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**ORANGE CITY COUNCIL**

**MINUTES OF THE  
ORDINARY COUNCIL MEETING  
HELD IN COUNCIL CHAMBER, CIVIC CENTRE, BYNG STREET, ORANGE  
ON 19 APRIL 2022  
COMMENCING AT 6:30PM**

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**1 INTRODUCTION**

**ATTENDANCE**

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Cr J Hamling (Mayor), Cr K Duffy (7pm), 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, Director Technical Services, Manager Corporate Governance, Chief Financial Officer, Administration Officer Governance

**1.1 APOLOGIES**

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Nil

*\*It was noted Cr Duffy will arrive at the meeting late.*

**1.2 LIVESTREAMING AND RECORDING**

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

**1.3 ACKNOWLEDGEMENT OF COUNTRY**

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The Mayor conducted an Acknowledgement of Country.

**1.4 DECLARATION OF PECUNIARY INTERESTS, SIGNIFICANT NON-PECUNIARY INTERESTS  
AND LESS THAN SIGNIFICANT NON-PECUNIARY INTERESTS**

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Cr Mileto declared a Non-Significant Non-Pecuniary interest in item 4.1 – Notice of Motion – NSW Rugby League – High Profile Games in Orange as he is the President of Orange Football Club.

Cr Mileto declared a Significant Pecuniary Interest in item 5.4 – Payment of Councillor Superannuation as a Councillor voting on remuneration of Councillors.

Cr Kinghorne declared a Significant Pecuniary Interest in Item 6.2 as her husband undertakes work for one of the applicants.

Cr Kinghorne declared a Non-Significant Non-Pecuniary Interest in item 5.3 – Update on Outstanding and Completed Resolutions of Council as her address is mentioned in the attachment.

Cr Greenhalgh declared a Non-Significant Non-Pecuniary Interest in item 4.1 – Notice of Motion – NSW Rugby League – High Profile Games in Orange as the secretary of Bloomfield Junior Rugby League Club.

Cr Greenhalgh declared a Significant Pecuniary Interest in item 5.7 – Fees and Charges – Carl Sharpe Cricket Centre as she is a Delegate of Orange District Junior Cricket Association.

Cr Evans declared a Significant Non-Pecuniary Interest in the Motion raised from the floor on Financial Assistance – Event Sponsorship as he has a relationship with the applicant through the Orange Business Chamber.

Cr Peterson declared a Significant Non-Pecuniary Interest in the Motion raised from the floor on Financial Assistance – Event Sponsorship as the applicant is known to him in a private capacity.

### **THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE OPEN FORUM AT 6:34PM**

Nicholaas Drage – Item 5.3 – requested a review of his application for Financial Assistance – Event Sponsorship be redetermined.

### **THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 6:40PM**

*\*Cr Evans and Cr Peterson left the meeting with the time being 6:41pm\**

*Cr Evans declared a Significant Non-Pecuniary Interest in this item as he has a relationship with the applicant through the Orange Business Chamber, left the chamber and did not participate in the discussion or voting on this item.*

*Cr S Peterson declared a Significant Non-Pecuniary Interest in this item as the applicant is known to him in a private capacity, left the chamber and did not participate in the discussion or voting on this item.*

#### **RESOLVED - 22/112**

**Cr T Mileto/Cr J Hamling**

That Council prepare a report for Council to consider the matter of Financial Assistance – Event Sponsorship – Yu-Gi-Oh! WCQ Regional Qualifiers.

For: Cr J Hamling, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne,  
Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr G Power , Cr J Whitton

Against: Nil

Absent: Cr K Duffy, Cr J Evans, Cr S Peterson

*\*Cr Evans and Cr Peterson returned to the meeting with the time being 6:42pm\**

## **2 MAYORAL MINUTES**

Nil

**3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING****RESOLVED - 22/113****Cr D Mallard/Cr S Peterson**

That the Minutes of the Ordinary Meeting of Orange City Council held on 5 April 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 5 April 2022.

For: Cr J Hamling, 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 K Duffy

**4 NOTICES OF MOTION/NOTICES OF RESCISSION****4.1 NOTICE OF MOTION - NSW RUGBY LEAGUE - HIGH PROFILE GAMES IN ORANGE**

TRIM REFERENCE: 2022/491

*Cr Greenhalgh declared a Non-Significant Non-Pecuniary Interest in this item as the secretary of Bloomfield Junior Rugby League Club and remained in the chamber.*

*Cr Mileto declared a Non-Significant Non-Pecuniary interest in this item as he is the President of Orange Football Club and remained in the chamber.*

**MOTION****Cr G Floyd/Cr J Hamling**

That Council resolves to:

- 1 Engage willing NRL clubs with the prospect of initiating a long-term association with the City of Orange.
- 2 Seek to formalise such a relationship for the purposes of maximising the potential of the future Orange Sports Precinct in attracting high profile sporting fixtures, benefiting tourist visitation, spend and local entertainment.
- 3 Include in any such arrangement that any NRL club affiliated with the City of Orange provide coaching clinics and sports development opportunities for local schools and sporting organisations, and player meet-and-greet opportunities.
- 4 Consider in the selection of any prospective NRL club affiliation, the club's relationship to Orange, local fan-base and the club's proximity to Orange.
- 5 Report to the Chamber on the progress of this endeavour, all meetings and aspects of negotiations undertaken, and time frames relating to any proposal or agreement.

**AMENDMENT****Cr T Mileto/Cr F Kinghorne**

That Council establish a Community Working Party for the purpose of identifying and maximising all sporting opportunities for all the potential users of the new sporting precinct to enhance and further develop the various sporting organisations for the benefit of the City of Orange.

For: Cr G Floyd, Cr D Mallard, Cr T Mileto, Cr S Peterson

Against: Cr J Hamling, Cr J Evans, Cr T Greenhalgh, Cr F Kinghorne, Cr M McDonell,  
Cr G Power , Cr J Whitton

Absent: Cr K Duffy

**THE AMENDMENT ON BEING PUT WAS LOST**

**THE MOTION ON BEING PUT WAS CARRIED**

**RESOLVED - 22/114****Cr G Floyd/Cr J Hamling**

That Council resolves:

- 1 To engage willing NRL clubs with the prospect of initiating a long-term association with the City of Orange.
- 2 To seek to formalise such a relationship for the purposes of maximising the potential of the future Orange Sports Precinct in attracting high profile sporting fixtures, benefiting tourist visitation, spend and local entertainment.
- 3 To include in any such arrangement that any NRL club affiliated with the City of Orange provide coaching clinics and sports development opportunities for local schools and sporting organisations, and player meet-and-greet opportunities.
- 4 To consider in the selection of any prospective NRL club affiliation, the club's relationship to Orange, local fan-base and the club's proximity to Orange.
- 5 To report to the Chamber on the progress of this endeavour, all meetings and aspects of negotiations undertaken, and time frames relating to any proposal or agreement.
- 6 That staff conduct similar discussions with all sporting codes.

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: Cr K Duffy

Cr McDonell asked if staff are already in discussion with other codes to bring events to Orange. *The Director Community Recreation and Cultural Services stated that yes, staff had identified approximately 50 events and other activities that formed part of the business case for the project.*

## 5 GENERAL REPORTS

### 5.1 RECOMMENDATIONS AND RESOLUTIONS FROM POLICY COMMITTEES

TRIM REFERENCE: 2022/554

**RESOLVED - 22/115****Cr J Whitton/Cr M McDonell**

- 1 That the Minutes of the Planning and Development Committee at its meeting held on 5 April 2022 be and are hereby confirmed as a true and accurate record of the proceedings. Noting Cr Kinghorne did not vote on item 2.2 as she declared an interest, left the chamber and did not participate in the discussion or voting on this item.
- 2 That the Minutes of the Infrastructure Policy Committee at its meeting held on 5 April 2022 be and are hereby confirmed as a true and accurate record of the proceedings.
- 3 That the Minutes of the Finance Policy Committee at its meeting held on 5 April 2022 be and are hereby confirmed as a true and accurate record of the proceedings.

For: Cr J Hamling, 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 K Duffy

*\*Cr Duffy arrived at the meeting with the time being 7:00pm\**

**5.2 DRAFT COMMUNITY STRATEGIC PLAN (CSP) DRAFT DELIVERY PROGRAM 2022/2026 AND OPERATIONAL PLAN 2022/2023**

TRIM REFERENCE: 2022/416

**RESOLVED - 22/116****Cr J Whitton/Cr D Mallard**

That Council resolves:

- 1 To place on public exhibition for a minimum of 28 days the following documents:
  - Draft Community Strategic Plan
  - Draft Delivery Program 2022/2023 to 2025/2026
  - Draft Operational Plan 2022/2023
  - Draft Budget 2022/2023
  - Draft Fees and Charges 2022/2023
  - Draft Long Term Financial Plan 2022/2023 to 2031/2032
  - Workforce Management Strategy 2022/2023 to 2026/2027
  - Asset Management Strategy 2023-2042
- 2 To adopt Strategic Policy ST009 – Revenue and Pricing and Strategic Policy and ST007 – Asset Management which have not had any changes since their last adoption.

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 asked if it was possible to be provided with statistics on how many people view or open the documents on exhibition.

*The Chief Executive Officer stated that yes it is possible to provide this information.*

Cr Peterson asked for information on the reasons for the reduction of borrowing costs.

*The Chief Financial Officer stated that the difference was due to a number of loans being finalised which reduces costs and interest.*

Cr Peterson asked why the roads and footpath budget was reduced considerably.

*The Chief Executive Officer stated that it was at the request of the previous Council to increase the amount. The standard amount is \$300,000 and the Mayor requested this to be increased to \$900,000 for this budget. During the September review, Council will be provided with options to address these issues.*

**QUESTION TAKEN ON NOTICE****Cr S Peterson**

Cr Peterson requested that information be provided to understand the process behind how the benchmarking of Council fees is undertaken and possible pressure on increases to rates.

**QUESTION TAKEN ON NOTICE****Cr S Peterson**

Cr Peterson requested information to be provided as to Council care services for the Community and whether this is something profit making, cost neutral or out of pocket for Council and in competition with other care service providers.

**QUESTION TAKEN ON NOTICE****Cr S Peterson**

Cr Peterson requested information on the capacity for the long stay options for the caravan park and the capacity to expand the long stay availability.

**QUESTION TAKEN ON NOTICE****Cr T Greenhalgh**

Cr Greenhalgh requested a report be provided to Council on the current status of Grant Funding including what is currently being applied for and what funding works is underway.

Cr Kinghorne asked if there was a reason why we didn't borrow at lower interest rates and if we could borrow from ourselves when we have funds available.

*The Chief Executive Officer stated that most of the loans are fixed rates and terms and that there is a lot of rules around borrowing and using of funds for other purposes with the Minister keeps track of these.*

*The Chief Financial Officer stated that as with most loans there are pay out clauses that attract a penalty for changing or finalising loans however specific information can be provided to Councillors.*

Cr Mallard asked what \$1.5mil would deliver in relation to the Mt Canobolas Mountain Bike Track and as this work is planned for 2023/24 was there any planned work for 2022/23?

*The Director Community, Recreation and Cultural Services stated that Council has committed funds matched by the Grant funding and the \$1.5mil in the initial year was commence works on the Mountain Bike Rail and Infrastructure. If the project proceeds there will be a lot of work to do including consultation with specific groups with the project estimated to cost \$10mil over multiple years.*

Cr McDonnell asked what the \$6mil allocated to the Theatre Expansion included.

*The Director Community, Recreation and Cultural Services stated that the amount is reflective of Grant Funding and as the theatre is now at a point where shows are too big to operate in our Theatre it is included to rectify some operational difficulties and on our projects list to enhance the city.*

Cr Greenhalgh asked what the plan was for the Orange Function Centre.

*The Director Community, Recreation and Cultural Services stated that at present it is allocated for maintenance in the capital works program to maintain its standard however there is no inclusion of any major refurbishment.*

Cr Evans asked if there was a master plan for an upgrade for the Orange Function Centre to inform people of what is coming.

*The Director Community, Recreation and Cultural Services stated that as Council has not resolved to undertake any works there is no plan available. Council can look at different options available.*

Cr Kinghorne stated that there is a perception that Orange rates are highest in the state when in fact we are ranked 15 out of 131 Councils, however are the highest out of our comparable Councils and our costs are lower and asked what benchmarking is done or can be done to ensure it is adequately managed.

*The Chief Executive Officer stated that our approach is tailored to the Community Strategic Plan and what the community wants and is driven by those processes rather than comparing to other councils and that we don't do benchmarking as such but note it would be a good idea to look at.*

*The Chief Executive Officer noted it was the Chief Financial Officer's last meeting with Council and thanked him for his work with Council.*

### 5.3 UPDATE ON OUTSTANDING AND COMPLETED RESOLUTIONS OF COUNCIL INCLUDING QUESTIONS TAKEN ON NOTICE, MATTERS ARISING AND NOTICES OF MOTION

TRIM REFERENCE: 2022/232

*Cr Kinghorne declared a Non-Significant Non-Pecuniary Interest in this item as her address is mentioned in the attachment and remained in the Chamber.*

#### RESOLVED - 22/117

**Cr T Mileto/Cr J Whitton**

That the information provided in the report by the Manager Corporate Governance on Outstanding and Completed Resolutions, Questions Taken on Notice, Matters Arising and Notices of Motion 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

*\* Cr Mileto left the meeting with the time being 7:36pm\**

### 5.4 PAYMENT OF COUNCILLOR SUPERANNUATION

TRIM REFERENCE: 2022/374

*Cr Mileto declared a Significant Pecuniary Interest in this item as a Councillor voting on remuneration of Councillors, left the chamber and did not participate in discussion or voting on this item.*

#### RESOLVED - 22/118

**Cr M McDonell/Cr T Greenhalgh**

That Council make superannuation payments to Councillors in accordance with the NSW Office of Local Government Circular 22-04.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr D Mallard, Cr M McDonell, Cr G Power, Cr J Whitton

Against: Cr F Kinghorne, Cr S Peterson

Absent: Cr T Mileto

*\* Cr Mileto returned to the meeting with the time being 7:48pm\**

**5.5 STATEMENT OF INVESTMENTS - MARCH 2022**

TRIM REFERENCE: 2022/501

**RESOLVED - 22/119****Cr K Duffy/Cr G Floyd**

That Council resolves:

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

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

**5.6 ADDITIONAL SPECIAL VARIATION FOR THE 2022/2023 FINANCIAL YEAR**

TRIM REFERENCE: 2022/508

**RESOLVED - 22/120****Cr K Duffy/Cr D Mallard**

That Council apply for a permanent Additional Special Variation of 2.5 per cent for 2022/23 under Section 508(2) of the Local Government Act 1993 to ensure Council's ongoing financial sustainability.

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 Mileto asked if pensioners will receive the 2.5% increase and what dispensation they will receive if they are subject to this and in what areas will they receive relief.

*The Chief Financial Officer stated that the all rate payers would receive the increase and all still receive any rebates they are entitled to which have been left at the same rates as last year.*

**QUESTION TAKEN ON NOTICE****Cr T Mileto**

Cr Mileto asked for information to be provided to Council on how many pensioners take advantage of the rebates.

*\*Cr Greenhalgh left the meeting with the time being 7:53pm\**



**5.7 FEES AND CHARGES - CARL SHARPE CRICKET CENTRE**

TRIM REFERENCE: 2022/520

*Cr Greenhalgh declared a Significant Pecuniary Interest in this item as she is a Delegate of Orange Junior Cricket Association left the Chamber and did not participate in discussion or voting on this item.*

**RESOLVED - 22/121****Cr K Duffy/Cr J Hamling**

That Council resolves to approve the amended fees and charges for the Carl Sharpe Cricket Centre including the fee for Orange District Cricket Association and Orange District Junior Cricket Association be charged a hire fee of \$10/player for 2022/23.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, 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 T Greenhalgh

*\*Cr Greenhalgh returned to the meeting with the time being 7:55pm\**

**5.8 IMPACT OF BENCHMARKING DOMESTIC WASTE MANAGEMENT CHARGES AND DRAFT SUBMISSION TO IPART ON BENCHMARKING AND RATE CAPPING COUNCILS**

TRIM REFERENCE: 2022/345

**RESOLVED - 22/122****Cr D Mallard/Cr M McDonell**

That Council resolves to:

- 1 Note the report summary responding to Councillor enquiries about the impact of Benchmarking and capping Domestic Waste Management Charges; and
- 2 Endorse the draft submission to IPART, responding to the draft recommendations report objecting to benchmarking and capping domestic waste management charges however, the provision of clear and unambiguous pricing principles are supported and should be included within the NSW Office of Local Government Council Rating and Revenue Raising Manual as this will provide sufficient guidance to all Councils when setting Domestic Waste Management charges to arrive at costs that provide services that result in best value for ratepayers.

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 asked for information on specific impacts if the rate pegging variation was not approved.

*The Director Technical Services stated a number of services could be impacted. If we were to have a 1.1% cap of domestic waste management charges the financial implications would equate to a \$52mil turn around over the life of the 30 year financial plan.*

Cr Mileto asked how long our current contract with JR Richards is for and when it will be up for renewal.

*The Director Technical Services stated the current contract commenced in 2016 and is a 10 year term making renewal during 2026.*

Cr Mileto asked if all residents are charged the same for household bins and what this cost is per year. He also asked whether there was any rebate or discount if bins were used or not.

*The Director Technical Services stated that changes are per the annual adopted fees of \$454/pa per residence. There is no concession or rebate for not using the bin.*

### CLOSED ITEM REPRESENTATIONS

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 - 22/123****Cr J Hamling/Cr J Whitton**

That Council hear a request for item 6.1 Northern Distributor Road Naming to Glenn Taylor Way to be moved to and heard in Open Council.

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

Mr Colin Young made representations to Council to hear item 6.1 Northern Distributor Road Naming to Glenn Taylor Way.

**RESOLVED - 22/124****Cr J Whitton/Cr J Hamling**

That item 6.1 Northern Distributor Road Naming to Glenn Taylor Way to be moved to and heard in Open Council.

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

Against: Cr T Greenhalgh

Absent: Nil

Cr Kinghorne asked if it could be called Glenn Taylor way with Northern Distributor Road in brackets.

*The Director Technical Services stated that the Geographical Naming Board prefers 1 name.*

**6.1 NORTHERN DISTRIBUTOR ROAD NAMING TO GLENN TAYLOR WAY**

TRIM REFERENCE: 2022/465

**RESOLVED - 22/125****Cr J Whitton/Cr T Greenhalgh**

That Council resolves to:

- 1 Gain consent from the daughters of the late Glenn Taylor to the renaming of the Northern Distributor Road (NDR) to Glenn Taylor Way; and
- 2 Seek comment for a 28 day period to rename the NDR to Glenn Taylor Way as per Clause 7 of the Road Regulations 2018.

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 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 - 22/126****Cr K Duffy/Cr G Power**

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:

**6.2 Resubmission - Construction of the Southern Distributor Road Stage 4 and Shiralee Collector Road Stage 5**

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

The Mayor declared the Ordinary Meeting of Council adjourned for the conduct of the Closed Meeting at 8:15pm.

*\*Cr Kinghorne left the chamber with the time being 8.16pm and returned at 8:20pm\**

The Mayor declared the Ordinary Meeting of Council resumed at 8:25pm.

## 7 RESOLUTIONS FROM CLOSED MEETING

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

### 6.2 RESUBMISSION - CONSTRUCTION OF THE SOUTHERN DISTRIBUTOR ROAD STAGE 4 AND SHIRALEE COLLECTOR ROAD STAGE 5

TRIM REFERENCE: 2022/478

*Cr Kinghorne declared a Significant Pecuniary Interest in Item 6.2 as her husband undertakes work for one of the applicants, left the chamber and did not participate in discussion or voting on this item.*

#### RESOLVED - 22/127

Cr K Duffy/Cr J Whitton

That Council resolves:

- 1 That subject to agreement on contractual clauses and in accordance with the proposal outlined within the body of this report that Council accept the offer by the MAAS Group for The Construction of the Southern Feeder Road Stage 4 and Shiralee Collector Road Stage 5 – F3718.
- 2 That the common seal of Council be approved for use on documents associated with this contract.
- 3 That Council continue its application under the Regional Housing Fund Grant to pursue the required funding to complete the Shiralee Road Stage 5 construction.
- 4 That subject to grant funding not becoming available Council fund the Shiralee Road Stage 5 shortfall through internal reserves as detailed in recommendation 5 below.
- 5 That Council authorise the use of internal reserves up to an amount of \$7m (to be repaid from developer contributions and general fund over 10 years) to cover section 7.11 contributions not yet realised and possible shortfall grant funding.

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

Against: Nil

Absent: Cr F Kinghorne

#### THE MEETING CLOSED AT 8:27PM

This is Page Number 12 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 19 April 2022.