decision for their respective councils, is there a risk they may decide not to do it.

The Chief Executive Officer advised when we first started it was agreed that I cannot do anything to adversely affect the current price. The target here is 50% renewable on our purchase.

Cr Whitton asked whether, based on the solicitor's report, if there are potential issues of collusion regarding the ICAC statements

The Chief Executive Officer responded by saying no, we are just being very careful about how the process is being run by having a solicitor oversee every step to ensure compliance.

Cr Mileto asked what the difference will be cost wise.

The Chief Executive Officer advised it is expected to be the same or less.

RESOLVED - 22/049**Cr J Whitton/Cr J Evans**

That Council move back into Open Council Meeting.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Nil

THE MEETING CLOSED AT 8.38PM.

This is Page Number 32 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 3 March 2022.

4 NOTICES OF MOTION/NOTICES OF RESCISSION

4.1 CONDUCT FUNERALS AT ORANGE BOTANIC GARDENS

RECORD NUMBER: 2022/293

I, **CR GERALD POWER** wish to move the following Notice of Motion at the Council Meeting of 15 March 2022:

MOTION

1. That Council permit Funerals, including the presence of a coffin, to be conducted at the Orange Botanic Gardens within the Lawn Area of the Native Garden Display with appropriate signage in place: and
2. That Council place on public exhibition for the information of the community for a period of 28 days a hire fee for the conduct of funeral services at the Orange Botanic Gardens being \$300 excluding GST.

BACKGROUND

Following a recent Funeral Service which was held at the Orange Botanic Gardens, which included the presence of a coffin to recognise the service of former Councillor Glenn Taylor, Council has been asked to again permit full funerals.

This follows the recent request by the family of Jeremy Reid to conduct a funeral at the Orange Botanic Gardens which was refused in line with the operational policy that is currently in place.

Signed Cr Gerald Power

DIRECTOR COMMENT

Firstly, I recognise the distress experienced by the Reid family caused by the refusal of their request for a funeral service to recognise the life of Jeremy Reid and that this distress was exacerbated by the funeral that was recently conducted. I apologise for the distress and anguish that was caused.

The current policy was implemented following complaints received from the public regarding coffins being in a public place and unexpectedly “coming across” a funeral when utilising the Orange Botanic Gardens.

This policy is consistent with other regional cities, except for Wagga Wagga, whose policy positions do not permit funerals with coffins present or at all in some cases:

- Albury Botanic Gardens – small memorial services are permitted, coffins not allowed
- Wagga Botanic Garden - services are permitted
- Hunter Region Botanic Gardens – requests are assessed on a case-by-case basis, coffins not allowed

4.1 Conduct Funerals at Orange Botanic Gardens

- Tamworth Botanic Garden – do not permit funeral services
- Dubbo Botanic Garden – have not had a funeral service and this is not an option when booking

However due to the increasing demand to conduct funeral services in outdoor settings it is recommended that Council should have an option available to the public for this purpose within a controlled area and with appropriate signage.

It is suggested that funeral services be permitted via a booking and subject to availability within the Lawn Area of the Native Garden Display of the Botanic Gardens (this is the same location as the funeral for Mr Glenn Taylor).

As additional maintenance is required in preparation for a funeral service and the administration cost involved to manage and control bookings it is recommended that a fee of \$300 excluding GST be levied.

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Operational Policy to be amended to reflect the resolution of Council

5 GENERAL REPORTS

5.1 STATEMENT OF INVESTMENTS - DECEMBER 2021

TRIM REFERENCE: 2021/2817

AUTHOR: Julie Murray, Financial Accountant

EXECUTIVE SUMMARY

The purpose of this report is to provide a statement of Council's investments held as at 31 December 2021.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy "17.2 Collaborate - Ensure financial stability and support efficient ongoing operation".

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Nil

RECOMMENDATION

That Council resolves:

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

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.

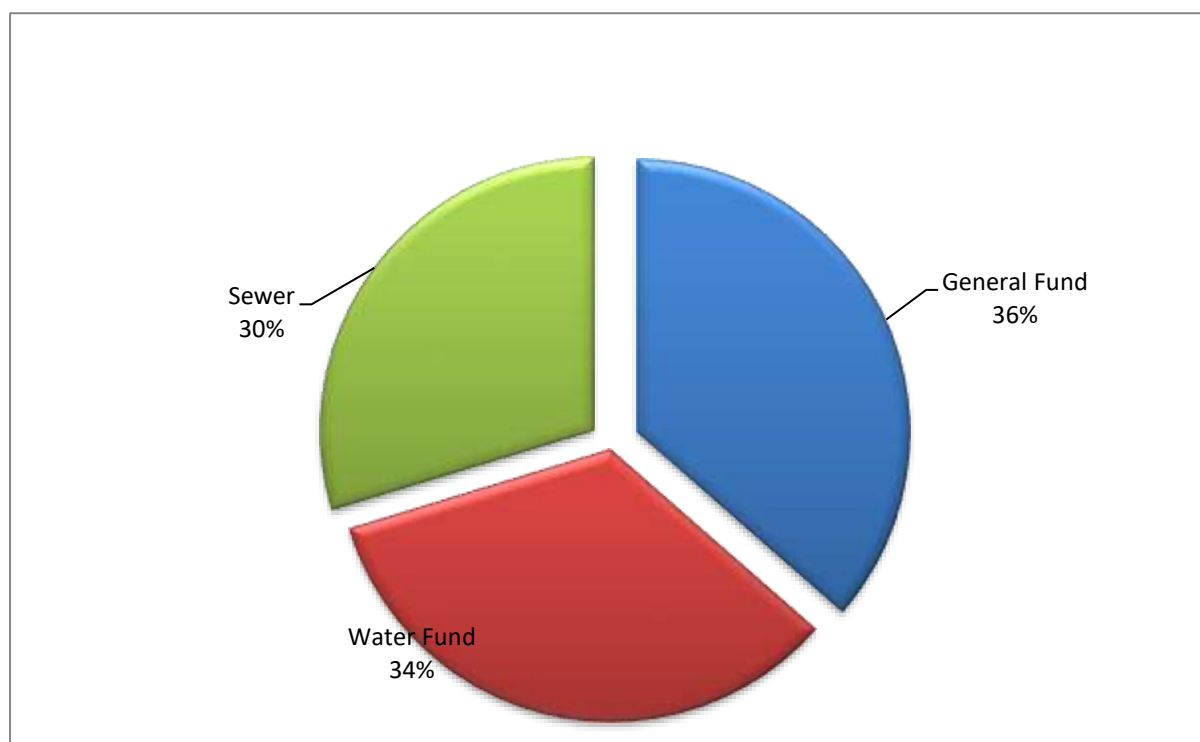
SUPPORTING INFORMATION

Section 212(1) of the Local Government (General) Regulation 2005 requires that a written report be presented each month at an Ordinary Meeting of the Council detailing all money that Council has invested under Section 625 of the Local Government Act 1993.

As at 31 December 2021, the investments held by Council in each fund is shown below:

| | 31/12/2021 | 30/11/2021 |
|--------------------|-------------------------|-------------------------|
| General Fund | 73,108,373.24 | 74,273,541.40 |
| Water Fund | 67,894,487.53 | 67,110,273.27 |
| Sewer Fund | 59,568,439.85 | 58,684,048.07 |
| Total Funds | \$200,571,300.62 | \$200,067,862.74 |

5.1 Statement of Investments - December 2021



A reconciliation of Council's investment portfolio provides a summary of the purposes for which Council's investments are being held. The summary is as follows:

| | 31/12/2021 | 30/11/2021 |
|------------------------------|-------------------------|-------------------------|
| Externally Restricted | | |
| - General Fund | 31,430,530.70 | 31,430,530.70 |
| - Water Fund | 67,894,487.53 | 67,110,273.27 |
| - Sewer Fund | 59,568,439.85 | 58,684,048.07 |
| Internally Restricted | 29,689,243.00 | 29,689,243.00 |
| Unrestricted | 11,988,599.54 | 13,153,767.70 |
| Total Funds | \$200,571,300.62 | \$200,067,862.74 |

Externally restricted funds are those funds that have been received for a specific purpose and may only be used for the purpose that they have been received, for example, the money received for Water access and usage charges by legislation are only available to be spent for the operation, maintenance, and expansion of the Water supply network.

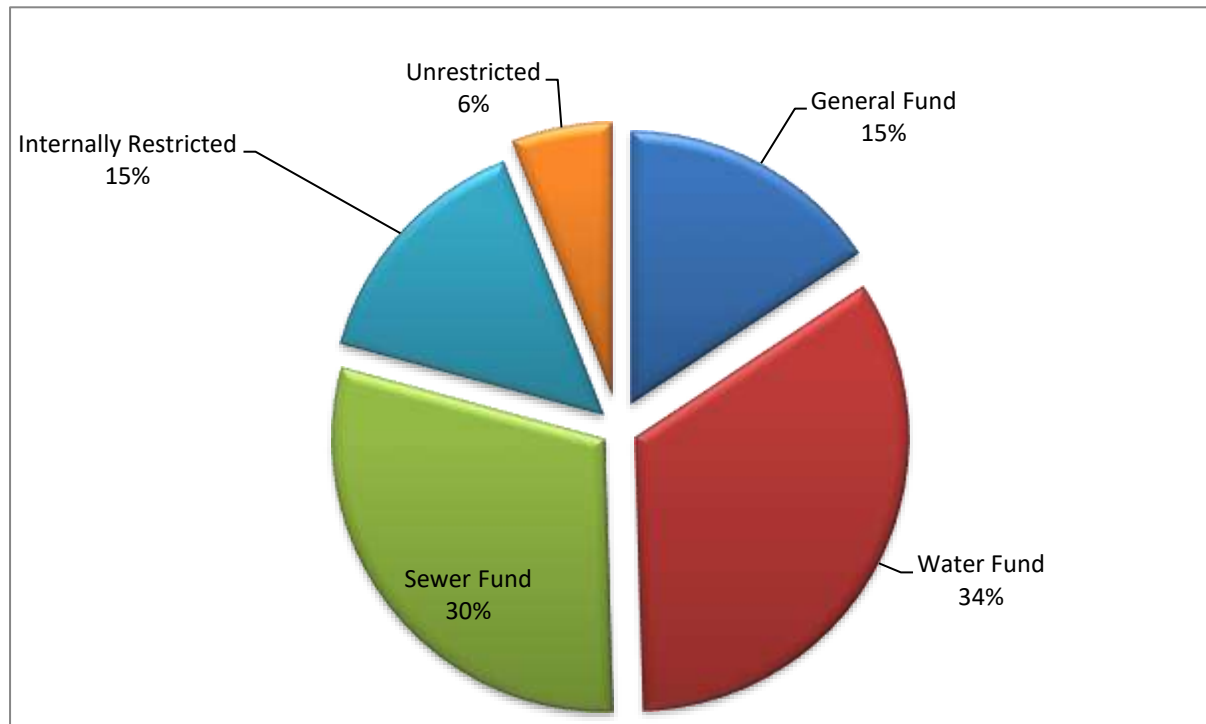
Internally restricted funds are those that Council has earmarked for a particular purpose, but Council can have that purpose changed.

Unrestricted funds are those available for use to continue the day-to-day operations of Council, made up of General Fund investments and cash only.

The unrestricted cash position movements during the month are normal as projects commence and income is received. Movements may also arise following processing of income received between funds or into restricted assets to appropriately allocate for the

5.1 Statement of Investments - December 2021

purposes Council has determined. Council's cash flow is monitored daily, and some investments may be redeemed rather than rolled over to support operational requirements.

**Portfolio Advice**

Council utilises the services of an independent investment advisor in maintaining its portfolio of investments. Council's current investment advisor is Imperium Markets, an independent asset consultant that works with wholesale investors to develop, implement, and manage their investment portfolio. Imperium Markets is a leading provider of independent investment consulting services to a broad range of institutional investors including government agencies, superannuation funds and not-for-profit organisations.

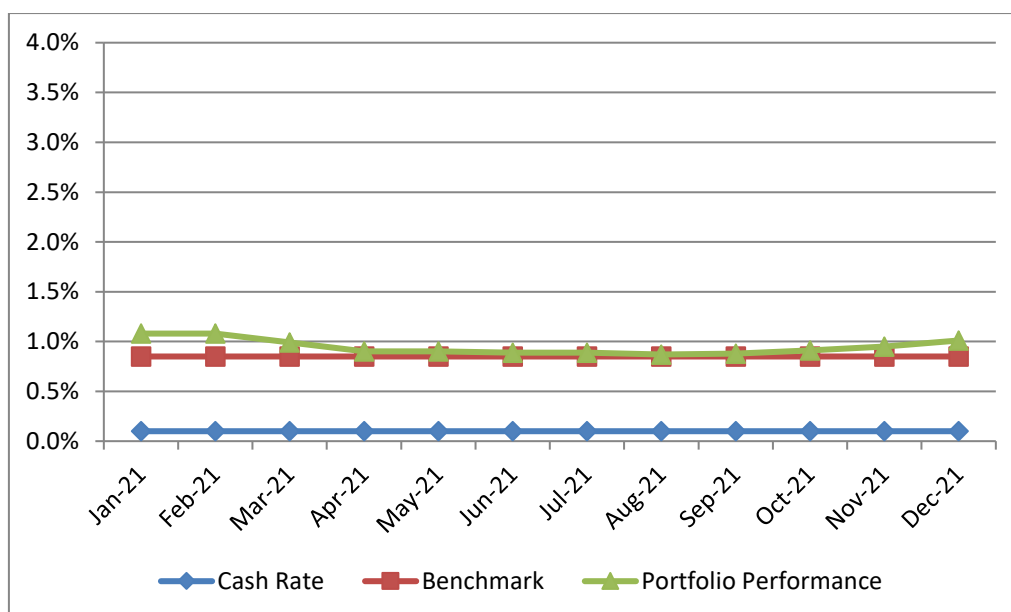
Imperium Markets major services provided to Council include:

- Quarterly portfolio summary reports
- Advice on investment opportunities, in particular Floating Rate Note products
- Advice on policy construction
- Year-end market values for Floating Note Rate products held by Council.

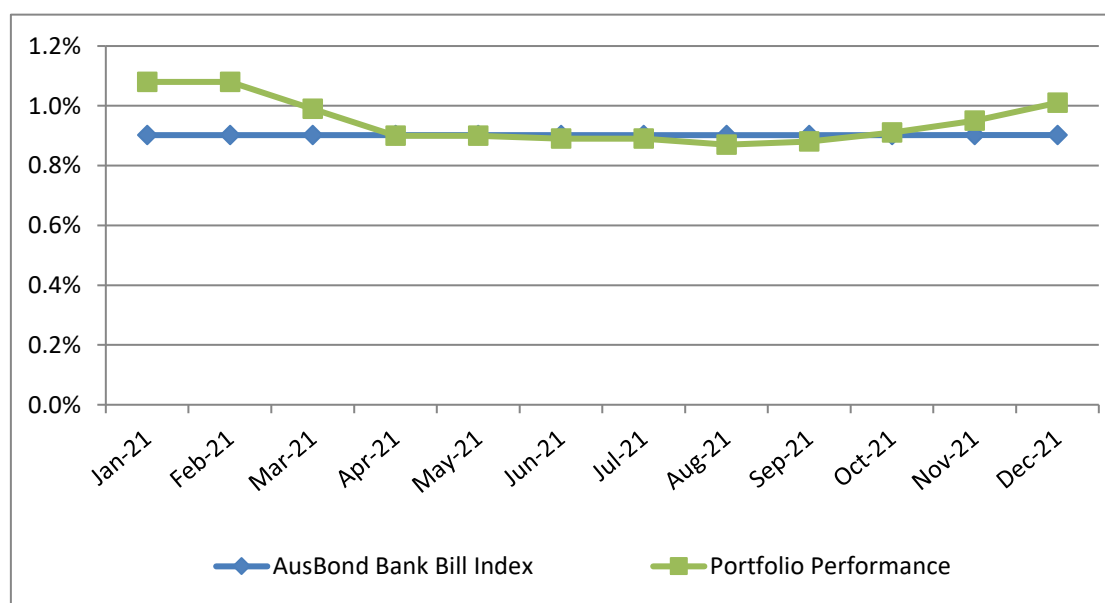
Portfolio Performance

Council's current Long Term Financial Plan establishes the benchmark for Council's interest on investments at "75 basis points above the current cash rate". The cash rate as at 31 December 2021 remained at 0.10 per cent. The weighted average interest rate of Council's investment portfolio at the same reporting date was 1.01 per cent which continues to exceed Council's benchmark i.e., the cash rate of 0.10 per cent plus 0.75 per cent (or 85 basis points).

5.1 Statement of Investments - December 2021



Council has also utilised the AusBond Bank Bill Index to provide a further benchmark focused on long term investments. As of 31 December 2021, the AusBond rate was 0.90 per cent. The weighted average interest rate of Council's investment portfolio at the same reporting date was 1.01 per cent.



Council's Investment Policy establishes limits in relation to the maturity terms of Council's investments as well as the credit ratings of the institutions with whom Council can invest.

The following tables provide a dissection of Council's investment portfolio as required by the Policy. The Policy identifies the maximum amount that can be held in a variety of investment products or with institutions based on their respective credit ratings.

Table 1 shows the percentage held by Council (holdings) and the additional amount that Council could hold (capacity) for each term to maturity allocation in accordance with limits established by Council's Policy.

5.1 Statement of Investments - December 2021

Table 1: Maturity – Term Limits

| Term to Maturity Allocation | Maximum | Holding | Remaining Capacity |
|------------------------------------|----------------|----------------|---------------------------|
| 0 - 3 Months | 100.00% | 22.38% | 77.62% |
| 3 - 12 Months | 100.00% | 23.21% | 76.79% |
| 1 - 2 Years | 70.00% | 12.47% | 57.53% |
| 2 - 5 Years | 50.00% | 41.94% | 8.06% |
| >5 Years | 25.00% | 0.00% | 25.00% |

Table 2 shows the total amount held, and the weighted average interest rate (or return on investment), by credit rating. The credit rating is an independent opinion of the capability and willingness of a financial institution to repay its debts, or in other words, the providers' financial strength or creditworthiness. The rating is typically calculated as the likelihood of a failure occurring over a given period, with the higher rating (AAA) being superior due to having a lower chance of default. However, it is generally accepted that this lower risk will be accompanied by a lower return on investment.

The level of money held in the bank accounts has been added to the table to illustrate the ability of Council to cover the operational liabilities that typically occur (for example payroll, materials and contracts, utilities).

Table 2: Credit Rating Limits

| Credit Rating | Maximum | Holding | Remaining Capacity | Value | Return on Investment |
|----------------------|----------------|----------------|---------------------------|------------------|-----------------------------|
| Bank Accounts | 100.00% | 9.78% | 90.22% | \$19,611,609.61 | 0.10% |
| AAA | 100.00% | 0.00% | 100.00% | N/A | N/A |
| AA | 100.00% | 50.73% | 49.27% | \$101,756,160.00 | 1.09% |
| A | 60.00% | 16.69% | 43.31% | \$33,470,383.56 | 0.94% |
| BBB & NR | 40.00% | 22.80% | 17.20% | \$45,733,147.45 | 0.87% |
| Below BBB | 0.00% | 0.00% | 0.00% | N/A | N/A |

Certification by Responsible Accounting Officer

I, Jason Cooke, hereby certify that all investments have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.

5.2 STATEMENT OF INVESTMENTS - JANUARY 2022

TRIM REFERENCE: 2022/50

AUTHOR: Julie Murray, Financial Accountant

EXECUTIVE SUMMARY

The purpose of this report is to provide a statement of Council's investments held as at 31 January 2022.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy "17.2 Collaborate - Ensure financial stability and support efficient ongoing operation".

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Nil

RECOMMENDATION

That Council resolves:

- 1 To note the Statement of Investments as at 31 January 2022.**
- 2 To adopt the certification of the Responsible Accounting Officer.**

FURTHER CONSIDERATIONS

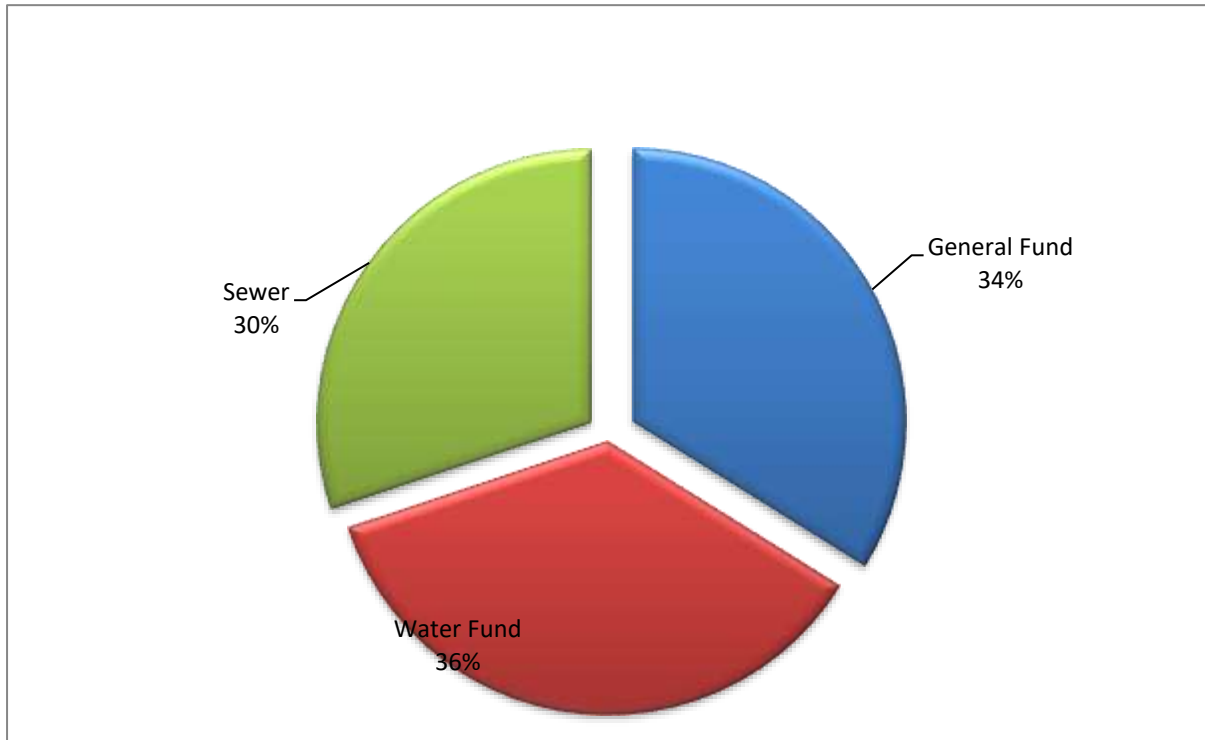
Consideration has been given to the recommendation's impact on Council's service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

SUPPORTING INFORMATION

Section 212(1) of the Local Government (General) Regulation 2005 requires that a written report be presented each month at an Ordinary Meeting of the Council detailing all money that Council has invested under Section 625 of the Local Government Act 1993.

As at 31 January 2022, the investments held by Council in each fund is shown below:

| | 31/01/2022 | 31/12/2021 |
|--------------------|-------------------------|-------------------------|
| General Fund | 67,092,296.79 | 73,108,373.24 |
| Water Fund | 71,421,925.45 | 67,894,487.53 |
| Sewer Fund | 59,693,257.71 | 59,568,439.85 |
| Total Funds | \$198,207,479.95 | \$200,571,300.62 |



A reconciliation of Council's investment portfolio provides a summary of the purposes for which Council's investments are being held. The summary is as follows:

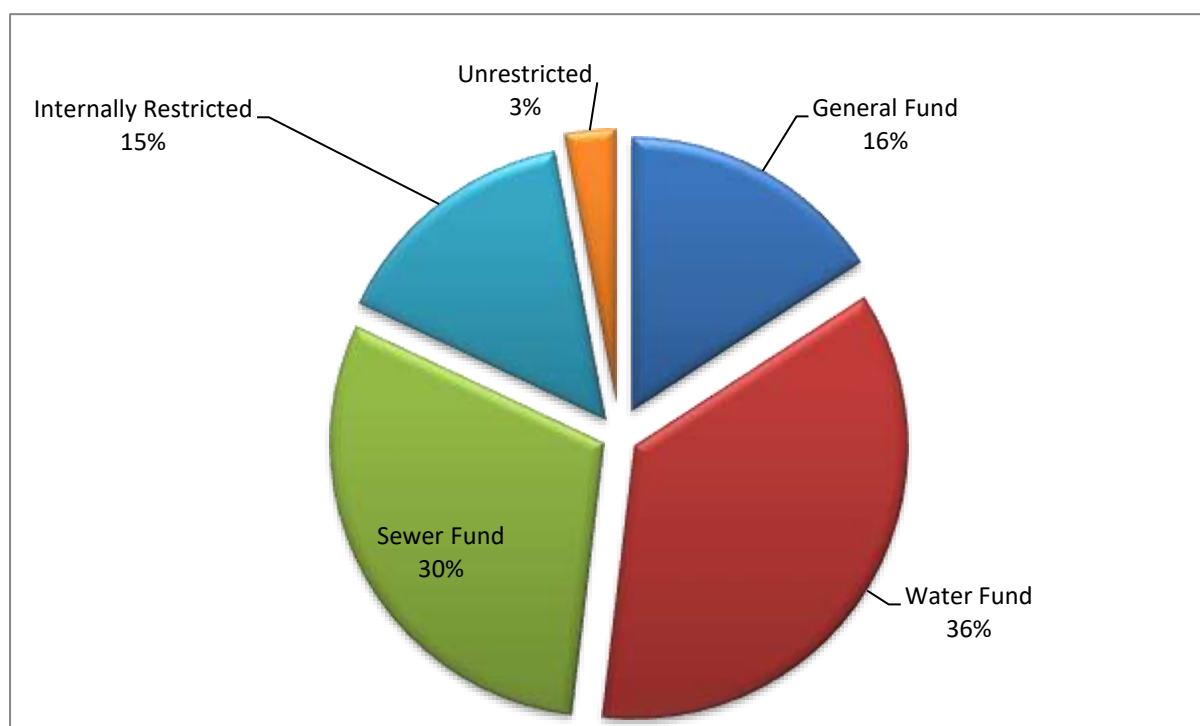
| | 31/01/2022 | 31/12/2021 |
|------------------------------|-------------------------|-------------------------|
| Externally Restricted | | |
| - General Fund | 31,437,710.63 | 31,430,530.70 |
| - Water Fund | 71,421,925.45 | 67,894,487.53 |
| - Sewer Fund | 59,693,257.71 | 59,568,439.85 |
| Internally Restricted | 29,689,243.00 | 29,689,243.00 |
| Unrestricted | 5,965,343.16 | 11,988,599.54 |
| Total Funds | \$198,207,479.95 | \$200,571,300.62 |

Externally restricted funds are those funds that have been received for a specific purpose and may only be used for the purpose that they have been received, for example, the money received for Water access and usage charges by legislation are only available to be spent for the operation, maintenance, and expansion of the Water supply network.

Internally restricted funds are those that Council has earmarked for a particular purpose, but Council can have that purpose changed.

Unrestricted funds are those available for use to continue the day-to-day operations of Council, made up of General Fund investments and cash only.

The unrestricted cash position movements during the month are normal as projects commence and income is received. Movements may also arise following processing of income received between funds or into restricted assets to appropriately allocate for the purposes Council has determined. Council's cash flow is monitored daily, and some investments may be redeemed rather than rolled over to support operational requirements.

**Portfolio Advice**

Council utilises the services of an independent investment advisor in maintaining its portfolio of investments. Council's current investment advisor is Imperium Markets, an independent asset consultant that works with wholesale investors to develop, implement, and manage their investment portfolio. Imperium Markets is a leading provider of independent investment consulting services to a broad range of institutional investors including government agencies, superannuation funds and not-for-profit organisations.

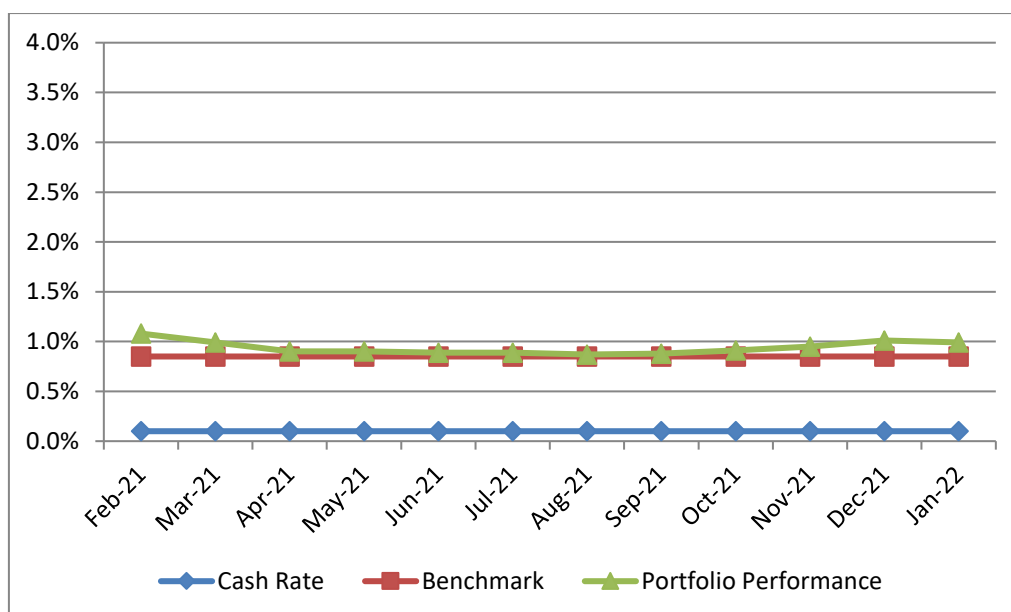
Imperium Markets major services provided to Council include:

- Quarterly portfolio summary reports
- Advice on investment opportunities, in particular Floating Rate Note products
- Advice on policy construction
- Year-end market values for Floating Note Rate products held by Council.

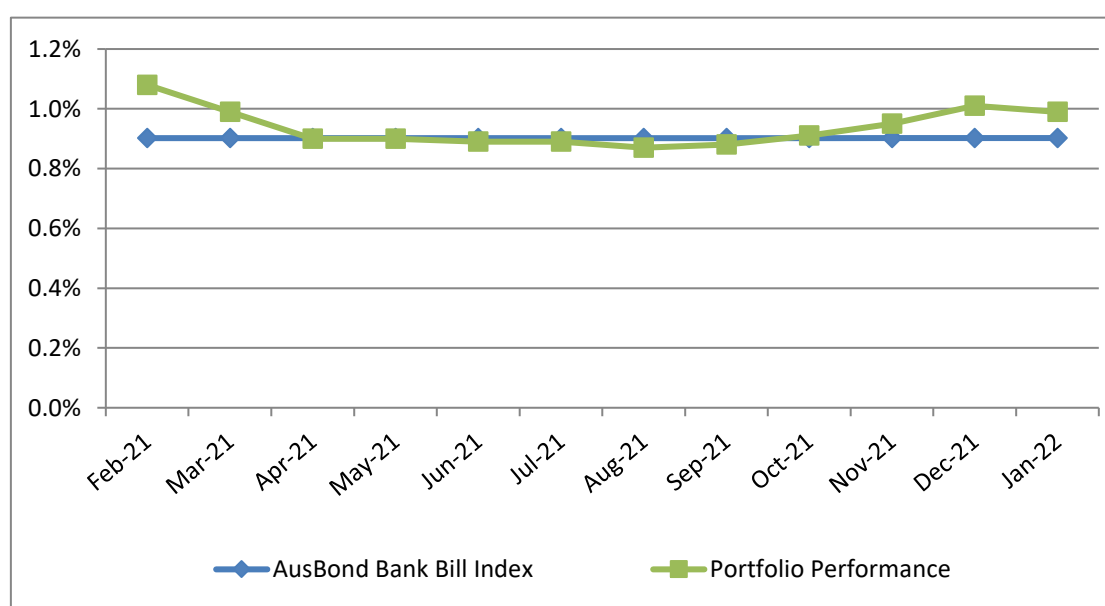
Portfolio Performance

Council's current Long Term Financial Plan establishes the benchmark for Council's interest on investments at "75 basis points above the current cash rate". The cash rate as at 31 January 2022 remained at 0.10 per cent. The weighted average interest rate of Council's investment portfolio at the same reporting date was 0.99 per cent which continues to exceed Council's benchmark i.e., the cash rate of 0.10 per cent plus 0.75 per cent (or 85 basis points).

5.2 Statement of Investments - January 2022



Council has also utilised the AusBond Bank Bill Index to provide a further benchmark focused on long term investments. As of 31 January 2022, the AusBond rate was 0.90 per cent. The weighted average interest rate of Council's investment portfolio at the same reporting date was 0.99 per cent.



Council's Investment Policy establishes limits in relation to the maturity terms of Council's investments as well as the credit ratings of the institutions with whom Council can invest.

The following tables provide a dissection of Council's investment portfolio as required by the Policy. The Policy identifies the maximum amount that can be held in a variety of investment products or with institutions based on their respective credit ratings.

Table 1 shows the percentage held by Council (holdings) and the additional amount that Council could hold (capacity) for each term to maturity allocation in accordance with limits established by Council's Policy.

5.2 Statement of Investments - January 2022

Table 1: Maturity – Term Limits

| Term to Maturity Allocation | Maximum | Holding | Remaining Capacity |
|------------------------------------|----------------|----------------|---------------------------|
| 0 - 3 Months | 100.00% | 26.47% | 73.53% |
| 3 - 12 Months | 100.00% | 17.00% | 83.00% |
| 1 - 2 Years | 70.00% | 19.26% | 50.74% |
| 2 - 5 Years | 50.00% | 37.28% | 12.72% |
| >5 Years | 25.00% | 0.00% | 25.00% |

Table 2 shows the total amount held, and the weighted average interest rate (or return on investment), by credit rating. The credit rating is an independent opinion of the capability and willingness of a financial institution to repay its debts, or in other words, the providers' financial strength or creditworthiness. The rating is typically calculated as the likelihood of a failure occurring over a given period, with the higher rating (AAA) being superior due to having a lower chance of default. However, it is generally accepted that this lower risk will be accompanied by a lower return on investment.

The level of money held in the bank accounts has been added to the table to illustrate the ability of Council to cover the operational liabilities that typically occur (for example payroll, materials and contracts, utilities).

Table 2: Credit Rating Limits

| Credit Rating | Maximum | Holding | Remaining Capacity | Value | Return on Investment |
|----------------------|----------------|----------------|---------------------------|------------------|-----------------------------|
| Bank Accounts | 100.00% | 9.46% | 90.54% | \$18,743,817.93 | 0.10% |
| AAA | 100.00% | 0.00% | 100.00% | N/A | N/A |
| AA | 100.00% | 56.38% | 43.62% | \$111,756,160.00 | 1.05% |
| A | 60.00% | 12.85% | 47.15% | \$25,470,383.56 | 0.97% |
| BBB & NR | 40.00% | 21.31% | 18.69% | \$42,237,118.46 | 0.85% |
| Below BBB | 0.00% | 0.00% | 0.00% | N/A | N/A |

Certification by Responsible Accounting Officer

I, Jason Cooke, hereby certify that all investments have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.

5.3 STATEMENT OF INVESTMENTS - FEBURARY 2022

TRIM REFERENCE: 2022/145

AUTHOR: Julie Murray, Financial Accountant

EXECUTIVE SUMMARY

The purpose of this report is to provide a statement of Council's investments held as at 28 February 2022.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy "17.2 Collaborate - Ensure financial stability and support efficient ongoing operation".

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Nil

RECOMMENDATION

That Council resolves:

- 1 To note the Statement of Investments as at 28 February 2022.**
- 2 To adopt the certification of the Responsible Accounting Officer.**

FURTHER CONSIDERATIONS

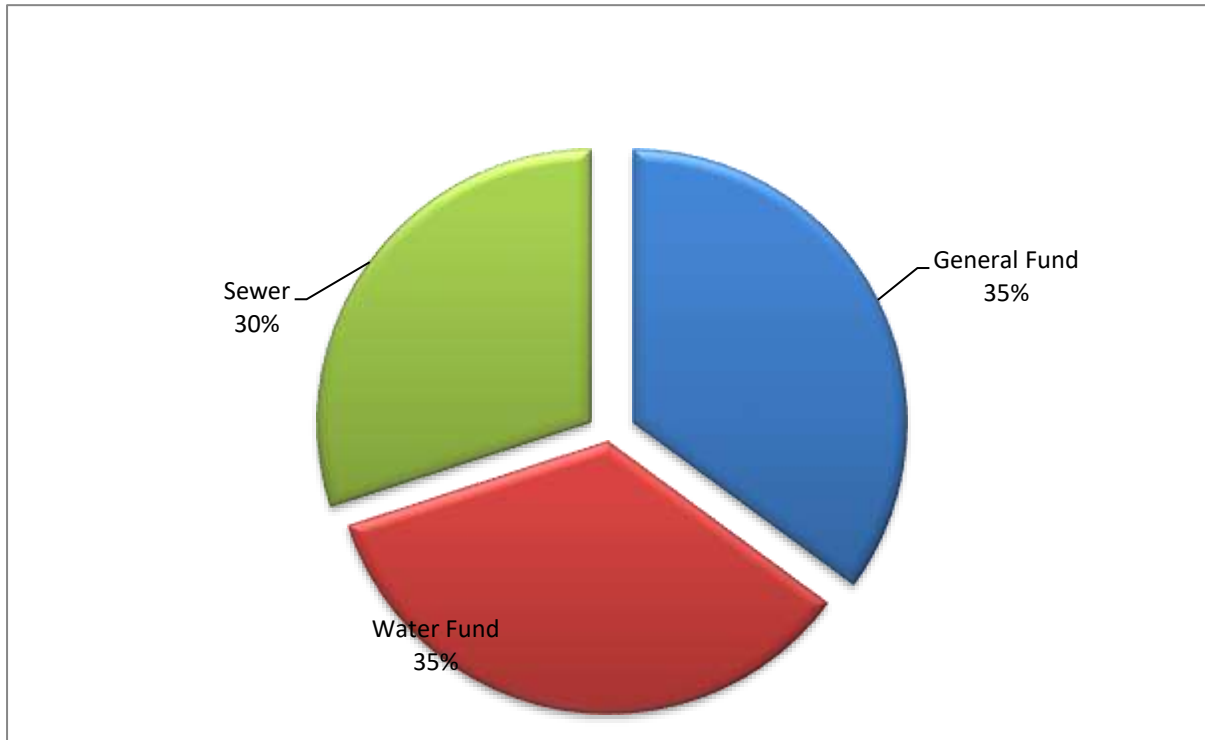
Consideration has been given to the recommendation's impact on Council's service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

SUPPORTING INFORMATION

Section 212(1) of the Local Government (General) Regulation 2005 requires that a written report be presented each month at an Ordinary Meeting of the Council detailing all money that Council has invested under Section 625 of the Local Government Act 1993.

As at 28 February 2022, the investments held by Council in each fund is shown below:

| | 28/02/2022 | 31/01/2022 |
|--------------------|-------------------------|-------------------------|
| General Fund | 69,990,221.56 | 67,092,296.79 |
| Water Fund | 69,542,043.37 | 71,421,925.45 |
| Sewer Fund | 59,846,693.75 | 59,693,257.71 |
| Total Funds | \$199,378,958.68 | \$198,207,479.95 |



A reconciliation of Council's investment portfolio provides a summary of the purposes for which Council's investments are being held. The summary is as follows:

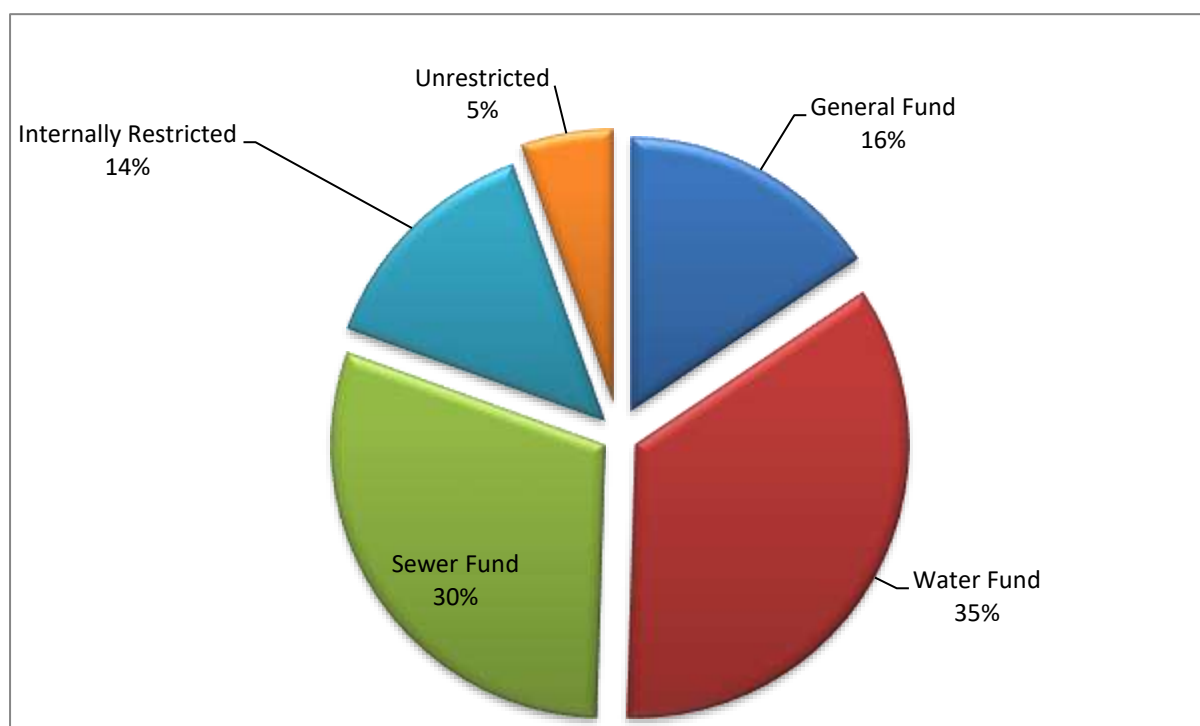
| | 28/02/2022 | 31/01/2022 |
|------------------------------|-------------------------|-------------------------|
| Externally Restricted | | |
| - General Fund | 31,127,290.20 | 31,437,710.63 |
| - Water Fund | 69,542,043.37 | 71,421,925.45 |
| - Sewer Fund | 59,846,693.75 | 59,693,257.71 |
| Internally Restricted | 27,975,765.51 | 29,689,243.00 |
| Unrestricted | 10,887,165.85 | 5,965,343.16 |
| Total Funds | \$199,378,958.68 | \$198,207,479.95 |

Externally restricted funds are those funds that have been received for a specific purpose and may only be used for the purpose that they have been received, for example, the money received for Water access and usage charges by legislation are only available to be spent for the operation, maintenance, and expansion of the Water supply network.

Internally restricted funds are those that Council has earmarked for a particular purpose, but Council can have that purpose changed.

Unrestricted funds are those available for use to continue the day-to-day operations of Council, made up of General Fund investments and cash only.

The unrestricted cash position movements during the month are normal as projects commence and income is received. Movements may also arise following processing of income received between funds or into restricted assets to appropriately allocate for the purposes Council has determined. Council's cash flow is monitored daily, and some investments may be redeemed rather than rolled over to support operational requirements.

**Portfolio Advice**

Council utilises the services of an independent investment advisor in maintaining its portfolio of investments. Council's current investment advisor is Imperium Markets, an independent asset consultant that works with wholesale investors to develop, implement and manage their investment portfolio. Imperium Markets is a leading provider of independent investment consulting services to a broad range of institutional investors including government agencies, superannuation funds and not-for-profit organisations.

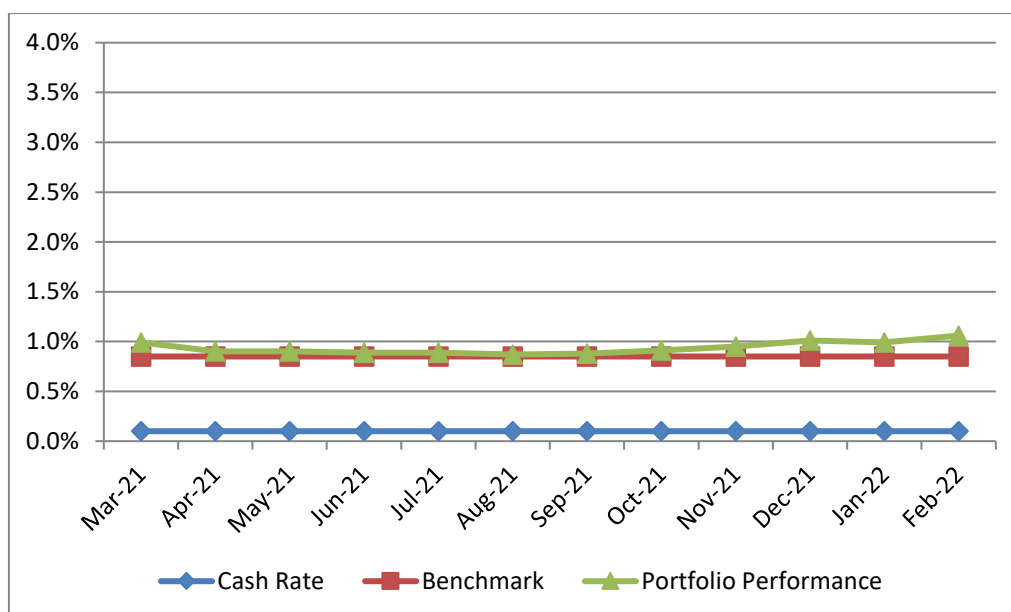
Imperium Markets major services provided to Council include:

- Quarterly portfolio summary reports
- Advice on investment opportunities, in particular Floating Rate Note products
- Advice on policy construction
- Year-end market values for Floating Note Rate products held by Council.

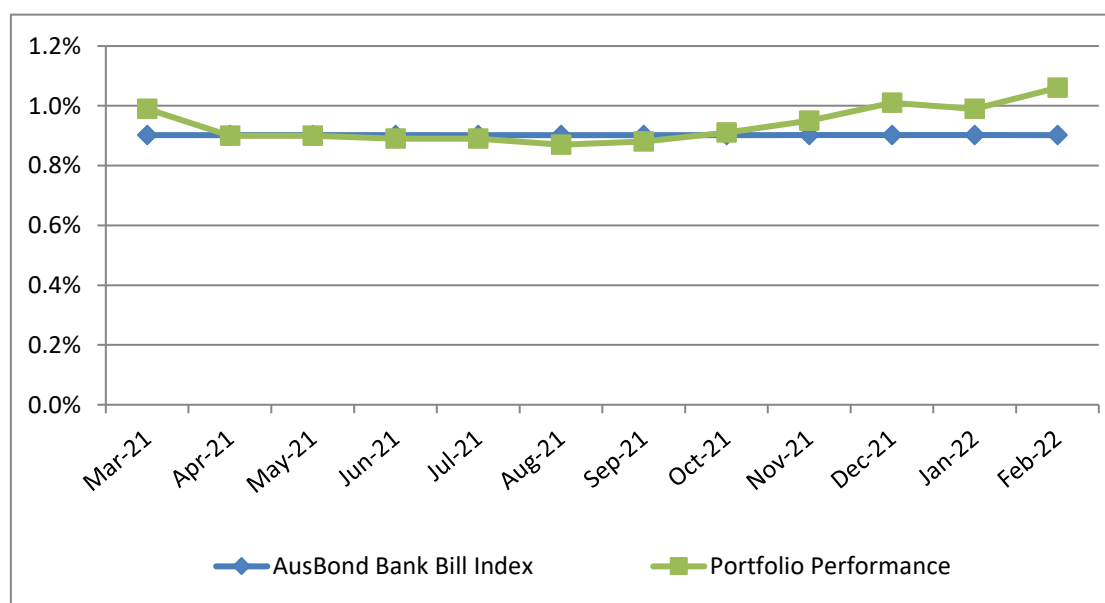
Portfolio Performance

Council's current Long Term Financial Plan establishes the benchmark for Council's interest on investments at "75 basis points above the current cash rate". The cash rate as at 28 February 2022 remained at 0.10 per cent. The weighted average interest rate of Council's investment portfolio at the same reporting date was 1.06 per cent which continues to exceed Council's benchmark i.e., the cash rate of 0.10 per cent plus 0.75 per cent (or 85 basis points).

5.3 Statement of Investments - February 2022



Council has also utilised the AusBond Bank Bill Index to provide a further benchmark focused on long term investments. As of 28 February 2022, the AusBond rate was 0.90 per cent. The weighted average interest rate of Council's investment portfolio at the same reporting date was 1.06 per cent.



Council's Investment Policy establishes limits in relation to the maturity terms of Council's investments as well as the credit ratings of the institutions with whom Council can invest.

The following tables provide a dissection of Council's investment portfolio as required by the Policy. The Policy identifies the maximum amount that can be held in a variety of investment products or with institutions based on their respective credit ratings.

Table 1 shows the percentage held by Council (holdings) and the additional amount that Council could hold (capacity) for each term to maturity allocation in accordance with limits established by Council's Policy.

Table 1: Maturity – Term Limits

| Term to Maturity Allocation | Maximum | Holding | Remaining Capacity |
|------------------------------------|----------------|----------------|---------------------------|
| 0 - 3 Months | 100.00% | 24.81% | 75.19% |
| 3 - 12 Months | 100.00% | 14.96% | 85.04% |
| 1 - 2 Years | 70.00% | 19.17% | 50.83% |
| 2 - 5 Years | 50.00% | 41.06% | 8.94% |
| >5 Years | 25.00% | 0.00% | 25.00% |

Table 2 shows the total amount held, and the weighted average interest rate (or return on investment), by credit rating. The credit rating is an independent opinion of the capability and willingness of a financial institution to repay its debts, or in other words, the providers' financial strength or creditworthiness. The rating is typically calculated as the likelihood of a failure occurring over a given period, with the higher rating (AAA) being superior due to having a lower chance of default. However, it is generally accepted that this lower risk will be accompanied by a lower return on investment.

The level of money held in the bank accounts has been added to the table to illustrate the ability of Council to cover the operational liabilities that typically occur (for example payroll, materials and contracts, utilities).

Table 2: Credit Rating Limits

| Credit Rating | Maximum | Holding | Remaining Capacity | Value | Return on Investment |
|----------------------|----------------|----------------|---------------------------|------------------|-----------------------------|
| Bank Accounts | 100.00% | 9.54% | 90.46% | \$19,011,323.46 | 0.10% |
| AAA | 100.00% | 0.00% | 100.00% | N/A | N/A |
| AA | 100.00% | 58.03% | 41.97% | \$115,691,240.00 | 1.12% |
| A | 60.00% | 11.95% | 48.05% | \$23,825,303.56 | 1.03% |
| BBB & NR | 40.00% | 20.49% | 19.51% | \$40,851,091.66 | 0.89% |
| Below BBB | 0.00% | 0.00% | 0.00% | N/A | N/A |

Certification by Responsible Accounting Officer

I, Jason Cooke, hereby certify that all investments have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.

5.4 STRATEGIC POLICY - ST050 - CODE OF MEETING PRACTICE - POST EXHIBITION

RECORD NUMBER: 2022/112

AUTHOR: Catherine Davis, Acting Manager Corporate Governance

EXECUTIVE SUMMARY

This report presents the following policy which has been on public exhibition for a period of 28 days with no submissions received.

ST050 – Code of Meeting Practice

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

As per Council’s resolution at the 01 February 2022 Meeting, the Code of Meeting Practice Strategic Policy was changed to reflect the new starting time of 6.30pm for Council meetings. The Local Government Act 1993 requires the public exhibition of Policies (if new or include significant changes) and adoption by Council.

RECOMMENDATION

That Council resolves to adopt Strategic Policy - ST050 – Code of Meeting Practice.

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**Policy for Adoption**

The following policy has been reviewed and outlined below are changes/updates made. The Policy has been on public exhibition which closed 02 March 2022, with no submissions received. It is recommended this policy be adopted.

| Date | Amendment |
|------------|--|
| March 2022 | <ul style="list-style-type: none">Change of Council meeting times from 7pm start to 6.30pm start |

ATTACHMENTS

1 DRAFT - Strategic Policy ST050 - Code of Meeting Practice, D22/11262 [↓](#)



CODE OF MEETING PRACTICE

ST050

F22

OBJECTIVES

To provide a Code of Meeting Practice for Orange City Council to ensure the effective conduct of all Council and Committee Meetings.

APPLICABILITY

This policy applies to all meetings of Council, including Council Committee meetings, Closed Meetings and Councillor Briefings.

GENERAL

The Local Government (General) Regulation 2005 (Part 10 – Meetings) governs the operation of Council and Committee meetings.

Open Forum

Ordinary Council Meetings allow for an “open forum” section at the start of the meeting. This section allows for matters listed on the agenda to be raised for information or discussion, but not for decision. No decisions are to be made during the Open Forum.

PROCEDURE

The attached Orange City Council Code of Meeting Practice incorporates the requirements of the Local Government Act 1993 (as amended) and the Local Government (General) Regulation 2005 with respect to meetings.

BREACHES

Breaches under this policy are dealt with as described in the Local Government (General) Regulation 2005 (Part 10 – Meetings).

RELATED POLICIES/DOCUMENTS

Model Code of Meeting Practice
Code of Conduct
Model Code of Conduct
Procedures for the Administration of the Code of Conduct
Local Government Act 1993
Local Government (General) Regulation 2005
Meetings Practice Note (Office of Local Government)



Responsible Area – Corporate and Commercial Services

| REVISION | | | | | |
|----------|------------------|------------|----|-----------------|------------|
| | DATE | RESOLUTION | | DATE | RESOLUTION |
| 1 | 20 January 2001 | 01/476 | | 16 April 2013 | 13/168 |
| 2 | January 2002 | | 12 | 20 May 2014 | 14/190 |
| 3 | January 2003 | | 13 | 3 Nov 2015 | 15/521 |
| 4 | January 2004 | | 14 | 15 August 2017 | 17/398 |
| 5 | January 2006 | 06/685 | 15 | 6 February 2018 | 18/034 |
| 6 | October 2006 | | 16 | 17 April 2018 | 18/165 |
| 7 | January 2007 | 07/207 | 17 | 21 May 2019 | 19/283 |
| 8 | January 2008 | 08/992 | 18 | 21 April 2021 | 21/104 |
| 9 | January 2009 | 09/453 | 19 | 15 March 2022 | |
| 10 | 7 June 2010 | 10/283 | | | |
| 11 | 20 November 2012 | 12/458 | | | |

SUMMARY OF AMENDMENTS

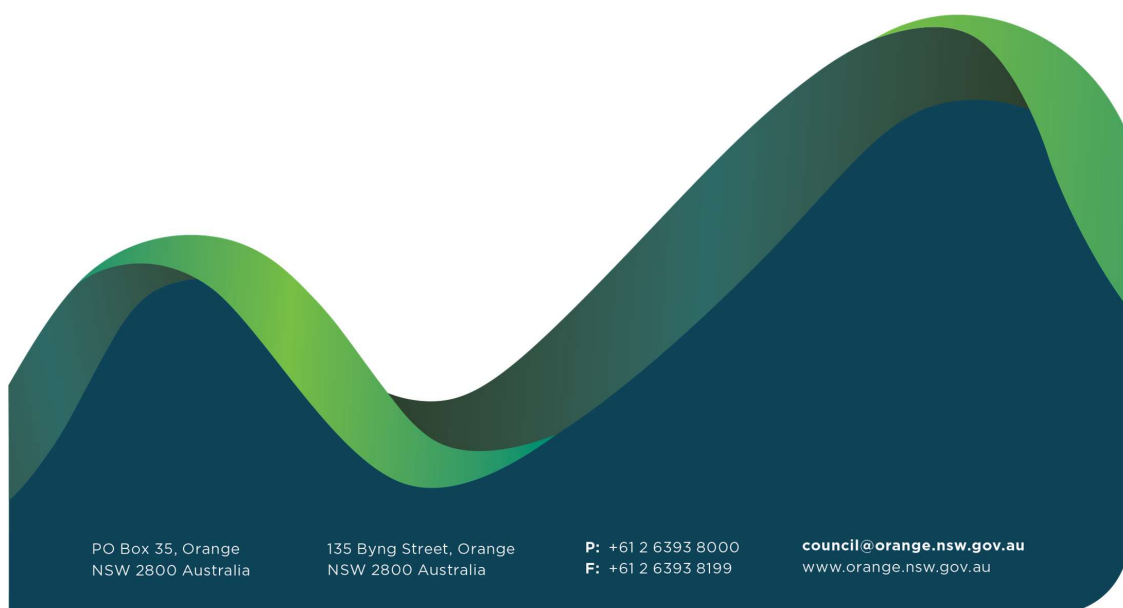
| Date | Amendment |
|------------|---|
| March 2022 | <ul style="list-style-type: none"> Change of Council meeting times from 7pm start to 6.30pm start |
| April 2021 | <ul style="list-style-type: none"> Inclusion of Attachment relating to Remote Meeting Attendance – Procedures for Councillor Attendance via Video-Link until 31 December 2021. |
| March 2019 | <ul style="list-style-type: none"> New Model Code of Meeting Practice issued by the Office of Local Government. All Councils will be required to webcast meetings of the Council and Committees from 14 December 2019. All voting must be recorded in the Minutes with the names of Councillors who voted for and against each motion or amendment, including any casting vote. Notices of Motion must be submitted no later than 8 business days before the scheduled meeting. Notices of Motion requiring the expenditure of funds on works/services other than those already provided for in the adopted operational plan must identify a source of funding. Notices of Motion to alter or rescind a resolution must be made no later than 12noon on the day proceeding the meeting. Where verbal notice is provided at the meeting, a formal signed notice must be provided by within 2 days of that meeting. Time limits on meetings will be introduced to conclude no later than 1030pm. New open forum speaker registration form – to be submitted by 4pm the day of the scheduled meeting. Maximum of 50 minutes allocated to the Open Forum and 10 speakers (5minutes each). |



Strategic Policy

Code of Meeting Practice

DRAFT



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1 INTRODUCTION

This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is made under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2005* (the Regulation).

This code applies to all meetings of Councils and committees of Councils of which all the members are Councillors (committees of Council). Council committees whose members include persons other than Councillors may adopt their own rules for meetings unless the Council determines otherwise.

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code.

A Council's adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a Council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

A Council and a committee of the Council of which all the members are Councillors must conduct its meetings in accordance with the Code of Meeting Practice adopted by the Council.

2 MEETING PRINCIPLES

2.1 Council and committee meetings should be:

Transparent: Decisions are made in a way that is open and accountable.

Informed: Decisions are made based on relevant, quality information.

Inclusive: Decisions respect the diverse needs and interests of the local community.

Principled: Decisions are informed by the principles prescribed under Chapter 3 of the Act.

Trusted: The community has confidence that Councillors and staff act ethically and make decisions in the interests of the whole community.

Respectful: Councillors, staff and meeting attendees treat each other with respect.

Effective: Meetings are well organised, effectively run and skilfully chaired.

Orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

3 BEFORE THE MEETING

Timing of ordinary Council meetings

- 3.1 Ordinary meetings of the Council will be held on the following occasions:
First and Third Tuesday of each month, commencing at 6.30pm in the Council Chambers, 135 Byng Street, Orange.

*On the First Tuesday of each month, Policy Committee Meetings will also be held.

Extraordinary meetings

- 3.3 If the Mayor receives a request in writing, signed by at least two (2) Councillors, the Mayor must call an extraordinary meeting of the Council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The Mayor can be one of the two Councillors requesting the meeting.

Notice to the public of Council meetings

- 3.4 The Council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the Council.
- 3.5 For the purposes of clause 3.4, notice of a meeting of the Council and of a committee of Council is to be published before the meeting takes place. The notice must be published on the Council's website, and in such other manner that the Council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.
- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to Councillors of ordinary Council meetings

- 3.7 The General Manager must send to each Councillor, at least three (3) days before each meeting of the Council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.
- 3.8 The notice and the agenda for, and the business papers relating to, the meeting may be given to Councillors in electronic form, but only if all Councillors have facilities to access the notice, agenda and business papers in that form.

Notice to Councillors of extraordinary meetings

- 3.9 Notice of less than three (3) days may be given to Councillors of an extraordinary meeting of the Council in cases of emergency.

Giving notice of business to be considered at Council meetings

- 3.10 A Councillor may give notice of any business they wish to be considered by the Council at its next ordinary meeting by way of a Notice of Motion. To be included on the agenda of the meeting, the Notice of Motion must be in writing and must be submitted **no later than eight (8) business days** before the meeting is to be held.
- 3.11 A Councillor may, in writing to the General Manager, request the withdrawal of a Notice of Motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.12 If the General Manager considers that a Notice of Motion submitted by a Councillor for consideration at an ordinary meeting of the Council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the General Manager may prepare a report in relation to the Notice of Motion for inclusion with the business papers for the meeting at which the Notice of Motion is to be considered by the Council.
- 3.13 A Notice of Motion for the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the Notice of Motion. If the Notice of Motion does not identify a funding source, the General Manager must either:
- (a) prepare a report on the availability of funds for implementing the Motion if adopted for inclusion in the business papers for the meeting at which the Notice of Motion is to be considered by the Council, or
 - (b) by written notice sent to all Councillors with the business papers for the meeting for which the Notice of Motion has been submitted, defer consideration of the matter by the Council to such a date specified in the notice, pending the preparation of such a report.

Questions with notice

- 3.14 A Councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the General Manager about the performance or operations of the Council.
- 3.15 A Councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the General Manager or a member of staff of the Council, or a question that implies wrongdoing by the General Manager or a member of staff of the Council.

- 3.16 The General Manager or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant meeting of the Council or orally at the meeting.

Agenda and business papers for ordinary meetings

- 3.17 The General Manager must cause the agenda for a meeting of the Council or a committee of the Council to be prepared as soon as practicable before the meeting.
- 3.18 The General Manager must ensure that the agenda for an ordinary meeting of the Council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the Council, and
 - (b) if the Mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.10.
- 3.19 Nothing in clause 3.18 limits the powers of the Mayor to put a Mayoral Minute to a meeting under clause 9.6.
- 3.20 The General Manager must not include in the agenda for a meeting of the Council any business of which due notice has been given if, in the opinion of the General Manager, the business is, or the implementation of the business would be, unlawful. The General Manager must report, without giving details of the item of business, any such exclusion to the next meeting of the Council.
- 3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the General Manager, is likely to take place when the meeting is closed to the public, the General Manager must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
 - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.
- 3.22 The General Manager must ensure that the details of any item of business which, in the opinion of the General Manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to Councillors for the meeting concerned. Such details must not be included in the business papers made available to the public, and must not be disclosed by a Councillor or by any other person to another person who is not authorised to have that information.

Availability of the agenda and business papers to the public

- 3.23 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be

published on the Council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the Council, at the relevant meeting and at such other venues determined by the Council.

- 3.24 Clause 3.23 does not apply to the business papers for items of business that the General Manager has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.
- 3.25 For the purposes of clause 3.23, copies of agendas and business papers must be published on the Council's website and made available to the public at a time that is as close as possible to the time they are available to Councillors.
- 3.26 A copy of an agenda, or of an associated business paper made available under clause 3.23, may in addition be given or made available in electronic form.

Agenda and business papers for extraordinary meetings

- 3.27 The General Manager must ensure that the agenda for an extraordinary meeting of the Council deals only with the matters stated in the notice of the meeting.
- 3.28 Despite clause 3.27, business may be considered at an extraordinary meeting of the Council, even though due notice of the business has not been given, if:
- (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.
- 3.29 A motion moved under clause 3.28(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.
- 3.30 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.28(a) can speak to the motion before it is put.
- 3.31 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.28(b) on whether a matter is of great urgency.

Pre-meeting briefing sessions

- 3.32 Prior to each ordinary meeting of the Council, the General Manager may arrange a pre-meeting briefing session to brief Councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the Council and meetings of committees of the Council.
- 3.33 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.34 The General Manager or a member of staff nominated by the General Manager is to preside at pre-meeting briefing sessions.
- 3.36 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal Council or committee meeting at which the item of business is to be considered.
- 3.37 Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a Council or committee meeting. The Council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the Councillor who made the declaration.

4 PUBLIC FORUMS

- 4.1 The Council may hold a public forum prior to each ordinary meeting of the Council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary Council meetings and meetings of committees of the Council.
- 4.2 Public forums are to be chaired by the Mayor or their nominee.
- 4.3 To speak at a public forum, a person must first make an application to the Council on the approved form. Applications to speak at the public forum **must be received by 4pm on the day of the meeting** on which the public forum is to be held, and must identify the item of business on the agenda of the Council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.4 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.5 The General Manager or their delegate may refuse an application to speak at a public forum. The General Manager or their delegate must give reasons in writing for a decision to refuse an application.
- 4.6 No more than ten (10) speakers are to be permitted to speak 'for' or 'against' items of business on the agenda for the Council meeting.
- 4.7 If more than the permitted number of speakers apply to speak 'for' or 'against' items of business, the General Manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the Council on the item of business. If the speakers are not able to agree on whom to nominate to address the Council, the General Manager or their delegate is to determine who will address the Council at the public forum.
- 4.8 If more than the permitted number of speakers apply to speak 'for' or 'against' items of business, the General Manager or their delegate may, in consultation with the Mayor or the Mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the Council to hear a fuller range of views on the relevant item of business.
- 4.9 Approved speakers at the public forum are to register with the Council any written material to be presented in support of their address to the Council at the public forum to the General Manager **no later than 4pm on the day of the scheduled meeting**. The General Manager or their delegate may refuse to allow such material to be presented. No electronic presentations will be permitted.
- 4.10 The General Manager or their delegate is to determine the order of speakers at the public forum.

- 4.11 Each speaker will be allowed five (5) minutes to address the Council. This time is to be strictly enforced by the chairperson. Any extension of time is at Council's discretion.
- 4.12 Speakers at public forums must not digress from the item on the agenda of the Council meeting they have applied to address the Council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.13 A Councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.14 Speakers are under no obligation to answer a question put under clause 4.13. Answers by the speaker, to each question are to be limited to two (2) minutes.
- 4.15 Speakers at public forums cannot ask questions of the Council, Councillors or Council staff.
- 4.16 The General Manager or their nominee may, with the concurrence of the chairperson, address the Council for up to two (2) minutes in response to an address to the Council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.17 Where an address made at a public forum raises matters that require further consideration by Council staff, the General Manager may recommend that the Council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.18 When addressing the Council, speakers at public forums must comply with this code and all other relevant Council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the Council's code of conduct or making other potentially defamatory statements.
- 4.19 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.15, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.
- 4.20 Clause 4.19 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.21 Where a speaker engages in conduct of the type referred to in clause 4.18, the General Manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the General Manager or their delegate considers appropriate.

- 4.22 Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a Council or committee meeting. The Council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the Councillor who made the declaration.

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5 COMING TOGETHER

Attendance by Councillors at meetings

- 5.1 All Councillors must make reasonable efforts to attend meetings of the Council and of committees of the Council of which they are members.
- 5.2 A Councillor cannot participate in a meeting of the Council or of a committee of the Council unless personally present at the meeting.
- 5.3 Where a Councillor is unable to attend one or more ordinary meetings of the Council, the Councillor should request that the Council grant them a leave of absence from those meetings. This clause does not prevent a Councillor from making an apology if they are unable to attend a meeting. However the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.
- 5.4 A Councillor's request for leave of absence from Council meetings should, if practicable, identify (by date) the meetings from which the Councillor intends to be absent and the grounds upon which the leave of absence is being sought.
- 5.5 The Council must act reasonably when considering whether to grant a Councillor's request for a leave of absence.
- 5.6 A Councillor's civic office will become vacant if the Councillor is absent from three (3) consecutive ordinary meetings of the Council without prior leave of the Council, or leave granted by the Council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the Council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.
- 5.7 A Councillor who intends to attend a meeting of the Council despite having been granted a leave of absence should, if practicable, give the General Manager at least two (2) days' notice of their intention to attend.

The quorum for a meeting

- 5.8 The quorum for a meeting of the Council is a majority of the Councillors of the Council who hold office at that time and are not suspended from office.
- 5.9 Clause 5.9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the Council.

- 5.10 A meeting of the Council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - (b) within half an hour after the time designated for the holding of the meeting, or
 - (c) at any time during the meeting.
- 5.11 In either case, the meeting must be adjourned to a time, date and place fixed:
- (a) by the chairperson, or
 - (b) in the chairperson's absence, by the majority of the Councillors present, or
 - (c) failing that, by the General Manager.
- 5.12 The General Manager must record in the Council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the Councillors present.
- 5.13 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of Councillors, Council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or bushfire), the Mayor may, in consultation with the General Manager and, as far as is practicable, with each Councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the Council's website and in such other manner that the Council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.14 Where a meeting is cancelled under clause 5.13, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the Council or at an extraordinary meeting called under clause 3.3.

Entitlement of the public to attend Council meetings

- 5.15 Everyone is entitled to attend a meeting of the Council and committees of the Council. The Council must ensure that all meetings of the Council and committees of the Council are open to the public.
- 5.16 Clause 5.15 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

- 5.17 A person (whether a Councillor or another person) is not entitled to be present at a meeting of the Council or a committee of the Council if expelled from the meeting:
- (a) by a resolution of the meeting, or
 - (b) by the person presiding at the meeting if the Council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Webcasting of meetings

- 5.18 All meetings of the Council and Policy Committee Meetings of the Council are to be webcast via Council's website linking to an external site.
- 5.19 Clause 5.18 does not apply to parts of a meeting that have been closed to the public under section 10A of the Act.
- 5.20 At the start of each meeting the chairperson is to make a statement informing those in attendance that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements.
- 5.21 A recording of each meeting of the Council and committee of the Council is to be retained on the Council's website. Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Attendance of the General Manager and other staff at meetings

- 5.22 The General Manager is entitled to attend, but not to vote at, a meeting of the Council or a meeting of a committee of the Council of which all of the members are Councillors.
- 5.23 The General Manager is entitled to attend a meeting of any other committee of the Council and may, if a member of the committee, exercise a vote.
- 5.24 The General Manager may be excluded from a meeting of the Council or a committee while the Council or committee deals with a matter relating to the standard of performance of the General Manager or the terms of employment of the General Manager.
- 5.25 The attendance of other Council staff at a meeting, (other than as members of the public) shall be with the approval of the General Manager.

6 THE CHAIRPERSON

The chairperson at meetings

- 6.1 The Mayor, or at the request of or in the absence of the Mayor, the Deputy Mayor (if any) presides at meetings of the Council.
- 6.2 If the Mayor and the Deputy Mayor (if any) are absent, a Councillor elected to chair the meeting by the Councillors present presides at a meeting of the Council.

Election of the chairperson in the absence of the Mayor and Deputy Mayor

- 6.3 If no chairperson is present at a meeting of the Council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.
- 6.4 The election of a chairperson must be conducted:
- (a) by the General Manager or, in their absence, an employee of the Council designated by the General Manager to conduct the election, or
 - (b) by the person who called the meeting or a person acting on their behalf if neither the General Manager nor a designated employee is present at the meeting, or if there is no General Manager or designated employee.
- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.
- 6.6 For the purposes of clause 6.5, the person conducting the election must:
- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
 - (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.
- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the Council:
- (a) any Councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
 - (b) every Councillor present must be silent to enable the chairperson to be heard without interruption.

7 MODES OF ADDRESS

- 7.1 If the chairperson is the Mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 7.3 A Councillor is to be addressed as 'Councillor [surname]'.
- 7.4 A Council officer is to be addressed by their official designation or as Mr/Ms [surname].

8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

8.1 The general order of business for an ordinary meeting of the Council shall be:

| Agenda items | Ordinary and Extraordinary meetings of Council | Policy Committees including those called as Extraordinary Committee meetings | Community Committees |
|---|--|--|----------------------|
| a) Emergency procedures | ✓ | ✓ | ✓ |
| b) Caution given to participants in meeting that the meeting is being recorded and livestreamed | ✓ | ✓ | n/a |
| c) Apologies for absence | ✓ | ✓ | ✓ |
| d) Prayer | ✓ | n/a | n/a |
| e) Acknowledgement of Country | ✓ | ✓ | ✓ |
| f) Declarations of Interest | ✓ | ✓ | ✓ |
| g) Open Forum | ✓ | n/a | n/a |
| h) Condolences – The Mayor or Chairperson may give condolences and observe a minute's silence | ✓ | n/a | ✓ |
| i) Mayoral Minutes | ✓ | n/a | n/a |
| j) Confirmation of minutes of previous meetings | ✓ | n/a | ✓ |
| k) Acceptance of late items | ✓ | n/a | ✓ |
| l) Confirmation of items listed for closed section of the meeting | ✓ | n/a | n/a |
| m) Notices of Motion and Rescission Motions | ✓ | n/a | n/a |
| n) Reports | ✓ | ✓ | ✓ |
| o) Closed section of meeting | ✓ | n/a | n/a |
| p) Adoption of recommendations from Closed Meeting | ✓ | n/a | n/a |

8.2 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the Council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

8.3 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.2 may speak to the motion before it is put.

9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a Council meeting

- 9.1 The Council must not consider business at a meeting of the Council:
- (a) unless a Councillor has given notice of the business, as required by clause 3.10, and
 - (b) unless notice of the business has been sent to the Councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the Council, or
 - (b) is the election of a chairperson to preside at the meeting, or
 - (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a Mayoral minute, or
 - (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the Council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the Council even though due notice of the business has not been given to the Councillors if:
- (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.
- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

Mayoral minutes

- 9.6 Subject to clause 9.9, if the Mayor is the chairperson at a meeting of the Council, the Mayor may, by minute signed by the Mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the Council, or of which the Council has official knowledge.
- 9.7 A Mayoral minute, when put to a meeting, takes precedence over all business on the Council's agenda for the meeting. The chairperson (but only if the chairperson is the

Mayor) may move the adoption of a Mayoral minute without the motion being seconded.

- 9.8 A recommendation made in a Mayoral minute put by the Mayor is, so far as it is adopted by the Council, a resolution of the Council.
- 9.9 A Mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the Council before the next scheduled ordinary meeting of the Council.
- 9.10 Where a Mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the Mayoral minute does not identify a funding source, the Council must defer consideration of the matter, pending a report from the General Manager on the availability of funds for implementing the recommendation if adopted.

Staff reports

- 9.11 A recommendation made in a staff report is, so far as it is adopted by the Council, a resolution of the Council.

Reports of committees of council

- 9.12 The recommendations of a committee of the Council are, so far as they are adopted by the Council, resolutions of the Council.
- 9.13 If in a report of a committee of the Council distinct recommendations are made, the Council may make separate decisions on each recommendation.

Questions

- 9.14 A question must not be asked at a meeting of the Council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14.
- 9.15 A Councillor may, through the chairperson, put a question to another Councillor about a matter on the agenda.

- 9.16 A Councillor may, through the General Manager, put a question to a Council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the General Manager at the direction of the General Manager.
- 9.17 A Councillor or Council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents. Where a Councillor or Council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the Council.
- 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a Councillor or Council employee.

10 RULES OF DEBATE

Motions to be seconded

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

Notices of motion

- 10.2 A Councillor who has submitted a Notice of Motion under clause 3.10 is to move the Notice of Motion at the meeting at which it is to be considered.
- 10.3 If a Councillor who has submitted a Notice of Motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to Councillors, the Councillor may request the withdrawal of the motion when it is before the Council.
- 10.4 In the absence of a Councillor who has placed a Notice of Motion on the agenda for a meeting of the Council:
- (a) any other Councillor may, with the leave of the chairperson, move the motion at the meeting, or
 - (b) the chairperson may defer consideration of the motion until the next meeting of the Council.

Chairperson's duties with respect to motions

- 10.5 It is the duty of the chairperson at a meeting of the Council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8 Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been lost.

Motions requiring the expenditure of funds

- 10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the Council must defer consideration of the matter, pending a report from the General Manager on the availability of funds for implementing the motion if adopted.

Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the Council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before Council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.

- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the Councillor who moved the original motion.

Foreshadowed motions

- 10.17 A Councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the Council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a Councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the Council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.20 A Councillor who, during a debate at a meeting of the Council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.21 A Councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A Councillor must not, without the consent of the Council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a Councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the Councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the Council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a Councillor may move that a motion or an amendment be now put:

- (a) if the mover of the motion or amendment has spoken in favour of it and no Councillor expresses an intention to speak against it, or
 - (b) if at least two (2) Councillors have spoken in favour of the motion or amendment and at least two (2) Councillors have spoken against it.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All Councillors must be heard without interruption and all other Councillors must, unless otherwise permitted under this code, remain silent while another Councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

11 VOTING

Voting entitlements of Councillors

- 11.1 Each Councillor is entitled to one (1) vote.
- 11.2 The person presiding at a meeting of the Council has, in the event of an equality of votes, a second or casting vote.
- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

Voting at Council meetings

- 11.4 A Councillor who is present at a meeting of the Council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 11.5 If a Councillor who has voted against a motion put at a Council meeting so requests, the General Manager must ensure that the Councillor's dissenting vote is recorded in the Council's minutes.
- 11.6 The decision of the chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than two (2) Councillors rise and call for a division.
- 11.7 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The General Manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the Council's minutes for the meeting.
- 11.8 When a division on a motion is called, any Councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.4 of this code.
- 11.9 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the Council may resolve that the voting in any election by Councillors for Mayor or Deputy Mayor is to be by secret ballot.
- 11.10 All voting at Council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of Councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

Voting on planning decisions

- 11.11 The General Manager must keep a register containing, for each planning decision made at a meeting of the Council or a Council committee (including, but not limited to a committee of the Council), the names of the Councillors who supported the decision and the names of any Councillors who opposed (or are taken to have opposed) the decision.
- 11.12 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the Council or a Council committee.
- 11.13 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.14 Clauses 11.11–11.13 apply also to meetings that are closed to the public.

12 COMMITTEE OF THE WHOLE

- 12.1 The Council may resolve itself into a committee to consider any matter before the Council.
- 12.2 All the provisions of this code relating to meetings of the Council, so far as they are applicable, extend to and govern the proceedings of the Council when in committee of the whole, except the provisions limiting the number and duration of speeches.
- 12.3 The General Manager or, in the absence of the General Manager, an employee of the Council designated by the General Manager, is responsible for reporting to the Council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.
- 12.4 The Council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the Council's minutes. However, the Council is not taken to have adopted the report until a motion for adoption has been made and passed.

13 DEALING WITH ITEMS BY EXCEPTION

- 13.1 The Council or a committee of Council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the Council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask Councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The Council or committee must not resolve to adopt any item of business under clause 13.1 that a Councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the Council or committee must resolve to alter the order of business in accordance with clause 8.3.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the Council's Code of Conduct.

14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

- 14.1 The Council or a committee of the Council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- (a) personnel matters concerning particular individuals (other than Councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the Council, or
 - (iii) reveal a trade secret,
 - (e) information that would, if disclosed, prejudice the maintenance of law,
 - (f) matters affecting the security of the Council, Councillors, Council staff or Council property,
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
 - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
 - (i) alleged contraventions of the Council's code of conduct.

- 14.2 The Council or a committee of the Council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:
- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
 - (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:
- (a) are substantial issues relating to a matter in which the Council or committee is involved, and
 - (b) are clearly identified in the advice, and
 - (c) are fully discussed in that advice.
- 14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.
- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- (a) a person may misinterpret or misunderstand the discussion, or
 - (b) the discussion of the matter may:
 - (i) cause embarrassment to the Council or committee concerned, or to Councillors or to employees of the Council, or
 - (ii) cause a loss of confidence in the council or committee.
- 14.7 In deciding whether part of a meeting is to be closed to the public, the Council or committee concerned must consider any relevant guidelines issued by the Chief Executive of the Office of Local Government.

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the Council, or of a committee of the Council, may be closed to the public while the Council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:
- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
 - (b) the Council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Representations by members of the public

- 14.9 The Council, or a committee of the Council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.
- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the Council. Notice is given before the meeting closes to make representation.
- 14.12 The General Manager (or their delegate) may refuse an application made under clause 14.11. The General Manager or their delegate must give reasons in writing for a decision to refuse an application.
- 14.13 No more than two (2) speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the General Manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the Council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the General Manager or their delegate is to determine who will make representations to the Council.
- 14.15 The General Manager (or their delegate) is to determine the order of speakers.
- 14.16 Where the Council or a committee of the Council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than two (2) speakers to make representations in such order as determined by the chairperson.
- 14.17 Each speaker will be allowed five (5) minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Expulsion of Non-Councillors from meetings closed to the public

- 14.18 If a meeting or part of a meeting of the Council or a committee of the Council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a Councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Information to be disclosed in resolutions closing meetings to the public

- 14.20 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- (a) the relevant provision of section 10A(2) of the Act,
 - (b) the matter that is to be discussed during the closed part of the meeting,
 - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Resolutions passed at closed meetings to be made public

- 14.21 If the Council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.22 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.21 during a part of the meeting that is webcast.
- 14.23 Once Council has finished business in a Closed meeting, it must formally resolve to move back into open Council.

15 KEEPING ORDER AT MEETINGS

Points of order

- 15.1 A Councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the Councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

- 15.4 The chairperson, without the intervention of any other Councillor, may call any Councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.5 A Councillor who claims that another Councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the Council.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.8 A Councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

- 15.11 A Councillor commits an act of disorder if the Councillor, at a meeting of the Council or a committee of the Council:

- (a) contravenes the Act or any regulation in force under the Act or this code, or
- (b) assaults or threatens to assault another Councillor or person present at the meeting, or
- (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the Council or the committee, or addresses or attempts to address the Council or the committee on such a motion, amendment or matter, or
- (d) insults or makes personal reflections on or imputes improper motives to any other Council official, or alleges a breach of the Council's code of conduct, or
- (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the Council or the committee into disrepute.

15.12 The chairperson may require a Councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a) or (b), or
- (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for an act of disorder referred to in clauses 15.11(d) and (e).

How disorder at a meeting may be dealt with

- 15.13 If disorder occurs at a meeting of the Council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The Council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of Councillors.

Expulsion from meetings

- 15.14 All chairpersons of meetings of the Council and committees of the Council are authorised under this code to expel any person other than a Councillor, from a Council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the Council or the committee of the Council. Staff may only be expelled at the direction of the General Manager.
- 15.15 Clause 15.14 does not limit the ability of the Council or a committee of the Council to resolve to expel a person, including a Councillor, from a Council or committee meeting, under section 10(2)(a) of the Act.
- 15.16 A Councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for having failed to comply with a requirement under clause 15.12. The expulsion of a Councillor from the meeting for that reason does not prevent any other action from being taken against the Councillor for the act of disorder concerned.
- 15.17 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for engaging in or having engaged in disorderly conduct at the meeting.
- 15.18 Where a Councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 15.19 If a Councillor or a member of the public fails to leave the place where a meeting of the Council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the Councillor or member of the public from that place and, if necessary, restrain the Councillor or member of the public from re-entering that place for the remainder of the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.20 Councillors, Council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the Council and committees of the Council.
- 15.21 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the Council or a committee of the Council without the prior authorisation of the Council or the committee.
- 15.22 Any person who contravenes or attempts to contravene clause 15.21, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.23 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police

officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

16 CONFLICTS OF INTEREST

- 16.1 All Councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the Council and committees of the Council in accordance with the Council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.

17 DECISIONS OF THE COUNCIL

Council decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the Council at which a quorum is present is a decision of the Council.
- 17.2 Decisions made by the Council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering Council decisions

- 17.3 A resolution passed by the Council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.10.
- 17.4 If a Notice of Motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the Motion of Rescission has been dealt with.
- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10.
- 17.6 A Notice of Motion to alter or rescind a resolution, and a Notice of Motion which has the same effect as a motion which has been lost, must be signed by three (3) Councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.
- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.
- 17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.
- 17.9 A Notice of Motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the Notice of Motion.
- 17.10 A Notice of Motion to alter or rescind a resolution must be submitted to the General Manager no later than 12pm on the proceeding day after the meeting at which the resolution was adopted. Where verbal notice of a rescission motion is given at a Council or Policy Committee Meeting, the Councillor(s) providing that notice must provide the signed, written rescission motion to the General Manager within two (2) days of the meeting.

- 17.11 A motion to alter or rescind a resolution of the Council may be moved on the report of a committee of the Council and any such report must be recorded in the minutes of the meeting of the Council.

Recommitting resolutions to correct an error

- 17.12 Despite the provisions of this Part, a Councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:
- (a) to correct any error, ambiguity or imprecision in the Council's resolution, or
 - (b) to confirm the voting on the resolution.
- 17.13 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.12(a), the Councillor is to propose alternative wording for the resolution.
- 17.14 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.12 (a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.15 A motion moved under clause 17.12 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12 can speak to the motion before it is put.
- 17.16 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12.
- 17.17 A motion moved under clause 17.12 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

18 TIME LIMITS ON COUNCIL MEETINGS

- 18.1 Meetings of the Council and Committees of the Council are to conclude no later than **1030pm**.
- 18.2 If the business of the meeting is unfinished at 1030pm, the Council or the Committee may, by resolution, extend the time of the meeting.
- 18.3 If the business of the meeting is unfinished at 1030pm, and the Council does not resolve to extend the meeting, the chairperson must either:
- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the Council, or
 - (b) adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.4 Clause 18.3 does not limit the ability of the Council or a Committee of the Council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the General Manager must:
- (a) individually notify each Councillor of the time, date and place at which the meeting will reconvene, and
 - (b) publish the time, date and place at which the meeting will reconvene on the Council's website and in such other manner that the General Manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

19 AFTER THE MEETING

Minutes of meetings

- 19.1 The Council is to keep full and accurate minutes of the proceedings of meetings of the Council.
- 19.2 At a minimum, the General Manager must ensure that the following matters are recorded in the Council's minutes:
- (a) details of each motion moved at a Council meeting and of any amendments moved to it,
 - (b) the names of the mover and seconder of the motion or amendment,
 - (c) whether the motion or amendment was passed or lost, and
 - (d) such other matters specifically required under this code.
- 19.3 The minutes of a Council meeting must be confirmed at a subsequent meeting of the Council.
- 19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 19.5 When the minutes have been confirmed, they will be adopted by resolution of Council.
- 19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 19.7 The confirmed minutes of a Council meeting must be published on the Council's website. This clause does not prevent the Council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

- 19.8 The Council and committees of the Council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.
- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.
- 19.10 Clause 19.8 does not apply if the Council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.
- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the Council

- 19.12 The General Manager is to implement, without undue delay, lawful decisions of the Council.

20 COUNCIL COMMITTEES

Application of this Part

- 20.1 This Part only applies to committees of the Council whose members are all Councillors.

Council committees whose members are all Councillors

- 20.2 The council may, by resolution, establish such committees as it considers necessary.
- 20.3 A committee of the Council is to consist of the Mayor and such other Councillors as are elected by the Councillors or appointed by the Council.
- 20.4 The quorum for a meeting of a committee of the Council is to be:
- (a) such number of members as the council decides, or
 - (b) if the Council has not decided a number – a majority of the members of the committee.

Functions of committees

- 20.5 The Council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

Notice of committee meetings

- 20.6 The General Manager must send to each Councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
- (a) the time, date and place of the meeting, and
 - (b) the business proposed to be considered at the meeting.
- 20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

- 20.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:
- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
 - (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.
- 20.9 Clause 20.8 does not apply if all of the members of the Council are members of the committee.

Non-members entitled to attend committee meetings

- 20.10 A Councillor who is not a member of a committee of the Council is entitled to attend, and to speak at a meeting of the committee. However, the Councillor is not entitled:
- (a) to give notice of business for inclusion in the agenda for the meeting, or
 - (b) to move or second a motion at the meeting, or
 - (c) to vote at the meeting.

Chairperson and deputy chairperson of Council committees

- 20.11 The chairperson of each committee of the council must be:
- (a) the mayor, or
 - (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
 - (c) if the Council does not elect such a member, a member of the committee elected by the committee.
- 20.12 The Council may elect a member of a committee of the Council as deputy chairperson of the committee. If the Council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.
- 20.13 If neither the chairperson nor the deputy chairperson of a committee of the Council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.
- 20.14 The chairperson is to preside at a meeting of a committee of the Council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

- 20.15 Subject to any specific requirements of this code, each committee of the Council may

regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the Council unless the Council or the committee determines otherwise in accordance with this clause.

- 20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the Council or the committee determines otherwise in accordance with clause 20.15.
- 20.17 Voting at a Council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of committee meetings to the public

- 20.18 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the Council to the public.
- 20.19 If a committee of the Council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the Council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.19 during a part of the meeting that is webcast.

Disorder in committee meetings

- 20.21 The provisions of the Act and this code relating to the maintenance of order in Council meetings apply to meetings of committees of the Council in the same way as they apply to meetings of the Council.

Minutes of Council committee meetings

- 20.22 Each committee of the Council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- (a) details of each motion moved at a meeting and of any amendments moved to it,
 - (b) the names of the mover and seconder of the motion or amendment,
 - (c) whether the motion or amendment was passed or lost, and
 - (d) such other matters specifically required under this code.
- 20.23 All voting at meetings of committees of the Council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of Councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.
- 20.24 The minutes of meetings of each committee of the Council must be confirmed at a subsequent meeting of the committee.
- 20.25 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.26 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 20.27 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.28 The confirmed minutes of a meeting of a committee of the Council must be published on the Council's website. This clause does not prevent the Council from also publishing unconfirmed minutes of meetings of committees of the Council on its website prior to their confirmation.

21 IRREGULARITIES

21.1 Proceedings at a meeting of a Council or a Council committee are not invalidated because of:

- (a) a vacancy in a civic office, or
- (b) a failure to give notice of the meeting to any Councillor or committee member, or
- (c) any defect in the election or appointment of a Councillor or committee member, or
- (d) a failure of a Councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a Council or committee meeting in accordance with the Council's code of Conduct, or
- (e) a failure to comply with this code.

22 DEFINITIONS

| | |
|--------------------------|--|
| the Act | means the <i>Local Government Act 1993</i> |
| act of disorder | means an act of disorder as defined in clause 15.11 of this code |
| amendment | in relation to an original motion, means a motion moving an amendment to that motion |
| audio recorder | any device capable of recording speech |
| business day | means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales |
| chairperson | in relation to a meeting of the Council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code |
| this code | means the Council's adopted code of meeting practice |
| committee of the council | means a committee established by the Council in accordance with clause 20.2 of this code (being a committee consisting only of Councillors) or the Council when it has resolved itself into committee of the whole under clause 12.1 |
| council official | has the same meaning it has in the Model Code of Conduct for Local Councils in NSW |
| day | means calendar day |
| division | means a request by two Councillors under clause 11.7 of this code requiring the recording of the names of the Councillors who voted both for and against a motion |
| foreshadowed amendment | means a proposed amendment foreshadowed by a Councillor under clause 10.18 of this code during debate on the first amendment |
| foreshadowed motion | means a motion foreshadowed by a Councillor under clause 10.17 of this code during debate on an original motion |
| open voting | means voting on the voices or by a show of hands or by a visible electronic voting system or similar means |

| | |
|-------------------------------|--|
| planning decision | means a decision made in the exercise of a function of a Council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act |
| performance improvement order | means an order issued under section 438A of the Act |
| quorum | means the minimum number of Councillors or committee members necessary to conduct a meeting |
| the Regulation | means the <i>Local Government (General) Regulation 2005</i> |
| webcast | a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time |
| year | means the period beginning 1 July and ending the following 30 June |

ORANGE CITY COUNCIL COUNCILLOR LEAVE OF ABSENCE

COUNCILLOR NAME _____

Wish to apply for leave of absence for the Council Meeting(s) scheduled for

_____ Date of Meeting

_____ Date of Meeting

_____ Date of Meeting

_____ Date of Meeting

As well as any committee meetings that may be held over the period of

_____ to _____
DATE DATE

Signed Cr _____

Dated _____

SPEAKER REGISTRATION - ORANGE CITY COUNCIL OPEN FORUM

As a member of the public, you are invited to address Council on a matter that is listed for consideration by Council as part of the meeting, at an Open Forum.

The maximum speaking time is five minutes per speaker. The Open Forum will run for 50 minutes ie. a maximum of ten speakers. If there are more speakers than available spots, the Mayor may select speakers to ensure a balance of views are represented to Council. Alternatively, when the number of speakers registered would result in the 50 minute time limit being exceeded, speakers may be limited to two minutes each.

Oral presentations can be made, however no electronic presentations are permitted.

To ensure as many views can be heard by the Council please:

- a) Consider asking one person to represent the views of a group to avoid duplication;
- b) Keep your address relevant direct
- c) Do not repeat comments made by proceeding speakers.

Speakers should be aware that Orange City Council records and livestreams meetings via Council's website. By agreeing to attend and speak at the Council Meeting, speakers are reminded of the need to ensure all comments are respectful to other people, Councillors and staff. Orange City Council accepts no liability for offensive or defamatory comments made by speakers.

Please complete the section below, and provide to a Council Staff Member by 4.00pm on the day of the meeting. Please be advised that speakers need to be aware that they have no protection from action in response to any comments they may make.

Name

Address

Phone

Organisation (if relevant)

Date of Meeting

Topic for discussion

Relates to Item Number in Meeting Agenda

I HAVE READ AND UNDERSTAND THE CONDITIONS OF THE CONDUCT AND UNACCEPTABLE BEHAVIOUR AT THE OPEN FORUM AS SET OUT OVERLEAF.

Signature **Date**

THE INFORMATION SUPPLIED BY YOU IS PRIVATE INFORMATION FOR THE PURPOSES OF THE PRIVACY AND PERSONAL INFORMATION PROTECTION ACT. YOUR INFORMATION IS BEING COLLECTED BY COUNCIL AND MAY BE USED IN THE FUTURE TO PROVIDE FEEDBACK ON ANY ISSUE RAISED. THE INFORMATION WILL NOT BE USED FOR ANY OTHER PURPOSE, AND YOU CAN ELECT NOT TO PROVIDE PARTICULAR DETAILS, HOWEVER YOUR NAME AND THE TOPIC FOR DISCUSSION MUST BE SUPPLIED.

SPEAKER REGISTRATION – ORANGE CITY COUNCIL – OPEN FORUM**Conduct**

Essentially the principles of Council's Code of Conduct should be expected of each speaker who addresses the Council, Committee or Forum.

Those principles incorporate integrity, objectivity, accountability, openness, honesty and respect.

The Open Forum does not provide private parliamentary privilege to either speakers, Councillors or staff and is recorded and livestreamed via Council's website.

Speakers are expected

- To behave in a manner that does not cause any reasonable person unwarranted offence or embarrassment.
- To act lawfully, honestly and to exercise a degree of care and diligence in the comments made.
- To observe the highest standards of honesty and integrity and to avoid conduct (verbal/actions) that might suggest any departure from the key principles of conduct.
- To be frank, honest and open when presenting to Council.
- To avoid any behaviour that could be deemed to be an act of disorder or misbehaviour such as insults or personal reflections on or imputes improper motives when discussing others.
- To not behave in a manner that might be considered to be threatening to or harassment of Councillors or Council staff.

Unacceptable behaviour at the Open Forum

Persons who conduct themselves in a manner considered by any reasonable person, to be disorderly, will be expelled from the forum in a similar manner as that provided under the Meetings Regulations for Council and Committee meetings (Section 258) Local Government (General) Regulation 2005.

Should the behaviour of a speaker and/or audience be such that the Mayor/Chairperson of the forum deems if necessary to discontinue a particular section of the forum, then the following will apply:

- the speaker and/or persons will be asked to discontinue the offensive behaviour;
- the speaker and/or persons may be asked to leave the building where the meeting is being held;
- a Police Officer or any person authorised for the purpose by Council, or the person presiding may, by using only such force as is necessary, remove the person/persons from the building and if necessary restrain that person from re-entering the building;
- the person may be advised to correspond in future with Council via mail or email and/or Council's appointed legal representative.

**5.5 LOCAL GOVERNMENT NSW DESTINATION AND VISITOR ECONOMY CONFERENCE
REQUEST CIVIC THEATRE FEE REDUCTION**

RECORD NUMBER: 2022/250

AUTHOR: Glenn Mickle, Manager Tourism

EXECUTIVE SUMMARY

Local Government NSW (LGNSW) is seeking a fee reduction from the conference rate of \$2,455 per day to the half day rate of \$1,095 to hire the Orange Civic Theatre for three days of the Destination and Visitor Economy Conference to be held on 17 to 19 May 2022.

As part of the bidding process to secure the Conference, Orange City Council agreed to work with LGNSW to keep conference running costs to a minimum. The loss of \$4,080 in Council revenue is offset by significant revenue generated by hosting the Conference. It is anticipated the conference will attract 230 to 250 delegates from Councils around NSW and contribute an estimated \$337,500 to the local economy. The fee reduction also supports LGNSW's work in sector advocacy and capacity building and assists in keeping membership fees as low as possible.

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

This resolution would reduce the quoted conference rate from \$2,455 per day to \$1,095 (half day rate) for three days. This equates to a loss of \$4,080 in potential fees.

POLICY AND GOVERNANCE IMPLICATIONS

Nil

RECOMMENDATION

That Council resolves to support the request from Local Government NSW to reduce the Civic Theatre conference fee to \$1095 per day for three 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

Orange City Council is hosting the LGNSW Destination and Visitor Economy Conference for the first time from 17 to 19 May 2022. It is anticipated the conference will attract 230 to 250 delegates from Councils around NSW and contribute an estimated \$337,500 to the local economy.

5.5 Local Government NSW Destination and Visitor Economy Conference request Civic Theatre fee reduction

The LGNSW Organising Committee are working closely with Orange City Council representatives and Orange360 to engage local suppliers for catering, entertainment, accommodation, and other services to deliver this event.

As part of the bidding process to secure the Conference, Orange City Council agreed to work with LGNSW to keep conference running costs to a minimum.

Local Government NSW (LGNSW) is seeking a fee reduction from the conference rate of \$2,455 per day to the half day rate of \$1,095 to hire the Orange Civic Theatre for the Destination and Visitor Economy Conference for three days.

This equates to a loss of \$4,080 in potential fees which is offset by the significant revenue generated by hosting the Conference, which goes back into the local economy. The fee reduction also supports LGNSW's work in sector advocacy and capacity building and assists in keeping membership fees as low as possible.

A draft program is attached for information.

ATTACHMENTS

- 1 Request for fee reduction from Local Government NSW, D22/11315 [↓](#)
- 2 LGNSW DVE Conference 2022 Draft Program, D22/10538 [↓](#)



Our ref: R21/008 Out-34044

17 February 2022

Cr Jason Hamling
Mayor
Orange City Council

Email:

Dear Cr Hamling

On behalf of Local Government NSW (LGNSW), I would like to pass on our congratulations on to your winning bid to host the LGNSW Destination and Visitor Economy Conference in May 2022.

We are anticipating that attendance for our conference will be 230-250 delegates from Councils around NSW. It is estimated that the economic impact to Orange City and surrounds will be \$337,500 for our Conference.

We are working closely with the Orange City Council representatives and Orange 360 team to engage local suppliers for catering, entertainment, accommodation and other services to deliver our event.

We have also promoted Orange City and surrounds in our marketing and promotion for this event since September 2021.

I am writing to seek your consideration for a reduction of fees associated with hire of Orange Civic Theatre and venues from 17-19 May 2022. We have been quoted \$7551.00 being the standard hire rate being three days hire for the theatre space.

We respectfully request that we are charged the community rate or half day rate so that we can keep our registration fees to a minimum this event. Revenue generated from the event goes back into advocacy and capacity building for the sector and assists in keeping membership fees as low as possible.

I would appreciate your consideration of this request. Please ask your staff to advise LGNSW Event Manager, Tina Croker of the outcome of your decision. Tina can be reached on or by email at

Yours sincerely

Cr Darriea Turley AM
President

LOCAL GOVERNMENT NSW
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L8, 28 MARGARET ST SYDNEY NSW 2000
T 02 9242 4000 F 02 9242 4111
LGNSW.ORG.AU LGNSW@LGNSW.ORG.AU
ABN 49 853 913 882



Destination and Visitor Economy Conference

Tuesday 17 May – Thursday 19 May 2022

Co-hosted by Orange, Blayney and Cabonne Councils

Theme - Dare to Dream: Orange 360

PRELIMINARY PROGRAM as at 24 February 2021

| Tuesday 17 MAY 2022: The Civic Theatre Foyer | | | |
|---|---|---|--|
| 1.30pm | ARRIVAL TEA AND COFFEE – registrations desk open | | |
| 2.00pm | DAY 1 OF CONFERENCE BEGINS | | |
| 2.00pm 75 mins | Breakout Streams | | |
| | Civic Theatre - A | Groundstone Cafe - B | Gallery - C |
| | STREAM A1: <i>Facilitated and sponsored by Leonards Advertising</i> "When your audience become your marketers": Using Influencers, Creators and User Generated Content to drive council and destination promotion Todd Wright Threesides Marketing <i>{confirmed}</i> | STREAM B1: <i>Facilitated and sponsored by...</i> The future of the electric vehicle network Ross De Rango , Head of Energy and Infrastructure, Electric Vehicle Council <i>{confirmed}</i> <i>Notes: evidence of economic benefits/importance and link to tourism driver</i> <i>Set scene and benefits of electric vehicles and case studies</i> <i>Electric vehicle plans</i> | STREAM C1: <i>Facilitated and sponsored by...</i> Arts, culture and heritage: How does Council embrace this as part of the tourism puzzle? Penrith – old police cottage, council project, becoming a café.. <i>{invited through Stacey}</i> Brent Lawrence , Manager Visitor Services and Local Activation, Leeton Council. <i>{confirmed}</i> Brad Hammond , Director at Orange Regional Gallery <i>{confirmed}</i> |
| 3.15pm | AFTERNOON TEA – The Greenhouse Lawn sponsored by XXX | | |
| 3.45pm 75 mins | Breakout Streams | | |
| | STREAM A2: | STREAM B2: | STREAM C2: |
| | REPEAT: "When your audience become your marketers": Using Influencers, Creators and User Generated Content to drive council and destination promotion Todd Wright | Encouraging electric vehicle drive tourism Jenny Bennett , Executive Officer Central West Organisation of Councils <i>{confirmed}</i> Anthony Weinberg , 3 Council Project Manager, Electric | Arts, culture and heritage Annette Steele , Orange Local Aboriginal Land Council CEO <i>{invited}</i> <i>Notes:(ex-police station as cultural hub. Plans for hotel school)</i> Ray Christison , Board, Museums & Galleries NSW <i>{confirmed}</i> |

Preliminary Program is correct at this time, please note speakers and topics may change. - 24 February 2022

| | | | | |
|-----------------------|--|---|--|--|
| | Threesides Marketing {confirmed} | Vehicles, Waverly Council {confirmed} | Notes - Are Councils prepared - How will this impact parking - Pedestrian traffic - How do we disperse visitors? - Impact of electric vehicle - Goes beyond charger stations - Impact in the 5-10 year plans Future impact of the electric vehicle network | Other options: Hive owner – purchased heritage building Or Sonic in the old Masonic hall. Chris Eldred – from Cabonne council now at DPIE – integrating tourism with heritage |
| 5.15pm – 7.15pm | Welcome Reception at Hotel Canobolas (short walk from Civic Theatre) <i>Sponsored by Caravan & Camping Industry Association:</i> Guests will hear about the involvement in the Caravan & Camping Industry Association's regional tourism promotion and its partnerships with councils. Official proceedings: MC, Scott Phillips , CEO LGNSW <ul style="list-style-type: none">Welcome to Country by Michael Newman, {invited}Welcome from Cr Jason Hamling, Mayor of Orange City CouncilAddress by XX, Caravan and Camping Industry Association: Premier Sponsor Followed by delicious canapes and drinks as guests network, relax and settle in. Entertainment provided by: | | | |
| 7.15pm onwards | <i>Delegates are encouraged to pre-book at local restaurants for dinner.</i> | | | |
| Wednesday 18 MAY 2022 | | | | |
| Civic Theatre Orange | | | | |
| 8.15am | ARRIVAL TEA AND COFFEE - Trade exhibition and registration desk open | | | |
| 9.00am | DAY 2 OF CONFERENCE BEGINS | | | |
| 9.00am 10 mins | MC: Matt Baseley (TV Presenter – Channel 7 Sydney Weekender and Morning Show) | Scene Setting | | |
| 9.10am 15 mins | Cr Darriea Turley AM , President , LGNSW | LGNSW President's welcome | | |
| 9.25am 5 mins | Cr Scott Ferguson , Mayor of Blayney | Host Council welcome | | |
| 9.30am 20 mins | The Hon. Stuart Ayres MP , Minister for Jobs, Investment, Tourism and Western Sydney | Ministerial welcome | | |
| 9.50am 20 mins | Greg Binskin , Executive Manager, Tourism, Business NSW {confirmed} | Award ceremony with Minister Ayres MP NSW Tourism Industry Council announced Top Tourism Town Awards | | |
| 10.10am 10 mins | Sponsor Spotlight | Elevator pitches | | |

Preliminary Program is correct at this time, please note speakers and topics may change. - 24 February 2022

| | | |
|----------------------------|---|---|
| 10.20am 10 mins | MC | Activity |
| 10.30am 30 mins | MORNING TEA - Sponsored by XXX | |
| 11.00am 40 mins | <p>Tim Harcourt, Chief Economist, Institute of Public Policy and Governance, University of Technology Sydney. (confirmed)</p> <p>with</p> <p>Carol Mills, Director, Institute of Public Policy And Governance at UTS. (confirmed)</p> | <p>KEY NOTE:</p> <p>“Demand but where is the supply? Creative Solutions to tackling shortages”</p> <p><i>Tim is the author of ‘The Airport Economist’ and its tv series, and has been an advisor to 2 state Premiers and 3 Federal Cabinet Ministers. Previously an Expert Panel Member to the Fair Work Commission on Minimum Wages and Superannuation.</i></p> <p><i>Carol had over 20 years experience in a range of executive roles in the public sector. Her leadership career has covered a diversity of public policy and public administration areas including social and affordable housing, sport and recreation, arts and heritage administration liquor and gaming regulation, disability services, ageing, children services and Aboriginal affairs.</i></p> |
| 11.40am 10mins | <p>Sponsor Spotlight</p> <p>Or update from Australian Regional Tourism?</p> | Elevator pitches |
| 11.50am 40 mins | <p>Anthony Osborne (confirmed) Tourism Coordinator for the Sapphire Coast, The Destination Agency</p> <p>TBD Government and Community Relations Manager, Hipcamp. (invited)</p> <p>Jenny Bennett, Executive Officer Central West Organisation of Councils (confirmed)</p> | <p>Panel:</p> <p>Reframing the role of local government in tourism and the visitor economy</p> <p>Facilitated by Carol Mills, Director, Institute of Public Policy And Governance at UTS. (confirmed)</p> |
| 12.30pm | LUNCH - Sponsored by XXX | |
| 1.15pm | Assemble for site visits | |
| All site visits 3 hours | Depart on Site Visits (x 4 Options). Refreshments included on all site visits | |
| Site Visit 1 | Revisioning the CBD - “Orange City FutureCity” | |

| | | |
|---------------------|--|---|
| 1.30pm – 4.30pm | Hosted by Orange City Council. Sponsored by XXx | <p>Join a CBD walking tour that will highlight the Orange City FutureCity project. Discover hidden gems including street art, pop-up shops, live music venues, co-working spaces, and small bars. Features include smart technology, festoon lighting, pedestrian spaces, way-finding and green spaces.</p> <p>Includes a tour the state of the art Orange Regional Gallery \$5.5m extension project. Designed by Sam Marshall whose previous projects include the Museum of Contemporary Art in Sydney.</p> <p>Delegates will experience the Lords Place and McNamara Street revitalisation, and sample a specially curated trio of treats from Racine Bakery, Parott Distilling and Mad Hatter Drink Lab.</p> |
| Site Visit 2 | Millthorpe – “Heritage with style” | |
| 1.30pm – 4.30pm | Hosted by Blayney Shire Council Sponsored by XX <i>(This experience includes a 20-minute bus transfer, so please settle back and relax.)</i> | <p>Visit a picturesque heritage-listed village with a contemporary edge.</p> <p>Learn how the village committee worked with Council to transform the village from a sleepy place to a must-see, including re-starting train services at the dis-used station.</p> <p>Taste wines from one of three award-winning cellar doors in Millthorpe, who have combined forces to create the Millthorpe Wine Collective brand for joint events and promotions.</p> <p>Tour the Golden Memories Museum, see local artisan crafts and enjoy afternoon tea with a side of local stories, before a stroll of the main street and maybe even a shop.</p> |
| Site Visit 3 | Manildra: Canola Milling and Brewery – “Paddock to glass” | |
| 1.30pm – 4.30pm | Hosted by Cabonne Shire Council Sponsored by XX <i>(This experience includes a 40-minute bus transfer, so please settle back and relax.)</i> | <p>Australia’s largest flour mill is located in Manildra in the heart of the central west. The four mills by the Manildra Group produce enough flour to make over 100 loaves of bread every second!</p> <p>Visit the Manildra Group which includes the Mill and MSM Milling, demonstrating the creation of a high functioning business in a smaller village.</p> <p>Stop in a Pioneer Brewery Co, the largest independently-owned farm based brewery on Australia’s eastern seaboard which owns, grows and harvests malting barley, rye and wheat.</p> |
| Site Visit 4 | Molong: Small town main street activation – Thriving through the pandemic | |
| 1.30pm – 4.30pm | Hosted by Orange 360? Sponsored by Tourist Tracka?? <i>(This experience includes a 30-minute bus transfer, so please settle back and relax.)</i> | <p>Discover the riches of Cabonne. Visit Molong to discuss main street activation and small business creation with Eden Décor and Lime and Stone. They will explain how they set up thriving businesses during the pandemic!</p> <p>Listen to the Molong Advancement Group as they speak about the importance of the relationship with Council and Progress Association, and the sustainability of small villages.</p> <p>Plus tour Nashdale Lane Wines luxury glamping cabins, with views to Mount Canobolas and across neighboring vineyards and cattle farms.</p> |
| 4.45pm | Site visits return to accommodation | |
| 5.00pm | Delegates prepare for dinner at their accommodation | |
| 6.30pm | Transfers to offsite dinner venue – Australian National Field Day Site, Cabonne | |

| | | |
|----------------------|---|--|
| 7.00pm – 10.00pm | Conference dinner and entertainment: <i>Dinner sponsored by Expedia Group</i> <i>Delegates will hear from Expedia Group about their latest innovations in the travel industry.</i> Address from Cr Kevin Beatty , Mayor of Cabonne Entertainment: | |
| Thursday 19 MAY 2022 | | |
| Civic Theatre Orange | | |
| 8.15am | ARRIVAL TEA AND COFFEE - Trade exhibition open | |
| 9.00am | DAY 3 OF CONFERENCE BEGINS | |
| 9.00am 10 mins | MC: | Start of the final day + overview of the site visits |
| 9.10am 20 mins | Dominic Mehling , Industry Relations Manager – ACT, NSW, NT, QLD Tourism Australia (Confirmed) | National Update |
| 9.30 am 40 mins | Host councils and Orange 360? | Panel: Success stories in partnerships and packaging |
| 10.10am 10mins | Sponsor Spotlight | Elevator pitches |
| 10.20am 10 mins | MC | Activity |
| 10.30am 30 mins | MORNING TEA – Sponsored by XXX | |
| 11.00am 40 mins | Steve Cox, CEO , Destination NSW Virtual address | Main address Destination NSW Address Strategic Partner |
| 11.40am 20 mins | Buffer, perhaps for Key note | Buffer time, TBC its use. |
| 12.00pm 40 mins | Peter Berner , Comedian and Broadcaster (invited) In conversation with Nick Gleeson , Owner of Factory Espresso Café Orange. Host of local comedy nights with comedians including Tom Gleeson, Sam Simmons and Tommy Dean (confirmed) | Dare to Dream! Closing keynote <i>lighter finish – change the energy ... and leave on a positive high. Keep local – include some learning outcomes</i> |
| 12.40pm | MC: | Closing remarks |
| 12.45pm | LUNCH - Sponsored by XXX | |
| 1.30pm | CLOSE OF CONFERENCE | |

5.6 CENTRAL WEST COUNCILS ENVIRONMENT AND WATERWAYS ALLIANCE

RECORD NUMBER: 2022/273

AUTHOR: David Waddell, Chief Executive Officer

EXECUTIVE SUMMARY

The Central West Councils Environment and Waterways Alliance (Alliance) is a partnership of 18 councils across the Central West of NSW. The Alliance exists to improve environmental outcomes across the region. Orange City Council is a foundation member of the Alliance since its inception in 2014. The CEO is the current Chair of the Alliance.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “16.1 Collaborate - Work in partnership with other Councils, regional organisations and State and Federal Governments”.

FINANCIAL IMPLICATIONS

Council’s annual membership to the Alliance is around \$5,000 which is fixed for each year of the three-year membership agreement. Council’s adopted budget includes a provision to cover the costs of this membership.

POLICY AND GOVERNANCE IMPLICATIONS

Nil

RECOMMENDATION

That the report on the Central West Councils Environment and Waterways Alliance be acknowledged and that Council continue to support this important partnership.

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

The Central West Councils Environment and Waterways Alliance (Alliance) has a current membership base of 18 Councils across the Central West of NSW. The Alliance exists to improve environmental outcomes across the region. Orange City Council is a foundation member of the Alliance since its inception in 2014.

To facilitate the operation of the Alliance a consultant is engaged as the Project Support Officer to assist Councils with on-ground works, grant funding opportunities, project development and management and the organisation of Alliance meetings and capacity building events. This provides the Alliance with a critical resource, increasing its effectiveness in reaching the aims and objectives identified in forward planning documents which include the Alliance Strategic Plan and Council Community Strategic Plans. The Project Support Officer is not an employee of the Alliance or any of the member Councils, but rather

5.6 Central West Councils Environment and Waterways Alliance

an independent consultant engaged by Gilgandra Shire Council (who manage the Alliance finances) for the purposes of facilitating the management and operation of the Alliance. The consultant arrangements will be reviewed annually at the conclusion of each financial year.

In 2015 the Alliance experienced a significant period of change and growth. The name of the Alliance was changed to the Environment and Waterways Alliance (formerly the Salinity and Waterways Alliance) to better represent the priorities and outcomes of the partnership. This recognises that much of the focus of the group surrounds issues along waterways and rivers – Coxs, Fish, Macquarie-Wambuul, Castlereagh, Bogan, Lachlan, Cudgegong Rivers and their many tributaries as well as the surrounding terrestrial catchments.

In 2021 the Alliance developed new Strategic and Operational Plans to guide works into the future. These plans were developed in consultation with member councils and took into account priorities and objectives from member council's Community Strategic Plans and Delivery and Operational Plans. These Plans feature a range of Strategies and Actions designed to deliver on the 7 Alliance Priorities being:

- Land
- Biodiversity
- Water and Waterways
- People and Communities
- Towards Sustainability
- Council Capacity
- Respecting Country and First Nations Knowledge

The first six strategies align with the existing Regional State of the Environment Reporting of which Orange City Council is also involved. The seventh Priority has been included in 2021 to acknowledge and pay our respects to the traditional custodians of the lands on which we live, work and play, while recognising the extraordinary knowledge and history of land management that has continued across Australia for tens of thousands of years.

To facilitate communications within the Alliance as well as with external parties, the Alliance website and associated Facebook page were developed during 2015. The website in particular is an important resource for Council staff as it is a repository for many documents and materials, news, case studies, grant funding and award information. In more recent years the Alliance has expanded its social media platforms to include Instagram and Twitter. Both the website and social media pages are available to be utilised by Councils to promote relevant environmental events or achievements, news items and employment opportunities. The website can be viewed at: www.cwcewa.com.au

A major benefit of Alliance membership for Council is the capacity building events held across the year to upskill Council staff. A flagship project for the Alliance is the Conservation in Action Conference. The first Conservation in Action Conference held in partnership with Central Tablelands Local Land Services and Central Tablelands Landcare in 2018 attracted 150 delegates with this number forecast to be exceeded by Conservation in Action 2022. These training and capacity building events are held by the Alliance as a means of investing in positive, long-term environmental outcomes for the region.

Grant funding specifically for Alliance member councils is awarded on a competitive basis by the Alliance. In 2021 a small grants program distributed \$40,000 to member councils in this manner. This funding is contributing towards various projects including habitat restoration, river restoration works, community engagement and events, litter capture projects and bush regeneration. Orange City Council successfully received \$5,000 for the Orange Open Space Community Engagement Program to Enhance Biodiversity and Build Community Capacity.

Additionally, the Alliance in partnership with Orana JO received a \$100,000 grant from the NSW Environmental Trust to deliver the Creating Homes for Threatened Species project. This current project is creating chainsaw carved hollows in each LGA of our member councils, targeting threatened hollow dependent species. Importantly, this work will be supported by a university research student to contribute the findings from the project to scientific literature. There will also be an educational forum at the conclusion of the project to share the findings and successes with our member councils, as well as more broadly to environmental practitioners.

In order to fund the operational costs of the Alliance, financial contributions are made by each member Council. The membership fees were reduced for the 2019-20 financial year and beyond which reflects the move away from a full-time employee with a vehicle, to a consultant operating in the Project Support Officer position. The Alliance is strongly positioned to provide a range of resources to member councils into the future with the current structure of the Alliance allowing for an increased focus on environmental outcomes across our region.

5.7 DEVELOPMENT APPLICATION DA 23/2022(1) - 21-25 PEISLEY STREET

RECORD NUMBER: 2022/279

AUTHOR: Sophie Currenti, Town Planner

EXECUTIVE SUMMARY

| | |
|-------------------------------|---|
| Application lodged | 24 January 2022 |
| Applicant/s | The Trustee for Akura Property Trust |
| Owner/s | Akura Properties Pty Ltd |
| Land description | Lot 100 PCE PT DP 1199583 - 21-25 Peisley Street, Orange |
| Proposed land use | Demolition (existing buildings), General Industry (industrial unit complex containing 13 units), Specialised Retail Premises (first use Unit 13), Business Identification Signage |
| Value of proposed development | \$3,800,000.00 |

Council's consent is sought for the erection of thirteen (13) individual industrial units and Specialised Retail Premises (first use of Unit 13) with associated signage at 21-25 Peisley Street, Orange – Lot 100 DP 1199583.

The proposed development involves the following:

- demolition of existing shed and ancillary office
- erection of thirteen (13) individual general industrial units ranging in various sizes from 173m² to 700m²
- a combined Gross Floor Area (GFA) of 4291m²
- specialised Retail Premises (first use of Unit 13) to be occupied by Repco
- access via a proposed 12m wide driveway and construction of an internal road network/hardstand area that accommodates heavy rigid vehicles
- fifty-eight (58) carparking spaces including disabled and staff car parking
- an onsite detention located through the centre of the site – subject to engineering design. The proposed driveway design basin will reduce stormwater peak discharges and volumes so as to not impact downstream properties
- proposed wall and pole signage including a free standing 5m pylon sign approximately 1800mm wide. Further wall signage and painting to the existing southern and eastern facades at approx. 6m x 1500mm high.

The Planning and Development Committee has delegated authority to approve the application, based on the cost of the development of more than \$2.5 million.

As outlined in this report, the proposed development is considered to reasonably satisfy the Local and State planning controls that apply to the subject land and particular land use. Impacts of the development will be within acceptable limit, subject to mitigation conditions. Approval of the application is recommended.

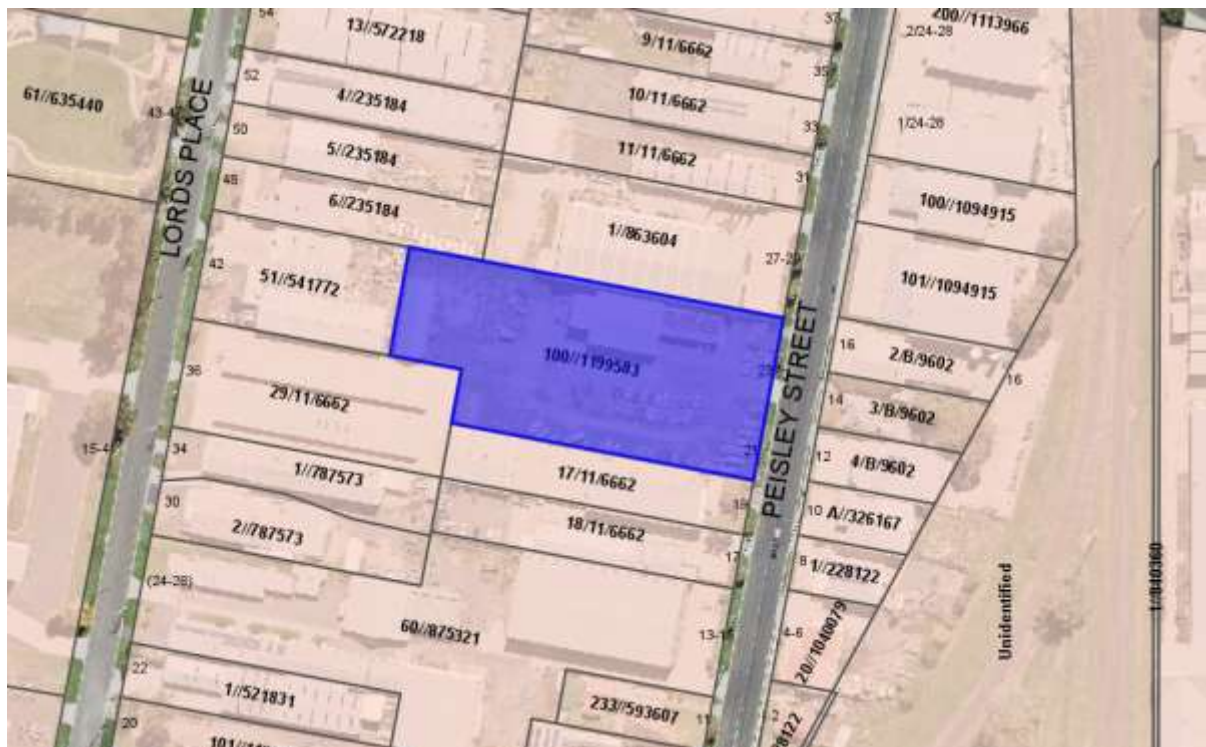


Figure 1 - locality plan



Figure 2 – existing streetscape

DECISION FRAMEWORK

Development in Orange is governed by two key documents Orange Local Environment Plan 2011 (LEP) and Orange Development Control Plan 2004 (DCP). In addition the Infill Guidelines are used to guide development, particularly in the heritage conservation areas and around heritage items.

Orange Local Environment Plan 2011 – The provisions of the LEP must be considered by the Council in determining the application.

LEPs govern the types of development that are permissible or prohibited in different parts of the City and also provide some assessment criteria in specific circumstances. Uses are either permissible or not. The objectives of each zoning and indeed the aims of the LEP itself are also to be considered and can be used to guide decision making around appropriateness of development.

Orange Development Control Plan 2004 – the DCP provides guidelines for development. In general it is a performance based document rather than prescriptive in nature. For each planning element there are often guidelines used. These guidelines indicate ways of achieving the planning outcomes. It is thus recognised that there may also be other solutions of merit. All design solutions are considered on merit by planning and building staff. Applications should clearly demonstrate how the planning outcomes are being met where alternative design solutions are proposed. The DCP enables developers and architects to use design to achieve the planning outcomes in alternative ways.

DIRECTOR'S COMMENTS

This proposal relates to the construction of 13 industrial units. The design is of a modern style and would complement other buildings in the industrial strip of the south end of Peisley Street. One anchor tenant proposed for the northern most unit fronting Peisley Street is Repco. This development is permissible in this zone, provides ample parking, is compliant and the overall design will add to the character and streetscape of the area. Approval of the development is recommended.

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Nil

RECOMMENDATION

That Council consents to development application DA 23/2022(1) for *Demolition (existing buildings), General Industry (industrial unit complex containing 13 units), Specialised Retail Premises (first use Unit 13), Business Identification Signage* at Lot 100 PCE PT DP 1199583 - 21-25 Peisley Street, Orange pursuant to the conditions of consent in the attached Notice of Approval.

THE PROPOSAL

The proposal involves the erection of thirteen (13) individual industrial units and Specialised Retail Premises (first use of Unit 13) with associated signage at 21-25 Peisley Street.

The proposed development involves the following:

- demolition of existing shed and ancillary office
- erection of thirteen (13) individual general industrial units ranging in various sizes from 173m² to 700m² – any alternative uses that do not fit within this definition such as a depot, vehicle repairs or warehouse for example would need a later consent

- a combined Gross Floor Area (GFA) of 4291m²
- specialised Retail Premises (first use of Unit 13)
 - the use relates to the Repco establishment specialising in motor vehicle components, tools and the like
 - the proposal will involve a large display area of car related tools, compressors, oils and 4WD accessories
 - due to the weight of some components such as compressors, ramps, speciality equipment and bulky items such as tarps, car paint and wheel accessories, it is submitted that areas for post purchase retail are required to assist customers loading items close to the delivery and access points.
- access via a proposed 12m wide driveway and construction of an internal road network/hardstand area that accommodates heavy rigid vehicles
- fifty eight (58) carparking spaces including disabled and staff car parking
- an onsite detention located through the centre of the site – subject to engineering design. The proposed driveway design basin will reduce stormwater peak discharges and volumes so as to not impact downstream properties
- proposed wall and pole signage including a free standing 5m pylon sign approximately 1800mm wide. Further wall signage and painting to the existing southern and eastern facades at approx. 6m x 1500mm high.

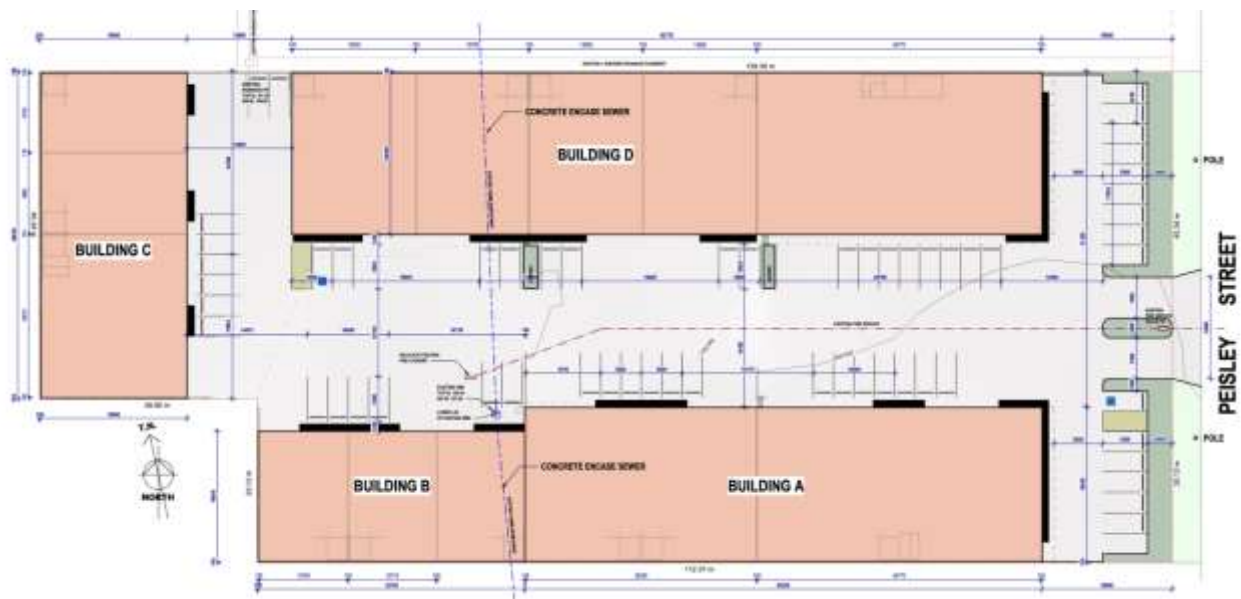


Figure 3 – proposed site plan

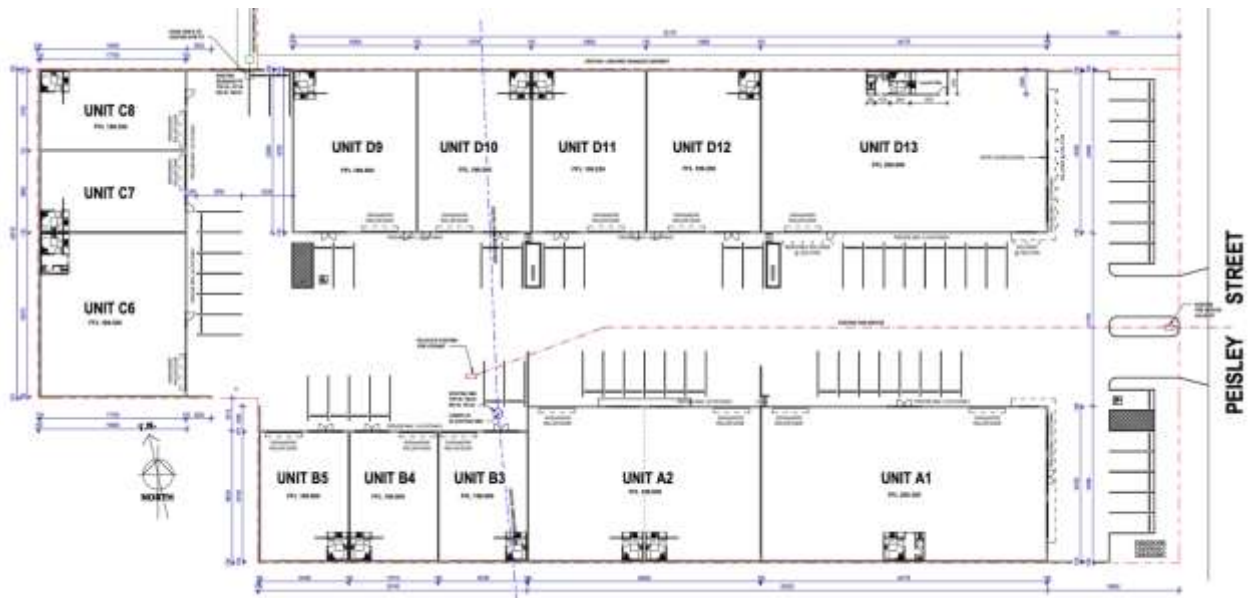


Figure 4 – proposed floor plan



Figure 5 – proposed streetscape elevation

MATTERS FOR CONSIDERATION

Section 1.7 - Application of Part 7 of the *Biodiversity Conservation Act 2016* and Part 7A of the *Fisheries Management Act 1994*

Section 1.7 of the EP&A Act identifies that Part 7 of the Biodiversity Conservation Act 2016 (BC Act) and Part 7A of the Fisheries Management Act 1994 have effect in connection with terrestrial and aquatic environments.

There are four triggers known to insert a development into the Biodiversity Offset Scheme (ie the need for a BDAR to be submitted with a DA):

- Trigger 1: development occurs in land mapped on the Biodiversity Values Map (OEI) (clause 7.1 of BC Regulation 2017);
- Trigger 2: development involves clearing/disturbance of native vegetation above a certain area threshold (clauses 7.1 and 7.2 of BC Regulation 2017); or
- Trigger 3: development is otherwise likely to significantly affect threatened species (clauses 7.2 and 7.3 of BC Act 2016).

The fourth trigger (development proposed to occur in an Area of Outstanding Biodiversity Value (clause 7.2 of BC Act 2016) is generally not applicable to the Orange LGA; as no such areas are known to occur in the LGA. No further comments will be made against the fourth trigger.

SUMMARY

The site does not occur within land mapped on the Biodiversity Values Map and no clearing/disturbance is proposed. As the proposal does not trigger any of the four requirements for insertion into the BOS, a Biodiversity Development Assessment Report is not required to be lodged with the application for development consent. No other comments are warranted under this section.

Section 4.15

Section 4.15 of the *Environmental Planning and Assessment Act 1979* requires Council to consider various matters, of which those pertaining to the application are listed below.

PROVISIONS OF ANY ENVIRONMENTAL PLANNING INSTRUMENT s4.15(1)(a)(i)

Orange Local Environmental Plan 2011

Part 1 - Preliminary

Clause 1.2 - Aims of Plan

The broad aims of the LEP are set out under subclause 2. Those relevant to the application are as follows:

- (a) *to encourage development which complements and enhances the unique character of Orange as a major regional centre boasting a diverse economy and offering an attractive regional lifestyle,*
- (b) *to provide for a range of development opportunities that contribute to the social, economic and environmental resources of Orange in a way that allows present and future generations to meet their needs by implementing the principles for ecologically sustainable development,*
- (c) *to conserve and enhance the water resources on which Orange depends, particularly water supply catchments,*
- (f) *to recognise and manage valued environmental heritage, landscape and scenic features of Orange.*

The application is considered to be consistent with the applicable aims of the plan.

Clause 1.6 - Consent Authority

This clause establishes that, subject to the Act, Council is the consent authority for applications made under the LEP.

Clause 1.7 - Mapping

The subject site is identified on the LEP maps in the following manner:

| | |
|----------------------------------|---|
| Land Zoning Map: | Land zoned IN1 General Industrial |
| Lot Size Map: | Minimum Lot Size 1000m ² |
| Heritage Map: | Not a heritage item or conservation area |
| Height of Buildings Map: | No building height limit |
| Floor Space Ratio Map: | No floor space limit |
| Terrestrial Biodiversity Map: | No biodiversity sensitivity on the site |
| Groundwater Vulnerability Map: | Groundwater vulnerable |
| Drinking Water Catchment Map: | Not within the drinking water catchment |
| Watercourse Map: | Not within or affecting a defined watercourse |
| Urban Release Area Map: | Not within an urban release area |
| Obstacle Limitation Surface Map: | No restriction on building siting or construction |
| Additional Permitted Uses Map: | No additional permitted use applies |
| Flood Planning Map: | Minor PMF mapping |

Those matters that are of relevance are addressed in detail in the body of this report.

Clause 1.9A - Suspension of Covenants, Agreements and Instruments

This clause provides that covenants, agreements and other instruments which seek to restrict the carrying out of development do not apply with the following exceptions.

- (a) *to a covenant imposed by the Council or that the Council requires to be imposed, or*
- (b) *to any relevant instrument under Section 13.4 of the Crown Land Management Act 2016, or*
- (c) *to any conservation agreement under the National Parks and Wildlife Act 1974, or*
- (d) *to any Trust agreement under the Nature Conservation Trust Act 2001, or*
- (e) *to any property vegetation plan under the Native Vegetation Act 2003, or*
- (f) *to any biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995, or*
- (g) *to any planning agreement under Subdivision 2 of Division 7.1 of the Environmental Planning and Assessment Act 1979.*

Council staff are not aware of the title of the subject property being affected by any of the above. A sewer main exists on the land, relevant engineering conditions have been added to address any issues that may arise.

Part 2 - Permitted or Prohibited Development**Clause 2.1 - Land Use Zones and Clause 2.3 - Zone Objectives and Land Use Table**

The subject site is located within the IN1 General Industrial zone. The proposed development is defined as *General Industry, Specialised Retail Premises* and *Business Identification Signage* under OLEP 2011 and is permitted with consent for this zone. This application is seeking consent. The objectives for the land zoning are as follows:

1 - Objectives of the IN1 General Industrial Zone

- *To provide a wide range of industrial and warehouse land uses.*
- *To encourage employment opportunities.*
- *To minimise any adverse effect of industry on other land uses.*
- *To support and protect industrial land for industrial uses.*
- *To ensure development along the Southern Link Road has an alternative access.*

There are no aspects of the proposed development that are averse to the zone objectives. In this regard:

- The proposal is permissible within the IN1 General Industrial Zone. As such, it enhances the range of land uses within this zone.
- The proposal facilitates the expansion of an existing business and therefore generates minor employment opportunities during the construction and operational phase of the development.
- The proposal is situated within an established industrial area and is thus unlikely to adversely affect other (more sensitive) land uses. As detailed throughout this report, there are no aspects of the proposed development that would adversely impact more sensitive land uses.
- The development of the site will have no impact upon the supply of industrial land within the locality as the proposal continues the use of industrial land for a use that is permissible within the IN1 General Industrial Zone.

Clause 2.7 - Demolition Requires Development Consent

The proposal involves demolition of the existing structures on the subject site and the applicant is seeking the consent of council. The demolition works proposed will have no significant impact on adjoining lands, streetscape or public realm. Conditions may be imposed in respect of hours of operation, dust suppression and the need to investigate for, and appropriately manage the presence of, any materials containing asbestos.

Part 3 - Exempt and Complying Development

The application is not exempt or complying development.

Part 4 - Principal Development Standards**Clause 4.1 - Minimum Subdivision Lot Size**

This clause requires the subdivision of land to be equal to or greater than the size nominated for the land under the Minimum Lot Size Map. In relation to this site, the map nominates a minimum lot size of 1000m². No subdivision is proposed within this application.

Part 5 - Miscellaneous Provisions

Not relevant to the application.

Part 6 - Urban Release Area

Not relevant to the application. The subject site is not located in an Urban Release Area.

Part 7 - Additional Local Provisions**7.1 – Earthworks**

The earthworks that are to be undertaken for the proposed development include driveway/hardstand area construction; trenching for service installations; and significant land shaping. The disruption to the site drainage is considered minor, and will not detrimentally affect adjoining properties or receiving waterways. The earthworks are not expected to affect the potential future use or redevelopment of the site. The site is not known to contain any Aboriginal, European or Archaeological relics nor is it in proximity to any waterway, drinking water catchment or sensitive area. Sedimentation controls will be required throughout construction as a condition of consent.

7.2a – Flood Plain Risk Management

This clause applies to land identified between the flood planning level and the level of the probable maximum flood. Before granting consent, Council must be satisfied that the proposal will not affect the safe occupation of, and evacuation from, the land in flood events (industrial development). The development is considered not to, in flood events exceeding the flood planning level, affect the safe occupation of and evacuation from, the changed mixed land use. The proposed development is unlikely to change flood planning regimes on or off the site and would be unlikely to cause or contribute to erosion, siltation or reduce riparian vegetation, and is therefore unlikely to create a cost burden on the community or neighbours.

7.3 – Stormwater Management

This clause applies to all industrial, commercial and residential zones and requires that Council be satisfied that the proposal meets the relevant clauses. Stormwater will be disposed into Council's existing stormwater infrastructure located along the bitumen access road that services the development. Overland flow will be directed to the onsite detention basin located to the south eastern corner of the development site and is subject to final engineering design. The proposed detention basin will reduce stormwater peak discharges and volumes so as to not impact the downstream properties.

7.6 – Groundwater Vulnerability

The site has been mapped as being groundwater vulnerable. The proposal is not anticipated to involve the discharge of toxic or noxious substances and is therefore unlikely to contaminate the groundwater or related ecosystems. The proposal does not involve extraction of groundwater and therefore will not contribute to groundwater depletion.

7.11 – Essential Services

In consideration of this clause, all utility services are available to the land and adequate for the proposal. The subject land is serviced by Council's reticulated water and sewerage network. The site has access to electricity and telecommunications. Stormwater will be disposed of at a legal point of discharge with any overland flow being directed into the proposed onsite stormwater detention system incorporated in the parking and driveway areas. This will be subject to civil design.

STATE ENVIRONMENTAL PLANNING POLICIES**State Environmental Planning Policy 55 Remediation of Land**

State Environmental Planning Policy 55 - Remediation of Land (SEPP 55) is applicable. Pursuant to Clause 7 Contamination and remediation to be considered in determining development application:

- (1) A consent authority must not consent to the carrying out of any development on land unless:*
 - (a) it has considered whether the land is contaminated, and*
 - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

Investigation of past use and visual site inspection of the property did not give rise to any concerns surrounding contamination in relation to SEPP 55. No underground tanks or stained soil/gravel is evident on site. A check of the NSW EPA Contaminated Land Record and List of NSW Contaminated Sites notified to the EPA did not identify any contaminated sites on or near the proposed development. In light of the proposed use and the site being sealed with buildings and driveway and parking areas, no further analysis is considered justified.

State Environmental Planning Policy (Infrastructure) 2007

Clause 104 of the Infrastructure SEPP relates to traffic-generating development. The clause applies to development specified in Column 1 of the Table to Schedule 3 that involves new premises of the relevant size or capacity. Although the use of *industry* is listed, the clause is not applicable to the proposal at hand as the size/capacity is not exceeded in Column 2 of the Table to Schedule 3 (Clause 2(a)). As a result, formal referral to the Roads and Maritime Service is not required as the development is not deemed to be traffic generating development.

State Environmental Planning Policy 64 - Advertising and Signage

State Environmental Planning Policy 64 - Advertising and Signage (SEPP 64) is applicable and states in part:

3 Aims, Objectives etc

- (1) This Policy aims:*
 - (a) to ensure that signage (including advertising):*
 - (i) is compatible with the desired amenity and visual character of an area, and*
 - (ii) provides effective communication in suitable locations, and*
 - (iii) is of high quality design and finish, and*

(8) Granting of Consent to Signage

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) *that the signage is consistent with the objectives of this Policy as set out in Clause 3 (1) (a), and*
- (b) *that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.*

The proposed signage is permissible with consent. An assessment of the signage against Schedule 1 has been undertaken below. The signage comprises two components of a pole/pylon sign and flush wall signage on the eastern and front wall of Unit 13 for Repco.



Figure 6 – proposed signage (Unit 13)

1 - Character of the Area

- *Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?*
- *Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?*

The ribbon style development along Peisley Street is largely of a semi-industrial and specialist retail character. The proposed signage is consistent with other bold colour designs of national firms such as Sydney Tools, Coates Hire, BWS, Reece Plumbing and the like. The proposed signage and wall colours are consistent with the vibrant commercial character of south Peisley Street. A mix of attached wall signage and freestanding signs are common in the local area.

2 - Special Areas

- *Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?*

The proposed signage and locality does not conflict with special areas relating to heritage, open space, waterways, residential areas or conservation precincts.

3 - Views and Vistas

- *Does the proposal obscure or compromise important views?*
- *Does the proposal dominate the skyline and reduce the quality of vistas?*
- *Does the proposal respect the viewing rights of other advertisers?*

The proposed signage is set back within the site. The pylon sign will not dominate the skyline being of a vertical rather than wide structure. The level landform also ensures the signage does not dominate any longer vistas. The signage will not block signage exposure to other businesses, largely due to the wide land frontage onto Peisley Street.

4 - Streetscape, Setting or Landscape

- *Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?*
- *Does the proposal contribute to the visual interest of the streetscape, setting or landscape?*
- *Does the proposal reduce clutter by rationalising and simplifying existing advertising?*
- *Does the proposal screen unsightliness?*
- *Does the proposal protrude above buildings, structures or tree canopies in the area or locality?*
- *Does the proposal require ongoing vegetation management?*

The proposed signage is considered within normal commercial expectations for the environment with a cluster of corporate images and design features common place in the locality. The size and scale of the signage is considered reasonable in comparison to the size and scale of buildings and their commercial theme. The proposal contributes in a positive manner with sharp modern design lines and corporate fonts and colours. The signage is considered to present a high-quality corporate image. The site has no current signage and consider the proposed signage is simple in presentation with three logical viewpoints or images. The free-standing sign will be set away from the proposed buildings therefore not critical in terms of protrusions against rooflines or nearby structures. The proposal does not require ongoing vegetation management.

5 - Site and Building

- *Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?*
- *Does the proposal respect important features of the site or building, or both?*
- *Does the proposal show innovation and imagination in its relationship to the site or building, or both?*

The proposal is within scale and overall dimension relationship with the proposed height and width of the building. The images integrate with the key visual elements of the proposed buildings. The signage represents a sharp corporate image and reflects the car related sports theme associated with car products.

6 - Associated Devices and Logos with Advertisements and Advertising Structures

- *Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?*

The Repco logo, colours and fonts are proposed as part of the signage that will be displayed.

7 - Illumination

- *Would illumination result in unacceptable glare?*
- *Would illumination affect safety for pedestrians, vehicles or aircraft?*
- *Would illumination detract from the amenity of any residence or other form of accommodation?*
- *Can the intensity of the illumination be adjusted, if necessary?*
- *Is the illumination subject to a curfew?*

No illumination is proposed.

8 - Safety

- *Would the proposal reduce the safety for any public road?*
- *Would the proposal reduce the safety for pedestrians or bicyclists?*
- *Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?*

The proposal is not considered to reduce the safety for any public road, pedestrians or cyclists. The proposal will not obscure sightlines from public areas.

PROVISIONS OF ANY DRAFT ENVIRONMENTAL PLANNING INSTRUMENT THAT HAS BEEN PLACED ON EXHIBITION 4.15(1)(a)(ii)

There are no draft EPI's that relate to the proposed development or subject site.

DESIGNATED DEVELOPMENT

The proposed development is not designated development.

INTEGRATED DEVELOPMENT

The proposed development is not integrated development.

PROVISIONS OF ANY DEVELOPMENT CONTROL PLAN s4.15(1)(a)(iii)**Development Control Plan 2004**

The following parts of DCP 2004 are applicable to the proposed development:

- Part 2 – Natural Resource Management
- Part 3 – General Considerations
- Part 4 – Special Environmental Considerations
- Part 9 – Development in the Employment and Industrial Zone
- Part 14 – Advertisements
- Part 15 – Car Parking

The relevant matters in Parts 2, 3, 4 and 14 were considered in the foregoing assessment under Orange LEP 2011 and SEPP 64. An assessment of the relevant provisions within Part 9 and 15 have been undertaken below.

09 – Development in the Industry and Employment Zone

The DCP prescribes the following applicable planning outcomes for **Industrial Site Development**.

- *Buildings are set back a minimum of 10m from front boundaries (5m to a secondary boundary on a corner lot) for lots greater than 1,000m² or 5m for lots less than 1,000m² or otherwise to a setback consistent with existing setbacks in established areas.*

The subject land comprises an area greater than 1,000sqm, therefore requires a setback minimum of 10m from the boundary. The new buildings will be sited at least 16m from the Peisley Street frontage. This setback allows for a sufficient landscaping strip to be established between the building and its frontage to Peisley Street to soften visual bulk. Side setbacks will comply with the BCA as concrete walls.

- *Buildings cover up to 50% of the site area (excluding the area of accessways for battleaxe lots)*

Based on the site area being 7864sqm, and the proposed buildings footprint of 4291.9sqm, the site coverage of the development is 54.5%. Although this proposed site coverage exceeds the 50% maximum by less than a 10% variation, the proposal is considered to be satisfactory. Due to the large size of the site, and all other design criteria being satisfied, including setbacks, driveways, parking and landscaping, the greater site coverage is considered acceptable.

- *Landscaping is provided along boundaries fronting roads including trees with an expected mature height at least comparable to the height of buildings on the site. All sites contain an element of landscaping.*

Landscaping will be provided along the street frontage as a 3m wide landscaping bed. The proposed landscaping will incorporate plantings that are endemic to the area and commensurate with the height of the proposed building.

- *Architectural features are provided to the front building façade to provide relief using such elements as verandahs, display windows, indented walls, etc.*
- *External materials consist of non-reflective materials.*

The proposed finishes are provided in non-reflective finish as encouraged by the DCP. The proposed development will be constructed of painted fibre cement panels and painted concrete tilt panel being neutral in colour of dark and light grey or cream/dulux dune or similar. The architectural design of the building includes awnings as well as a variation to the height of the roofline that will provide relief to the front façade.

- *Adequate parking and onsite manoeuvring is provided.*

An assessment of parking and manoeuvring has been completed under Chapter 15.

- *Advertising involves business identification signs within the front façade and/or by a pole sign comparable to the relative height to the main building on the site.*

The assessment under SEPP 64 provided in this report demonstrates that the proposed signage is satisfactory in terms of the above outcome.

- *Security fencing is located or designed in a manner that does not dominate the visual setting of the area.*

Security fencing is existing and is located around the perimeter of the site. The fencing does not dominate the visual setting of the area.

15 – Car Parking

| DEVELOPMENT USE | CAR PARKING REQUIREMENT |
|--------------------------|--|
| Industry/warehouse/depot | 1 space per 100 m ² gross floor area or 1 space per 2 employees, whichever is greater |
| Bulk retail or shops | 1 space per 50 m ² |
| Research establishments | 1 space per 50 m ² or 1 space for every 2 employees whichever is greater |

The DCP requires onsite parking for industries to be provided at the rate of one (1) space per 100sqm of gross floor area. Based on the DCP rate, the parking requirements for the development are calculated as 42.9 car parking spaces. A further 14 spaces are required for the Specialist Retail Use of Unit 13 based on the DCP of 1 space per 50sqm. The proposed development therefore requires 56.9 spaces and proposes a total of 58 car parking spaces including spaces for staff and disabled parking. The proposal is therefore compliant.

Ingress and egress to the site will occur on the centre of the eastern frontage. There is sufficient area for rigid vehicles to enter and exit the site in a forward direction without having to reverse onto or from a public road.

The sealed right of access at its intersection with Peisley Street provides a suitable sight distance. Peisley Street appears to be of a sufficient capacity to accommodate the additional traffic generated as a result of this development. No upgrades to Peisley Street are envisaged.

PROVISIONS PRESCRIBED BY THE REGULATIONS s4.15(1)(a)(iv)

Demolition of a Building (clause 92)

The proposal involves the demolition of the existing structures on site. A condition is attached requiring the demolition to be carried out in accordance with *Australian Standard AS2601 - 2001: The Demolition of Structures* and the requirements of Safe Work NSW.

Fire Safety Considerations (clause 93)

The proposal does not involve a change of building use for an existing building.

Buildings to be Upgraded (clause 94)

The proposal does not involve the rebuilding, alteration, enlargement or extension of an existing building.

BASIX Commitments (clause 97A)

BASIX is not applicable to the proposed development.

THE LIKELY IMPACTS OF THE DEVELOPMENT s4.15(1)(b)

The subject site is located in an area characterised by industrial activities and service retail and it is therefore considered that the proposal is consistent with the development in the area and is not expected to create significant impacts on the context and setting of the area. The proposed development is permissible in the IN1 General Industrial zone and the development of the site is unlikely to generate any adverse environmental impacts within the vicinity of the development.

Traffic levels are expected to be consistent with levels associated with industrial development. The development incorporates a hardstand area which also allows for a heavy rigid vehicle to enter and exit the site in a forward direction. The design also provides 52 car parking spaces for staff, customers, and disabled persons.

THE SUITABILITY OF THE SITE s4.15(1)(c)

The overall bulk and scale of the development is not considered to be averse to the zone objectives and is consistent with the surrounding development in the locality. Development of the site will not create significant adverse impacts on the context and setting of the area.

It is considered the site is suitable for the proposal as the site is appropriately serviced and there are no known physical attributes, technological or natural hazards, which constrain the site.

ANY SUBMISSIONS MADE IN ACCORDANCE WITH THE ACT s4.15(1)(d)

The proposed development is not defined as advertised development under the provisions of the CPP, and as such no formal exhibition of the application was required. No submissions have been received in relation to this application.

PUBLIC INTEREST s4.15(1)(e)

The proposed development is considered to be of minor interest to the wider public due to the relatively localised nature of potential impacts. The proposal is not inconsistent with any relevant policy statements, planning studies, guidelines etc that have not been considered in this assessment.

SUMMARY


The proposed development is permissible with the consent of Council. The proposed development complies with the relevant aims, objectives and provisions of Orange LEP 2011 (as amended) and DCP 2004. A Section 4.15 assessment of the development indicates that the development is acceptable in this instance. Attached is a draft Notice of Approval outlining a range of conditions considered appropriate to ensure that the development proceeds in an acceptable manner.

COMMENTS

The requirements of the Environmental Health and Building Surveyor and the Engineering Development Section are included in the attached Notice of Approval.

ATTACHMENTS

- 1 Notice of Approval, D22/12479 [↓](#)
- 2 Plans, D22/11623 [↓](#)

| | | |
|---|---|-------------------|
|  | ORANGE CITY COUNCIL | |
| | Development Application No DA 23/2022(1) | |
| | NA22/150 | Container PR26764 |

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

issued under the *Environmental Planning and Assessment Act 1979*
Section 4.18

Development Application

Applicant Name: The Trustee for Akura Property Trust
Applicant Address: C/- 2/204-206 Lords Place
ORANGE NSW 2800
Owner's Name: Akura Properties Pty Ltd
Land to Be Developed: Lot 100 PCE: PT DP 1199583 - 21-25 Peisley Street, Orange
Proposed Development: Demolition (existing buildings), General Industry (industrial unit complex containing 13 units), Specialised Retail Premises (first use Unit 13), Business Identification Signage

Building Code of Australia building classification:

Class to be determined by Certifier

Determination made under Section 4.16

Made On: 15 March 2022
Determination: **CONSENT GRANTED SUBJECT TO CONDITIONS DESCRIBED BELOW:**

Consent to Operate From: 16 March 2022
Consent to Lapse On: 16 March 2027

Terms of Approval

The reasons for the imposition of conditions are:

- (1) To ensure a quality urban design for the development which complements the surrounding environment.
- (2) To maintain neighbourhood amenity and character.
- (3) To ensure compliance with relevant statutory requirements.
- (4) To provide adequate public health and safety measures.
- (5) To ensure the utility services are available to the site and adequate for the development.
- (6) To prevent the proposed development having a detrimental effect on adjoining land uses.
- (7) To minimise the impact of development on the environment.

Conditions

- (1) The development must be carried out in accordance with:
 - (a) **Plans numbered: Figures S5.1 - S5.5 by Akura dated February 2022 (5 sheets)**
 - (b) statements of environmental effects or other similar associated documents that form part of the approval
- as amended in accordance with any conditions of this consent.**

NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION NO DA 23/2022(1)

2

Conditions (cont)

PRESCRIBED CONDITIONS

- (2) All building work must be carried out in accordance with the provisions of the Building Code of Australia.
- (3) A sign is to be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the site is prohibited.
- Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out.
- (4) Where any excavation work on the site extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
- (a) protect and support the adjoining premises from possible damage from the excavation, and
 - (b) where necessary, underpin the adjoining premises to prevent any such damage.
- Note: This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to this condition not applying.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

- (5) A detailed plan showing landscaping shall be submitted to and approved by Council's Manager Development Assessments **prior to the issue of a Construction Certificate**. It is noted that this consent does not approve the removal of any trees from the site, which may require separate consent, if not considered exempt development under the *Orange Development Control Plan 2004*.
- (6) An approval under Section 68 of the *Local Government Act* is to be sought from Orange City Council, as the Water and Sewer Authority, for alterations to water and sewer. No plumbing and drainage is to commence until approval is granted.
- (7) The applicant is to submit a waste management plan that describes the nature of wastes to be removed, the wastes to be recycled and the destination of all wastes. All wastes from the demolition and construction phases of this project are to be deposited at a licensed or approved waste disposal site.
- (8) Prior to the issue of a Construction Certificate plans of the carpark shall be submitted to the Principal Certifying Authority for approval. The carpark plans shall provide details of levels, cross falls of all pavements, proposed sealing materials and proposed drainage works and are to be in accordance with Orange City Council Development and Subdivision Code. Stormwater shall be collected in stormwater pits located within the carpark and piped to the proposed stormwater detention basin. All parking spaces and access aisle dimensions shall be in accordance with AS 2890.1 (Off-street car parking). 'Entry' and 'Exit' signage shall be installed on the property boundary facing Peisley Street, 'No Exit' sign installed within the carpark adjacent to the carpark entry. Entry signage shall clearly indicate a maximum permitted vehicle length of 8.8m (R6-33).
- (9) A water and soil erosion control plan is to be submitted to Orange City Council or an Accredited Certifier (Categories B1, C3, C4, C6) for approval prior to the issuing of a Construction Certificate. The control plan is to be in accordance with the Orange City Council Development and Subdivision Code and the Landcom, Managing Urban Stormwater; Soils and Construction Handbook.

NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION NO DA 23/2022(1)

3

Conditions (cont)

Prior to the issue of a construction certificate (cont)

- (10) The development's stormwater design is to include stormwater detention within the development, designed to limit peak outflows from the land to the pre-existing natural outflows up to the 100 year ARI frequency, with sufficient allowance in overflow spillway design capacity to safely pass flows of lower frequency (that is, a rarer event) without damage to downstream developments. Where appropriate, the spillway design capacity is to be determined in accordance with the requirements of the Dam Safety Committee.

The design of the detention storage is to be undertaken using the DRAINS rainfall-runoff hydrologic model or an approved equivalent capable of assessing runoff volumes and their temporal distribution as well as peak flow rates. The model is to be used to calculate the flow rates for the existing and post-development conditions. The developed flows are to be routed through the proposed storage within the model so that the outflows obtained are no greater than the flows obtained for the pre-existing natural flows. A report detailing the results of the analysis, which includes:

- catchment plan showing sub-catchments under existing and developed conditions;
- schematic diagram of the catchment model showing sub areas and linkages;
- tabulation detailing the elevation, storage volume and discharge relationships; and
- tabulation for the range of frequencies analysed, the inflows, outflows and peak storage levels for both existing and developed conditions;

together with copies of the data files for the model and engineering design plans of the required drainage system are to be submitted to Orange City Council upon application for a Construction Certificate. Existing impervious areas shall be limited to approved buildings and concrete/bitumen sealed parking areas. The remainder of the site is considered pervious for the purposes of stormwater detention calculations.

- (11) Prior to the issue of a Construction Certificate the existing 150mm diameter sewer main that crosses the site is to be accurately located and noted on the site plan. Where the main is located under or adjacent to any proposed building work, measures are to be taken in accordance with Orange City Council Policy - Building over and/or adjacent to sewers ST009 (*the Policy*). Details of compliance with Clause 4 of the Policy shall be provided to the Principal Certifying Authority. Any works in the vicinity of the sewer main are to be designed and certified by a structural engineer.

- (12) Prior to the issue of a Construction Certificate the applicant shall pay Orange City Council to undertake the following works:

- reline the existing 150mm diameter sewer line from boundary to boundary; and
- install a new sewer junction in the common driveway/vehicle manoeuvring area.

Evidence of payment for the above works will be required to be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate.

- (13) A 150mm-diameter sewer junction is to be constructed from Council's existing main to serve the proposed development. Prior to a Construction Certificate being issued engineering plans showing the location of the sewer junction are to be submitted to and approved by Orange City Council. The existing sewer junction shall be capped off.

Internal sewer lines servicing the development from the sewer junction shall be constructed as private sewer mains constructed to Australian Standard AS/NZS 3500.

- (14) A single common water service and meter shall be located in the common driveway area. Engineering plans of the meter location and size shall be submitted to Orange City Council for approval prior to the issuing of a Construction Certificate.

Internal water mains servicing the development from the common water meter shall be constructed as private water mains constructed to Australian Standard AS/NZS 3500.

NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION NO DA 23/2022(1)

4

Conditions (cont)**Prior to the issue of a construction certificate (cont)**

- (15) Plans detailing compliance with *Fire and Rescue NSW – Access for Fire Brigade Vehicles and Firefighters* is to be submitted to the Principal Certifying Authority for approval prior to the issuing of a Construction Certificate.
- (16) Prior to the issue of a Construction Certificate the plans shall be amended to show that:
- Units D9 to D13 shall have a floor level a minimum of 300mm higher than the adjacent natural ground level in the stormwater easement located on Lot 1 DP 863604; and
 - the finished floor levels of all units are a minimum of 300mm higher than the top water level of any on-site stormwater detention basin or overland flow path; and
 - the common driveway area is shaped to contain surface flows of stormwater.
- (17) A Road Opening Permit in accordance with Section 138 of the *Roads Act 1993* must be approved by Council prior to **a Construction Certificate being issued or any intrusive works** being carried out within the public road or footpath reserve.

PRIOR TO WORKS COMMENCING

- (18) A Construction Certificate application is required to be submitted to, and issued by Council/Accredited Certifier prior to any excavation or building works being carried out onsite.
- (19) A temporary onsite toilet is to be provided and must remain throughout the project or until an alternative facility meeting Council's requirements is available onsite.
- (20) Soil erosion control measures shall be implemented on the site.
- (21) A dilapidation report prepared by a suitably qualified engineer is to be submitted to Council addressing the current condition of the buildings that are adjoining the development site, prior to demolition works commencing.

DURING CONSTRUCTION/SITEWORKS

- (22) Any adjustments to existing utility services that are made necessary by this development proceeding are to be at the full cost of the developer.
- (23) All driveway and parking areas are to be sealed with bitumen, hot mix or concrete and are to be designed for all expected loading conditions (provided however that the minimum pavement depth for gravel and flush seal roadways is 200mm) and be in accordance with the Orange City Council Development and Subdivision Code.
- (24) A heavy-duty concrete kerb and gutter layback and footpath crossing is to be constructed in the position shown on the plan submitted with the Construction Certificate application. The works are to be carried out to the requirements of the Orange City Council Development and Subdivision Code and Road Opening Permit.
- (25) Any existing kerb and gutter layback located on the Peisley Street frontage that is not proposed to be used is to be replaced with standard concrete kerb and gutter and the adjacent footpath area re-graded to the shape and level requirements of footpaths in the Orange City Council Development and Subdivision Code.
- (26) The existing 150mm diameter sewer main that crosses the site is to be accurately located. Where the main is positioned under any proposed building work, measures are to be taken in accordance with Orange City Council Policy - Building over and/or adjacent to sewers ST009.

NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION NO DA 23/2022(1)

5

Conditions (cont)**During construction/siteworks (cont)**

- (27) The existing water and sewerage services, where they are not proposed to be used as part of this development, are to be sealed off at their respective Council mains.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

- (28) A total of 58 off-street car parking spaces shall be provided upon the site in accordance with the approved plans, the provisions of Development Control Plan 2004, and be constructed in accordance with the requirements of Council's Development and Subdivision Code **prior to the issue of an Occupation Certificate**.
- (29) Landscaping shall be installed in accordance with the approved plans and shall be permanently maintained to the satisfaction of Council's Manager Development Assessments.
- (30) No person is to use or occupy the building or alteration that is the subject of this approval without the prior issuing of an Occupation Certificate.
- (31) The owner of the building/s must cause the Council to be given a Final Fire Safety Certificate on completion of the building in relation to essential fire or other safety measures included in the schedule attached to this approval.
- (32) Where Orange City Council is not the Principal Certifying Authority, a final inspection of water connection, sewer and stormwater drainage shall be undertaken by Orange City Council and a Final Notice of Inspection issued, prior to the issue of either an interim or a final Occupation Certificate.
- (33) A Certificate of Compliance, from a Qualified Engineer, stating that the stormwater detention basin complies with the approved engineering plans is to be submitted to the Principal Certifying Authority prior to the issuing of an Occupation Certificate.
- (34) An easement, to drain sewage and to provide Council access for maintenance of sewerage works, a minimum of 2.0m wide is to be created over the sewer main. Evidence that the easement has been registered is to be submitted to the Principal Certifying Authority prior to issuing of an Occupation Certificate.
- (35) Certification from Orange City Council is required to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate stating that all works relating to connection of the development to Council assets, works on public land, works on public roads, stormwater, sewer and water reticulation mains and footpaths have been carried out in accordance with the Orange City Council Development and Subdivision Code and the foregoing conditions.
- (36) A Road Opening Permit Certificate of Compliance is to be issued for the works by Council prior to any Occupation/Final Certificate being issued for the development.
- (37) All of the foregoing conditions are to be at the full cost of the developer and to the requirements and standards of the Orange City Council Development and Subdivision Code, unless specifically stated otherwise. All work required by the foregoing conditions is to be completed prior to the issuing of an Occupation Certificate, unless stated otherwise.

MATTERS FOR THE ONGOING PERFORMANCE AND OPERATION OF THE DEVELOPMENT

- (38) Separate development applications shall be submitted to and approved by Council prior to the fitout of the other twelve general industrial units subject to this application.
- (39) A separate development application shall be submitted to and approved by Council prior to the erection of any advertising structures or signs of a type that do not meet the exempt development provisions of Orange Local Environmental Plan 2011 (amended) and Development Control Plan 2004.

NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION NO DA 23/2022(1)

6

Conditions (cont)

Matters for the ongoing performance and operation of the development (cont)

- (40) The owner is required to provide to Council and to the NSW Fire Commissioner an Annual Fire Safety Statement in respect of the fire-safety measures, as required by Clause 177 of the *Environmental Planning and Assessment Regulation 2000*.
- (41) The maximum sized delivery vehicle permitted to enter the site is an 8.8m length Medium Rigid Vehicle. Signage shall be prominently displayed at the property entrance.

Other Approvals

- (1) *Local Government Act 1993* approvals granted under Section 68.
Nil
- (2) General terms of other approvals integrated as part of this consent.
Nil

Right of Appeal

If you are dissatisfied with this decision, Section 8.7 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court. Pursuant to Section 8.10, an applicant may only appeal within 6 months after the date the decision is notified.

Disability Discrimination Act 1992:

This application has been assessed in accordance with the *Environmental Planning and Assessment Act 1979*. No guarantee is given that the proposal complies with the *Disability Discrimination Act 1992*.

The applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation.

The *Disability Discrimination Act* covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS1428.1 - "Design for Access and Mobility". AS1428 Parts 2, 3 and 4 provides the most comprehensive technical guidance under the *Disability Discrimination Act* currently available in Australia.

Disclaimer - S88B of the Conveyancing Act 1919 - Restrictions on the Use of Land:

The applicant should note that there could be covenants in favour of persons other than Council restricting what may be built or done upon the subject land. The applicant is advised to check the position before commencing any work.

Signed:

On behalf of the consent authority **ORANGE CITY COUNCIL**

Signature:


Name: PAUL JOHNSTON - MANAGER DEVELOPMENT ASSESSMENTS

Date: 16 March 2022



PROPOSED INDUSTRIAL UNIT DEVELOPMENT

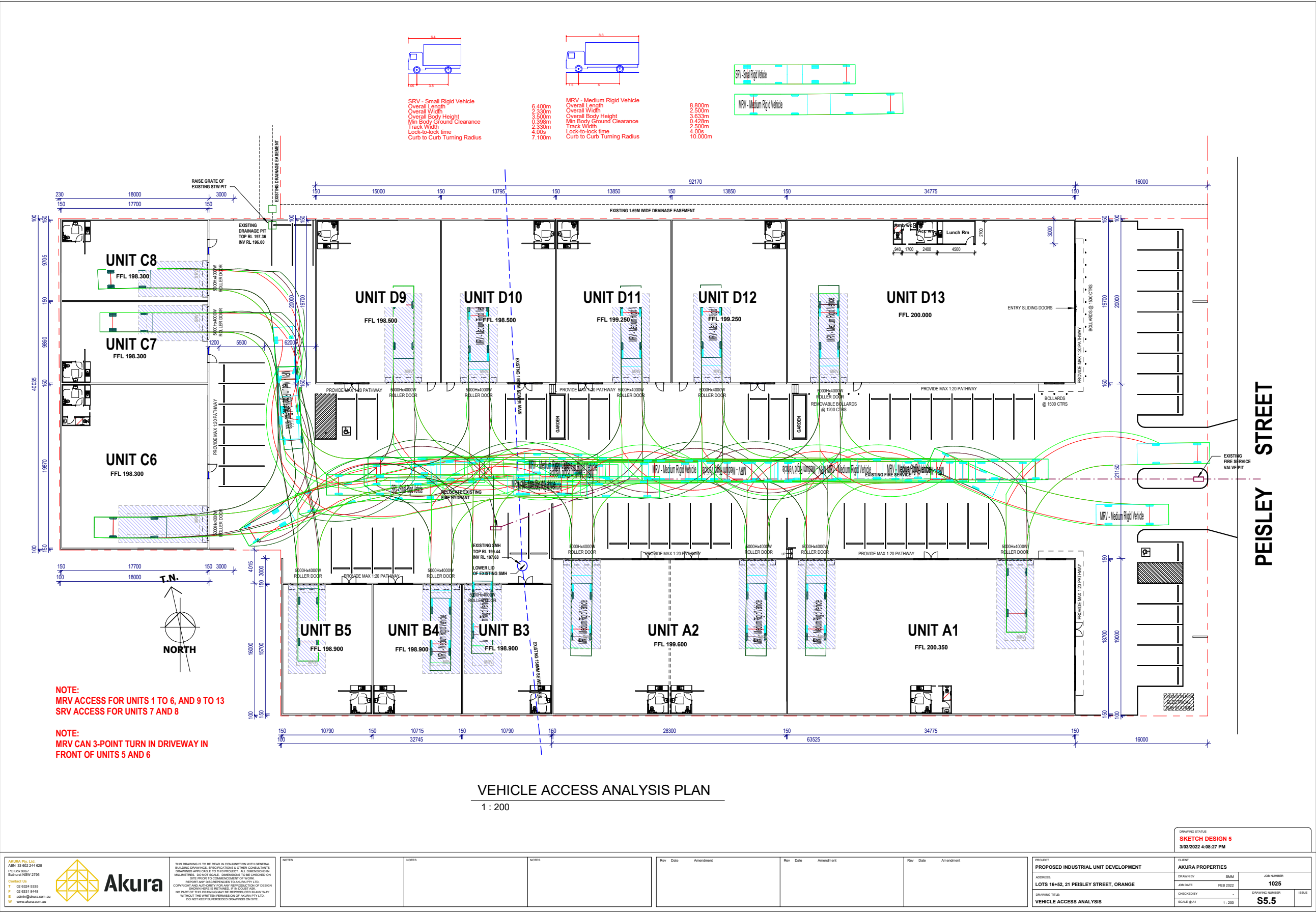


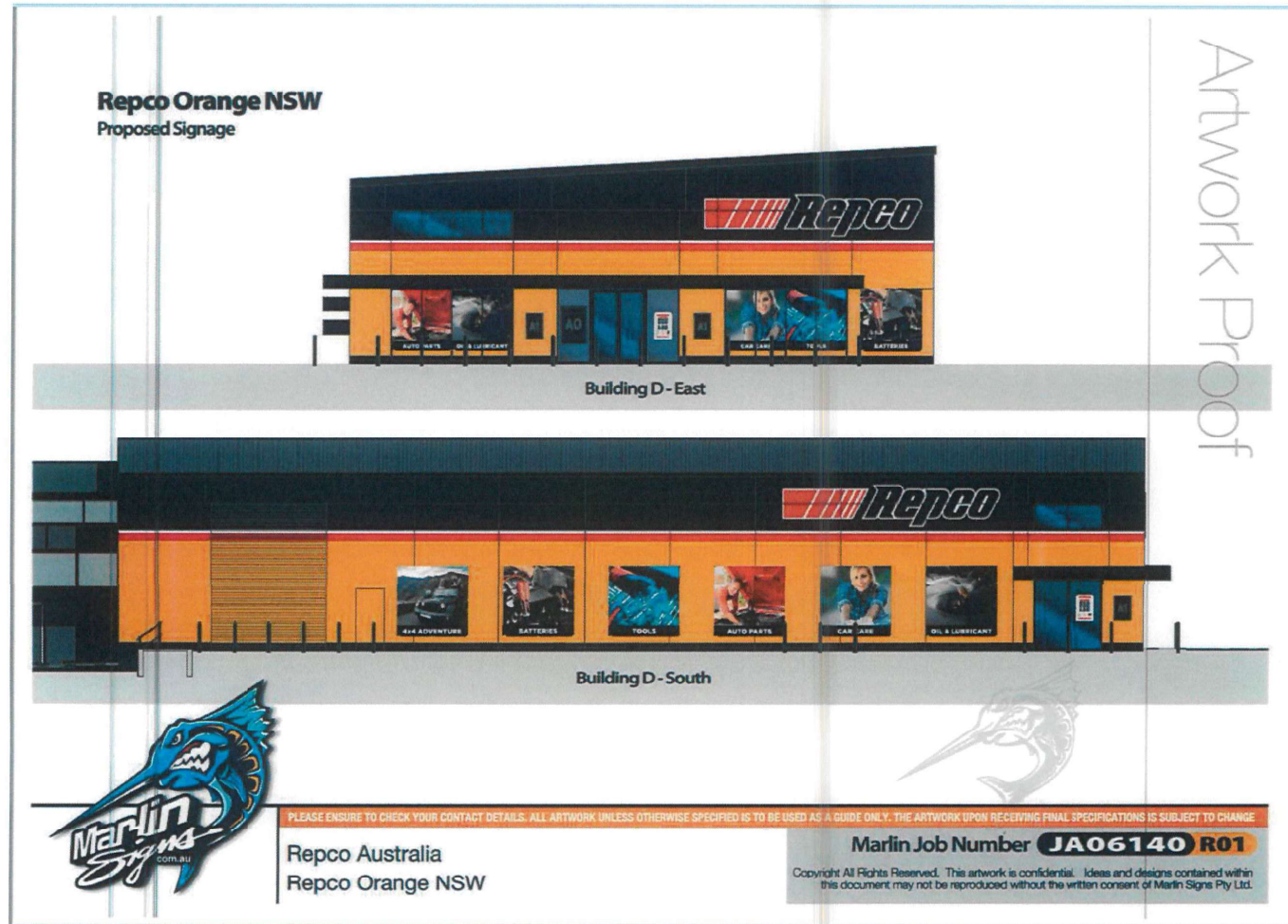
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| <div><div><div><div>Akura Pty Ltd</div><div>ABN 55 602 244 628</div><div>PO Box 9057</div><div>Bathurst NSW 2795</div><div>Contact Us</div><div>T 02 6324 5335</div><div>F 02 6331 8448</div><div>E admin@akura.com.au</div><div>W www.akura.com.au</div></div><div> Akura</div><div><small>THIS DRAWING IS TO BE READ IN CONJUNCTION WITH GENERAL BUILDING DRAWINGS, SPECIFICATIONS & OTHER CONTRACT DOCUMENTS APPLICABLE TO THIS PROJECT. ALL DIMENSIONS IN MILLIMETRES, TO NOT SCALE. DIMENSIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF WORK. REPORT ANY DISCREPANCIES TO AKURA PTY LTD. COPYRIGHT AND AUTHORITY FOR ANY REPRODUCTION OF DESIGN SHOWN HERE IS RETAINED BY IN COURT ASK. NO PART OF THIS DRAWING MAY BE REPRODUCED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF AKURA PTY LTD. DO NOT REPRODUCE DRAWINGS ON SITE.</small></div></div></div> | | | | | | | | | | NOTES | | NOTES | | NOTES | | DRAWING STATUS SKETCH DESIGN 5 3/03/2022 4:00:30 PM | | | | | |
| Rev | | Date | | Amendment | | Rev | | Date | | Amendment | | Rev | | Date | | Amendment | | PROJECT PROPOSED INDUSTRIAL UNIT DEVELOPMENT | | CLIENT AKURA PROPERTIES | |
| | | | | | | | | | | | | | | | | | | ADDRESS LOTS 16+52, 21 PEISLEY STREET, ORANGE | | JOB NUMBER 1025 | |
| | | | | | | | | | | | | | | | | | | DRAWN BY BBM | | JOB NUMBER 1025 | |
| | | | | | | | | | | | | | | | | | | JOB DATE FEB 2022 | | DRAWING NUMBER 1025 | |
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13



5.8 APPOINTMENT OF JOINT REGIONAL PLANNING PANEL (JRPP) MEMBERS

RECORD NUMBER: 2022/282

AUTHOR: Paul Johnston, Manager Development Assessments

EXECUTIVE SUMMARY

Joint Regional Planning Panels (JRPP) have been established across NSW, with the Western Panel established in September 2009. The JRPP is tasked with assessing major or significant development applications that meet a range of criteria. The structure of the JRPP consists of five panellists, of which three are appointed by the State, including the Chair, and the remaining two are local panellists appointed by the relevant Council.

Council may select three people to represent the Council and community, two primary representatives and an alternate. The primary representatives would be expected to participate in most cases, while the alternate can be called on should either of the two primary representatives be unavailable or have a conflict of interest.

Section 2.13(3) of the Environmental Planning and Assessment Act precludes property developers and real estate agents from serving as members of the JRPP. Beyond this legislated restriction nothing else prevents a current or former Councillor or former staff member from being selected, although at least one representative - who should be a primary representative - must have appropriate expertise in the area of planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, tourism or government and public administration.

Equally, there is no requirement for any of the representatives to be Councillors or Council staff, and they could all be selected from the community. The primary focus is to ensure that Council is fairly represented on the panel and can have confidence in its decisions.

Council at its meeting held on 15 February 2022 nominated Councillor Jeff Whitton as the primary representative and Councillor Kevin Duffy as the alternate member. Council is now required to call for expressions of interest for the final primary panel member. Mr Allan Renike, who has extensive planning experience, is the current appointed community member to the Panel.

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

Ensuring a full complement of local nominations for the JRPP will preserve local representation and accountability to the community.

RECOMMENDATION

That Council call for an expression of interest to seek a suitable representative for the final position on the Western Region Joint Regional Planning Panel - JRPP. The representative must have appropriate expertise in the area of planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, tourism or government and public administration.

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

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

| | |
|----------------------|---|
| Image and Reputation | The community expects to be appropriately represented on the JRPP in decision making of large scale or significant developments. Panel membership normally consists of three state members and two Council appointed members. Should a Council appointee have a conflict of interest or be otherwise unavailable, and no alternate representative has been appointed, local representation on the panel could be reduced. |
|----------------------|---|

SUPPORTING INFORMATION

The Joint Regional Planning Panel (Western and when it sits on an Orange LGA matter) is made up of three State members not related to Orange City Council, and two Council representatives (with a reserve 'alternate' representative also nominated in case one of the other representatives is unavailable). Council's representatives may be Councillors or members of the public, but at least one of the representatives must have expertise in a related field.

Permanent non-Council Members

The current JRPP sitting permanent non-Council related members are appointed by the Department of Planning and Environment. Current State members are: Garry Feilding (chair), Sandra Hutton and Graham Brown.

Council Representatives

Council may select three people to represent the Council and community, two primary representatives and an alternate. The primary representatives would be expected to participate in most cases, while the alternate can be called on should either of the two primary representatives be unavailable or have a conflict of interest. Council at its meeting held on 15 February 2022 nominated Councillor Jeff Whitton as the primary member and Councillor Kevin Duffy as the alternate member. Council is now required to determine the final representative on the planning panel.

5.8 Appointment of Joint Regional Planning Panel (JRPP) Members

It is recommended that Council call for an expression of interest to seek a suitable representative for the final position on the Western Region Joint Regional Planning Panel – JRPP

ATTACHMENTS

- 1 Procedures for the establishment and operation of Joint Regional Planning Panels (JRPP), D22/11406 [↓](#)



Sydney & Regional Planning Panels Operational Procedures

January 2020

These procedures are provided for general guidance and information only and are made available on the understanding that the NSW Department of Planning and Environment (Department) is not providing legal advice.

The Department has compiled the procedures in good faith, exercising all due care and attention.

The procedures do not affect or replace relevant statutory requirements.

Where an inconsistency arises between the provisions of the procedures and relevant statutory provisions, the statutory requirements prevail.

While every reasonable effort has been made to ensure that this document is correct at the time of printing, the State of New South Wales, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.

The procedures are not intended to give rise to any rights, claims, benefits, privileges, liabilities or obligations with respect to matters the subject of the procedures.

It should be noted that the procedures may be affected by changes to legislation at any time and/or be subject to revision without notice.

It is recommended that independent advice be sought in respect of the operation of the procedures and the statutory requirements applying to Sydney and Regional Planning Panels under the *Environmental Planning and Assessment Act 1979*.

Sydney and Regional Planning Panels Operational Procedures
© State of New South Wales through the NSW Department of Planning, Industry and Environment
January 2020
NSW Department of Planning, Industry and Environment
Four Parramatta Square, 12 Darcy Street, Parramatta, NSW 2150.
www.planning.nsw.gov.au

ISBN 978-0-7313-3590-9

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Definitions

Aboriginal Land SEPP means the *State Environmental Planning Policy (Aboriginal Land) 2019*

Capital Investment Value (CIV) means all costs necessary to establish and operate a development, as defined in clause 3 of the *Environmental Planning & Assessment Regulation 2000*

Commission means the Greater Sydney Commission

Council means the council for the local government area in which the land the subject of a development application, rezoning review or application for a site compatibility certificate is located

Days means calendar days unless otherwise stated

Department means the Department of Planning and Industry

Development Application (DA) means an application for consent under Part 4 of the *Environmental Planning & Assessment Act 1979* to carry out development but does not include an application for a complying development certificate

District means any part of the Greater Sydney Region, or other region of the State, declared to be a district by the Minister

Education SEPP means the *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*

EP&A Act means the *Environmental Planning & Assessment Act 1979*

EP&A Regulation means the *Environmental Planning & Assessment Regulation 2000*

Greater Sydney Region means the region comprising the local government areas within the boundary shown on the map in Schedule 1 of the *Greater Sydney Commission Act 2015*

GSC Act means the *Greater Sydney Commission Act 2015*

LALC means Local Aboriginal Land Council

LEP means local environmental plan

LGA means local government area

LGNSW means Local Government NSW

LG Act means *Local Government Act 1993*

Minister means the Minister for Planning and Public Spaces

Panel or *Planning Panel* means a Sydney district or regional planning panel. The Panels were previously known as Joint Regional Planning Panels (JRPPs).

Planning Panel meeting means a public briefing meeting or a public determination meeting.

Planning proposal means a document prepared to explain the intended effect of, and justification for, making a proposed environmental planning instrument

Regionally significant development means development that meets criteria set out under Schedule 7 of the *State Environmental Planning Policy (State and Regional Development) 2011*

Planning proposal authority (PPA) means the public authorities identified under section 3.32 of the EP&A Act

SCC means a Site Compatibility Certificate issued under the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*

Seniors SEPP means the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*

Secretariat means the Planning Panels Secretariat which provides technical and administrative support to the Planning Panels

Secretary means the Secretary of the Department of Planning and Industry

State and Regional Development SEPP or *SRD SEPP* means the *State Environmental Planning Policy (State and Regional Development) 2011*

Sydney Planning Panel means a Sydney district planning panel

January 2020

1. Introduction

The Planning Panels were introduced in NSW on 1 July 2009 to strengthen decision making for regionally significant development and certain other planning functions under the EP&A Act.

These procedures relate to the operation of both the Sydney and Regional Planning Panels.

The Planning Panels are independent bodies representing the Crown and are not subject to the direction of the Minister, except on matters relating to Planning Panel procedures or where the Minister issues a formal direction under the EP&A Act.

These procedures are the Planning Panels charter and have been developed to explain the objectives, powers and authorities of the Planning Panels. They also detail the means of operating the Planning Panels and clarify the roles of various parties in the work of the Planning Panels.

The procedures should be read in conjunction with the Planning Panels Code of Conduct which explains the standard of conduct expected of Planning Panel members.

These procedures will be kept under review and may be amended periodically.

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2. Defining the regions and districts

Planning Panels are constituted for each region of the State (other than the Greater Sydney Region), and each district of the Greater Sydney Region (see sections 2.12 and 3.2 and Part 3 of Schedule 2 of the EP&A Act).

The nine Planning Panels are the:

- Northern Regional Planning Panel,
- Hunter and Central Coast Regional Planning Panel,
- Western Regional Planning Panel,
- Southern Regional Planning Panel,
- Sydney North Planning Panel,
- Sydney Eastern City Planning Panel,
- Sydney Central City Planning Panel,
- Sydney Western City Planning Panel and,
- Sydney South Planning Panel.

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3. Functions of Planning Panels

3.1 Functions

The principal functions of Planning Panels are to determine regionally significant DAs and undertake rezoning reviews. Additional functions of Planning Panels include:

- preparing planning proposals if they are directed to be a planning proposal authority,
- determining Crown DAs,
- determining modification applications for regionally significant development,
- determining DA reviews,
- determining SCCs, and
- advising the Minister upon request.

3.2 Legislation

Legislation governing Planning Panels includes:

- the EP&A Act for the constitution and functions of Planning Panels and obligations in respect to councils, with the following key provisions:
 - Division 2.4 and Schedule 2 provides for the constitution of Planning Panels, member appointments, functions and general procedures,
 - Division 3.4 allows for a Planning Panel to act as the planning proposal authority and undertake planning proposal reviews,
 - Section 4.5 specifies that a Planning Panel is the consent authority for regionally significant development, and
 - Section 4.7 sets out the consent functions of a Planning Panel which are to be exercised by the relevant council.
- the EP&A Regulation contains provisions for where a Planning Panel is exercising consent authority functions,
- the State and Regional Development SEPP sets out in Part 4 and Schedule 7 development declared to be regionally significant,
- the Aboriginal Land SEPP sets out in Part 3 development declared to be regionally significant, and
- the Seniors SEPP and the Education SEPP both set out processes for consideration and determination of relevant applications for Site Compatibility Certificates.

3.3 Classes of regionally significant development

The State and Regional Development SEPP identifies the types of development classified as regionally significant (see Schedule 7 of the SEPP). The Aboriginal Land SEPP also identifies development declared to be regionally significant development (see Part 3 of the SEPP). The relevant Planning Panel will be the consent authority for regionally significant development.

Note State significant development or development within the City of Sydney cannot be declared as regionally significant development (see section 4.7 of the EP&A Act).

On lodgement of a DA, the council will decide if a DA is regionally significant development.

The capital investment value (CIV) is relevant for some regionally significant development and should be calculated at the time of lodgement. Councils should request a quantity surveyor's certificate or similar expert assessment

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to confirm the CIV from the applicant. The CIV is to be calculated in accordance the Planning Circular PS 10-008 (or as updated).

The Planning Panels determine applications to modify consent for regionally significant development under section 4.55(2) of the EP&A Act. Section 4.55(1) and section 4.55(1A) modification applications to development consents granted by the Planning Panel are to be determined by the relevant council. A court granted consent may be modified by a Planning Panel under section 4.56 if it is the consent authority.

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4. Membership of Planning Panels

(Part 4, Schedule 2 of the EP&A Act)

4.1 Members

Each Planning Panel consists of five members, with three of the members, including the chair, appointed by the Minister (State members) and two members nominated by the relevant council (council members).

Property developers and real estate agents are not eligible to be members of a Planning Panel.

The agenda of a Planning Panel meeting may include consideration of multiple matters, each located in different council areas. The council members who join the State members to form a Planning Panel will change, depending on the LGA in which the matter under consideration is located.

Panel members can be appointed to more than one Panel, either as a Panel member and/or as an alternate member.

When there is a vacancy on a Planning Panel, the Minister in the case of a State member, and the relevant council in the case of a council member, will appoint another member to that vacancy.

Terms of appointment for Planning Panel members, both State and council, must not exceed three years. Members are eligible for re-appointment. A State member of a Sydney Planning Panel must not be a member for more than nine years in total.

The secretariat is responsible for maintaining a register of all Planning Panel members.

4.2 Chair and deputy chair

Chairs of the Planning Panels are appointed by the Minister from among the State members. The Minister must obtain the concurrence of Local Government NSW (LGNSW) to the appointment unless LGNSW:

- does not notify its concurrence or refusal within 21 days of being requested, or
- has previously refused to give concurrence for two different persons nominated by the Minister for that appointment.

At any time, the members may determine to elect a deputy chair from among the State members for any term. The role of a deputy chair is to act as the chair in the chair's absence.

The chair (or, in the absence of the chair, a person elected by the members) presides at Panel meetings. The presiding member has a deliberative vote and, in the event of an equality of votes, has a second or casting vote.

4.3 Expertise requirements for members appointed by the Minister

All Panel members appointed by the Minister, including alternates, must have expertise in one or more of the following areas: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, tourism or government and public administration.

4.4 Council members

Two council members are appointed by each council. At least one council member must have expertise in one or more of the following areas: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism.

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4.5 Selection of council members

Each council determines how their members are selected. In selecting members, councils should have regard to any conflict of duties that would be created for a person nominated to the Planning Panel if they are in any way responsible or involved in the assessment of matters to be determined by the Panel or involved in voting or deliberating on matters that come before the Panel.

Councils are not restricted to nominating people from the council's local area. They can appoint, terminate, and reappoint members at any time, and can determine the duration of each appointment. Generally, so as to ensure the greatest degree of continuity for the Panels, councils should consider appointing members for the maximum term of three years provided for under the EP&A Act. However, councils should reconsider if the nominations to the Panels are appropriate within 12 months following a council election.

Following a change to its nominees, council is to forward the new member's contact details to the secretariat as soon as possible and this must be a minimum of 14 days before any meeting at which they will act as a Panel member.

If a council fails to nominate one or more council members, a Panel may still exercise its functions in relation to the area of the council concerned.

4.6 Payment of council members

Councils determine the fees they pay their Panel members. The Minister has provided guidance to all councils on appropriate rates of remuneration for travel and subsistence allowances for their members.

Each council is responsible for making any payments to its Panel members when they attend Planning Panel meetings.

4.7 Alternate members

The Minister may at any time appoint a person to be the alternate of another member appointed by the Minister and may revoke any such appointment.

A council may also at any time appoint a person to be the alternate of a member nominated by the council and may revoke any such appointment.

Any changes are to be notified in writing to the secretariat as soon as possible and at least 14 days before undertaking any Panel business.

The alternate will act in the place of the member with all the powers of the member. Although a member may be appointed as an alternate for two or more members, they will only have one vote on any Panel decision.

4.8 Rotation of members

All chairs and members are required to periodically rotate with alternate members. The chair is to determine the frequency of rotation.

Following a matter being deferred, where possible the same members should reconvene to finalise the determination.

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5. Code of Conduct considerations

5.1 Planning Panels Code of Conduct

All Planning Panel members must comply with the Planning Panels Code of Conduct when exercising their functions as a Panel member and make impartial merit-based decisions in accordance with their statutory obligations. The latest version of the Planning Panels Code of Conduct is available online at www.planningpanels.nsw.gov.au. On appointment each Planning Panel member must acknowledge in writing that they will abide by the Planning Panels Code of Conduct.

5.2 Declaration of interests

On being informed of a matter to come before the Planning Panel members should consider if they have an actual, potential or reasonably perceived conflict and, if so, declare the conflict and take any appropriate action, such as allowing an alternate member to take their place.

Planning Panel members are required to complete and sign a declaration of interest form in relation to each matter which is considered by the Planning Panel, either before, or at the commencement of, the Planning Panel meeting. Any verbal declarations are to be recorded in writing.

To avoid any perceptions of bias, and to meet requirements of the Code of Conduct, councillors who have previously deliberated or voted on a matter that is to come before the Planning Panel (such as a submission from the council on a DA for regionally significant development, a related voluntary planning agreement or a planning proposal) must stand aside from their place on the Planning Panel and allow council's nominated alternative member to take their place. Alternatively, the member may choose to not participate in the deliberations or voting on the matter at the council (or council committee) meeting. They should also not remain in the council chamber during the council's deliberations.

5.3 Representations to Planning Panel members

If a Planning Panel member is approached by any person about a matter to come before the Planning Panel, i.e. a DA, or planning proposal or Site Compatibility Certificate, the Planning Panel member must not discuss the matter.

Any person that approaches a Planning Panel member should be encouraged to make a written submission to the council planning staff for DAs during the exhibition period, or if the matter relates to a planning proposal for which the Planning Panel is the Planning Proposal Authority, to the secretariat. Issues raised in submissions will be addressed in the assessment report to be provided to the Planning Panel and there will be an opportunity for the applicant and any person who made a submission to address the Planning Panel at its meeting.

5.4 Interactions with third parties about matters before the Planning Panel

Planning Panel members are not to discuss any matter that is to be considered by the Planning Panel with councillors, the applicant, their consultants, parties who have made a submission, or any other person with an interest in the matter outside of a public briefing meeting, public determination meeting, site visit or briefing.

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5.5 Public meetings organised by the council or community about the proposed development

To avoid any perception of bias, Planning Panel members should avoid attending public meetings about a proposed development organised by members of the community or council, unless the meeting has been organised at the request of the Planning Panel.

In order for all Planning Panel members to hear the concerns of the public as part of the consideration of the application, Planning Panel members should decline any invitation to attend a public meeting and advise the meeting organisers to make a submission to council and register to address the Planning Panel at its meeting.

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6. Administration

Administration and support for the Planning Panels is provided by the Planning Panels Secretariat. Support includes:

- scheduling of meetings, briefings and site visits,
- preparing and issuing agendas and business papers,
- notification of meetings,
- arranging for travel and accommodation for State appointed Panel members,
- preparing records of decision (with assistance from council),
- arranging for the audio recording of public Panel meetings,
- record keeping for the Planning Panels, and
- being the first point of contact for councils to notify a Planning Panel of any decision made by the Panel which is the subject of a merit appeal in the Land and Environment Court.

The secretariat is the first point of contact for all Planning Panel matters and publishes a wide range of information on its website:

www.planningportal.nsw.gov.au/planningpanels

The contact details for the secretariat are:

phone: (02) 8217 2060

email: enquiry@planningpanels.nsw.gov.au

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7. Government information, privacy and complaints

7.1 Right to information and privacy management

The Department assists Planning Panels in managing applications made under the *Government Information (Public Access) Act 2009* and the *Privacy and Personal Information Protection Act 1998*.

Applications of this nature can be made to patiunit@planning.nsw.gov.au or visit the Department's website at:

<http://www.planning.nsw.gov.au/About-Us/Right-to-Information/How-Can-I-Access-Information>

7.2 Complaints

The Department assists Planning Panels in managing complaints. Complaints are investigated and managed in accordance with the Department's Management of Complaints Policy.

Dissatisfaction with determinations of the Planning Panels will not be regarded as a complaint.

If you wish to make a complaint telephone, write or email the Department at:

phone: 1300 305 695.

postal address: GPO Box 39, Sydney NSW 2001.

email: information@planning.nsw.gov.au.

Complaints made in this way will be recorded in the Department's Complaints Register and will be allocated to the appropriate level for investigation and response.

If you are not satisfied with a response, you can ask for the issue to be considered by a more senior officer.

Code of conduct complaints will be dealt with under the Planning Panels Code of Conduct.

At any time, a person can complain to external bodies such as the Independent Commission Against Corruption (ICAC), the Ombudsman, or the Audit Office of NSW. Allegations of corrupt conduct, misconduct, or serious waste of resources are encouraged to be made directly to these organisations.

Complaints about council, councillors, council staff or local planning panels (IHAPs) should be directed to the relevant council.

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8. Monitoring, review and reporting

The secretariat monitors the progress of DAs referred to the Planning Panels. It is expected that council will complete its assessment report within 60 days after the close of the public exhibition period. The relevant Planning Panel will aim to determine the DA within 14 days of receipt of the assessment report.

The performance of the Planning Panels is monitored and reported in the Department's Annual Report.

8.1 Availability of information

The secretariat makes a range of information publicly available on its website, including:

- Planning Panel notices with dates, locations and times (at least 7 days before the Planning Panel meeting),
- the relevant council's assessment report and recommendation (at least 7 days before the Planning Panel meeting),
- records of briefings and Planning Panel meetings, Determinations and Statements of Reasons, decisions on rezoning reviews and Site Compatibility Certificates, resolutions of the Planning Panels and any advice provided by the Planning Panels to the Minister, Secretary or GSC, as relevant,
- audio recordings of Planning Panel meetings, and
- a schedule of meeting dates reserved for Planning Panel business.

Councils remain responsible for receiving, notifying and exhibiting DAs and supporting documents in accordance with statutory provisions and council's own notification and exhibition requirements set out in its community participation plan.

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9. Liability and indemnification

Panel members are excluded from personal liability as long as the act or omission was done in good faith for the purpose of carrying out their duties under the EP&A Act (see s 2.28 of the EP&A Act).

The NSW Government extends insurance indemnity cover to Panel members. For indemnification provisions to apply Panel members must act honestly and in accordance with the Planning Panels Code of Conduct in the performance of their responsibilities.

For further information please contact the NSW Self Insurance Corporation (icare) at: <https://www.icare.nsw.gov.au>

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10. Roles of councils and other panels

10.1 Role of councillors and council staff

The elected council and council staff have different roles in the assessment of DAs. Under the *Local Government Act 1993*, the independence of council staff is protected in the preparation of advice and recommendations. Staff members are not subject to direction by the council or by a councillor as to the content of any advice or recommendation made by the staff member. Equally, a council or councillor is not bound by the advice or recommendation made by a member of staff.

10.2 Assessment role

Council staff undertake the assessment of a DA. The assessment of a DA includes accepting the DA, consultation, concurrence and obtaining general terms of approval from an agency if required, carrying out community participation requirements and assessment of the matters set out in 4.15 of the EP&A Act. The assessment is documented in a report with recommendations. The report is then considered by the person or body that is the consent authority.

Council is responsible for carrying out community participation requirements on behalf of the Planning Panels (see section 4.7(2)(d) and Division 2.6 of the EP&A Act).

The Department undertakes the assessment of planning proposals and applications for site compatibility certificates referred to the Planning Panels.

10.3 Determination role

Historically, one of the roles of an elected council has been to determine or make decisions on DAs in their capacity as a consent authority. There are occasions, however, where the determination role is performed by other people or bodies, either because the council has delegated that function, or because it has been conferred upon another person or body. For example, where mandatory local planning panels, previously known as Independent Hearing and Assessment Panels (IHAPs), have been introduced elected councils no longer determine DAs (see section 2.17 of the EP&A Act).

The Planning Panel for the area in which the development is to be carried out is the consent authority for regionally significant development (see section 4.5 of the EP&A Act).

10.4 Post-determination role

Council staff are responsible for post-determination functions including:

- notifying Planning Panel determinations on DAs (see sections 4.7(2)(e), 4.18 and 4.59 of the EP&A Act),
- registering Planning Panel development consents on the NSW Planning Portal (see sections 4.7(2)(e) and 4.20 of the EP&A Act), and
- monitoring and enforcing compliance with conditions of the development consent.

The notice of determination should be issued once council receives a copy of the endorsed and final determination from the Planning Panel. The notice of determination must include all conditions imposed by the Planning Panel, including any additional or amended conditions.

The council has no power to amend conditions or include additional conditions following the Planning Panel's determination.

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Council will advise any person who made a submission on the DA of the determination.

The council continues to be responsible for the monitoring of, and enforcing compliance with, any conditions of the development consent.

Where an application has been approved subject to a 'deferred commencement' condition council is responsible for determining whether the requirements of the condition have been met (see section 4.16(3) of the EP&A Act). Council advises the chair of the Planning Panel in writing when the matter specified in the condition has been satisfied (see clause 123E (2) of the EP&A Regulation).

10.5 Support provided to Planning Panels by councils

Planning Panels are entitled on request to the general manager of a council, to use the staff and facilities of the relevant council, have access to council records, and any other assistance or action for the purpose of carrying out their functions (see section 2.27 of the EP&A Act).

It is expected that use of council facilities such as meeting rooms would be arranged prior to Planning Panel meetings.

Support, such as recording the written decisions of the Planning Panel, audio recording of Planning Panel meetings, copying of documents and the provision of professional advice, may also be required.

Generally, the relevant council bears the administrative and council staffing costs associated with the Planning Panel meetings. Administrative costs may include those associated with the meeting venue and set up, the attendance of council staff, as well as administrative support.

The chair and members of a Planning Panel will need to be mindful of the regular duties and responsibilities of council staff when requests for assistance are made. Requests by members of Planning Panels for support and assistance from councils should be made through the chair to the general manager (or other person nominated by the general manager) of the council concerned.

10.6 Role of design review panels

Design review panels are established by councils either formally under *State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development* with the approval of the Minister, or informally to bring special design expertise to the assessment of certain types of DAs.

Design review panels that are properly integrated in the assessment process are an effective tool which helps to improve the quality of design outcomes. The quality of design has a bearing on many, but not all, of the matters considered in the assessment of a DA.

The role of design review panels in the assessment of applications is not changed by the fact that the application is to be determined by a Planning Panel. However, it is generally more effective in terms of design quality outcomes and timeliness if the design review panel is convened at the pre-DA stage or early in the assessment phase.

10.7 Role of local planning panels

The purpose of local planning panels (formerly known as IHAPs) is to provide independent, expert determination of DAs, as well as providing an opportunity for people with an interest in the DA to raise and discuss issues in a public forum before a decision is made on the application. Local planning panels determine all DAs that meet criteria set by the Minister.

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Although similar in operation, the roles of local planning panels and the Planning Panels do not overlap. Each DA must satisfy distinct referral criteria before it is known whether the Planning Panel or local planning panel will determine that DA.

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11. Development application and assessment

11.1 Pre-development application meetings

Pre-DA meetings between applicants and assessment officers are commonly used to inform lodgement requirements and likely assessment pathways before applications are submitted to the consent authority.

Applicants are encouraged to meet with council before lodging a DA, and to respond to the advice of council when preparing the DA.

To avoid any apprehension of bias, it is not appropriate for determining bodies, such as Planning Panels or their members to participate in pre-DA meetings.

11.2 Making of development applications

DAs for regionally significant development are made to the relevant local council.

In the case of development located in two or more LGAs, a separate DA must be lodged with the councils of each LGA. Additionally:

- each DA should only address that part of the development located on land in the relevant LGA,
- neighbouring councils may wish to consider setting up joint assessment procedures, if appropriate, and
- the Planning Panel will determine each DA separately (although the determinations may be made concurrently).

11.3 Notification to the secretariat

Within 7 days of receiving a DA for regionally significant development, the council registers the DA with the secretariat.

The registration is made via the Planning Panels website or the NSW Planning Portal. The registration includes all information required on the website registration page. The DA documents are electronically transmitted to the secretariat at the same time.

The secretariat advises relevant Planning Panel members of the DA once the registration is accepted. The DA documents, including the application form are generally sent to Planning Panel members electronically.

These documents allow Planning Panel members to become familiar with the development and to identify if they have any potential conflicts of interest prior to their review of the assessment report and before attending the Panel meeting to consider the application in public.

11.4 Public exhibition of development applications by council

Public exhibition of the DA is undertaken by council staff in accordance with the requirements of the EP&A Act, EP&A Regulation and Council's Community Participation Plan or any relevant development control plan or policy of council.

Notification of exhibition, including letters and advertisements, should contain appropriate statements to advise:

- that the {name of relevant} Planning Panel is the consent authority for the application,
- that submissions made in respect of the application should be made to {name of relevant} Council, but will be provided to the Planning Panel and may be viewed by other persons with an interest in the application,

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- names and addresses of submitters will be provided to the Planning Panel for notification purposes, and
- other information required by the EP&A Act or EP&A Regulation.

11.5 Requests for additional information

It is the applicant's responsibility to provide adequate information and technical reports on potential impacts of the proposed development.

Holding a pre-DA meeting with council staff will often clarify council requirements for the lodgement of an application. However, the applicant may be requested by council staff to provide further information or reports to properly address all relevant aspects of the development, or to enable an assessment report to be completed.

During the assessment process the Planning Panel may identify issues at a briefing that must be addressed or clarified in council's assessment report, and for which council may request further information.

Amended plans or additional information for a DA must be lodged with council.

11.6 Status reports

Councils must advise the secretariat if it is evident that there are difficulties in assessing the DA or the assessment report will not be completed within the timeframe indicated in the referral notification.

The secretariat tracks the progress of DAs registered with it and requests status updates from council for DAs lodged for 70 days or more.

Where a response or concurrence from public agencies delays the assessment of a DA, a council can ask the secretariat for assistance to ensure the agency responds to council in a timely manner.

Where there is an ongoing and unreasonable delay in the processing of a DA, council may be requested by the Planning Panel to complete its assessment without further delay.

11.7 Assessment of the development application

The council that received the DA is responsible, through its staff, for the assessment of the application.

It is council's responsibility to prepare an assessment report addressing all statutory requirements and properly considering all issues. Usually councils will rely on their own professional staff, however where they do not have the technical expertise required in-house, they may engage external expertise. All costs associated with the preparation of the assessment report are to be covered from application fees, which are retained by council.

The assessment report must clearly identify how the proposal meets the relevant requirements for regionally significant development, and that the Planning Panel is responsible for determining the application.

The assessment report must include a recommendation on the proposed development:

- if the recommendation is for approval of the application, the report must include recommended conditions of consent, and
- if the recommendation is for refusal, the report must include reasons for refusal based on the assessment in the report.

The chair, following consultation with the Planning Panel, may also request without prejudice draft conditions of consent, where council's report

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recommends refusal. The Panel may do this before or at the determination meeting.

The assessment report should clearly identify if there are any outstanding issues and steps to be taken to address such issues.

In considering an application, a Planning Panel may request additional information to assist in its determination of the application.

11.8 Varying development standards

Where a DA includes a variation to a development standard, an application under clause 4.6 of the relevant LEP is required (or, where the development is not in a standard instrument LEP, an objection under *State Environmental Planning Policy No 1—Development Standards* (SEPP 1)). Council's assessment report includes an assessment of the application against the relevant statutory provisions.

The function of obtaining concurrence from the Secretary under clause 4.6 is a matter for the council. However, where concurrence is assumed, the council does not need to obtain concurrence. The Planning Panel will determine whether a clause 4.6 application is well founded on the basis of the applicant's justification.

11.9 Local infrastructure contributions

The assessment report should address contributions required in accordance with the council's relevant contributions plan (see section 7.11 and 7.12 of the EP&A Act). The Planning Panel is able to impose additional or different contributions than those set out in the contributions plan. For Crown developments, councils should address contributions in accordance with the relevant planning circular (Circular No. D6, issued September 1995 or as updated).

11.10 Special infrastructure contributions and certification requirements

If the development falls within a special contributions area the council should address the relevant requirements in its assessment report and recommend appropriate conditions in accordance with the Ministerial direction (see section 7.24 of the EP&A Act).

The council must address any "Satisfactory Arrangements" clause in the applicable LEP in its assessment report. These clauses usually state that development consent must not be granted by a consent authority until arrangements to the satisfaction of the Secretary have been made to contribute to regional or State infrastructure. A Planning Panel cannot provide consent to the DA until the Secretary (or delegate) of the Department has certified in writing that satisfactory arrangements have been made.

11.11 Development subject to delays in determination

An applicant with a DA that has a CIV between \$10 million and \$30 million can refer the DA to the relevant Planning Panel for determination if it remains undetermined for 120 days after being lodged with council (see Schedule 7 of the State and Regional Development SEPP). The referral process is outlined below:

- when making a referral, applicants must use the Regional Development Request form available on the Planning Panels website,
- the applicant is to complete the relevant part of the form and submit it to **both** the relevant council and the secretariat,

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- once the council receives the referral form it cannot determine the DA until a decision has been made regarding whether the Planning Panel will have the function of determining the DA, however council can continue to assess the DA,
- the council sends the completed referral form and copies of all DA documents, to the secretariat within 7 days. Council should also send its explanation for the delay in completing its assessment,
- the chair will consider the information in the referral form and advise the secretariat if the referral is accepted (i.e. the applicant is not responsible for a delay in the application), generally within 14 days of the applicant making the referral. The chair will consider a number of matters in making this decision, including:
 - permissibility and zoning, including whether the determination is dependent on a rezoning,
 - whether the determination is dependent on a voluntary planning agreement or the approval of a masterplan or DCP,
 - whether the landowner's consent has been provided,
 - whether the required referrals and concurrences have been obtained,
 - whether there have been requests for further information, and what the responses were to those requests, and
 - if council has considered the DA and the outcome of that consideration,
- once the chair decides, the secretariat will notify the council and the applicant as to whether the development is regionally significant development,
- if the referral is not accepted the chair must advise the reason(s) for not accepting the referral,
- if the referral is accepted, council completes the assessment of the application and prepares an assessment report for submission to the secretariat, and
- a briefing with council may be held prior to determination.

11.12 Council representation to the Planning Panel

An elected council may make a submission on a DA within their LGA that is to be determined by a Planning Panel up to seven days before the Planning Panel meeting.

After the assessment report is sent to the secretariat, it may be given to the elected council to assist in its decision as to whether it will be making a submission to the Planning Panel. The elected council's submission should not be prepared by persons involved in the assessment of the application but could be prepared by another council officer, or a consultant.

A council submission should not be specifically referenced in the assessment report or recommendations prepared by the council staff. If council makes a submission, a staff representative or individual Councillors may register to address the Planning Panel at the meeting to express the views of council.

Councillors who are also Planning Panel members have an independent role because they have been nominated by their council as its nominee to the Planning Panel.

11.13 Submission of assessment report to the secretariat

The completed assessment report and recommendation is to be immediately sent via electronic means to the secretariat.

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The assessment report is not to be endorsed or presented to the elected council before being sent to the secretariat.

The following items are to be sent in a digital format to the secretariat:

- assessment report and any attachments and recommendations (including conditions),
- the Council Assessment Report cover sheet (available on the Planning Panels website),
- final architectural drawings and plans and other reports that the assessing officer considers that the Panel may require in order to make an informed decision,
- copies of each submission received in respect of the DA
- a completed List of Submitters (available on the Planning Panels website) containing the names, postal addresses and email addresses (if provided) of every person or body who made a submission to allow the secretariat to notify submitters of the details of the Panel meeting, and
- in the case of petitions, only the name and address of the head petitioner should be provided, if that person can be identified.

Note: Council's assessment report must include a summary and assessment of all submissions so that the Planning Panel can consider the submissions as part of the assessment of the DA. Based on the details provided by council, the secretariat will notify persons who made submissions of the time, date and venue of the Planning Panel meeting at which the relevant application will be considered. Councils should also give the secretariat copies of any late submissions and, where necessary, provide further assessment if the issues are not already covered in council's assessment report.

11.14 Written submissions to the Planning Panel

All written submissions must be sent directly to council to be considered as part of the assessment of the DA.

Submissions sent to the Planning Panel will be given to council for assessment. Planning Panels will not normally accept information "in confidence" that is not also given to council. However, if confidentiality is requested, the reason must be clearly stated as to why it is confidential and relevant to the assessment matter before the Panel and the chair will consider the request.

11.15 Rezoning, development control plans and planning agreements

Where a DA is lodged concurrently with a planning proposal seeking the rezoning of land under the LEP Council's assessment report must address the DA against the proposed zoning. Council is responsible for progressing the planning proposal. The Planning Panel cannot determine a DA to approve such development until the land is rezoned to permit that development.

Where the provisions of an environmental planning instrument require a development control plan (DCP), (previously known as a master plan) to be adopted by the council before granting development consent, it is the responsibility of council to prepare and adopt the DCP prior to sending the assessment report to the Planning Panel. In such circumstances, the Planning Panel will not determine the application until the DCP is adopted by the council.

If a planning agreement is proposed, it should be negotiated by council staff. Council's assessment report for the Planning Panel would normally make reference to any planning agreement and its relationship to the DA.

The Planning Panel may only impose a condition of consent requiring a planning agreement be entered into if the condition reflects the terms of any

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offer made by the applicant to enter into a planning agreement (see section 7.4 of the EP&A Act).

11.16 Referral of Crown development applications with a CIV less than \$5 million

Crown DAs with a CIV greater than \$5 million are regionally significant development. Crown DAs with a CIV under \$5 million can be referred to the relevant Planning Panel (see section 4.33 of the EP&A Act) by either:

- the applicant where council (or IHAP, if relevant) has not determined in the prescribed period, or
- the council at any time including before the end of the prescribed period.

Before the end of the prescribed period, only a council (not the applicant) can refer an application to the Planning Panel.

For Crown DAs with a CIV of less than \$5 million where a council or IHAP seeks to refuse consent or impose a condition to which the applicant has not provided their agreement, the application is also to be referred by council to the relevant Planning Panel (see section 4.33(2) of the EP&A Act). Planning Circular PS 09-017 outlines the Crown DA provisions and policy.

The referral to the Planning Panel must be in writing. Additional procedures for the referral, including the requirement to notify the other party in writing of the referral are set out at sections 4.33(6) and section 4.33(7) of the EP&A Act.

Once the application is referred to a Planning Panel, the council registers DA on the Planning Panels website and gives its assessment report to the Planning Panel to consider.

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12. Determination of development applications

12.1 Determining regionally significant development applications

Planning Panels determine regionally significant development as the consent authority.

Planning Panels generally hold public determination meetings to consider DAs. Refer to **Schedule 1** for more information on the detailed procedures for Planning Panel meetings.

The purpose of the public determination meeting is for the Planning Panel to hear views of the community and other interested parties, such as the applicant and the council, on the DA before the Planning Panel makes a decision.

After reviewing written submissions on a DA, considering the recommendation in council's assessment report and hearing from those wishing to address the Planning Panel, the Planning Panel may determine the application or defer its decision for reasons that will be stated in the meeting record.

In certain circumstances the determination of a DA can be done by a circulation of papers e.g. where the assessment report recommends approval and there are no submissions objecting to the proposed development or if the decision on the DA was deferred.

12.2 Obligation to consult council – if adverse financial impacts

A Planning Panel must not make a decision that will have, or that might reasonably be expected to have, a significantly adverse financial impact on a council without first consulting the council (see section 2.26 of the EP&A Act).

The consultation must be in writing, with the council being given a specified time to respond in writing. Where a briefing with the general manager (or nominee) is to be held to discuss the matter, all relevant Panel members should be present, and a meeting record and outcomes should be sent to the secretariat.

12.3 Determining Crown development applications

A consent authority for Crown development cannot refuse consent to a Crown DA except with the approval of the Minister, nor can it impose a condition on a development consent for Crown development except with the approval of the applicant or the Minister.

This requirement applies to Crown development that is to be considered by a Planning Panel, where the application is for regionally significant development, or where the DA is referred to the Panel under Division 4.6 of the EP&A Act.

Where the Planning Panel wishes to either refuse an application or impose conditions not agreed by the applicant, or where a Planning Panel fails to determine the DA within the prescribed period, the applicant or the Planning Panel may refer the DA to the Minister. The Minister may then direct the Planning Panel to approve or refuse the Crown DA within a specified time.

12.4 Determining DAs for coastal protection works

Certain coastal protection works are classified as regionally significant development. Where a Planning Panel is to determine a DA for coastal protection works the chair and the council nominated members will remain on the panel, however the State members will be replaced by members appointed by the Minister who have expertise in coastal engineering or coastal geomorphology (see clause 8A, Schedule 7 of the SRD SEPP).

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12.5 Delegation to council to determine applications

If the Minister agrees, Planning Panels may delegate the determination of applications to councils, a local planning panel of a council or the general manager or other staff of council (see section 2.16(2) of the EP&A Act). Delegation may be for development in a specified area, for a class of application, or be made on a case-by-case basis.

In situations where the determination is delegated, councils must:

- register the application on the Planning Panels website,
- inform and update the secretariat on the processing of the application as requested, and
- provide a copy to the secretariat of all determination documents, including the assessment report and Notice of Determination.

The chair of the relevant Planning Panel may request the council to not exercise the delegated function in certain circumstances.

Any determination made by council under delegation is a decision of the Planning Panel.

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13. Reviews and appeals

13.1 Decision reviews

Planning Panels also review decisions made on DAs by the Planning Panels (see Division 8.2 of the EP&A Act). The Council notifies the Planning Panel when a request to review a decision has been lodged. The Planning Panel reviewing the decision will be comprised of different members to those members that made the original decision and will be called the Decision Review Panel of the {relevant} Planning Panel.

Note that decision reviews cannot be requested where the following applies:

- the time to lodge a legal appeal has passed,
- a merit appeal has been determined regarding the DA, or
- it is an application for complying development, a Crown DA or a designated development DA.

The Decision Review Panel may ask to be briefed on the decision review request, either by the applicant, Council staff undertaking the assessment, or other experts engaged to assess the application.

The circumstances where this may be needed include where the applicant for the DA has amended the development the subject of the original DA since the original determination.

If needed, the Decision Review Panel may also hold a site visit or public briefing meeting.

Council must prepare an additional assessment report to the Decision Review Panel if the DA or application to modify a development consent has been amended after its initial determination, or if submissions have been made following any further notification.

The Decision Review Panel of the Planning Panel may hold a public determination meeting. A Decision Review Panel will only need to hold a public determination meeting if the application was notified and submissions objecting to the application were received. It is at the Chair's discretion whether a public determination meeting is necessary at any other time.

Council must give written notice to the applicant of the result of the review within 7 days of the completion of the review.

13.2 Appeals against a Planning Panel determination

Merit appeals

An applicant who is dissatisfied with a determination or deemed refusal of an application may lodge a merit appeal to the Land and Environment Court within six months against the decision as provided for in the EP&A Act.

Note: An application is deemed to have been refused if it is not determined within 40 days, or 60 days if the application is for designated or integrated development, requires concurrence of a concurrence authority or is accompanied by a biodiversity development assessment report and that proposes a discount in the biodiversity credits required under the report to be retired.

If the development is designated development, then an objector to the development who is dissatisfied with a determination may also lodge a merit appeal in the Land and Environment Court within 28 days as provided for in the EP&A Act.

The council for the area will be the respondent for any merit appeal against a determination made by a Planning Panel on a development application. The council is subject to the control and direction of the Planning Panel in connection with the conduct of the appeal.

The council is to give notice of the appeal to the Planning Panel. It must do this by notifying the secretariat. Notification to the Planning Panel must be

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made no more than seven days after the council receives notice of the appeal and must advise whether the council will be actively defending the appeal.

Note: Each Planning Panel chair has delegated authority to act as the Planning Panel's representative to provide instructions and seek legal advice in relation to appeals. Planning Panel delegations are published on the Planning Panels website.

The Planning Panel will determine its level of involvement in an appeal, and what directions (if any) it wishes to issue to the council, on a case-by-case basis. While a Planning Panel has the power to direct and control the council, it may choose not to exercise the power. If a Planning Panel wishes to take a more active role in a council's conduct of the appeal, the Planning Panel can exercise its powers to control and direct council. In some circumstances the Planning Panel may seek to join proceedings and act as the respondent in the place of the council.

Council is to:

- 1) provide the Planning Panel with a copy of the application commencing the appeal within 7 days of the council being served with it,
- 2) provide the council's proposed statement of facts and contentions to the Planning Panel at least 7 days before the later of:
 - a) the day of the first directions hearing for the appeal or
 - b) the day the statement is filed,
- 3) identify in the council's statement of facts and contentions the steps taken by the council to notify the Planning Panel of the appeal, and any response received by the council, and
- 4) provide the Planning Panel with:
 - a) a copy of any directions or orders made by the Court in relation to the appeal within 7 days of the directions or orders being given,
 - b) a copy of any proposed in principle agreement between the parties to the appeal following a conciliation conference under section 34 of the *Land and Environment Court Act 1979* within 3 days of the proposed in principle agreement being reached and before any written agreement is executed,
 - c) the dates on which the appeal will be heard within 3 days of the council receiving notice of them, and
 - d) a copy of any judgment of the Court in relation to the appeal.

The council should include in its Statement of Facts and Contentions the actions taken by council to notify the Planning Panel of the appeal and any response from the Planning Panel.

Deemed Refusals

A Planning Panel may determine a DA even though it is subject to a deemed refusal appeal. When a deemed refusal appeal has been filed with the Court, the usual practice is for council's assessment officer to complete their assessment report.

Applications may be deemed to have been refused before a Planning Panel has been briefed on the application. Where a Planning Panel has not been

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briefed on an application that is subject to an appeal, the Planning Panel may request a briefing from the council.

Judicial review and civil enforcement proceedings

Any person may commence judicial review or civil enforcement proceedings in the Land and Environment Court against a Planning Panel determination. Unlike merit appeals, in these types of proceedings the Planning Panel will be named as a respondent.

A submitting appearance may be filed by the Planning Panel if the grounds of challenge are not related to the powers or procedures of the Planning Panel in determining the application.

Appeals against determinations where council is the applicant

The Planning Panel will be the respondent in merit appeal and judicial review proceedings in the Land & Environment Court where council is the applicant.

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14. Planning proposals

Planning Panels also undertake plan-making functions including:

- undertaking administrative reviews,
- acting as the planning proposal authority (PPA) in certain circumstances, and
- providing advice to the Minister or the Secretary on any planning or development matters or environmental planning instrument referred to them.

Note: The Independent Planning Commission undertakes these functions in the City of Sydney LGA.

14.1 Reviews

A Planning Panel may be asked to review certain plan-making decisions.

Reviews include:

- **Rezoning reviews** — which may be requested by a proponent before a planning proposal has been submitted to the Department for a Gateway Determination, and
- **Independent proposal reviews** — which may be requested by a Local Aboriginal Land Council before a planning proposal for land subject to a development delivery plan or interim development delivery plan, that is shown in the Aboriginal Land SEPP, has been submitted to the Department for a Gateway Determination.

These review processes allow councils and proponents to have decisions about the strategic merits of proposed amendments to LEPs reconsidered.

The Department's *A Guide to Preparing Local Environmental Plans* sets out lodgement requirements, including information the council or proponent must provide for reviews to be undertaken.

14.2 Rezoning reviews

If a proponent (e.g. developer, landowner) has requested that a council prepare a planning proposal for a proposed instrument, the proponent may ask for a rezoning review if:

- the council has notified the proponent that the request to prepare a planning proposal is not supported, or
- the council has failed to indicate its support 90 days after the proponent submitted a request, accompanied by the required information, or has failed to submit a planning proposal for a Gateway determination within a reasonable time after the council has indicated its support.

On receipt of an application the Department notifies the Planning Panel and the relevant council within 3 business days.

The Planning Panel reviews the planning proposal initially considered by council, rather than any amended or updated version. Council will be requested to confirm that the planning proposal is that which was initially considered by council, and to provide any additional comments or information to the Department within 21 days.

The Planning Panel may be briefed by the Department, council and proponent to clarify any issues before completing the review. The Planning Panel may request a site visit to assist in its considerations.

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A briefing or site visit will be attended by the Planning Panel, Department staff and, in certain circumstances, the applicant and council staff. Any briefing or site visit will follow the procedures set out in Schedule 1.

Determination

The review and determination should be in accordance with the Planning Circular PS 18-012 (or as updated).

The Planning Panel's determination is to be based on the strategic and site-specific merits of the proposal.

Planning proposals that do not reasonably meet the strategic and site-specific merit tests will not proceed to a Gateway determination.

The Planning Panel's determination is to provide a clear decision on whether the planning proposal should proceed or not to a Gateway determination.

Decisions on rezoning reviews will generally be made by a resolution following a circulation of papers in accordance with the procedures set out in Schedule 1.

Communication of the Planning Panel's determination is made to the proponent and the council within 90 days of the Department receiving the initial rezoning review request.

Planning Proposal Authority

If the Planning Panel determines that a proposal should proceed to a Gateway determination, councils will be provided the opportunity of accepting the planning proposal authority role. If the council does not accept the role within 42 days an alternate planning proposal authority will be appointed.

Each Planning Panel has delegated authority to direct itself to be the planning proposal authority where a proposal has been subject to a rezoning review and the council has not accepted this role.

14.3 Independent proposal reviews

Independent proposal reviews give Local Aboriginal Land Councils an opportunity for an independent body to give advice on planning proposals for land subject to a development delivery plan, or interim development delivery plan, that is shown in the Aboriginal Land SEPP.

The process for an independent proposal review is similar to that outlined for rezoning reviews.

When a Planning Panel is undertaking an independent proposal review in determining the strategic merit of a proposal it will also need to consider the consistency of the planning proposal with the relevant development delivery plan for the land (or interim development delivery plan) shown in the Aboriginal Land SEPP and when determining the site-specific merit of the proposal it will also need to have regard to the social and economic benefit to the Aboriginal community facilitated by the proposal.

The review and determination should be in accordance with the Planning Circular PS 19-003 (or as updated).

Each Planning Panel has delegated authority to direct itself to be the planning proposal authority where a proposal has been subject to an independent proposal review and the council has not accepted this role.

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14.4 Planning Proposal Authority (PPA)

A Planning Panel may be directed to be the PPA for planning proposal by the Minister. Generally, a Planning Panel has delegation from the Minister to act as PPA if it has recommended that a planning proposal proceed to Gateway and the council has declined to remain as the PPA.

As PPA, the Planning Panel performs all the functions that a council normally would in preparing LEPs. This includes:

- submitting a planning proposal to Gateway,
- undertaking any necessary agency consultation prior to public exhibition of the proposal,
- endorsing the public exhibition of a planning proposal that has received a Gateway determination and met all of the Gateway conditions,
- exhibiting the planning proposal in accordance with the terms of the Gateway determination,
- considering a recommendation report, addressing submissions received during public exhibition,
- holding a public briefing meeting (at the Panel chair's discretion) following public exhibition, to listen to any person wishing to speak, and
- submitting a request to the Department, as delegate of the Minister, that the LEP be legally drafted and made.

The Minister (or delegate) remains responsible for determining and making the LEP.

14.5 Support provided to the Planning Panel in its role as PPA

When a Planning Panel is acting as PPA the secretariat arranges any necessary agency and community consultation (public exhibition) and the Department provides technical support and briefings to the Planning Panel.

14.6 Availability of Planning Panel decisions and advice

The Planning Panel needs to make a number of decisions throughout the plan-making process when undertaking reviews or acting as PPA. Decisions of the Planning Panels will be made publicly available on the Planning Panels website within 3 business days of any decision.

14.7 Community consultation

There is no requirement for a Planning Panel meeting to be held prior to determining a rezoning review. The Gateway determination details requirements, if any, for community consultation on planning proposals. The Planning Panel may hold Planning Panel meetings at any time, at the discretion of the chair.

Submissions received as part of the public exhibition of a planning proposal for which a Planning Panel is the PPA are made publicly available on the Planning Panels website.

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15. Site compatibility certificates

Planning Panels determine applications for SCCs made under the Seniors SEPP and the Education SEPP.

Written applications are to be lodged with the Department. The Department prepares an assessment of the application and a recommendation for the relevant Planning Panel. The Planning Panel considers the application and the Department's assessment report and those matters set out within clause 25 of the Seniors SEPP, or clause 15 of the Education SEPP as relevant. The Panel may determine an application by issuing a SCC or refusing to do so.

The Planning Panel may request a briefing and/or a site visit to assist in its considerations.

A briefing or site visit will be attended by the Planning Panel and Department staff and follow the procedures set out in Schedule 1.

Decisions on SCCs will generally be made by a resolution following a circulation of papers in accordance with the procedures set out in Schedule 1.

Should a DA be supported by an SCC issued by the Planning Panel come before the Planning Panel for determination, the Planning Panel will be comprised of different members to the members that issued the SCC.

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Schedule 1: Procedures for briefings, meetings and decisions.

1 Briefings and site visits

The chair may agree to a site visit or a briefing prior to a Planning Panel making a decision or providing advice on a matter.

A site visit or briefing is solely to identify and clarify issues with the proposal. Planning Panel members will not offer opinions on the merits of the proposal or ask those involved with the assessment of the proposal for their opinion or recommendations at site visits or briefings.

However, the Panel may identify issues that it expects to be addressed or clarified in any assessment report.

A site visit or briefing will be attended by the Planning Panel and relevant council or Department assessment staff or other persons engaged in the assessment of the DA or matter to be determined by the Planning Panel. In some circumstances other parties, including the applicant or people who made submissions on an application or matter may also be invited to attend a site visit or briefing. The invitation of parties is at the discretion of the chair.

Briefings on DAs may include a presentation by council assessment staff on key elements of the proposal and the planning controls that affect it (such as zoning), and an overview of issues of concern arising through the Council's assessment or raised in submissions. The timing of the submission of the assessment report and tentative date for a determination may also be discussed.

The assessment officer briefing the Planning Panel should have available a set of large-scale plans at the briefing.

Only Planning Panel members who will sit on the Planning Panel to determine the matter should attend the briefing.

Briefings and site visits on planning proposals and site compatibility certificates follow the same format, with Departmental staff briefing the Planning Panel.

It is not mandatory that the Planning Panel be briefed prior to considering a matter. Where there is a briefing, it should take place within four weeks of the close of any public exhibition period, and before council makes any major request for further information from the applicant (although council can request further information before the exhibition). The assessment of a DA should not be delayed for a briefing to occur.

Planning Panel members may identify further issues where they need clarification or more information. A Planning Panel may request briefings with council or Department staff to clarify any element of the proposal and the assessment report prior to the Planning Panel making its decision.

Briefings are not determination meetings and Planning Panel members should not make any comment that would indicate pre-determination of the matter.

The chair should take into consideration the availability of all members of the Planning Panel and any other necessary persons when deciding to conduct a site visit.

Entry to any private land may only take place with the express permission of the owner of the land, and it is the responsibility of council staff, in relation to a DA, or Department staff in relation to a planning proposal, to seek owner's consent when required.

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A written record of the briefing or site visit is made including time, date, attendees, any declarations and key issues discussed and is published on the Planning Panels website within 7 days. Site visits or briefings are not recorded by audio/ video record, an audio record or a transcription record.

It may be appropriate to invite the applicant or proponent to attend the briefing when:

- the Planning Panel could benefit from additional technical explanation on a complex matter,
- the development or other options are still being considered (e.g. if a major re-design has been requested by the council), or if
- material to be presented may be commercially sensitive or confidential.

The Planning Panel will publish clearly documented reasons why a briefing by an applicant was necessary so that there is no apprehension of bias.

Site inspections and briefings are not public meetings of the Planning Panel.

2 Meetings

Public briefing meetings

If the matter before the Planning Panel attracts significant community interest, the Planning Panel may consider calling a public briefing meeting.

Public briefing meetings are held to hear submissions in a public forum and to meet with key stakeholders to discuss unresolved issues. Community groups and individuals may register to speak to the Planning Panel at the public briefing meeting. Public briefing meetings are held at the discretion of the Planning Panel.

Planning Panel members should not make any comment that would indicate pre-determination of the application at a public meeting.

Determination meetings

Prior to determining a DA or other matter, a Planning Panel may call a public determination meeting. The purpose of a public determination meeting is to hear those who wish to express their view on the proposal before the Planning Panel makes its determination in public.

Notice of a public determination meeting is given at least 7 days before the meeting. Notice of the meeting (including the time, date and venue for the meeting) are:

- notified on the Planning Panels website, and
- given to every person who made a submission to the council (in the case of petitions, only the head petitioner).

The meeting agenda, any business papers, assessment reports and attachments (including any representations made by council) are distributed to members of the Planning Panel and uploaded on the Planning Panels website in advance of the meeting.

People wishing to address the Planning Panel must register prior to the meeting.

The chair determines the order of presentations to the Planning Panel and the amount of time given to each speaker. At the meeting, it is acceptable to provide the Planning Panel with written material which summarises the matters to be presented to the panel by the speaker. However, written material must be kept to a minimum.

3 Meeting procedures for Public Briefings and Determinations

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Planning Panel meetings are to be conducted in public.

Meeting dates and agendas

A regular schedule of proposed meeting dates is determined at the beginning of each year by the secretariat in consultation with the chair. The meeting dates are listed on the Planning Panels website and are reserved for public briefing meetings, Planning Panel briefings and site visits, or Planning Panel meetings. Planning Panel public determination meetings are generally arranged within 14 days of receiving council's assessment report.

Additional meetings of a Planning Panel may be organised at the discretion of the chair. These additional dates are posted on the website as soon as they become available.

The chair may consult with the general managers (or their nominee) of the relevant councils when approving the agenda for each meeting.

The council notifies the secretariat of any revised date for completion of the assessment report as soon as it is aware of any delay and advises of the reasons for the delay.

The meeting time and venue

The meeting time and venue is determined by the chair in consultation with relevant councils, and taking into account:

- the location of the proposed developments to be considered at the Planning Panel meeting,
- the number of persons who have expressed an interest in the different matters to be considered at the Planning Panel meeting,
- the availability of a suitable venue and the accessibility of the proposed venue for those persons, and
- local considerations and logistics.

The meeting time and venue should:

- maximise accessibility to people who have expressed an interest in the matters to be considered at the meeting, and
- facilitate the open exchange of information between the Planning Panel members and other parties.

Items from a number of different LGAs might be considered at one meeting provided the venue is reasonably accessible to most interested parties.

In regional areas, the chair may need to convene meetings in a number of locations to ensure they are accessible to the greatest number of people with an interest in the application being considered.

Notice of meeting

Notice of a Planning Panel meeting is to be given by the secretariat at least 7 days before the meeting. Notice is given to Planning Panel members, the general managers (or their nominee) of the councils in that region or district, every person who made a submission to the council (in the case of petitions, only the head petitioner) in respect of an item to be considered at the meeting and the applicants for those items. A notice is placed on the Planning Panel website and may be placed in the local newspaper.

The notice is to include details of:

- the time and date of the meeting,
- the venue for the meeting,
- the matter under consideration (DA/s or planning proposal),

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- the availability of agenda and business papers, which will include the assessment report and recommendations, and
- other matters to be considered at the meeting.

Distribution of meeting agenda and business papers

The meeting agenda, business papers/assessment reports and attachments, including any representations made by councils, are to be distributed to members of the Planning Panel and uploaded on the Planning Panels website by the secretariat no less than 7 days prior to the meeting.

A hard copy of the agenda and business papers are posted via express post to those Planning Panel members who have a decision-making role on the matter.

Opening and closing meetings

The chair will open the meeting by introducing the Panel and its members, state the purpose of the meeting, read out any apologies and call for declarations of interest following the declarations of interest procedures.

The chair will note any site visits or briefings the panel has had the benefit of and describe the order of proceedings and time limits for speakers.

The chair may also request council staff to briefly summarise the key issues that have arisen in the assessment report.

The panel will then listen to those wishing to address the panel. After the presentations the panel will make its determination and the chair will read out the decision of the panel before closing the meeting.

Declarations of interest procedures

The declarations of interest procedures set out below follow the requirements of the Planning Panels Code of Conduct (Code):

1. The chair calls on Planning Panel members to complete and sign written declarations of interest forms prior to the meeting for each panel matter (under clause 4.1 of the Code). Any verbal declarations must be recorded in writing.

Note: Under the Code, a panel member should declare the following interests:

- a. an actual, potential or reasonably perceived conflict of interest (see clause 3.1 of the Code),
 - b. a pecuniary interest listed under clauses 3.10 – 3.12 of the Code,
 - c. a non-pecuniary interest (see clause 3.14 of the Code),
 - d. a conflict of duties listed under clauses 3.18 – 3.25 of the Code,
 - e. a pecuniary interest or non-pecuniary interest arising from a political contribution or donation (see clause 3.26 of the Code),
 - f. a position and pecuniary interest in corporations, partnerships or other businesses that may be relevant to the activities of the Planning Panel in accordance with the Department of Premier and Cabinet's Guidelines 'Conduct Guidelines for Members of NSW Government Boards and Committees' (see clause 4.3 of the Code),
 - g. a personal dealing with council (see clause 5.1 of the Code), and
 - h. a gift or benefit listed under clauses 5.2 – 5.6 of the Code.
2. The chair reviews the written and signed declarations and the management measures put in place for any declared interests.
 3. If the chair is satisfied that reasonable and appropriate management measures are consistent with those set out in the Code, then a note to this effect is to be made on the meeting record.

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4. Should the chair have concerns, the chair is to raise these concerns with the member and suggest additional reasonable and appropriate management measures including, if warranted, that the member not take part in the determination for the matter (see clause 3.8 of the Code).
5. The chair is to provide the member an opportunity to respond.
6. The chair is to consider any response prior to making a final decision on the reasonable and appropriate management measures and note the response, the decision, and the chair's reasons for the decision in the meeting record.

Presentations at a Planning Panel meeting

The chair determines the order of presentations to the Panel. Panel members may ask questions of those making presentations. The amount of time given to each speaker is at the discretion of the chair.

At the Planning Panel meeting, it is at the chair's discretion whether to accept written material which summarises the matters to be presented to the Planning Panel by the speaker. Any allowed written material must be kept to a minimum.

By registering to speak at a meeting, speakers agree to being audio recorded and to the publication of that recording on the Planning Panels website.

a) Presentation by the assessment officer

The chair may request that the assessing officer responsible for preparing the assessment report (or a representative) presents a summary of the DA or planning proposal, as the case may be, and outline any relevant assessment issues at the start of the presentations. The assessment officer should have available at the Planning Panel meeting a set of large-scale plans (including any amended plans).

Generally, it is council's professional planning and assessment staff that prepare DA assessment reports for the Panel's consideration.

Where a Planning Panel is acting in the role of the PPA for a planning proposal matter the Department provides technical assistance, which may include the provision of an assessment report for the Planning Panel.

The assessment officer (or representative) should inform the chair of any late submissions received, and of any issues raised which may not have been addressed in the assessment report.

The assessment officer (or representative) should be present throughout the Planning Panel meeting, so that the chair can seek clarification where necessary of assessment issues that may arise during the course of the meeting. Other technical experts from the council/Department may also be present (such as traffic engineers) and the chair may ask for clarification of specific issues. Any questions to council/Department staff can only be made by Planning Panel members and are to be directed through the chair.

b) Presentation by the applicant or proponent

The applicant, in the case of a DA, or the proponent, in the case of a planning proposal, will be given the opportunity to outline the proposal and respond to the assessment report. The applicant/proponent may also be required to respond to submissions made at the meeting. The time allocated to the applicant/proponent, including their consultant(s), is at the discretion of the chair, but is generally 15 minutes. Additional time may be allocated

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where professional consultants have been engaged by the applicant/proponent to present at the meeting.

c) Presentation by people or groups who made submissions

Planning Panel meetings enable people or groups to make a presentation to the Panel meeting. People who wish to address the Planning Panel must register with the secretariat prior to the meeting by contacting the secretariat by telephone or email within the timeframe specified in the notification letter (generally two days before the Panel meeting).

For those people who are of the view that they would not be appropriately or adequately represented by any groups, they may register to speak to the Planning Panel as individuals.

The chair will advise on the time allocated for verbal submissions which will vary from meeting to meeting depending on a number of considerations such as the number of registered speakers.

As a guide:

- individual submitters will have 3 minutes to speak,
- a speaker for a community organisation/group will have 10 minutes to present. Additional time may be allocated where professional consultants have been engaged by community groups to present at the meeting.

In addition, where a large group of people have common issues to raise at the meeting, the chair may ask that a spokesperson be appointed to speak on behalf of the group. In such cases, the spokesperson will generally be allocated more time than individual speakers.

The chair seeks to ensure that all groups or individuals who request to address the Planning Panel are heard. Any requests for extending time limits should be made to the Planning Panel at the meeting and may be granted at the discretion of the chair.

Speakers should focus their oral presentations on the assessment report and its recommendation rather than re-stating information outlined in their earlier written submissions. The Planning Panel has been provided with all submissions and associated documents before the Planning Panel meeting.

d) Presentation by people or groups that have not made a submission

The chair has the discretion to allow any member of the public to address the Planning Panel, even if they have not made a submission or registered to speak by the relevant deadline. Considerations may include the number of persons that made submissions and have requested to address the meeting and the available time.

e) Presentation by an expert engaged by the Planning Panel

For the purpose of making a decision on a matter, such as a DA or a planning proposal, a Planning Panel may obtain independent assessment reports, advice and assistance that the Planning Panel may require, particularly in relation to complex technical matters. This would be in addition to any assessment report or other information provided by the relevant council/Department in assessing the application.

Selection of such experts is to be determined by the chair in consultation with the other Panel members.

Depending on the circumstances, the expert may submit a report with recommendations directly to the Planning Panel. In addition, the expert may

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be invited to present the outcomes of their report at the Planning Panel meeting.

The independent assessment report should be made available on the Planning Panels website prior to the meeting, except where this information includes legal advice provided to the Planning Panel and is subject to legal professional privilege.

Adjourning during a Planning Panel meeting

A Planning Panel may adjourn a meeting where:

- a briefing is required to hear confidential or sensitive information, and/or
- the panel wishes to confer amongst itself before reconvening the meeting for voting and determination.

Before the adjournment the panel chair publicly states the reasons for the adjournment which are recorded in the audio and written record of the meeting.

If the meeting is adjourned so that the panel may confer amongst themselves prior to making a decision, the chair briefly summarises the matters discussed in the adjournment after reconvening the meeting. The panel may discuss the matter further in the meeting and/or make its determination.

Planning Panel discussions during adjournments are not recorded.

Deferring a decision at a Planning Panel meeting

A Planning Panel may defer its determination of the matter for a subsequent meeting or it may be determined electronically by a circulation of papers. A decision may be deferred for any reason including to obtain additional information or advice.

The chair informs the meeting of the reasons for the deferral of a decision (i.e. why the decision cannot be made at the meeting) and advises of the procedures and timeframes to be followed for the determination of the matter.

A written record of the Planning Panel meeting, including the reasons for deferral, is placed on the Planning Panels website, and a copy is provided to the council.

It is the council's responsibility to follow up on any requests for additional information or amendments from the applicant, to determine whether re-exhibition is required, and to provide a supplementary assessment report to the Planning Panel.

The Planning Panel may hold further briefings following a determination meeting if it requires further information to make its determination or where there is commercially sensitive or confidential material that needs to be considered before the matter can be determined.

4 Decisions and determinations

The Planning Panel will strive to make its decisions unanimously. Where a decision cannot be made by unanimously, the decision will be made by majority vote. The chair will have a second or casting vote if required because of an equality of votes.

Quorum for a Planning Panel decisions

A quorum is a majority of the Planning Panel's members, including the chair, i.e. a total of three members. The decision of the Planning Panel will be deferred if a quorum is not present.

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Where conflicts of interest are known before a decision is to be made, alternate members will be used to make a quorum.

The Planning Panel's consideration

In addition to the assessment report, the Planning Panel is to take into account all written submissions, as well as the views expressed by those addressing the Planning Panel at its public meeting/s.

The Planning Panel's reasons

The Planning Panel must provide reasons for its decisions, which are to be recorded in the 'Determination and Statement of Reasons' template provided by the secretariat.

The Planning Panel may rely on the conclusions and recommendations within the assessment report, however, the Planning Panel must identify where it has its own reasons for making the decision and where it adopts the reasons from any assessment report of Council or the Department. As part of setting out its reasons the Planning Panel is to:

- provide a summary of the main issues raised in submissions,
- demonstrate how the Panel considered the community's concerns, and
- demonstrate how the Panel dealt with the issues raised, should they have been found to have merit i.e. requested further studies, applied appropriate conditions or, agreed with council recommendation that the applicant had satisfactorily addressed the concerns.

Determinations on DAs

The determination must clearly state whether a DA is unconditionally approved, approved with conditions, or refused.

Any new conditions of consent or changes to the recommended conditions of consent must be recorded.

If the Planning Panel resolves to approve an application that is recommended for refusal, the Planning Panel may seek a further report from the council's planning officer providing recommended conditions of consent. The Planning Panel may request without prejudice conditions of consent before a Planning Panel meeting if council's report recommends refusal.

The determination and statement of reasons must include the following:

- the decision of the Planning Panel,
- the date of the decision,
- the reasons for the decision (having regard to any statutory requirements applying to the decision), and
- how community views were considered in making the decision.

DA determinations must be publicly notified in accordance with clause 20 Schedule 1 of the EP&A Act.

The decision of the Planning Panel is not subject to a 'Rescission Motion' as in local government.

Decisions of Decision Review Panels are called a 'Review of Decision' Determination and Statement of Reasons.

Determinations on matters other than DAs

Decisions made by the Planning Panels on SCCs, Rezoning Reviews and where the Planning Panel is the Planning Proposal Authority will include the following:

- the decision of the Planning Panel,
- the date of the decision, and

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- the reasons for the decision (having regard to any statutory requirements applying to the decision).

Resolutions of the Planning Panels

The Planning Panels may from time to time make resolutions to do or not to do certain things, e.g. to authorise the chair to provide instruction in relation to legal appeals on behalf of the Planning Panel.

Resolutions of the Planning Panel will be published on the Planning Panels website.

Dissenting views

If the decision (and reasons for the decision) is not unanimous, all members of the Planning Panel (i.e. including the minority) still need to give reasons.

Timing of Determination and Statement of Reasons

It is preferable that the Planning Panel record both its decision and its reasons at the time of the determination.

Signatures

All members of the Planning Panel must sign the Determination and Statement of Reasons. Where one or two members are in dissent, they must still sign, as the reasons will set out their dissenting views.

5 Transactions of business outside meetings

A Planning Panel can transact its business by the circulation of papers or at a meeting at which members participate by telephone or other electronic means (known as an electronic determination) (see Schedule 2, Clause 25(4) and Clause 26 of the EP&A Act).

The chair may decide that it is unnecessary to hold a determination meeting to consider a DA or other matter. The Planning Panel can complete its business through an electronic determination. These circumstances may arise when:

- the assessment report recommends approval and there are no submissions by way of objection,
- the Planning Panel has held a public meeting and deferred its decision to request specific additional information from an applicant or council (such as amended drawings) and if council, after having accepted the amended drawings, has decided that re-exhibition of is not required,
- the Planning Panel is voting on a procedural matter, or
- the Planning Panel is voting on a decision following a briefing in relation to a Rezoning Review, Planning Proposal or site compatibility certificate.

When an electronic determination for a DA is proposed, the council report and recommendation is made available on the Planning Panels website seven days prior to the DA being determined.

The secretariat distributes business papers (including the assessment report and attachments) to Planning Panel members for consideration and advise that the determination is made via electronic means.

Following consideration of the business papers, the Planning Panel advises the secretariat of its decision on the DA and a record of decision is completed and endorsed by all members.

The chair and each Planning Panel member has the same voting rights as they have at public determination meetings.

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Resolutions approved by circulation of papers are recorded in writing and made publicly available on the Planning Panels website within 7 days. The circulation of papers is generally done electronically and are not recorded by audio/ video record, an audio record or a transcription record.

6 Records of proceedings

The chair is responsible for ensuring that full and accurate records are kept of the proceedings of Planning Panel meetings, briefings and other business.

An audio recording will be made for all public briefing meetings and determination meetings and will be published on the Planning Panels website. By registering to speak at a meeting, speakers agree to being recorded and to the publication of that recording. Where a speaker has not registered to speak but wants to make a submission at the meeting it is at the chair's discretion and the speaker is asked to agree to being recorded and that recording being published.

Document templates for written records of proceedings are provided by the secretariat.

Secretariat or council staff will assist in the preparation of draft written records. A copy of the unconfirmed written record is provided to all Planning Panel members who participated in the proceedings. Planning Panel members may submit any proposed corrections to the unconfirmed record to the secretariat for confirmation by the chair.

Alternatively, a Planning Panel may choose to complete and endorse the final record immediately after completing the meeting or briefing. In this case, draft records are not circulated.

When the written records have been confirmed and endorsed by the chair the written record is placed on the Planning Panels website.

The confirmed written record is available within 7 days of the Planning Panel meeting or briefing.

Any written record for a Planning Panel meeting details:

- the opening and closing times of the meeting,
- the details of the matter considered by the Planning Panel,
- the names of all members of the Planning Panel, including the chair,
- any disclosure of interest made by a member, the reason for that disclosure of interest and whether the member making the disclosure participated in the discussion or determination of the matter,
- any adjournments and reasons for the adjournment,
- the names of each person heard by the Planning Panel in respect of a matter,
- any decision of the Planning Panel,
- reasons for the decision,
- the names of each member who voted for or against the decision, and reasons for dissent, where the decision is not unanimous, and
- the signatures of all the members making the decision.

A written record of briefings or site visits are made including time, date, attendees, any declarations and key issues discussed and are published on the Planning Panels website within 7 days. Site visits or briefings are not recorded by audio/ video record, an audio record or a transcription record.

The secretariat, with assistance from the relevant council, is responsible for recording decisions for Planning Panel meetings.

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Planning Panel members are required to provide any notes made during a meeting, briefing or site inspection to the secretariat for registration as a record. This includes hand written or electronic notations.

**5.9 REQUEST FOR FINANCIAL ASSISTANCE - EVENT SPONSORSHIP ROUNDS 3 & 4 - 1
JANUARY 2022 TO 30 JUNE 2022**

RECORD NUMBER: 2022/283

AUTHOR: Tony Boland, Business Projects Officer

EXECUTIVE SUMMARY

Council sponsors a variety of events under the Events Sponsorship Policy (Strategic Policy ST144). Applications for sponsorship are usually forwarded to Council prior to the commencement of the quarter so that event organisers have some certainty in the delivery of the event.

Due to the delay of the Local Government Elections last year, the previous Council went into caretaker mode prior to the closing date for applications for Round 3 (events held 1 January 2022 to 31 March 2022).

As the Event Sponsorship is considered financial support under Section 356 of the *Local Government Act 1993*, staff cannot be delegated to approve the applications on behalf of Council.

Strategic Policy ST144 states "Applications for sponsorship will not be retrospectively approved". The policy was adopted prior to Covid and the subsequent delays in local government elections.

Three events seeking sponsorship Yu-Gi-Oh! WCQ Regional Qualifiers (15 January 2022) Wangarang Charity Golf Challenge (11 February 2022) and City of Orange Veterans Week of Golf Tournament (6 to 11 March 2022) events have occurred therefore funding of sponsorship is outside the policy. A panel assessment conducted by staff of these applications also recommended declining sponsorship as the applicants did not demonstrate sufficiently, meeting all criteria.

Two events Live at Yours in Orange 2022 and White Tie Ball are include for consideration under Round 4 of 2021/2022 financial year and are recommended for approval.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy "11.2 Prosper - Develop and attract a variety of events, festivals, venues and activities for locals and visitors, ensuring accessibility for all".

FINANCIAL IMPLICATIONS

The allocated budget for the Sponsored Events program is \$100,000.00 for the 2020/21 Financial Year. \$41,938.20 remains available in this year's budget.

POLICY AND GOVERNANCE IMPLICATIONS

Applications are assessed in accordance with Strategic Policy ST144 – Events Sponsorship Policy.

RECOMMENDATION

That Council:

- (a) Does not approve \$4,000 in sponsorship to the Wangarang Charity Golf Challenge
- (b) Does not approve \$1,000 in sponsorship to the City of Orange Veterans Week of Golf Tournament
- (c) Does not approve \$1,276.50 in sponsorship to the Yu-Gi-Oh! WCQ Regional Qualifiers
- (d) Approves \$2,000 in sponsorship to 'Live at Yours'
- (e) Approves \$5,500 in sponsorship to Housing Plus' White Tie Ball

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 maximum available funding for Rounds 3 and 4 is \$41,938.20. Council may choose to spend less than this amount or the amount requested if they think it is appropriate. |
| Reputation | Previous applications were not subjected to assessment by a senior panel. Previous recipients may have used similarly worded applications to previous successful applications and have had a different outcome on this occasion due to a more rigorous assessment by the panel. This has the potential to cause confusion with applicants. Staff will work with the applicants to advise them of how to develop an appropriate application that is more likely to meet the criteria in future. |

SUPPORTING INFORMATION

In the Events Sponsorship Program the following categories exist to support assessment of applications received:

| Category | Description |
|-----------------------------|--|
| Incubator Event Fund | Provides seed funding to events in their first or second year of activity. Funding range is \$1,000 to \$5,000. |
| Flagship Event Fund | Identifies and assists the development of events that contribute to the unique character and culture of the Orange360 tourism region and can demonstrate that they attract overnight visitation. Funding range is \$1,000 to \$10,000. |

| | |
|----------------------------------|---|
| Event Development Fund | Supports events that have already received funding from Council in previous years and can present a comprehensive strategy for future growth that includes the continued development of its tourism potential to drive overnight visitation to the event. Funding range is \$1,000 to \$10,000. |
| Quick Response Event Fund | Provides seed funding and/or support to events that occur as new and unplanned opportunity for Orange and have not met the funding rounds as outlined below. Funding range is \$1,000 to \$20,000. |

The program objective is to provide financial assistance to groups or individuals who deliver events that offer significant contribution to the economic wellbeing of the Orange community with consideration also given to the social or environmental wellbeing of the Orange community.

The four broad criteria that the panel considered when assessing the applications include:

- The economic benefit to the community in terms of increased visitation, utilisation of accommodation, local product etc.
- Increased promotion of the city and/or identification of the city with a recognised product such as education, sport, food, wine, agribusiness, clean environment etc.
- A benefit that has a broad application to the community and not just a special benefit to an individual or selected few.
- That Council can clearly recognise the value of its assistance in the event, promotion etc.

Round 3 Applications – 1 January 2022 to 31 March 2022

As outlined in the Executive Summary, because of the delay of the Local Government Elections last year, the previous Council went into caretaker mode prior to the closing date for applications for Round 3 (events to be held between 1 January 2022 & 31 March 2022).

In addition, Strategic Policy ST144 states “Applications for sponsorship will not be retrospectively approved”. The policy was adopted prior to Covid and the subsequent delays in local government elections.

Event Sponsorship is considered financial support under Section 356 of the Local Government Act 1993 and staff cannot be delegated to approve the applications on behalf of Council. For this reason, the applications are being submitted retrospectively for Council to consider.

Private individuals or organisations are eligible to receive assistance under this program.

The brief summaries of the applications follow, and redacted copies of the applications are attached.

The Business Projects Officer declared a conflict of interest in the assessment process for Round 3 due to membership of the board of one of the applicants.

5.9 Request for Financial Assistance - Event Sponsorship Rounds 3 & 4 - 1 January 2022 to 30 June 2022

| | Wangarang |
|--|---|
| Not for profit (yes/no) | Yes |
| Event name | Wangarang Charity Golf Challenge |
| Event date/s | 11 February 2022 |
| Level of participation | 200 attendees |
| Overnight visitors | 85 |
| Ticketed event | Yes |
| Amount requested | \$4,000.00 |
| Category and Category range | Flagship Event Fund - \$1,000 to \$5,000 |
| Aligned with Community Strategic Plan | Yes |
| Event precis Wangarang Industries are holding their twelfth annual charity golf challenge on 11 February 2022 at Dundry league Golf Course in Orange. The event is a four-person Ambrose with a shotgun start at 12pm. The event will be supported with prizes and raffles. The funds raised will go toward upgrades at their Forest Road site to continue to support the 125 people with disabilities who work there. | |
| Comment and recommendation The application is light in detail and scores low in terms of revenue generation for the city and businesses, with no supporting evidence of benefits. Numerous questions arose around the income and expenses provided. The risks and benefits were also not detailed sufficiently. That said there is a community benefit element to the proposed event. Not recommended | |
| | City of Orange Veterans Golf Classic |
| Not for profit (yes/no) | Yes |
| Event name | City of Orange Veterans Week of Golf Tournament |
| Event date/s | 6 to 11 March 2022 |
| Level of participation | 220 - 250 attendees |
| Overnight visitors | 250 (includes partners) |
| Ticketed event | Yes |
| Amount requested | \$1,000 |
| Category and Category range | Flagship Event Fund - \$1,000 to \$5,000 |
| Aligned with Community Strategic Plan | Yes |
| Event precis The Tournament commences on Sunday with a registration day between the hours of 2pm to 5pm at Dundry League Golf Club. The Tournament is held Monday to Friday at Wentworth Golf Club and Dundry League Golf Club. Wednesday is a rest day allowing contestants to explore the local retail outlets, wineries and other attractions within and around the City. The winners of the various competitions are presented with trophies in the form of gift vouchers purchased from local businesses. | |
| Comment and recommendation The application is light in detail and scores low in terms of revenue generation for the city and businesses with no information or supporting evidence of the benefits received. Numerous questions arose around the income and expenses provided. | |

5.9 Request for Financial Assistance - Event Sponsorship Rounds 3 & 4 - 1 January 2022 to 30 June 2022

There is a strong volunteer element to the application.

Not recommended

| | DR Gaming Pty Ltd |
|---|--|
| Not for profit (yes/no) | No |
| Event name | Yu-Gi-Oh! WCQ Regional Qualifiers |
| Event date/s | 15 January 2022 |
| Level of participation | 150 attendees |
| Overnight visitors | 70 (includes partners) |
| Ticketed event | Yes |
| Amount requested | \$1,276.50 |
| Category and Category range | Flagship Event Fund - \$1,000 to \$5,000 |
| Aligned with Community Strategic Plan | Yes |
| Event precis | |
| The event is a qualifier for the Yu-Gi-Oh! trading card game world championship. The top place getters at this event will receive an invitation to the Oceanic level event, usually held in June. Players will be participating in 8 rounds of Yu-Gi-Oh! trading card game competition. | |
| Comment and recommendation | |
| The application is very light in detail and scores very low in terms of revenue generation for the city and businesses with no information or supporting evidence for the benefits. | |
| The exposure / benefits to council is not detailed. The request is low value. | |
| Not recommended | |

The assessment committee recommended no applications for Round 3 be approved for funding.

Round 4 Applications – 1 April 2022 to 30 June 2022

The first application (Live at Yours 2022) should have been assessed in Round 3 but was allocated to a different program as the event runs until 31 March 2022.

Both events are recommended for sponsorship approval as they sufficiently meet the assessment criteria.

| | Live at Yours |
|---|---|
| Not for profit (yes/no) | No |
| Event name | Live at Yours in Orange 2022 |
| Event date/s | 5 March 2022, 31 March 2022, 26 August 2022 |
| Level of participation | 500 attendees |
| Overnight visitors | 50 |
| Ticketed event | Yes |
| Amount requested | \$2,000 |
| Category and Category range | Flagship Event Fund - \$1,000 to \$5,000 |
| Aligned with Community Strategic Plan | Yes |
| Event precis <p>Alexander Gavrylyuk is internationally recognised as one of the world's most virtuosic concert pianists, known for his electrifying and poetic performances. Appearing in March for the first time in Orange at the Civic Theatre, Alexander will present a highly virtuosic yet accessible programme ranging from Beethoven's Moonlight sonata to the powerful Rachmaninov second sonata. He has performed at the BBC proms, Carnegie Hall, Sydney Opera House, Concertgebouw Amsterdam to name a few and has appeared as a soloist with the world's leading orchestras. This concert will be Alexander's first appearance in Orange and we believe the event will create quite a buzz for music lovers.</p> <p>As well as the concert, on April 1st, Live at Yours will present an open masterclass with Alexander mentoring young musicians from the region at the Orange Conservatorium of music. This will give the local musicians a rare experience to gain insights and polish their craft from an internationally recognised virtuoso.</p> <p>We believe that presenting such a high-profile artist in Orange as well as the masterclass will draw positive attention on Orange as the cultural hub of the region. In turn we believe it will attract tourism, have a positive impact on local business, engage the local community with fine art and inspire the local musical youth.</p> | |
| Comment and recommendation Recommended | |

5.9 Request for Financial Assistance - Event Sponsorship Rounds 3 & 4 - 1 January 2022 to 30 June 2022

| | Housing Plus |
|---|--|
| Not for profit (yes/no) | Yes |
| Event name | White Tie Ball |
| Event date/s | 22 May 2022 |
| Level of participation | 340 attendees |
| Overnight visitors | 50 |
| Ticketed event | Yes |
| Amount requested | \$5,500 |
| Category and Category range | Flagship Event Fund - \$1,000 to \$5,000 |
| Aligned with Community Strategic Plan | Yes |
| Event precis <p>The White Tie Ball is the annual fundraising event for The Orchard - a crisis centre for women and children escaping domestic violence.</p> <p>The Ball will be held on Saturday 21st May, and with the current restrictions in place we are hoping to sell 340 tickets to the Ball.</p> <p>We estimate 50-60 people, will be staying in Orange, and we will encourage them to tour the region and to take advantage of the tourism opportunities available to them.</p> <p>We are working with local businesses to set up the event. Our decorator is Rachel Brooking from Simply Centrepieces. Our local wineries will receive valuable exposure for their wines that they are donating for the event. Local businesses are donating goods and services to support fundraising activities on the night and will receive promotion prior to the event and to our guests at the event.</p> <p>The beneficiaries of the money raised from the event will be members of the Orange community, women and children escaping domestic violence. The White Tie Ball is an event organised by a local business, to benefit the local community. Guests will enjoy a 3-course meal provided by the OESC, who use local producers where possible. The entertainment provided has been organised by a local business.</p> <p>The prizes and giveaways on the night will benefit local businesses with increased sales. We would like Orange City Council to use their sponsorship to purchase Shop Orange vouchers for us to use as prizes for the fundraising activities at the event. This would have the double benefit of supporting local Orange businesses and the opportunity for Orange City Council to support a local community fundraising event that raises money to support women and children escaping domestic violence.</p> | |
| Comment and recommendation Recommended | |

ATTACHMENTS

- 1 Redacted - Event Sponsorship - Wangarang Charities Golf Day 11 February 2022, IC22/5808[↓](#)
- 2 Redacted - Event Sponsorship - City of Orange Veterans Week of Golf Championship, IC22/5810[↓](#)
- 3 Redacted - Event Sponsorship - Yu-Gi-Oh! Regional Championship Qualifying Event, IC22/5811[↓](#)
- 4 Redacted - Event Sponsorship - Live at yours 2022, IC22/5812[↓](#)
- 5 Redacted - Event Sponsorship - White Tie Ball - 22 May 2022, IC22/5813[↓](#)



A: 135 Byng Street, Orange
T: 6393 8000
E: council@orange.nsw.gov.au
W: www.orange.nsw.gov.au

EVENT SPONSORSHIP COVER APPLICATION FORM

APPLICANT'S DETAILS

Name of organisation: Wangarang Industries Ltd

Postal address:

Contact name:

Position:

Phone:

AH:

Mobile:

Email:

What is the legal status of your organisation? (eg Incorporated, Association, etc.)

If not-for-profit please attach evidence - such as charter/constitution showing no personal gain will be available to members, charitable status advice or a statutory declaration

Please select: ☐ Profit or ☐ Not-for-Profit

If not-for-profit: ☐ **Constitution, tax ruling or other document confirming not-for-profit status is attached**

Is your group/organisation registered for GST? ☐ Yes ☐ No

If applicable, please provide: ABN: 11001241005 ACN: 001241005

EVENT DETAILS

| | |
|---|---|
| Name of event: | Wangarang Charity Golf Challenge |
| Location of event: | Duntryleauge Golf Club |
| Proposed date/s of event: | 11/02/2022 |
| If the event is on Council land/ premises, have you booked this space with Council? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| How many people will be involved in your event? (Estimate) | 200 |
| How many people will come from outside Orange for the day? (Estimate) | 100 |
| How many people will stay overnight? (Estimate) | 85 |

Please provide an outline of the event, including a summary of proposed activities and schedule:

Wangarang Industries are proud to be holding our twelfth annual Charity Golf Challenge, Friday the 11th of February 2021 at Duntryleauge Golf Course, Orange NSW. The event is a 4-person Ambrose event, with a shotgun start at 12pm. There will be team awards as well as nearest to the pin and longest drive prizes for men and women.

Activities also include a free BBQ lunch, a drinks cart will be on course and some great raffles and auction fundraising activities during the awards presentation in the early evening. The main purpose of the charity golf day is to raise much needed funds for upgrades to Wangarang's Forest rd. site, and to help us to continue to support our 125 people with disabilities that work at our site.

We also hope to generate exposure to a broad range of work that Wangarang does and the services we provide to the Orange community. Supported by Orange Ex Services Club and Orange City Council, Wangarang are looking for event sponsors and donors to help make this event the success it has been for the past 11 years. Cash, product and voucher sponsorship packages are available.

EVENT BUDGET

Please outline the proposed income and expenditure budget for the event

| Income Source (cash) | \$ |
|--|-----------------------------------|
| eg: Organisation X | \$ 1000.00 |
| Sponsors | \$ 18,000 |
| Donations | \$ 2000 |
| Raffle and Auction | \$ 5000 |
| Entry Fees | \$ 4000 |
| | \$ |
| Orange City Council Event Sponsorship request | \$ 4000 |
| Total Income | \$ 33,000 |
| Expenditure Items (cash) | \$ |
| eg: Marketing – 8 x TV adverts | \$ 2000.00 |
| Golf Course Hire | \$ 2,500 |
| Marketing | \$ 1000 |
| Drinks and food | \$ 1000 |
| | \$ |
| | \$ |
| | \$ |
| | \$ |
| | \$ |
| Total Expenditure | \$ 4,500 |
| Total Income and Total Expenditure must equal | \$ 38,500 |
| In-kind Contributions | \$ Value of In-kind Contributions |
| (People's time/ value: Based on May 2017 to May 2018 Australian Bureau of Statistics (ABS) figures, volunteers are now worth \$41.72 per hour) | |
| eg: letter drop/ street walk – 1 hour, 1 person | \$ 41.72 |
| Prizes | \$ 3000 |
| Donations, food etc. | \$ 1000 |
| | \$ |
| | \$ |
| | \$ |
| | \$ |
| | \$ |
| Total In-kind Contribution Value | \$ 4000 |

DECLARATION

On behalf of: (name of organisation if applicable)

-
- ☒ I certify to the best of my knowledge that the statements made in this application and any supporting documentation are true.
-
- ☒ I understand that should this application be approved by Orange City Council, I may be required to submit any requested Tax Invoices, plans or reports and will be required to enter into an Event Agreement with Council.
-
- ☒ I declare that the Organisation will provide all required paperwork, including a Certificate of Currency of Public Liability Insurance (to a minimum of \$10 million) with Orange City Council noted as an interested party.
-

Signed

Date 23/11/2021

Print name

Position in organisatio

The information you provide will be handled in accordance with the Privacy and Personal Information Protection Act 1998. The supply of information by you is voluntary. If you cannot provide or do not wish to provide the information sought, your application may be unable to be processed. Any personal information collected from you will be in order to process your application.



A: 135 Byng Street, Orange
T: 6393 8000
E: council@orange.nsw.gov.au
W: www.orange.nsw.gov.au

EVENT SPONSORSHIP COVER APPLICATION FORM

APPLICANT'S DETAILS

Name of organisation: City of Orange Veterans Golf Incorporated

Postal address:

Contact name:

Position:

Phone:

Mobile:

Email:

What is the legal status of your organisation? (eg Incorporated, Association, etc.)

If not-for-profit please attach evidence - such as charter/constitution showing no personal gain will be available to members, charitable status advice or a statutory declaration

Incorporated

Please select: ☐ Profit or ☒ Not-for-Profit

If not-for-profit: ☐ Constitution, tax ruling or other document confirming not-for-profit status is attached

Is your group/organisation registered for GST? ☒ Yes ☐ No

If applicable, please provide: ABN: 49 924 712 974

ACN:

EVENT DETAILS

| | |
|--|--|
| Name of event: | City of Orange Veterans Week of Golf Tournament |
| Location of event: | Orange |
| Proposed date/s of event: | 6th March to 11th March 2022 |
| If the event is on Council land/ premises, have you booked this space with Council? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| How many people will be involved in your event? (Estimate) | 220-250 |
| How many people will come from outside Orange for the day? (Estimate) | 170-200 |
| How many people will stay overnight? (Estimate) | about 250 |
| Please provide an outline of the event, including a summary of proposed activities and schedule: | |

The Tournament commences on Sunday with a Registration day between the hours of 2pm to 5pm at Duntryleague Golf Club. The Tournament is held Monday to Friday at Wentworth Golf Club and Duntryleague Golf Club. Wednesday is a rest day allowing contestants to explore the local retail outlets, wineries and other attractions within and around the City. A Presentation Dinner Dance is held on Thursday night in the Coral Sea Room at Orange Ex Services Club. The winners of the various competitions are presented with trophies in the form of gift vouchers purchased from local businesses. The holding of Registration Day and Presentation Dinner will depend on the Covid 19 restrictions in place at the time.

EVENT BUDGET

Please outline the proposed income and expenditure budget for the event

| Income Source (cash) | \$ |
|--|-----------------------------------|
| eg: Organisation X | \$ 1000.00 |
| Entry Fees | \$ 38000 |
| Orange Ex Services Club | \$ 5000 |
| Mitre 10, Everly Jewellers | \$ 1000 |
| Nile Street Cafe | \$ 250 |
| Dalton Strata Services | \$ 500 |
| Orange City Council Event Sponsorship request | \$ 1000 |
| Total Income | \$ 45750 |
| Expenditure Items (cash) | \$ |
| eg: Marketing – 8 x TV adverts | \$ 2000.00 |
| Trophies | \$ 9000 |
| Course Fees | \$ 17200 |
| Stationery/Printing/Postage | \$ 2500 |
| Catering/Dinner | \$ 15500 |
| NSW Veterans Golf Fees | \$ 460 |
| Sundries | \$ 800 |
| | \$ |
| Total Expenditure | \$ 45460 |
| Total Income and Total Expenditure must equal | \$ |
| In-kind Contributions | \$ Value of In-kind Contributions |
| (People's time/ value: Based on May 2017 to May 2018 Australian Bureau of Statistics (ABS) figures, volunteers are now worth \$41.72 per hour) | |
| eg: letter drop/ street walk – 1 hour, 1 person | \$ 41.72 |
| This is very difficult to calculate as many many hours are put in by numerous people | \$ |
| to plan the event, work out the daily drawers, seeking sponsorships, arranging seating | \$ |
| plans for the Dinner, liaising with the golf clubs, collating results etc etc. At \$41.72 per | \$ |
| hour the total in-kind contributions would be thousands of dollars. | \$ 30000 |
| | \$ |
| | \$ |
| Total In-kind Contribution Value | \$ 30000 |

DECLARATION

On behalf of: (name of organisation if applicable)

☒ I certify to the best of my knowledge that the statements made in this application and any supporting documentation are true.

☒ I understand that should this application be approved by Orange City Council, I may be required to submit any requested Tax Invoices, plans or reports and will be required to enter into an Event Agreement with Council.

☐ I declare that the Organisation will provide all required paperwork, including a Certificate of Currency of Public Liability Insurance (to a minimum of \$10 million) with Orange City Council noted as an interested party.

Signed

Date 26 November 2021

Print name

Position in organisation

The information you provide will be handled in accordance with the Privacy and Personal Information Protection Act 1998. The supply of information by you is voluntary. If you cannot provide or do not wish to provide the information sought, your application may be unable to be processed. Any personal information collected from you will be in order to process your application.



A: 135 Byng Street, Orange
T: 6393 8000
E: council@orange.nsw.gov.au
W: www.orange.nsw.gov.au

EVENT SPONSORSHIP COVER APPLICATION FORM

APPLICANT'S DETAILS

Name of organisation: DRHamming Pty Ltd.

Postal :

Contact

Position

Phone:

Mobile:

Email:

AH:

What is the legal status of your organisation? (eg Incorporated, Association, etc.)

If not-for-profit please attach evidence - such as charter/constitution showing no personal gain will be available to members, charitable status advice or a statutory declaration

Please select: ☒ Profit or ☐ Not-for-Profit

If not-for-profit: ☐ **Constitution, tax ruling or other document confirming not-for-profit status is attached**

Is your group/organisation registered for GST? ☒ Yes ☐ No

If applicable, please provide: ABN: 64 618 084 398 ACN: 618 084 398



A: 135 Byng Street, Orange
T: 6393 8000
E: council@orange.nsw.gov.au
W: www.orange.nsw.gov.au

EVENT SPONSORSHIP COVER APPLICATION FORM

APPLICANT'S DETAILS

Name of organisation: DR Hamina Pty Ltd.

Postal address:

Contact name:

Positic

Phone

Mobile

Email:

AH:

What is the legal status of your organisation? (eg Incorporated, Association, etc.)

If not-for-profit please attach evidence - such as charter/constitution showing no personal gain will be available to members, charitable status advice or a statutory declaration

Please select:

☒ Profit or ☐ Not-for-Profit

If not-for-profit:

☐ **Constitution, tax ruling or other document confirming not-for-profit status is attached**

Is your group/organisation
registered for GST?

☒ Yes ☐ No

If applicable, please provide:

ABN: 64 618 084 398

ACN: 618 084 398

EVENT DETAILS

Name of event: Yu-Gi-Oh! WCA Regional Qualifiers

Location of event: Orange ex-services club

Proposed date/s of event: 15/01/2022

If the event is on Council land/ premises, have you booked this space with Council? ☐ Yes ☐ No N/A

How many people will be involved in your event? (Estimate) 150

How many people will come from outside Orange for the day? (Estimate) 90-120.

How many people will stay overnight? (Estimate) 60-70

Please provide an outline of the event, including a summary of proposed activities and schedule:

The event is a qualifier for the Yu-Gi-Oh! trading card game world championship. The top place getters at this event will receive an invitation to the Oceania level event usually held in June. Players will be participating in 8 rounds of Yu-Gi-Oh! TCG competition.

EVENT BUDGET

Please outline the proposed income and expenditure budget for the event

| Income Source (cash) | | \$ |
|--|----------------------|-----------------------------------|
| eg: Organisation X | | \$ 1000.00 |
| Ticket sales | 150 x 20 | \$ 3000.00 |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| Orange City Council Event Sponsorship request | | \$ 1500.00 1276.5 |
| Total Income | | \$ 4500.00 4276.5 |
| Expenditure Items (cash) | | \$ |
| eg: Marketing - 8 x TV adverts | | \$ 2000.00 |
| Prize Support | | \$ 2668.5 |
| Judge cost | | \$ 400 |
| Judge accomodation | | \$ 228 |
| Venue | | \$ 980. |
| | | \$ |
| | | \$ |
| | | \$ |
| Total Expenditure | | \$ 4276.5 |
| Total Income and Total Expenditure must equal | | \$ |
| In-kind Contributions | | \$ Value of In-kind Contributions |
| (People's time/ value: Based on May 2017 to May 2018 Australian Bureau of Statistics (ABS) figures, volunteers are now worth \$41.72 per hour) | | |
| eg: letter drop/ street walk - 1 hour, 1 person | | \$ 41.72 |
| Tournament planning | 1 person. 6 hours | \$ 250.32. |
| Tournament organising | 2 persons. 10 hours. | \$ 834.4. |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| Total In-kind Contribution Value | | \$ 1084.72. |

DECLARATION

On behalf of: (name of organisation if applicable) ORGANISING PTY LTD.

- ☒ I certify to the best of my knowledge that the statements made in this application and any supporting documentation are true.
- ☒ I understand that should this application be approved by Orange City Council, I may be required to submit any requested Tax Invoices, plans or reports and will be required to enter into an Event Agreement with Council.
- ☒ I declare that the Organisation will provide all required paperwork, including a Certificate of Currency of Public Liability Insurance (to a minimum of \$10 million) with Orange City Council noted as an interested party.

Signed _____

Date 6/12/2021

Print name _____

Position in _____

The information you provide will be handled in accordance with the Privacy and Personal Information Protection Act 1998. The supply of information by you is voluntary. If you cannot provide or do not wish to provide the information sought, your application may be unable to be processed. Any personal information collected from you will be in order to process your application.



A: 135 Byng Street, Orange
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W: www.orange.nsw.gov.au

EVENT SPONSORSHIP COVER APPLICATION FORM

APPLICANT'S DETAILS

Name of organisation: Live at Yours

Postal address:

Contact name:

Position:

Phone:

AH:

Mobile:

Email:

What is the legal status of your organisation? (eg Incorporated, Association, etc.)

If not-for-profit please attach evidence - such as charter/constitution showing no personal gain will be available to members, charitable status advice or a statutory declaration

Please select: ☒ Profit or ☐ Not-for-Profit

If not-for-profit: **Constitution, tax ruling or other document confirming not-for-profit status is attached**

Is your group/organisation registered for GST? ☒ Yes ☐ No

If applicable, please provide: ABN: 39 649 111 213

ACN:

EVENT DETAILS

| | |
|---|---|
| Name of event: | Live at Yours in Orange 2022: |
| Location of event: | Orange Civic Theatre |
| Proposed date/s of event: | 5th March 2022, 31st March 2022, 26th August 2022 |
| If the event is on Council land/ premises, have you booked this space with Council? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| How many people will be involved in your event? (Estimate) | 500 |
| How many people will come from outside Orange for the day? (Estimate) | 100 |
| How many people will stay overnight? (Estimate) | 50 |

Please provide an outline of the event, including a summary of proposed activities and schedule:

Alexander Gavrylyuk is internationally recognised as one of the world's most virtuosic concert pianists, known for his electrifying and poetic performances. Appearing in March for the first time in Orange at the Civic Theatre, Alexander will present a highly virtuosic yet accessible programme ranging from Beethoven's Moonlight sonata to the powerful Rachmaninov second sonata. He has performed at the BBC proms, Carnegie Hall, Sydney Opera House, Concertgebouw Amsterdam to name a few and has appeared as a soloist with the world's leading orchestras. This concert will be Alexander's first appearance in Orange and we believe the event will create quite a buzz for music lovers.

As well as the concert, on April 1st, we will present an open masterclass with Alexander mentoring a young talented pianist from the region at the Orange Conservatorium of music. This will give the local musicians a rare experience to gain insights and polish their craft from an internationally recognised virtuoso.

We believe that presenting such a high profile artist in Orange as well as masterclass, will draw positive attention on Orange as the cultural hub of the region. In turn we believe it will attract tourism, have a positive impact on local business, engage the local community with fine art and inspire the local musical youth.

EVENT BUDGET

Please outline the proposed income and expenditure budget for the event

| Income Source (cash) | \$ |
|--|-----------------------------------|
| eg: Organisation X | \$ 1000.00 |
| ticket sales | \$ 3800 |
| organisation contribution for 3 concerts | \$ 4500 |
| | \$ |
| | \$ |
| | \$ |
| Orange City Council Event Sponsorship request | \$ 2000 |
| Total Income | \$ 10300 |
| Expenditure Items (cash) | \$ |
| eg: Marketing - 8 x TV adverts | \$ 2000.00 |
| marketing, radio ads | \$ 960 |
| Facebook marketing | \$ 350 |
| poster design, programme design, printing and distribution | \$ 400 |
| artist fees + new work commission | \$ 5000 |
| artist travel, accommodation and per diem | \$ 720 |
| photographer | \$ 500 |
| Hire of Orange Civic Theatre (including season brochure inclusion) | \$ 2370 |
| Total Expenditure | \$ 10300 |
| Total Income and Total Expenditure must equal | \$ 0 |
| In-kind Contributions | \$ Value of In-kind Contributions |
| (People's time/ value: Based on May 2017 to May 2018 Australian Bureau of Statistics (ABS) figures, volunteers are now worth \$41.72 per hour) | |
| eg: letter drop/ street walk - 1 hour, 1 person | \$ 41.72 |
| Organisation and Management | \$ 2002.56 |
| | \$ |
| discounted advertising | \$ 960 |
| in kind masterclass by the visiting artists | \$ 2400 |
| | \$ |
| | \$ |
| Total In-kind Contribution Value | \$ 5362.56 |

DECLARATION

On behalf of: (name of organisation if applicable)

- ☒ I certify to the best of my knowledge that the statements made in this application and any supporting documentation are true.
- ☒ I understand that should this application be approved by Orange City Council, I may be required to submit any requested Tax Invoices, plans or reports and will be required to enter into an Event Agreement with Council.
- ☒ I declare that the Organisation will provide all required paperwork, including a Certificate of Currency of Public Liability Insurance (to a minimum of \$10 million) with Orange City Council noted as an interested party.

Signed

Date 11/12/21

Print name

Position

The information you provide will be handled in accordance with the Privacy and Personal Information Protection Act 1998. The supply of information by you is voluntary. If you cannot provide or do not wish to provide the information sought, your application may be unable to be processed. Any personal information collected from you will be in order to process your application.



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E: council@orange.nsw.gov.au
W: www.orange.nsw.gov.au

EVENT SPONSORSHIP COVER APPLICATION FORM

APPLICANT'S DETAILS

Name of organisation:

Postal address:

Contact name:

Position:

Phone:

Mobile:

Email:

What is the legal status of your organisation? (eg Incorporated, Association, etc.)

If not-for-profit please attach evidence – such as charter/constitution showing no personal gain will be available to members, charitable status advice or a statutory declaration

Not For Profit Organisation

Please select:

☐ Profit or ☒ Not-for-Profit

If not-for-profit:

☒ Constitution, tax ruling or other document confirming not-for-profit status is attached

Is your group/organisation
registered for GST?

☒ Yes ☐ No

If applicable, please provide:

ABN: 83 147 459 461

ACN:

EVENT DETAILS

| | |
|--|--|
| Name of event: | White Tie Ball |
| Location of event: | Orange Ex-services Club |
| Proposed date/s of event: | Saturday 22nd May 2022 |
| If the event is on Council land/ premises, have you booked this space with Council? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| How many people will be involved in your event? (Estimate) | 340 guests plus staff of OESC and volunteers |
| How many people will come from outside Orange for the day? (Estimate) | 50-60 guests will attend from outside the Orange area |
| How many people will stay overnight? (Estimate) | 50-60 |
| Please provide an outline of the event, including a summary of proposed activities and schedule: | |
| <p>The White Tie Ball is the annual fundraising event for The Orchard - a crisis centre for women and children escaping domestic violence. The Ball will be held on Saturday 21st May, and with the current restrictions in place we are hoping to sell 340 tickets to the Ball. The event will be held at the Orange Ex-Services Club, providing revenue for a local business.</p> <p>Our out of town guests - we estimate 50-60 people, will be staying in Orange, and we will encourage them to tour the region and to take advantage of the tourism opportunities available to them.</p> <p>We are working with local businesses to set up the event. Our decorator is Rachel Brooking from Simply Centrepieces.</p> <p>Our local wineries will receive valuable exposure for their wines that they are donating for the event.</p> <p>Local businesses are donating goods and services to support fundraising activities on the night, and will receive promotion prior to the event and to our guests at the event.</p> <p>The beneficiaries of the money raised from the event will be members of the Orange community, women and children escaping domestic violence.</p> <p>The White Tie Ball is an event organised by a local business, to benefit the local community.</p> <p>Guests will enjoy a 3 course meal provided by the OESC, who use local producers where possible.</p> <p>The entertainment provided has been organised by a local business.</p> <p>The prizes and giveaways on the night will benefit local businesses with increased sales.</p> <p>We would like Orange City Council to use their sponsorship to purchase Shop Orange vouchers for us to use as prizes for the fundraising activities at the event. This would have the double benefit of supporting local Orange businesses and the opportunity for Orange City Council to support a local community fundraising event that raises money to support women and children escaping domestic violence.</p> | |

EVENT BUDGET

Please outline the proposed income and expenditure budget for the event

| Income Source (cash) | \$ |
|--|-----------------------------------|
| eg: Organisation X | \$ 1000.00 |
| Sponsorship | \$ 20,000 est only |
| Ticket Sales | \$ 45,000 est only |
| Fundraising | \$ 10,000 est only |
| | \$ |
| | \$ |
| Orange City Council Event Sponsorship request | \$ 5,500 |
| Total Income | \$ 80,500 |
| Expenditure Items (cash) | \$ |
| eg: Marketing - 8 x TV adverts | \$ 2000.00 |
| | \$ |
| Catering and Venue expenses | \$ 20,000 |
| Decorating | \$ 4,000 |
| Entertainment | \$ 5,000 |
| Donation to The Orchard | \$ 51,500 |
| | \$ |
| | \$ |
| Total Expenditure | \$ 80,500 |
| Total Income and Total Expenditure must equal | \$ 80,500 |
| In-kind Contributions | \$ Value of In-kind Contributions |
| (People's time/ value: Based on May 2017 to May 2018 Australian Bureau of Statistics (ABS) figures, volunteers are now worth \$41.72 per hour) | |
| eg: letter drop/ street walk - 1 hour, 1 person | \$ 41.72 |
| Volunteers (8 committee members) - 80 hours over 12 months | \$ 26,720 |
| Donations from businesses | \$ 25,232 |
| In Kind Sponsorship | \$ 18,145 |
| | \$ |
| | \$ |
| | \$ |
| Total In-kind Contribution Value | \$ 70,097 |

DECLARATION

On behalf of: (name of organisation if applicable)

-
- ☒ I certify to the best of my knowledge that the statements made in this application and any supporting documentation are true.
-
- ☒ I understand that should this application be approved by Orange City Council, I may be required to submit any requested Tax Invoices, plans or reports and will be required to enter into an Event Agreement with Council.
-
- ☒ I declare that the Organisation will provide all required paperwork, including a Certificate of Currency of Public Liability Insurance (to a minimum of \$10 million) with Orange City Council noted as an interested party.
-

Signed

6.1.2022

Print name

Position in organisation

The information you provide will be handled in accordance with the Privacy and Personal Information Protection Act 1998. The supply of information by you is voluntary. If you cannot provide or do not wish to provide the information sought, your application may be unable to be processed. Any personal information collected from you will be in order to process your application.

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

RECORD NUMBER: 2022/296

AUTHOR: Tony Boland, Business Projects Officer

EXECUTIVE SUMMARY

Council's Small Donations Program is guided by Strategic Policy - ST029 Donations and Grants. This report is the assessment and recommendation of the applications received for Round 4 of that Program in financial year 2021/2022 Council can approve community financial assistance in accordance with Section 356 of the *Local Government Act 1993*.

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 when in compliance with ST029 Donations and Grants policy. The remaining available budget for the Small Donations Program for 2021/2022 is \$20,713.64. This report recommends the approval of \$10,250 in cash donations and \$500 of in-kind contribution. There is also an application that has no specific amount that Council may consider.

POLICY AND GOVERNANCE IMPLICATIONS

Applications are assessed in accordance with ST029 Donations and Grants Policy.

RECOMMENDATION

That Council:

- 1) resolves to make the following donations from the Small Donations Program:**
 - (a) That \$2,000.00 be donated to the Lions Club of Orange for “Give Me Change For Kids” program**
 - (b) That \$2,000.00 be donated to the 3rd Orange Scouts for operational expenses (not being insurance)**
 - (c) That \$1,500.00 be donated to the Shepherd Centre to assist with their program “Talk Together Connection” for the parents of deaf children**
 - (d) That \$500.00 be donated to the Orange Show Society for prizes at the Orange Show**
 - (e) That \$500.00 be donated to the CWA Central Western Group for prizes for their annual public speaking competition**
 - (f) That \$2,500.00 be donated to Lonely Mountain Ultra Incorporated to host an inaugural high altitude running event that is likely to become an annual event**
 - (g) That \$500 be donated to Lachlan Thompson to assist with travel costs to the Australian Age Championships for swimming**
 - (h) That \$750 be donated to the Orange Netball Association as contribution to travel to state titles.**
- 2) determines what level of support, if any, is provided to Team Shake, Rattle and Roll to participate in a rally to raise funds for the Cancer Council**
- 3) approves the reallocation of previously donated funds for the Orange Regional Malayalee Association**

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 had previously funded the Orange Regional Malayalee Association for an event during Onam (the first month of the Malayalam calendar known as Chingam). This event was cancelled due to Covid and the organisation requested to hold a Christmas event instead. The Christmas event was cancelled (also due to Covid) and the Association is now seeking permission to use the funds to host an Easter event. This is considered consistent with the purpose for which the original funds were donated.

The following is a summary of the applications for assistance under the small donations program.

| | |
|---------------------------------|---|
| Applicant | Orange Lions Club |
| Assistance Would Support | Give Me Change for Kids (formerly Give Me 5 for Kids) which is a special club project that raises funds to purchase equipment for the Children's Ward at the Orange Local Area Health Service. The type of equipment purchased allows more children to be treated locally which places less stress on the family. This request is a contribution towards an overall fundraising target of \$40,000. |
| Amount Requested | \$2,000.00. |
| Policy Category | Project or equipment purchase |
| Category Maximum | \$2,500.00. |
| Complies With Policy | Policy requests three written quotes. However, given the nature of this fundraising effort (i.e. the club is requesting a contribution to a larger target), and at this stage the equipment the hospital requires is yet to be determined, it would be appropriate to waive this requirement on this occasion and provide a contribution to meet the overall target. |
| Recommendation | \$2,000.00 |

| | |
|---------------------------------|--|
| Applicant | Scout Association of Australia NSW Branch - 3rd Orange Scout Group |
| Assistance Would Support | The funds from this grant would be used to help pay Orange City Council rates for FY2021/2022 and keep the doors open. As a result of COVID-19 the group and reduced opportunities for fundraising activities such as BBQs and raffles, the group's finances have been impacted to the tune of around \$8,000.00/yr. |
| Amount Requested | \$2,000.00 |
| Policy Category | Providing a community service |
| Category Maximum | \$2,500.00 |
| Complies With Policy | Yes |
| Recommendation | \$2,000.00 |

| | |
|---------------------------------|---|
| Applicant | The Shepherd Centre – for deaf children |
| Assistance Would Support | To provide parents of children with hearing loss from the Orange area with the fundamental skills and knowledge they need to support their child in developing listening, speech and language skills. |
| Amount Requested | \$1,500.00 |
| Policy Category | Providing a community service |
| Category Maximum | \$2,500.00 |
| Complies With Policy | Yes |
| Recommendation | \$1,500.00 |

| | |
|---------------------------------|---|
| Applicant | Orange Show Society |
| Assistance Would Support | Provision of prizes for exhibitions |
| Amount Requested | Not specified |
| Policy Category | Prize giving |
| Category Maximum | \$500.00 |
| Complies With Policy | Yes – but did not complete the application form |
| Recommendation | \$500.00 – subject to submission of appropriate documentation |

| | |
|---------------------------------|--|
| Applicant | CWA – Central Western Group |
| Assistance Would Support | Provision of prizes for exhibitions. Our Schools Public Speaking Competition is a regional competition across Orange/ Bathurst/ Cabonne/ Blayney and Cowra Council areas. The competition has been running for 29 years for the benefit of students from Years 3 to Year 12. |
| Amount Requested | \$500.00 |
| Policy Category | Prize giving |
| Category Maximum | \$500.00 |
| Complies With Policy | Yes |
| Recommendation | \$500.00 |

| | |
|---------------------------------|---|
| Applicant | Lonely Mountain Ultra Inc |
| Assistance Would Support | We are seeking start-up funds for our event. This will be an ongoing event, held each year from 2022. From setting up our not-for-profit incorporated association to marking the course for the event, we require financial assistance to get the event going. It is anticipated that the Lonely Mountain Ultra in its inaugural year will attract more than 500 competitors. |
| Amount Requested | \$2,500.00 |
| Policy Category | Prize giving |
| Category Maximum | \$2,500.00 |
| Complies With Policy | Yes |
| Recommendation | \$2,500.00 |

| | |
|---------------------------------|--|
| Applicant | Lachlan Thompson |
| Assistance Would Support | Travel to Australian Age Championships |
| Amount Requested | N/A |
| Policy Category | Community event |
| Category Maximum | \$500.00 |
| Complies With Policy | Yes |
| Recommendation | \$500.00 |

| | |
|---------------------------------|---|
| Applicant | Hayley Good & Brendan Jones (Team Shake, Rattle & Roll) |
| Assistance Would Support | Participation in Mystery Box Rally to raise funds for the Cancer Council. |
| Amount Requested | Not specified |
| Policy Category | Projects or equipment purchase or providing a community service |
| Category Maximum | \$2,500.00 |
| Complies With Policy | Whilst the application does not stipulate that the funds will remain in Orange, Council has approved funding for the Cancer Council in the past and can consider supporting this as well. |
| Recommendation | Council to determine level of support, if any. |

| | |
|---------------------------------|---|
| Applicant | Orange City Rugby Club |
| Assistance Would Support | To cover the cost of line marking for the U/10's Rugby Tournament |
| Amount Requested | \$500.00 in-kind |
| Policy Category | Projects or Equipment Purchase or Providing a Community Service |
| Category Maximum | \$1,000.00 |
| Complies With Policy | Yes |
| Recommendation | \$500.00 in-kind |

| | |
|---------------------------------|---|
| Applicant | Orange Netball Association |
| Assistance Would Support | Representation at State Titles for Under 12's, 13's, 14's, 15's, 17's & Opens |
| Amount Requested | \$750.00 |
| Policy Category | Sports participation program |
| Category Maximum | \$750.00 |
| Complies With Policy | Yes |
| Recommendation | \$750.00 |

ATTACHMENTS

- 1 Redacted - Orange Regional Malayalee Association, IC22/6260 [📄](#)
- 2 Redacted - CWA - Small Donations Application, IC22/6279 [📄](#)
- 3 Redacted - Lonely Mountain Ultra - Small donations application, IC22/6280 [📄](#)
- 4 Redacted - Orange Lions Club - Small Donations Application, IC22/6281 [📄](#)
- 5 Redacted - 3rd Orange Scouts - Small Donations Application, IC22/6282 [📄](#)
- 6 Redacted - The Shepherd Centre - Small Donations Application, IC22/6283 [📄](#)
- 7 Redacted - Orange Show Society - Small Donations letter of request, IC22/6284 [📄](#)
- 8 Redacted - Lachlan Thompson - Small Donation Application, IC22/6285 [📄](#)
- 9 Redacted - Team Shake Rattle and Roll - Small donations letter, IC22/6286 [📄](#)
- 10 Redacted - Orange Male Voice Choir - Small Donation Application, IC22/6287 [📄](#)
- 11 Redacted - Orange City Rugby Club - Small Donations Application, IC22/6288 [📄](#)
- 12 Redacted - Orange Netball Association - Small Donations Application, IC22/6303 [📄](#)

Tony Boland

From: [REDACTED]
Sent: Wednesday, 16 February 2022 1:30 PM
To: Linda McFadden
Cc: Orange City Council
Subject: Re: Approval of your request to change the use of a donation - 2021/2022

Good afternoon Linda,

My name is Sabu Joseph from Orange Regional Malayalee Association.

As we could not organise both Christmas and Onam celebrations, we have not yet used this donation.

We are planning for an Easter gathering, but if that also doesn't happen, I can ask the Financial person to refund the money (\$2,500.00).

Definitely, this year's Onam celebration will take place in August / September 2022.

If I may ask, when would be the last day to apply for a Small Donation for an event in August/September 2022?

Kind Regards,
[REDACTED]

From: Orange City Council <council@orange.nsw.gov.au>
Sent: Friday, 10 September 2021 2:02 PM
To: [REDACTED]
Subject: Approval of your request to change the use of a donation - 2021/2022

[REDACTED]
Orange Regional Malayalee Association (ORMA)
[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]

**REQUEST FOR FINANCIAL ASSISTANCE - 2021/2022 FINANCIAL YEAR
CHANGE OF USE OF DONATION - FROM COMMUNITY EVENT (ONAM - SOUTH INDIAN FESTIVAL) TO
COMMUNITY EVENT (CHRISTMAS/NEW YEAR EVENT)**

Council has considered your request to change the use of a donation under this financial year's program. Council, at its meeting on 7 September 2021 (resolution no 21/309 (Part 1)) resolved:

That it is confirmed that the donation of \$2,500.00 made from the Small Donations Program to Orange Regional Malayalee Association for Community Event (Onam - South Indian Festival) can now be used for a Christmas/New Year event (in line with any COVID-19 restrictions).

Every donation requires the completion and return of an Acquittal Form. At the completion of your event or project or, if the donation is for the whole financial year, before the end of the current financial year,



A: 135 Byng Street, Orange
T: 6393 8000
E: council@orange.nsw.gov.au
W: www.orange.nsw.gov.au

SMALL DONATIONS PROGRAM - APPLICATION FORM

General donations

APPLICANT'S DETAILS

Name of organisation: Country Women's Association of NSW - Central Western Group

Contact name:

Position:

Postal address

Phone:

Email:

What is the legal status of your organisation? (eg Incorporated, Association, etc.)

If not-for-profit please attach evidence - such as charter/constitution showing no personal gain will be available to members, charitable status advice or a statutory declaration

NSW legislation
Country Women's Association of New South Wales Incorporation
Act 1933 (Private Act)

Please select:

☐ Profit or ☒ Not-for-Profit

If not-for-profit:

☒ Constitution, tax ruling or other document confirming not-for-profit status is attached

Is your group/organisation registered for GST?

☒ Yes ☐ No

If applicable, please provide: ABN: 82 318 909 926

ACN:

BANK ACCOUNT DETAILS FOR PAYMENT

BSB No:

Account Name:

Bank:

YOUR ORGANISATION

Please describe your organisation and its purpose

Our Country Women's Association of NSW Central Western Group is a non for profit organisation. Members work tirelessly for the betterment of a our cities, towns and villages.

We fundraise and donate to worthy causes, hold events that are relevant to women and children, supply education grants, and assist our communities in any way we can.

Country Women's Association of New South Wales Incorporation Act 1931.

REASON FOR APPLYING FOR FINANCIAL ASSISTANCE

Please describe your project, equipment purchase, community service, community event (including the date of the event) or other eligible category listed in the ST029 Donations and Grants Policy

Our Schools Public Speaking Competition is a regional competition across Orange/Bathurst/Cabonne/Blayney and Cowra Council areas. The competition has been running for 29 years for the benefit of students from Years 3 to Year 12.

It is a great opportunity for the students to gain confidence in Public Speaking, especially the students going on to higher education.

The event will be held in Orange CWA rooms from Monday 23rd May to Thursday 26th May 2022

Expenses include information sent (twice) to all schools, printing of certificates for all participants, also certificates for all 1st, 2nd and highly commended winners, book prizes to the winning schools participating, stationery and postage, lunch for non CWA judges and money prizes to winning students,

YOUR COSTS, COST OF PROJECT OR PURCHASE OF EQUIPMENT OR COMMUNITY EVENT (OR ELIGIBLE CATEGORY) AND YOUR CONTRIBUTION

Please attach evidence of your costs. For purchase equipment, please attach three quotations.

| | |
|--|---------|
| Your costs | \$ 2505 |
| Your contribution | \$ 700 |
| Your voluntary contribution | \$ 1475 |
| Amount required from Council (eligible amounts are listed in the ST029 Donations and Grants Policy) | \$ 500 |

DONATION CATEGORY**Which category are you applying under?**

- ☐ Projects or Equipment Purchase or Providing a Community Service
- ☐ Community Events (not being Event Sponsorship)
- ☐ Non-sport Individuals or Teams Representing Orange at a National Event or at an Overseas Event
- ☒ Prize Giving (Central Women's Association (CWA) or Orange Eisteddfod)
- ☐ Grand Finals, Carnivals/Championships and Invitationals

ALIGNMENT TO COUNCIL'S STRATEGIC COMMUNITY PLAN**Which Theme/s is your project, purchase equipment community event (or other eligible category) under?**☒ **LIVE - A healthy, safe, inclusive and vibrant community**

This theme recognises the importance of encouraging healthy lifestyles, community pride and a sense of belonging. This can be achieved by maintaining a safe, caring and connected community, with active community participation supported by enhanced cultural and recreational facilities and services that cater for all of our residents. The beautiful parks, gardens and natural assets of our City are amongst our most cherished assets and contribute to making Orange a desirable place to live, work and play.

☒ **PRESERVE - Balancing the natural and built environment**

This theme ensures that the unique natural, cultural, social and historical aspects of our community are preserved while recognising the need for growth and development. The community was strong in its desire to be more sustainable by promoting renewable energy, reducing waste and protecting our natural resources. There is also an expectation for infrastructure to support a growing City, with roads, footpaths, parking and a vibrant CBD seen as priorities.

☒ **PROSPER - A smart, innovate and resilient economy**

This theme focuses on providing the community with positive choices for investment, employment and study. It includes strengthening and diversifying our economy by targeting new and innovative industries, as well as fostering our existing strengths such as medical services, mining, local food and wine production and tourism. Orange residents are keen to see more engagement between Council, local business and industry and the education providers.

☒ **COLLABORATE - Leadership and partnership**

This theme looks at forging a collaborative community that engages with open and ongoing decision making. Developing future leaders and supporting community groups to deliver services and programs were identified as priorities during the consultation. The community is looking to Council to provide leadership, guidance and responsive governance.

LOCAL BUSINESS USE**Will you be supporting local businesses? Please list any local business that you will be using and the level of expenditure.**

| Business | Expenditure |
|-------------------|-------------|
| Printflow | \$ 450 |
| Office Works | \$ 375 |
| Ashcrofts IGA | \$ 380 |
| Collins Bookstore | \$ 300 |
| Australia Post | \$ 100 |
| | \$ |

DECLARATION

On behalf of: (name of organisation if applicable)

☒ I certify to the best of my knowledge that the statements made in this application and any supporting documentation are true.

Signed

Date 17th January 2022

Print name

Position in

The information you provide will be handled in accordance with the Privacy and Personal Information Protection Act 1998. The supply of information by you is voluntary. If you cannot provide or do not wish to provide the information sought, your application may be unable to be processed. Any personal information collected from you will be in order to process your application.



**ORANGE
CITY COUNCIL**

A: 135 Byng Street, Orange
T: 6393 8000
E: council@orange.nsw.gov.au
W: www.orange.nsw.gov.au

SMALL DONATIONS PROGRAM - APPLICATION FORM

General donations

APPLICANT'S DETAILS

Name of organisation: Lonely Mountain Ultra Inc

Contact name:

Position:

Postal address

Phone:

Email:

What is the legal status of your organisation? (eg Incorporated, Association, etc.)

If not-for-profit please attach evidence - such as charter/constitution showing no personal gain will be available to members, charitable status advice or a statutory declaration

Association

Please select: ☐ Profit or ☒ Not-for-Profit

If not-for-profit: ☒ Constitution, tax ruling or other document confirming not-for-profit status is attached

Is your group/organisation registered for GST? ☐ Yes ☒ No

If applicable, please provide: ABN: 43673278801 ACN:

BANK ACCOUNT DETAILS FOR PAYMENT

BSB No:

Account Name:

Bank:

YOUR ORGANISATION

Please describe your organisation and its purpose

The Lonely Mountain Ultra Inc Association has been formed to bring an Ultra Running sporting event to the Central West.

The Lonely Mountain Ultra is a trail running festival being held on Mount Canobolas and its surrounds. An event for all friends and family to enjoy, starting with a kids race (2-5kms), Beginners (21kms), Intermediate (30kms), Ultras (50 & 100km).

A yearly event that will bring friends, family and participants all the highlights that Orange & district has to offer.

REASON FOR APPLYING FOR FINANCIAL ASSISTANCE

Please describe your project, equipment purchase, community service, community event (including the date of the event) or other eligible category listed in the ST029 Donations and Grants Policy

YOUR COSTS, COST OF PROJECT OR PURCHASE OF EQUIPMENT OR COMMUNITY EVENT (OR ELIGIBLE CATEGORY) AND YOUR CONTRIBUTION

Please attach evidence of your costs. For purchase equipment, please attach three quotations.

| | |
|--|---------|
| Your costs | \$ |
| Your contribution | \$ |
| Your voluntary contribution | \$ |
| Amount required from Council (eligible amounts are listed in the ST029 Donations and Grants Policy) | \$ 2500 |

DONATION CATEGORY

Which category are you applying under?

- ☐ Projects or Equipment Purchase or Providing a Community Service
- ☒ Community Events (not being Event Sponsorship)
- ☐ Non-sport Individuals or Teams Representing Orange at a National Event or at an Overseas Event
- ☐ Prize Giving (Central Women's Association (CWA) or Orange Eisteddfod)
- ☐ Grand Finals, Carnivals/Championships and Invitationals

ALIGNMENT TO COUNCIL'S STRATEGIC COMMUNITY PLAN

Which Theme/s Is your project, purchase equipment community event (or other eligible category) under?

- ☒ **LIVE - A healthy, safe, inclusive and vibrant community**
This theme recognises the importance of encouraging healthy lifestyles, community pride and a sense of belonging. This can be achieved by maintaining a safe, caring and connected community, with active community participation supported by enhanced cultural and recreational facilities and services that cater for all of our residents. The beautiful parks, gardens and natural assets of our City are amongst our most cherished assets and contribute to making Orange a desirable place to live, work and play
- ☐ **PRESERVE - Balancing the natural and built environment**
This theme ensures that the unique natural, cultural, social and historical aspects of our community are preserved while recognising the need for growth and development. The community was strong in its desire to be more sustainable by promoting renewable energy, reducing waste and protecting our natural resources. There is also an expectation for infrastructure to support a growing City, with roads, footpaths, parking and a vibrant CBD seen as priorities.
- ☐ **PROSPER - A smart, innovative and resilient economy**
This theme focuses on providing the community with positive choices for investment, employment and study. It includes strengthening and diversifying our economy by targeting new and innovative industries, as well as fostering our existing strengths such as medical services, mining, local food and wine production and tourism. Orange residents are keen to see more engagement between Council, local business and industry and the education providers.
- ☐ **COLLABORATE - Leadership and partnership**
This theme looks at forging a collaborative community that engages with open and ongoing decision making. Developing future leaders and supporting community groups to deliver services and programs were identified as priorities during the consultation. The community is looking to Council to provide leadership, guidance and responsive governance.

LOCAL BUSINESS USE

Will you be supporting local businesses? Please list any local business that you will be using and the level of expenditure.

| Business | Expenditure |
|----------|-------------|
| | \$ |
| | \$ |
| | \$ |
| | \$ |
| | \$ |
| | \$ |

DECLARATION

On behalf of: (name of organisation if applicable)

☒ I certify to the best of my knowledge that the statements made in this application and any supporting documentation are true.

Signed

Date

26/1/22

Print name

Position in

The information you provide will be handled in accordance with the Privacy and Personal Information Protection Act 1998. The supply of information by you is voluntary. If you cannot provide or do not wish to provide the information sought, your application may be unable to be processed. Any personal information collected from you will be in order to process your application.

Tony Boland

From: Lonely Mountain Ultra - Treasurer
Sent: Friday, 4 March 2022 12:38 PM
To: Orange City Council
Subject: Lonely Mountain Ultra Grant Application
Attachments: RDA Central West Letter of support BBRF6 Lonely Mountain Ultra Project 8 Feb 2022.pdf; Phil Donato Lonely Mountain Ultra - BBRF - Letter of Support.pdf; Orange City Council D22 6657 Letter of Support - Trail Running Event October 2022 Lonely Mountain Ultra Inc. Assc.pdf; Cabonne Council letter of support Lonely Mountain.pdf

Hi

Further to my earlier application pls find attached additional information. Below is information detailing the reason for applying which for some reason did not print out last time:

We are seeking start-up funds for our event. This will be an ongoing event, held each year from 2022. From setting up our not-for-profit incorporated association to marking the course for the event, we require financial assistance to get the event to the start line. It is anticipated that the Lonely Mountain Ultra in its inaugural year will attract more than 500 competitors to the start line. At the initial (pre-formation) meeting with one Facebook announcement we had 16 members come and discuss the concept and the desire and motivation to create this event. We have an Association member base of 22 members, and it is growing, all of whom soundly understand the race scene and or have extensive club and event management experience.

A grant of \$2,500 will help with the purchase of the following start-up items:

Logo design \$350
Website \$500
Merchandise \$650
Timing equipment/hire \$1000

An example scenario of how this event will financially support our community, and place Orange on the destination calendar annually:

Two people travel from Sydney for the event:

\$500 Accommodation
\$100 Incidentals (incl. Coffee and snacks)
\$300 Eating out
\$200 Other purchases

Therefore, if 50% of the 500 participants travel to Orange and spend this amount over 2 nights, this event could deliver a conservative \$137 500 directly to local businesses.

The total estimated in-kind contribution from the committee and members to this event/project is: 3 550 hours. This equates to approx. \$18 250 of in-kind labour, not including volunteer's contribution required on the weekend of the event.

Excess event funds will be donated to a local charity.

Since we a newly established organisation we are not yet able to provide detailed cost projections, but some items we do know we will incur are the reason we are seeking the start up funds.

Please let me know if there is any further information which you require.

Thanks

Lonely Mountain Ultra
www.lonelymountainultra.com.au





A: 135 Byng Street, Orange
T: 6393 8000
E: council@orange.nsw.gov.au
W: www.orange.nsw.gov.au

SMALL DONATIONS PROGRAM - APPLICATION FORM

General donations

APPLICANT'S DETAILS

Name of organisation: Orange Lions Club

Contact name:

Position:

Postal address

Phone:

Email:

What is the legal status of your organisation? (eg Incorporated, Association, etc.)

If not-for-profit please attach evidence - such as charter/constitution showing no personal gain will be available to members, charitable status advice or a statutory declaration

Service Club - Charitable Fundraising Certificate and Certificate of incorporation

Please select:

☐ Profit or ☒ Not-for-Profit

If not-for-profit:

☐ Constitution, tax ruling or other document confirming not-for-profit status is attached

Is your group/organisation registered for GST?

☐ Yes ☒ No

If applicable, please provide:

ABN: 98193972407

ACN:

BANK ACCOUNT DETAILS FOR PAYMENT

BSB No:

Account Name:

Bank:

YOUR ORGANISATION

Please describe your organisation and its purpose

Orange Lions Club is a voluntary Service Club set up to undertake humanitarian aid in the community. The Club assists many needy groups in the community

One of the most important things the Club looks after is the administration of Give Me Change for Kids (formally Give Me 5 For Kids. Slight name change is only thing that is different) which is a special club project that raises funds to purchase much needed specialised equipment for the Childrens Ward at the Orange Local Area Health Service. The type of equipment purchased allows more children to be treated locally which places less stress on the family

REASON FOR APPLYING FOR FINANCIAL ASSISTANCE

Please describe your project, equipment purchase, community service, community event (including the date of the event) or other eligible category listed in the ST029 Donations and Grants Policy

The Grant would fit into the small donation category

The club wishes to apply for for a grant of \$2,000 from Council to assist in purchasing some equipment for the childrens ward. The items purchased will depend on the money raised but we are looking at least \$40,000 worth of equipment based on advice received from the Hospital.

It is impossible at this stage to get quotes as we do not know what we will be purchasing but the project would also be categorised in the Grant Process as a project providing a service to the Community

YOUR COSTS, COST OF PROJECT OR PURCHASE OF EQUIPMENT OR COMMUNITY EVENT (OR ELIGIBLE CATEGORY) AND YOUR CONTRIBUTION

Please attach evidence of your costs. For purchase equipment, please attach three quotations.

| | |
|--|------------|
| Your costs | \$ \$5000 |
| Your contribution | \$ \$15000 |
| Your voluntary contribution | \$ \$23000 |
| Amount required from Council (eligible amounts are listed in the ST029 Donations and Grants Policy) | \$ \$2000 |

DONATION CATEGORY

Which category are you applying under?

- ☒ Projects or Equipment Purchase or Providing a Community Service
- ☐ Community Events (not being Event Sponsorship)
- ☐ Non-sport Individuals or Teams Representing Orange at a National Event or at an Overseas Event
- ☐ Prize Giving (Central Women's Association (CWA) or Orange Eisteddfod)
- ☐ Grand Finals, Carnivals/Championships and Invitationals

ALIGNMENT TO COUNCIL'S STRATEGIC COMMUNITY PLAN

Which Theme/s is your project, purchase equipment community event (or other eligible category) under?

☒ **LIVE - A healthy, safe, inclusive and vibrant community**
This theme recognises the importance of encouraging healthy lifestyles, community pride and a sense of belonging. This can be achieved by maintaining a safe, caring and connected community, with active community participation supported by enhanced cultural and recreational facilities and services that cater for all of our residents. The beautiful parks, gardens and natural assets of our City are amongst our most cherished assets and contribute to making Orange a desirable place to live, work and play.

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☐ **PROSPER - A smart, innovate and resilient economy**
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☐ **COLLABORATE - Leadership and partnership**
This theme looks at forging a collaborative community that engages with open and ongoing decision making. Developing future leaders and supporting community groups to deliver services and programs were identified as priorities during the consultation. The community is looking to Council to provide leadership, guidance and responsive governance.

LOCAL BUSINESS USE

Will you be supporting local businesses? Please list any local business that you will be using and the level of expenditure.

| Business | Expenditure |
|-------------------------------|-------------|
| Razzle Dazzle print and promo | \$ 1305 |
| Frame effect | \$ \$550 |
| | \$ |
| | \$ |
| | \$ |
| | \$ |

DECLARATION

On behalf of: (name of organisation if applicable)

☒ I certify to the best of my knowledge that the statements made in this application and any supporting documentation are true.

Signed

Date 2/2/2022

Print name

Position in org

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T: 6393 8000
E: council@orange.nsw.gov.au
W: www.orange.nsw.gov.au

SMALL DONATIONS PROGRAM - APPLICATION FORM

General donations

APPLICANT'S DETAILS

Name of organisation: Scout Association of Australia NSW Branch - 3rd Orange Scout Group

Contact name:

Position:

Postal address 0

Phone:

Mobile:

Email:

What is the legal status of your organisation? (eg Incorporated, Association, etc.)

If not-for-profit please attach evidence - such as charter/constitution showing no personal gain will be available to members, charitable status advice or a statutory declaration

Incorporated not-for-profit association/charity for children and youth

Please select:

☐ Profit or ☒ Not-for-Profit

If not-for-profit:

☐ Constitution, tax ruling or other document confirming not-for-profit status is attached

Is your group/organisation registered for GST?

☒ Yes ☐ No

If applicable, please provide: ABN: 42 460 434 054

ACN:

BANK ACCOUNT DETAILS FOR PAYMENT

BSB No:

Account No:

Account Name:

Bank:

YOUR ORGANISATION

Please describe your organisation and its purpose

Scouts NSW is part of the larger worldwide scouting movement that has shaped the development of youth and adults for more than 100 years. Scouts are in every part of our community, and Scouts is the biggest and most successful youth organisation in Australia. More than 20,000 boys, girls, and adults in New South Wales from wide cultural or religious backgrounds or with an intellectual or physical disability enjoy an almost unlimited range of activities.

The aim of the Scout Association of Australia is to encourage the physical, intellectual, emotional, social and spiritual development of young people so that they take a constructive place in society as responsible citizens, and as members of their local, national and international communities.

REASON FOR APPLYING FOR FINANCIAL ASSISTANCE

Please describe your project, equipment purchase, community service, community event (including the date of the event) or other eligible category listed in the ST029 Donations and Grants Policy

The funds from this grant would be used to help pay Orange City Council rates for FY2021/22 and keep our doors open. This, in turn, will allow us to continue providing opportunities for activities, education, physical skills, life skills and leadership building to the youth of Orange.

The COVID-19 pandemic has had a severe impact on scouting as a whole, and on our membership numbers. Even though we have continued to provide scouting activities through multiple lockdowns through online platforms such as Zoom and Teams, and physically-distanced face-to-face activities post-lockdown, our membership has shrunk by 15 youth as a result of COVID-19. This has created a \$6600/yr hole in our finances. Combined with the reduced opportunities for fundraising activities such as BBQs and raffles, the group's finances have been impacted to the tune of around \$8000/yr.

Inclusive, adventurous activities and building the leaders of tomorrow are at the core of the Scouts Australia program. Scouting gives youth an opportunity to be their best selves, by building their knowledge and skills in a range of areas, and gaining recognition for achieving various levels of proficiency in these areas. Scouting builds skills in young people such as leadership, teamwork, problem solving and communication from the age of 5 years old (Joey Scouts).

This grant will help us to continue with our traditional Scouts Australia Program offerings of camping, survival skills and bushcraft, through to more extreme challenges such as abseiling, overnight hiking, rafting, canoeing, canyoning, spelunking, rock climbing, sailing and even flying. The Scouts Australia Program also incorporates contemporary issues such as youth health, 'responsible risk-taking', vocational skills, and issues pertinent to Indigenous Australians.

A commitment to creating a better world is more than 'service'. 3rd Orange Scout Group is about being active and visible in the local community. The Orange community is richer for the contribution that scouting can make and for what our youth can bring. This grant would allow us to continue adding to this richness.

YOUR COSTS, COST OF PROJECT OR PURCHASE OF EQUIPMENT OR COMMUNITY EVENT (OR ELIGIBLE CATEGORY) AND YOUR CONTRIBUTION

Please attach evidence of your costs. For purchase equipment, please attach three quotations.

| | |
|--|---------|
| Your costs | \$ |
| Your contribution | \$ |
| Your voluntary contribution | \$ |
| Amount required from Council (eligible amounts are listed in the ST029 Donations and Grants Policy) | \$ 2000 |

DONATION CATEGORY**Which category are you applying under?**

- ☒ Projects or Equipment Purchase or Providing a Community Service
- ☐ Community Events (not being Event Sponsorship)
- ☐ Non-sport Individuals or Teams Representing Orange at a National Event or at an Overseas Event
- ☐ Prize Giving (Central Women's Association (CWA) or Orange Eisteddfod)
- ☐ Grand Finals, Carnivals/Championships and Invitationals

ALIGNMENT TO COUNCIL'S STRATEGIC COMMUNITY PLAN**Which Theme/s is your project, purchase equipment community event (or other eligible category) under?**

- ☒ **LIVE - A healthy, safe, inclusive and vibrant community**
This theme recognises the importance of encouraging healthy lifestyles, community pride and a sense of belonging. This can be achieved by maintaining a safe, caring and connected community, with active community participation supported by enhanced cultural and recreational facilities and services that cater for all of our residents. The beautiful parks, gardens and natural assets of our City are amongst our most cherished assets and contribute to making Orange a desirable place to live, work and play.
- ☐ **PRESERVE - Balancing the natural and built environment**
This theme ensures that the unique natural, cultural, social and historical aspects of our community are preserved while recognising the need for growth and development. The community was strong in its desire to be more sustainable by promoting renewable energy, reducing waste and protecting our natural resources. There is also an expectation for infrastructure to support a growing City, with roads, footpaths, parking and a vibrant CBD seen as priorities.
- ☐ **PROSPER - A smart, innovate and resilient economy**
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- ☒ **COLLABORATE - Leadership and partnership**
This theme looks at forging a collaborative community that engages with open and ongoing decision making. Developing future leaders and supporting community groups to deliver services and programs were identified as priorities during the consultation. The community is looking to Council to provide leadership, guidance and responsive governance.

LOCAL BUSINESS USE**Will you be supporting local businesses? Please list any local business that you will be using and the level of expenditure.**

| Business | Expenditure |
|----------|-------------|
| | \$ |
| | \$ |
| | \$ |
| | \$ |
| | \$ |
| | \$ |

DECLARATION

On behalf of: (name of organisation if applicable)

☒ I certify to the best of my knowledge that the statements made in this application and any supporting documentation are true.

Signed

Peter Calder

Digitally signed by Peter Calder

Date: 2022.02.04 12:53:55 +11'00'

Date

Print name

Position in organisation

The information you provide will be handled in accordance with the Privacy and Personal Information Protection Act 1998. The supply of information by you is voluntary. If you cannot provide or do not wish to provide the information sought, your application may be unable to be processed. Any personal information collected from you will be in order to process your application.



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T: 6393 8000
E: council@orange.nsw.gov.au
W: www.orange.nsw.gov.au

SMALL DONATIONS PROGRAM - APPLICATION FORM

General donations

APPLICANT'S DETAILS

Name of organisation: The Shepherd Centre - for deaf children

Contact name: _____

Position: _____

Postal address: _____

Phone: _____

Email: _____

What is the legal status of your organisation? (eg Incorporated, Association, etc.)

If not-for-profit please attach evidence - such as charter/constitution showing no personal gain will be available to members, charitable status advice or a statutory declaration

Company Limited by Guarantee

Please select: ☐ Profit or ☒ Not-for-Profit

If not-for-profit: ☒ Constitution, tax ruling or other document confirming not-for-profit status is attached

Is your group/organisation registered for GST? ☒ Yes ☐ No

If applicable, please provide: ABN: 61 000 699 927 ACN: 000 699 927

BANK ACCOUNT DETAILS FOR PAYMENT

BSB No: _____

Account Name: _____

Bank: _____

YOUR ORGANISATION

Please describe your organisation and its purpose

The Shepherd Centre's mission is to enable children who are deaf or hearing impaired to develop spoken language so they may fully participate in the world and, in doing so, reach their full potential. This was the mission established by the Shepherd family 50 years ago and remains our organisational purpose to this day. Since inception, The Shepherd Centre has helped more than 2,500 children with hearing loss to develop spoken language, attend mainstream school and participate fully in society.

REASON FOR APPLYING FOR FINANCIAL ASSISTANCE

Please describe your project, equipment purchase, community service, community event (including the date of the event) or other eligible category listed in the ST029 Donations and Grants Policy

A diagnosis of hearing loss can be a devastating experience which is difficult for parents to comprehend and process in the early stages. More than 90% of deaf children are born to parents with no history of hearing loss, which means most families do not have the knowledge or skills to manage the condition without specialist support. For this reason, it is vital that the families of these children are educated about the realities of hearing loss and the technologies and treatments available for their child.

The aim of 'Talk Together Connection' is to provide parents of children with hearing loss from Orange area with the fundamental skills and knowledge they need to support their child in developing listening, speech and language skills.

YOUR COSTS, COST OF PROJECT OR PURCHASE OF EQUIPMENT OR COMMUNITY EVENT (OR ELIGIBLE CATEGORY) AND YOUR CONTRIBUTION

Please attach evidence of your costs. For purchase equipment, please attach three quotations.

| | |
|--|----------|
| Your costs | \$ 9,127 |
| Your contribution | \$ 6,163 |
| Your voluntary contribution | \$ 1,464 |
| Amount required from Council (eligible amounts are listed in the ST029 Donations and Grants Policy) | \$ 1,500 |

DONATION CATEGORY**Which category are you applying under?**

- ☒ Projects or Equipment Purchase or Providing a Community Service
- ☐ Community Events (not being Event Sponsorship)
- ☐ Non-sport Individuals or Teams Representing Orange at a National Event or at an Overseas Event
- ☐ Prize Giving (Central Women's Association (CWA) or Orange Eisteddfod)
- ☐ Grand Finals, Carnivals/Championships and Invitationals

ALIGNMENT TO COUNCIL'S STRATEGIC COMMUNITY PLAN**Which Theme/s is your project, purchase equipment community event (or other eligible category) under?**

☒ **LIVE - A healthy, safe, inclusive and vibrant community**
 This theme recognises the importance of encouraging healthy lifestyles, community pride and a sense of belonging. This can be achieved by maintaining a safe, caring and connected community, with active community participation supported by enhanced cultural and recreational facilities and services that cater for all of our residents. The beautiful parks, gardens and natural assets of our City are amongst our most cherished assets and contribute to making Orange a desirable place to live, work and play.

☐ **PRESERVE - Balancing the natural and built environment**
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☐ **PROSPER - A smart, innovate and resilient economy**
 This theme focuses on providing the community with positive choices for investment, employment and study. It includes strengthening and diversifying our economy by targeting new and innovative industries, as well as fostering our existing strengths such as medical services, mining, local food and wine production and tourism. Orange residents are keen to see more engagement between Council, local business and industry and the education providers.

☐ **COLLABORATE - Leadership and partnership**
 This theme looks at forging a collaborative community that engages with open and ongoing decision making. Developing future leaders and supporting community groups to deliver services and programs were identified as priorities during the consultation. The community is looking to Council to provide leadership, guidance and responsive governance.

LOCAL BUSINESS USE**Will you be supporting local businesses? Please list any local business that you will be using and the level of expenditure.**

| Business | Expenditure |
|----------|-------------|
| | \$ |
| | \$ |
| | \$ |
| | \$ |
| | \$ |
| | \$ |

DECLARATION

On behalf of: (name of organisation if applicable)

☒ I certify to the best of my knowledge that the statements made in this application and any supporting documentation are true.

Signed

Date 04/02/2022

Print name

Position in

The information you provide will be handled in accordance with the Privacy and Personal Information Protection Act 1998. The supply of information by you is voluntary. If you cannot provide or do not wish to provide the information sought, your application may be unable to be processed. Any personal information collected from you will be in order to process your application.



Dear Manager/Business Owner,

I am the Chief Steward for the 2022 Orange Show Craft Competition. This is the Orange Show's 150th year, and as such, we are looking to have maximum community engagement and participation in the craft section. The Craft Schedule (Section Q), has had a complete overhaul, to make it align with current trends and popular crafts.

We are seeking monetary donations from local businesses and organisations to cover prize money and ribbons for winners. These will come in 3 levels, and if you are willing to donate a higher amount, that will be reflected in prize money allocated:

- \$25 minimum for each class - \$15 for 1st place, \$5 for 2nd place and then \$5 for ribbons and certificates. We have approximately 130 classes to cover.
- \$50 minimum for each section - \$30 for 1st place, \$15 for second place and then \$5 for sashes and certificates. We have 35 sections (including junior section, disability section and aged care section)
- Any "Special Prizes" – If you would like to donate a prize for a special purpose (e.g. In Memoriam, vested interest, relates to business etc), we would be happy to include this into the prizes.

Any donations received would be greatly appreciated, and your donation will be promoted in multiple ways:

1. Listed alongside the class/section in the Craft Schedule.
2. Written on the certificate received by Prize Winners.
3. Written in the Schedule as a sponsor.
4. Banners/Business Cards/Business Promotional Material can be displayed in the Craft Display for Section Sponsors.

I am happy to provide a draft schedule for your perusal, should there be a particular class/section you are wanting to sponsor. Receipts for donations will be given and records kept for tax purposes.

Kindest regards,



2022 ORANGE SHOW
CRAFT SECTION SPONSORSHIP ACCEPTANCE FORM
ABN: 41 450 921 302

We would like to sponsor **the ORANGE SHOW CRAFT COMPETITION** in the following category (please tick one). Please return completed form via email to or to Craft Section, PO Box 312, Orange, 2800

☐ **CASH SPONSORSHIP**

VALUE: \$.....

A tax invoice will be forwarded on receipt of this form

☐ **PRODUCT/VOUCHER SPONSORSHIP**

To the value of:

To be collected:

There are many fantastic classes or sections to choose from.

Preferred classes/section for sponsorship: a)

b)

Business Name:

Postal Address:

Phone/Mobile:

Email:

Business Representative:

Signature:

Further information can be obtained by contacting:



A: 135 Byng Street, Orange
T: 6393 8000
E: council@orange.nsw.gov.au
W: www.orange.nsw.gov.au

SMALL DONATIONS PROGRAM - APPLICATION FORM

Sports Participant Program

APPLICANT'S DETAILS

Organisation/individual name: Lachlan Thompson

Contact name (parent or guardian if applicant under 18 years): Joanne Thompson

Position/relations _____

Postal address: _____

Phone: _____

Email: _____

BANK ACCOUNT DETAILS FOR PAYMENT

BSB No: _____

Account Na _____

Bank: _____

CATEGORY OF REPRESENTATION - INDIVIDUAL

Under which category have you been selected. Regional and State representation as determined by the peak State body for the subject sport and National representation as determined by the peak National body for the sport

☐ Selected in a Regional team Name of Regional Team:

☐ Selected in a State team Name of State team:

☐ Selected in a National team Name of National team: Qualified to attend Australian Age Championships.

CATEGORY OF REPRESENTATION - TEAMS

☐ Regional representation at State Titles Name of your team/s:

☐ State representation at National Titles Name of your team/s:

☐ National representation at International Titles Name of your team/s:

EVENT DETAILS

What is your sport? Swimming for Orange Aquatic Club

What event are you going to? Australian Age Championships

Date and location of event: Adelaide, 11/04/22 - 18/04/22

☐ Evidence of selection in the representative team attached Ive attached qualifying times and Lachlans result.

DECLARATION

☒ I certify to the best of my knowledge that the statements made in this application and any supporting documentation are true.

Signed

Print name

The information you provide will be handled in accordance with the Privacy and Personal Information Protection Act 1998. The supply of information by you is voluntary. If you cannot provide or do not wish to provide the information sought, your application may be unable to be processed. Any personal information collected from you will be in order to process your application.



To whom it may concern/ Dear Orange City Council

We are (Team Shake, Rattle & Roll) and we are participating in Mystery Box Rally 2022. This rally will see us departing Port Lincoln on a mystery five day route with 350 other participants.

Mystery Box Rally is not a race, rather a challenge to achieve the unthinkable. Travelling around Australia in a car that is at least 25 years old, via some of its most formidable roads and remote communities.

This year the rally aims to raise \$1.3m for Cancer Council, which is used to fund cancer research projects nationally. Since 2009 we have raised over \$5.5 million and are the largest funders for the Cancer Council in Australia.

The first challenge for our team is to raise a minimum of \$4,000 therefore we would greatly appreciate it if you could support our team.

How can you help us achieve our goals? There are three ways.

1. Sponsor our team in return for branding on our car & rally websites
2. Tax deductible donation (anything over \$2)
3. In Kind donation of Goods or services to help us fundraise

I have attached a sponsorship proposal which explains everything in detail. The document includes instructions on how all three options work and will give you an understanding of what we will be doing on the rally as well as the very positive effect we are having on the community.

Any assistance you could give would be most appreciated and will help our team achieve our goal.

Thank you very much for your consideration.

Hayley Good and Brendan Jones
Team Shake, Rattle & Roll

Orange City Council
Scanned

21 FEB 2022

CONTAINER No.

F2709-21





WHO WE ARE WHAT WE DO

Proudly supporting Cancer Research
Box Rallies is the largest community based fundraiser for the Cancer Council in Australia

Over \$22 million raised
Founded in 2009, Box Rallies has raised an incredible \$22 million (and climbing) for cancer research with our chosen beneficiary being the Cancer Council

We're about fun!
Using humour, comradery and a sense of adventure to do great things





Meet the rally community, born from a personal story and grown into a community movement doing great things.

Through the loss of both parents to cancer within 12 months of each other, founder James Freeman started Box Rallies in 2009 to raise funds and awareness in a younger demographic and provide a platform to honour and grieve.

It has grown into a strong grassroots movement with a wider community fully behind the projects, which has resulted in the establishment of a continually expanding known rallies.

- We have a very unique and very committed rally community
- Our community are our rally ambassadors. They promote the rally continuously which dramatically increases our audience
- Our community = our family




SUPPORTING AUSTRALIA'S ISOLATED COMMUNITIES

We work with regional and often remote isolated communities. Our rallies have an enormous impact on revenue into these communities. It is easy for a rally to contribute over **\$85,000** in revenue into a remote stop over.

ABOUT THE RALLY


Our rallies are for those who want to have an adventure, who crave something different, something memorable, but most importantly, it's for those who want to raise much needed money for cancer research.



SHITBOX RALLY

Shitbox Rally is not a race, rather a challenge to achieve the unthinkable... To drive cars worth just \$1,000 across Australia via some of its most formidable roads, all in the name of charity. Each team must meet a minimum raise to participate.

| | |
|--|-----------------|
| Duration: | 7 days |
| Average Distance: | 3,800 km |
| Rally teams: | 250 |
| Support teams: | 20 |
| Min. team raise to participate: | \$5,000 |




MYSTERY BOX RALLY

Mystery Box Rally is our shorter rally and it's been running since 2013. It is a five day rally that starts and finishes at the same regional location. The mystery element is not knowing where you will be going each day until the morning driver briefing. There is no vehicle budget but cars need to be over 25yo but no vintage or veteran.


| | |
|--|-----------------|
| Duration: | 5 days |
| Average Distance: | 2,500 km |
| Rally teams: | 165 |
| Support teams: | 15 |
| Min. team raise to participate: | \$3,500 |

ANNUAL EVENTS CALENDAR




SHITBOX AUTUMN

- MAJOR CITY DEPARTURE
- MAY
- 3,500-3,900 KM




FUNDRAISING TARGET: \$2 MILLION




MYSTERY BOX RALLY

- REGIONAL CENTRE LOOP
- AUGUST
- 2,500 KM




FUNDRAISING TARGET: \$1 MILLION

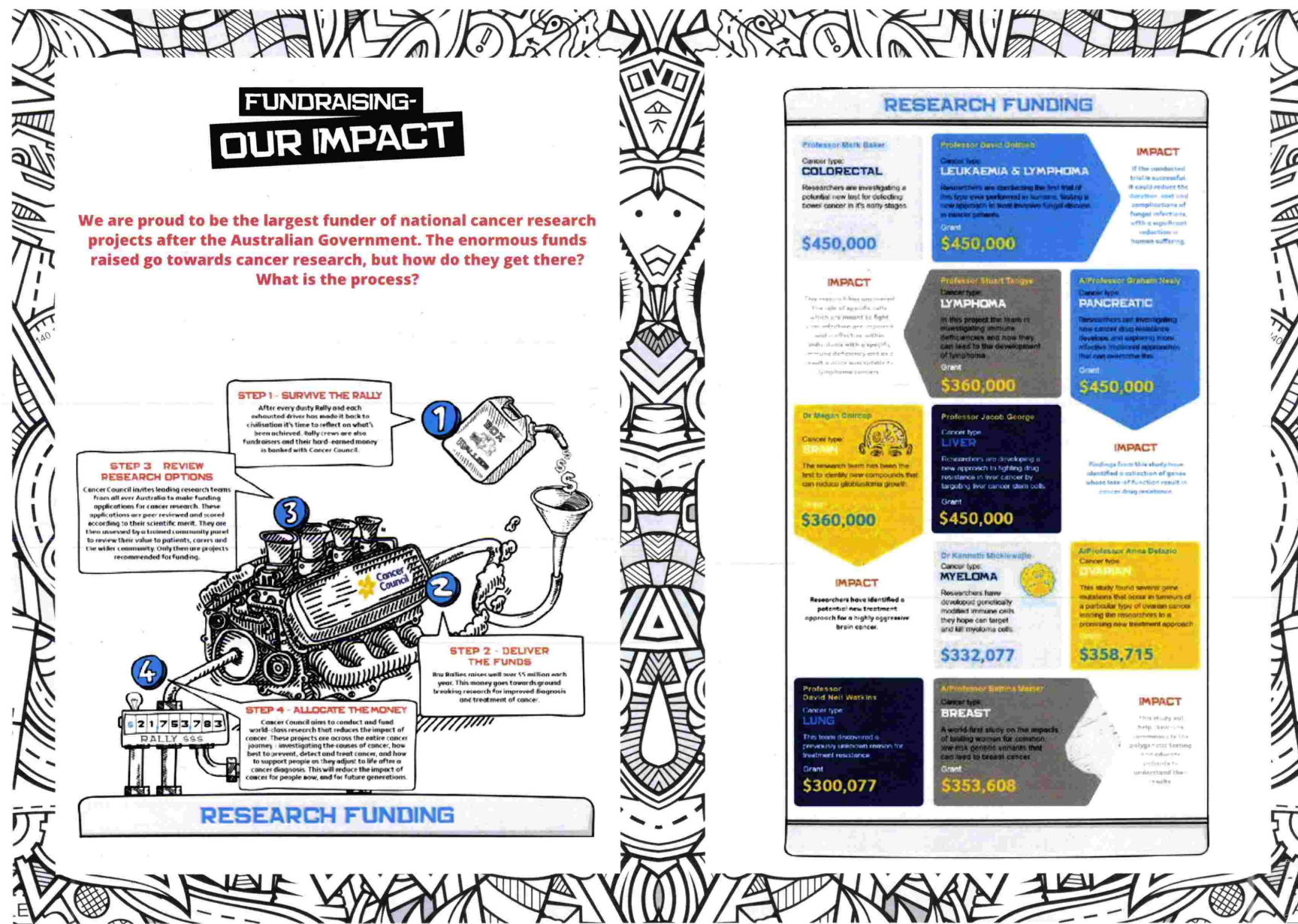


SHITBOX SPRING

- MAJOR CITY DEPARTURE
- OCTOBER
- 3,500-3,900 KM



FUNDRAISING TARGET: \$2 MILLION



OUR REACH

The rallies provide very rich, positive, inspiring content that has broad appeal on social and mainstream media platforms. Since inception in 2009, we've watched our brand and engagement across a number of platforms grow exponentially.



MYSTERY BOX RALLY



EXPOSURE FROM 2019:

2 +
TV
STORIES

9 +
RADIO
PIECES

24 +
PRINT
ARTICLES

38 +
ONLINE
NEWS
ARTICLES

500 +
SOCIAL
NETWORK
MENTIONS



SHITBOX RALLY



EXPOSURE AVERAGE OVER 2019:

97 +
TV
STORIES

39 +
RADIO
PIECES

65 +
PRINT
ARTICLES

106 +
ONLINE
NEWS
ARTICLES

500 +
SOCIAL
NETWORK
MENTIONS

3 WAYS YOU CAN HELP

Keen to support the largest community fundraiser for the Cancer Council in Australia? Here are 3 ways you can get involved:

1. TEAM SPONSORSHIP

Here's an example of how it works: Your company contributes \$1,000 (donations can be any amount over \$110) to your chosen rally team. Box Rallies will invoice your company \$110 (inc GST) for the sponsorship rights (logo on our car and websites). The invoice will state the donation amount for the Cancer Council of \$890 and the total amount payable of \$1,000.

Your company pays the total amount of \$1,000 to the Box Rallies account as shown on the invoice (using invoice number as reference). Box Rallies will then make a donation of \$890 to our team's online fundraising page on behalf of your company, the tax receipt is emailed automatically to the sponsor contact in your company for proof of donation to Cancer Council and tax deduction purposes.

BENEFITS OF TEAM SPONSORSHIP:

YOUR LOGO
ON OUR
CAR

YOUR LOGO ON
THE
RALLY
WEBSITE
+ LINK BACK

YOUR LOGO
ON OUR
"WE GIVE"
DONATION
PAGE
+ LINK BACK

YOUR LOGO
ON OUR
PROMO
MATERIAL

GREAT PR
THROUGH
POSITIVE
SOCIAL MEDIA
PLUGS

2. FINANCIAL DONATION

Your company or business (or you personally) makes a donation to our team. Please see instructions in our covering letter on how to make a donation directly to our We Give page.

NB: A tax receipt can only be issued against monetary donations received.

3. IN KIND DONATION

Your company or business gives us a gift (not money) to help us raise funds such as a hamper that we can auction off, or tyres for our car or even time e.g. mechanical help. You can have your logo on our car, but not on the website.

NB: to be classed as an In Kind Donation the value of what your company or business supplies must be over \$100.





PO Box 2310
ORANGE NSW 2800

ABN: 23 220 299 159

Charity: CFN 13584

www.omvc.org.au

Orange City Council
Scanned

24 FEB 2022

CONTAINER No.

F2709-21

24 February 2022

The General Manager
Orange City Council
PO Box 35
ORANGE NSW 2800

Dear Sir

Re: 2022 Small Donations Program

Please find enclosed an application from the Orange Male Voice Choir for a grant under Council's *Small Donations Program*. Funds from a grant would be directed to honorariums for our Music Director and Accompanist.

Our request is for the maximum \$2500 grant available in the first category, *Providing a Community Service* category. Our submission is aligned to the *Live* strategy in Council's Community Strategic Plan. In this regard we would draw the following to your attention:

- Our organisation is significantly self-funded. Projected expenses for the current budget year are in the order of \$15,000 to \$20,000.
- We have been extremely fortunate during the last several years to have some funding from a sponsorship arrangement with Norman J. Penhall Funerals. This source of revenue has ceased with the recent death of Norman Penhall.
- Our group has always enjoyed strong links with local businesses and other community groups. We rehearse weekly at the Orange Regional Conservatorium and enjoyed a close relationship with Kelly's Hotel for a number of years until it closed. As a performance choir, OMVC always maintains a strong focus on forging links with the local and nearby communities. During recent years (prior to COVID) we have worked regularly with IGA, PrintWest, Collins Booksellers, Orange North Rotary, Parkview Hotel, Landers Music and Orange Credit Union. We have also worked with the FOOD Week organisers to incorporate concerts in the annual program.

The Choir incurs considerable operational costs; among them venue hire, insurances, uniform purchases, travel, and music to refresh our repertoire. We do receive some income from concerts but a large proportion of these proceeds are often directed at defraying costs (e.g. travel and accommodation associated with concerts and publicity and promotion) or in supporting a charity for which a concert might be mounted.

The Orange Male Voice Choir has represented the City of Orange at various openings, ceremonies and functions for over 90 years (e.g. singing at ANZAC Day services and Australia Day ceremonies over many decades) and we have literally sang the praises of Orange throughout the Central West, Australia and overseas during this period. Orange in fact is prominently featured in our signature piece, Friendship in Song, that we commissioned for our 90th anniversary in 2016 and this item is featured in every performance. We are recognised locally, nationally and internationally for our choral quality, a standard achieved only by virtue of the generous and professional assistance of our Music Director and Accompanist.

We are extremely grateful for Council's help in the past, most notably for very generously meeting the major cost of a new choir blazer in 2008, but also for providing grants in the past for the same purpose as we currently seek in this submission. The Choir would again be most pleased to acknowledge Council's support as it has in the past on letterhead, our website and on all concert programs. As a prominent and long-standing community organisation we ask for Council's assistance in this area so integral to our ongoing success and operation.

Yours sincerely,

^

Encl. 2

- A. Extract from OMVC Constitution showing not-for-profit status
- B. Extract from Minutes, AGM Orange Male Voice Choir 7/2/22 approving honorariums totaling \$4500

Extract OMVC Constitution

Part 5 Miscellaneous

38 Insurance

The association may effect and maintain insurance.

39 Funds - source

- (1) The funds of the association are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting, any other sources that the committee determines.
- (2) All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank or other authorised deposit-taking institution account.
- (3) The association must, as soon as practicable after receiving any money, issue an appropriate receipt.

40 Funds - management

- (1) Subject to any resolution passed by the association in general meeting, the funds of the association are to be used solely in pursuance of the objects of the association in the manner that the committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 authorised signatories.

41 Association is non-profit

Subject to the Act and the Regulation, the association must apply its funds and assets solely in pursuance of the objects of the association and must not conduct its affairs so as to provide a pecuniary gain for any of its members.

Note. Section 5 of the Act defines **pecuniary gain** for the purpose of this clause.

42 Distribution of property on winding up of association

- (1) Subject to the Act and the Regulations, in a winding up of the association, any surplus property of the association is to be transferred to another organisation with similar objects and which is not carried on for the profit or gain of its individual members.
- (2) In this clause, a reference to the surplus property of an association is a reference to that property of the association remaining after satisfaction of the debts and liabilities of the association and the costs, charges and expenses of the winding up of the association.

Note. Section 65 of the Act provides for distribution of surplus property on the winding up of an association.

43 Public Fund

OMVC will establish and maintain a public fund.

Extract OMVC AGM 7/2/22

8. General Business

Honorariums. The President requested that absent himself from the meeting while these were discussed. In recommending honorariums of \$2500 for the Music Director and \$2000 for the Accompanist (see Attachment 4), he informed the meeting of the process and the careful consideration by the Committee in setting both figures which are commensurate with the 2020 payments and based upon numbers of rehearsals completed in the period, other work completed and the difficult conditions attaching to her role in case. He commended the figures of \$2500 and \$2000 respectively for MD and Accompanist to the meeting for endorsement. These were unanimously accepted for payment by the meeting. work in Sydney has increased but she is keen to maintain her association with the Choir as performance accompanist. commented that perhaps might be approached to play at rehearsals.

9. Closure of the Meeting

The Chair closed the meeting at 8.01 pm.



**ORANGE
CITY COUNCIL**

A: 135 Byng Street, Orange
T: 6393 8000
E: council@orange.nsw.gov.au
W: www.orange.nsw.gov.au

SMALL DONATIONS PROGRAM - APPLICATION FORM

General donations

APPLICANT'S DETAILS

Name of organisation: ORANGE MALE VOICE CHOIR Inc.

Contact name: _____

Position: _____

Postal address: _____

Phone: _____

Email: _____

What is the legal status of your organisation? (eg Incorporated, Association, etc.)

If not-for-profit please attach evidence – such as charter/constitution showing no personal gain will be available to members, charitable status advice or a statutory declaration

INCORPORATED ASSOCIATION. (SEE ATTACHED CONSTITUTION EXTRACT - 'NOT FOR PROFIT')

Please select: ☐ Profit or ☒ Not-for-Profit

If not-for-profit: ☒ Constitution, tax ruling or other document confirming not-for-profit status is attached

Is your group/organisation registered for GST? ☒ Yes ☐ No

If applicable, please provide: ABN: 23220299159 ACN: 13584

BANK ACCOUNT DETAILS FOR PAYMENT

BSB No: _____

Account Name: _____

Bank: _____

YOUR ORGANISATION

Please describe your organisation and its purpose

OMVC has been part of the City's cultural life for almost a century. The Choir was formed in 1926 and has performed throughout Australia and in England, Wales, Ireland, Hong Kong, China, New Zealand and throughout Europe. Our mission has always been to bring quality performances to the concert stage for the enjoyment of our audiences, while simultaneously promoting our City when performing away from it. In past years we have brought artists of international renown to Orange's Civic Theatre and will do so again in 2022 (Joint concert with Eric Beale). In the process we attract audiences both in and beyond the City region. We maintain a strong local profile performing for many years on Australia Day and at the ANZAC Dawn Service and on other public occasions.

REASON FOR APPLYING FOR FINANCIAL ASSISTANCE

Please describe your project, equipment purchase, community service, community event (including the date of the event) or other eligible category listed in the ST029 Donations and Grants Policy

In order to maintain its high performance standards, OMVC seeks to engage suitably qualified and well-credentialed personnel to lead the Choir. The two key positions are those of Music Director and Accompanist. For many years we've been privileged to have the services of professional musicians in these roles and been fortunate to not only attract outstanding professionals but to also engage them on terms very generous to the Choir. This is due to a mutual love and passion for music in the first instance, and also our belief in the professional administration and organisation of our group. We usually pay honorariums to our MD and Accompanist in the region of \$5000 each, a token of their worth but a strongly-felt obligation also on our part. Due to COVID-related inactivity and the loss of our major sponsor, we are seeking assistance under the Program to help us to meet the honorariums.

YOUR COSTS, COST OF PROJECT OR PURCHASE OF EQUIPMENT OR COMMUNITY EVENT (OR ELIGIBLE CATEGORY) AND YOUR CONTRIBUTION

Please attach evidence of your costs. For purchase equipment, please attach three quotations.

| | | |
|--|-------------------------------|----------|
| Your costs | MD \$2500, Accompanist \$2000 | \$ 4,500 |
| Your contribution | | \$ 2,000 |
| Your voluntary contribution | | \$ |
| Amount required from Council (eligible amounts are listed in the ST029 Donations and Grants Policy) | | \$ 2,500 |

DONATION CATEGORY

Which category are you applying under?

- ☒ Projects or Equipment Purchase or Providing a Community Service
- ☐ Community Events (not being Event Sponsorship)
- ☐ Non-sport Individuals or Teams Representing Orange at a National Event or at an Overseas Event
- ☐ Prize Giving (Central Women's Association (CWA) or Orange Eisteddfod)
- ☐ Grand Finals, Carnivals/Championships and Invitationals

ALIGNMENT TO COUNCIL'S STRATEGIC COMMUNITY PLAN

Which Theme/s is your project, purchase equipment community event (or other eligible category) under?

- ☒ **LIVE - A healthy, safe, inclusive and vibrant community**
This theme recognises the importance of encouraging healthy lifestyles, community pride and a sense of belonging. This can be achieved by maintaining a safe, caring and connected community, with active community participation supported by enhanced cultural and recreational facilities and services that cater for all of our residents. The beautiful parks, gardens and natural assets of our City are amongst our most cherished assets and contribute to making Orange a desirable place to live, work and play.
- ☐ **PRESERVE - Balancing the natural and built environment**
This theme ensures that the unique natural, cultural, social and historical aspects of our community are preserved while recognising the need for growth and development. The community was strong in its desire to be more sustainable by promoting renewable energy, reducing waste and protecting our natural resources. There is also an expectation for infrastructure to support a growing City, with roads, footpaths, parking and a vibrant CBD seen as priorities.
- ☐ **PROSPER - A smart, innovate and resilient economy**
This theme focuses on providing the community with positive choices for investment, employment and study. It includes strengthening and diversifying our economy by targeting new and innovative industries, as well as fostering our existing strengths such as medical services, mining, local food and wine production and tourism. Orange residents are keen to see more engagement between Council, local business and industry and the education providers.
- ☐ **COLLABORATE - Leadership and partnership**
This theme looks at forging a collaborative community that engages with open and ongoing decision making. Developing future leaders and supporting community groups to deliver services and programs were identified as priorities during the consultation. The community is looking to Council to provide leadership, guidance and responsive governance.

LOCAL BUSINESS USE

Will you be supporting local businesses? Please list any local business that you will be using and the level of expenditure.

| Business | Expenditure |
|---|--|
| ORANGE REGIONAL CONSERVATORIUM | \$ 4250 (Lease, Donations, Scholarship) |
| ORANGE CIVIC THEATRE | \$ 2400 (Theatre hire) |
| THE STUDIO DOOR CREATIVE | \$ 4000 (Promotional video featuring the Choir and Orange musicians) |
| KEA PRODUCTIONS | \$ 400 (SVS Council) |
| PRINTFLOW, PRINTWEST | \$ 500 (Council promotional materials) |
| THE ABOVE ARE THOSE IDENTIFIABLE 2/22. THERE WILL BE MORE AS OUR PERFORMANCE COMMITMENTS EMERGE DURING THE YEAR. | |

DECLARATION

On behalf of: (name of organisation if applicable)

☒ I certify to the best of my knowledge that the statements made in this application and any supporting documentation are true.

Signed

Print name

Position in c

The information you provide will be handled in accordance with the Privacy and Personal Information Protection Act 1998. The supply of information by you is voluntary. If you cannot provide or do not wish to provide the information sought, your application may be unable to be processed. Any personal information collected from you will be in order to process your application.



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T: 6393 8000
E: council@orange.nsw.gov.au
W: www.orange.nsw.gov.au

SMALL DONATIONS PROGRAM - APPLICATION FORM

General donations

APPLICANT'S DETAILS

Name of organisation: Orange City Rugby Club

Contact name: _____

Position: _____

Postal address: _____

Phone: _____

Email: _____

What is the legal status of your organisation? (eg Incorporated, Association, etc.)

If not-for-profit please attach evidence - such as charter/constitution showing no personal gain will be available to members, charitable status advice or a statutory declaration

Please select:

☐ Profit or ☒ Not-for-Profit

If not-for-profit:

☐ Constitution, tax ruling or other document confirming not-for-profit status is attached

Is your group/organisation registered for GST?

☐ Yes ☒ No

If applicable, please provide: ABN:

ACN:

BANK ACCOUNT DETAILS FOR PAYMENT

BSB No:

Account No:

Account Name:

Bank:

YOUR ORGANISATION

Please describe your organisation and its purpose

Orange City Rugby 10's is a tournament going 19 year, for teams of rugby players from Central West and Sydney. We have 9 teams from outside of Orange coming this year.

REASON FOR APPLYING FOR FINANCIAL ASSISTANCE

Please describe your project, equipment purchase, community service, community event (including the date of the event) or other eligible category listed in the ST029 Donations and Grants Policy

We are after field markings of 3 Rugby fields to hold this event.

YOUR COSTS, COST OF PROJECT OR PURCHASE OF EQUIPMENT OR COMMUNITY EVENT (OR ELIGIBLE CATEGORY) AND YOUR CONTRIBUTION

Please attach evidence of your costs. For purchase equipment, please attach three quotations.

Your costs

In kind donation of Labour

Your contribution

\$

Your voluntary contribution

\$

Amount required from Council
(eligible amounts are listed in the ST029 Donations and Grants Policy)

\$

DONATION CATEGORY

Which category are you applying under?

- ☐ Projects or Equipment Purchase or Providing a Community Service
- ☒ Community Events (not being Event Sponsorship)
- ☐ Non-sport Individuals or Teams Representing Orange at a National Event or at an Overseas Event
- ☐ Prize Giving (Central Women's Association (CWA) or Orange Eisteddfod)
- ☒ Grand Finals, Carnivals/Championships and Invitationals

ALIGNMENT TO COUNCIL'S STRATEGIC COMMUNITY PLAN

Which Theme/s is your project, purchase equipment community event (or other eligible category) under?

- ☒ **LIVE - A healthy, safe, inclusive and vibrant community**
This theme recognises the importance of encouraging healthy lifestyles, community pride and a sense of belonging. This can be achieved by maintaining a safe, caring and connected community, with active community participation supported by enhanced cultural and recreational facilities and services that cater for all of our residents. The beautiful parks, gardens and natural assets of our City are amongst our most cherished assets and contribute to making Orange a desirable place to live, work and play.
- ☐ **PRESERVE - Balancing the natural and built environment**
This theme ensures that the unique natural, cultural, social and historical aspects of our community are preserved while recognising the need for growth and development. The community was strong in its desire to be more sustainable by promoting renewable energy, reducing waste and protecting our natural resources. There is also an expectation for infrastructure to support a growing City, with roads, footpaths, parking and a vibrant CBD seen as priorities.
- ☐ **PROSPER - A smart, innovate and resilient economy**
This theme focuses on providing the community with positive choices for investment, employment and study. It includes strengthening and diversifying our economy by targeting new and innovative industries, as well as fostering our existing strengths such as medical services, mining, local food and wine production and tourism. Orange residents are keen to see more engagement between Council, local business and industry and the education providers.
- ☐ **COLLABORATE - Leadership and partnership**
This theme looks at forging a collaborative community that engages with open and ongoing decision making. Developing future leaders and supporting community groups to deliver services and programs were identified as priorities during the consultation. The community is looking to Council to provide leadership, guidance and responsive governance.

LOCAL BUSINESS USE

Will you be supporting local businesses? Please list any local business that you will be using and the level of expenditure.

| Business | Expenditure |
|--------------------|-------------|
| Kaarele | \$ |
| Hotels + Motels | \$ 10,000 |
| Cafe + Restaurants | \$ 5,000 |
| Bars + Clubs | \$ 5,000 |
| | \$ |
| | \$ |

DECLARATION

On behalf of: (name of organisation if applicable)

Orange City Rugby Club



I certify to the best of my knowledge that the information provided is true and any supporting documentation

Signed

4/3/22

Print name

Position in club

cr

The information you provide will be handled in accordance with the Privacy and Personal Information Protection Act 1998. The supply of information by you is voluntary. If you cannot provide or do not wish to provide the information sought, your application may be unable to be processed. Any personal information collected from you will be in order to process your application.



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T: 6393 8000
E: council@orange.nsw.gov.au
W: www.orange.nsw.gov.au

SMALL DONATIONS PROGRAM - APPLICATION FORM

Sports Participant Program

APPLICANT'S DETAILS

Organisation/individual name: Orange Netball Association

Contact name (parent or guardian if applicant under 18 years):

Position/relationship

Postal address:

Phone:

Mobile:

Email:

BANK ACCOUNT DETAILS FOR PAYMENT

BSB No:

Account No:

Account Name:

Bank:

CATEGORY OF REPRESENTATION - INDIVIDUAL

Under which category have you been selected. Regional and State representation as determined by the peak State body for the subject sport and National representation as determined by the peak National body for the sport

☐ Selected in a Regional team Name of Regional Team:

☐ Selected in a State team Name of State team:

☐ Selected in a National team Name of National team:

CATEGORY OF REPRESENTATION - TEAMS

☒ Regional representation at State Titles Name of your team/s:

Under 12's, 13's, 14's, 15's, 17's & Opens

☐ State representation at National Titles Name of your team/s:

☐ National representation at International Titles Name of your team/s:

EVENT DETAILS

What is your sport? Netball

What event are you going to? State Age Titles

Date and location of event: Jun 11th to Jun 13th

☐ Evidence of selection in the representative team attached

DECLARATION

☒ I certify to the best of my knowledge that the statements made in this application and any supporting documentation are true.

Signed

Date 2/3/2022

Print name

The information you provide will be handled in accordance with the Privacy and Personal Information Protection Act 1998. The supply of information by you is voluntary. If you cannot provide or do not wish to provide the information sought, your application may be unable to be processed. Any personal information collected from you will be in order to process your application.

6 CLOSED MEETING - SEE CLOSED AGENDA

The Chief Executive Officer will advise the Council if any written submissions have been received relating to any item advertised for consideration by a closed meeting of Orange City Council.

The Mayor will extend an invitation to any member of the public present at the meeting to make a representation to Council as to whether the meeting should be closed for a particular item. 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.

RECOMMENDATION

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 Sale Proposed Lot 404, 38 Astill Drive 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 (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 Netwaste Regional Household Hazardous Waste Collection 2022

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 Proposed Acquisition of Land - part 415 Mitchell Highway, 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 (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.1 SALE PROPOSED LOT 404, 38 ASTILL DRIVE ORANGE

RECORD NUMBER: 2022/259

AUTHOR: Rachelle Robb, Director Corporate & Commercial Services

REASON FOR CONFIDENTIALITY

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 NETWASTE REGIONAL HOUSEHOLD HAZARDOUS WASTE COLLECTION 2022

RECORD NUMBER: 2022/294

AUTHOR: Wayne Davis, Manager Waste Services and Technical Support

REASON FOR CONFIDENTIALITY

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 PROPOSED ACQUISITION OF LAND - PART 415 MITCHELL HIGHWAY, ORANGE

RECORD NUMBER: 2022/325

AUTHOR: Jackie Foxall, Legal and Property Officer

REASON FOR CONFIDENTIALITY

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.

7 RESOLUTIONS FROM CLOSED MEETING