
ORANGE CITY COUNCIL

MINUTES OF THE

ORDINARY COUNCIL MEETING

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

ON 3 MAY 2022

COMMENCING AT 6:30PM

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, Director Technical Services, Executive Support Manager, Executive Support Admin Officer

1.1 APOLOGIES

Nil

1.2 LIVESTREAMING AND RECORDING

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

1.3 ACKNOWLEDGEMENT OF COUNTRY

The Mayor conducted an Acknowledgement of Country.

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

Cr Power declared a Significant Pecuniary Interest in FPC Item 2.2 - Request for Financial Assistance – Small Donations Program Round 4 – 2021/22 as his catering company is providing catering for the Central West Women’s Forum event in this application.

1.5 OPENING PRAYER

Mrs Soheila Fadaee and Mr Mat Ramirez of the Bahá’ís of Orange led the Council in Prayer.

THERE WAS NO OPEN FORUM.

2 MAYORAL MINUTES

Nil

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED - 22/128**Cr J Whitton/Cr S Peterson**

That the Minutes of the Ordinary Meeting of Orange City Council held on 19 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 19 April 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 6:35PM.

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 7:00PM.

4 NOTICES OF MOTION/NOTICES OF RESCISSION

4.1 NOTICE OF MOTION - COMMUNITY COMMITTEE INFORMATION

TRIM REFERENCE: 2022/637

RESOLVED - 22/138**Cr S Peterson/Cr K Duffy**

That Council resolves:

- 1 That Council's website and social media keep a publicly available updated diary of community committee meeting dates, times and locations.
- 2 That periodically information is sent out via social media to encourage community attendance.

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

4.2 NOTICE OF MOTION - ROAD NAMINGS

TRIM REFERENCE: 2022/638

MOTION**Cr S Peterson/Cr D Mallard**

That Council seek community suggestions for names of common historical people with strong links to Orange whose names could be considered for the names of new roads.

AMENDMENT**Cr J Whitton/Cr K Duffy**

That Council seek community suggestions for names of prominent historical people with strong links to Orange whose names could be considered for the names of new roads and streets.

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 AMENDMENT ON BEING PUT WAS CARRIED AND BECAME THE MOTION.

THE MOTION ON BEING PUT WAS CARRIED.

RESOLVED - 22/139**Cr J Whitton/Cr K Duffy**

That Council seek community suggestions for names of prominent historical people with strong links to Orange whose names could be considered for the names of new roads and streets.

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

4.3 NOTICE OF MOTION - COMMUNITY CONSULTATION ON THE ORANGE FUNCTION CENTRE

TRIM REFERENCE: 2022/679

RESOLVED - 22/140**Cr T Greenhalgh/Cr K Duffy**

That Council resolves:

- 1 To engage with the Orange Community through online and face to face consultations on the future use of the Orange Function Centre.
- 2 That after community feedback is received from consultation, Council draft a Master Plan for the Orange Function Centre to be placed on public exhibition for 28 days.
- 3 That Council be updated on the history of notable works and upgrades of the Orange Function Centre to date.
- 4 That Council be provided with information about any proposed upgrades and costings.

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 NOTED THAT COUNCIL HAD LOOKED AT OPTIONS FOR THIS BUILDING IN THE LAST TERM OF COUNCIL.

THE CHIEF EXECUTIVE OFFICER STATED YES THE LAST TERM OR THE TERM BEFORE, THE DIRECTOR COMMUNITY RECREATION AND CULTURAL SERVICES BROUGHT A REPORT TO COUNCIL ON SEVERAL OPTIONS ON WHAT TO DO WITH THE FUNCTION CENTRE INCLUDING INFORMATION SUCH AS COSTS TO A CERTAIN STANDARD, ISSUES AROUND ASBESTOS AND WHETHER IT COULD BE UPGRADED OR DEMOLISHED.

MATTER ARISING**CR T MILETO**

CR MILETO REQUESTED THAT COUNCILLORS BE PROVIDED WITH THE REPORT THAT WAS PUT TO COUNCIL ON THE FUTURE OPTIONS OF THE FUNCTION CENTRE.

CR MILETO ASKED IF COUNCIL IS CONSIDERING A NEW FUNCTION CENTRE AT THE NEW SPORTING PRECINCT SITE.

THE CHIEF EXECUTIVE OFFICER STATED THAT NO, THE DESIGN IS FOR A SPORTS STADIUM.

CR HAMLING ASKED TO CLARIFY THAT THE EX-SERVICES CLUB HOLDS AROUND 400 PEOPLE AND WHETHER THE FUNCTION CENTRE HOLD APPROXIMATELY 700 PEOPLE.

THE CHIEF EXECUTIVE OFFICER STATED HE THOUGHT THAT WAS THE SCALE OF IT.

CR DUFFY ASKED WHY THERE WAS NO STAFF COMMENT ON THIS NOTICE OF MOTION.

THE CHIEF EXECUTIVE OFFICER STATED THAT COUNCIL HAS EXTENSIVE WORK TO DO UNDER THIS MOTION AND THAT A LARGE REPORT IS NECESSARY, A BRIEF COMMENT WOULD NOT HAVE DONE IN THIS CASE BUT HAPPY TO ALWAYS PROVIDE STAFF COMMENT.

CR KINGHORNE ASKED HOW OLD THE FUNCTION CENTRE WAS AND WHAT WAS ITS HERITAGE STATUS. SHE ALSO NOTED THAT THERE WAS OBVIOUSLY AN EMOTIONAL ATTACHMENT TO THIS FACILITY BY THE COMMUNITY AND WHETHER ALTERNATIVE SITES HAD BEEN IDENTIFIED.

THE DIRECTOR COMMUNITY RECREATION AND CULTURAL SERVICES STATED THAT IT HAS NO HERITAGE STATUS AND THAT THE FUNCTION CENTRE RECENTLY CELEBRATED ITS 50 YEAR BIRTHDAY SO AROUND 53 YEARS OLD.

YES, THERE APPEARS TO BE AN ATTACHMENT AND COUNCIL'S ULTIMATE DECISION WOULD BE TO PROPOSE TO UPGRADE A VERY OLD BUILDING, WHERE THERE IS SIGNIFICANT ASBESTOS CONTENT, OR DEMOLISH IT AND START AGAIN. COUNCIL DOES NOT OWN AN ALTERNATIVE SITE CURRENTLY BUT IN THE PAST THE PARCEL OF LAND AT THE TOP OF HILL STREET WAS IDENTIFIED AS A POSSIBLE SITE FOR A NEW FUNCTION CENTRE.

5 GENERAL REPORTS

5.1 NSW LOCAL ROADS CONGRESS

TRIM REFERENCE: 2022/431

RESOLVED - 22/141**Cr J Whitton/Cr J Evans**

That Councillors J Evans and K Duffy attend the NSW Local Roads Congress to be held on Monday 6 June 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

5.2 FUNERALS AT BOTANIC GARDENS - POST EXHIBITION

TRIM REFERENCE: 2022/418

MOTION**Cr K Duffy/Cr T Mileto**

That Council resolves:

- 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 or within the Clover Hill Function Centre with appropriate signage in place; and
- 2 That Council limits the days on which funerals can be held at the Orange Botanic Gardens to weekdays only and only one funeral per day; and
- 3 That the fee for the conduct of funeral services at the Orange Botanic Gardens be confirmed at \$300 excluding GST.
- 4 That a trial period be undertaken until the end of May 2023

AMENDMENT**Cr J Whitton/Cr T Greenhalgh**

That Council resolves:

- 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 or within the Clover Hill Function Centre with appropriate signage in place; and
- 2 That Council limits the days on which funerals can be held at the Orange Botanic Gardens to weekdays only and only one funeral per day; and
- 3 That the fee for the conduct of funeral services at the Orange Botanic Gardens be confirmed at \$300 excluding GST.

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

Against: Cr J Hamling, Cr G Floyd, Cr K Duffy, Cr T Mileto

Absent: Nil

THE AMENDMENT ON BEING PUT WAS CARRIED AND BECAME THE MOTION.**THE MOTION ON BEING PUT WAS CARRIED.****RESOLVED - 22/142****Cr J Whitton/Cr T Greenhalgh**

That Council resolves:

- 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 or within the Clover Hill Function Centre with appropriate signage in place; and
- 2 That Council limits the days on which funerals can be held at the Orange Botanic Gardens to weekdays only and only one funeral per day; and
- 3 That the fee for the conduct of funeral services at the Orange Botanic Gardens be confirmed at \$300 excluding GST.

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: Cr K Duffy

Absent: Nil

Cr Kinghorne asked was there feedback that wasn't online and did we speak to the Friends of the Botanic Gardens (FOBG) group.

The Director Community Recreation and Cultural Services stated yes consultation was had with the FOBG, there was opposition to the idea expressed by those members, we did receive written submissions by email for this proposal as well.

Cr Kinghorne asked what the basis for FOBG objections was.

The Director Community Recreation and Cultural Services stated they personally thought it was not appropriate to have funerals in an open space with coffins present.

Cr Duffy asked why there was not a Submission Redactions report with the submissions listed for Councillor information.

The Chief Executive Officer said that this practice was only necessary for Planning matters.

Cr Floyd asked if there can there be delineated areas around funerals, what barricading would there be and the cost to Council.

The Director Community Recreation and Cultural Services said the proposal would be that we delineate the area with signage and the area proposed is able to be sectioned off, to get to the area you would have to walk past those signs and you would have to choose to walk past or not, signage would be minimal cost, part of the fee would cover the cost of the preparation of the area and contribute to signage.

Cr Floyd asked if you want to get into that area is it a conscious decision you make.

The Director Community Recreation and Cultural Services said you would have to walk past signage, yes.

5.3 TEMPORARY INDOOR WINTER PLAYGROUND UPDATE

TRIM REFERENCE: 2022/630

RESOLVED - 22/143

Cr M McDonell/Cr T Greenhalgh

That Council resolves:

- 1 That the report by the Chief Executive Officer be noted;
- 2 That Council endorse the use of the Indoor Tennis Centre as a temporary indoor playground for Winter 2022, subject to final negotiations with the Club;
- 3 That Council endorses the use of the Carl Sharpe Cricket Centre in the event that the Tennis Centre option is not acceptable to the Club.

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 this would be funded by unused money from this year and how much is unused in this year's budget.

The Chief Executive Officer said that he did not know the exact number but was confident that Council could find the funds for this operation.

Cr Mileto asked if some of this money will carry over into next year's budget.

The Chief Executive Officer said he would have to find a staff position that is not filled to find funds, and believed there was at least one unfilled position that could fund this operation.

5.4 PROJECT ACTIVITIES MAY 2022

TRIM REFERENCE: 2022/631

RESOLVED - 22/144

Cr J Whitton/Cr J Evans

That the information in the report on Projects 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 Whitton asked what is Moulder Park, Rage Cage, on page 49 line 8.

The Director Community Recreation and Cultural Services stated that this is a proprietary name, is a multi-sport product, think of a netball court perimeter fencing and within that there is multiple sports, across the court basketball, lengthwise soccer goals built into each end, netball court on another part, hit up area for tennis and handball.

Cr McDonell asked if it is fenced and if it is locked.

The Director Community Recreation and Cultural Services said no its not locked.

The Chief Executive Officer asked the Director Community Recreation and Cultural Services to tell Councillors about the Matthews Park Playground.

The Director Community Recreation and Cultural Services stated that after many delays through weather it is being completed now and due for completion at the end of this month, this is a FutureCities project, another playground in the centre of town.

Cr Mileto asked with regards to projects moving forward to 22/23, drainage down the side of Jack Brabham 1 and 4 and 2 and 3 swamps on either side and is there any focus by Council to address that ongoing drainage issue which causes major problems every year.

The Director Community Recreation and Cultural Services stated yes once the multi-fields are completed, drainage works will be undertaken as part of this, there will be some levelling and different height adjustment on those existing fields.

Cr Mileto asked if that remediation would occur on the western side of Jack Brabham Park, where fields are flat which causes problems.

The Director Community Recreation and Cultural Services said yes this is an issue that will be addressed, the irrigation in that north-western corner is the issue for that area, a circus there some years ago was the root of the problem and part of that remediation work is planned to be undertaken.

MATTER ARISING**Cr K Duffy**

Cr Duffy asked that Councillors be advised when works were going to be done on Rutherford Road.

MATTER ARISING**Cr J Whitton**

Cr Whitton asked that Councillors be advised why there is a safety mat resting over electrical wires on a light pole on Jack Brabham Park.

Cr Kinghorne asked why Spring Hill oval is still in the planning stage on the project list, what does this mean, how does this work.

The Director Community Recreation and Cultural Services stated that the Crown Land Trust received some funding for that project at the end of last year so it has been left on the project list as a job to be completed but Council are not proposing to fund it at this point. Council will assist the Trust on this project.

Cr Evans asked about the water fountain in Robertson Park and what was the timeframe on this project.

The Director Community Recreation and Cultural Services said that staff have a solution for the pump and functioning of the fountain itself, works have been commissioned and should not be too far away, the second stage restoration proposed for the fountain includes some identified works to restore the spire in the middle. These are significant (\$200K) plus repair works, it was inspected 2 weeks ago and staff will come back to Council with different options.

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 - 22/145**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 Tender - Water Meter Readings 2022-2025

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

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 8:20pm.

7 RESOLUTIONS FROM CLOSED MEETING

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

6.1 TENDER - WATER METER READINGS 2022-2025

TRIM REFERENCE: 2022/602

RESOLVED - 22/146**Cr K Duffy/Cr T Mileto**

- 1 That Council accepts the tender from Skilltech Consulting Services Pty Ltd to provide water meter reading services for a period of three years at the rate of \$2.57 per meter in residential and commercial locations and \$4.87 per meter in rural, village and industrial locations.
- 2 That permission be granted to use the Council Seal on any relevant document if required.

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

QUESTION TAKEN ON NOTICE**Cr F Kinghorne**

Cr Kinghorne asked that Councillors be advised how much will be saved by Council when Smart meters are installed.

THE MEETING CLOSED AT 8:27PM.

This is Page Number 100 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 3 May 2022.