
ORANGE CITY COUNCIL

MINUTES OF THE

ORDINARY COUNCIL MEETING

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

ON 17 MAY 2022

COMMENCING AT 6:30 PM

1 INTRODUCTION

ATTENDANCE

Cr J Hamling (Mayor), Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne (6:53pm), 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 (*Zoom*), Director Development Services, Director Community, Recreation and Cultural Services, Director Technical Services, Manager Corporate Governance, A/Chief Financial Officer (McDonald), Executive Support Officer, Governance Officer

1.1 APOLOGIES

Nil

**It was noted Cr Kinghorne is an apology for lateness.*

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 Evans declared a Significant Non-Pecuniary Interest in item 5.3 – Request for Financial Assistance – Event Sponsorship Round 3 & 4 – 1 January 2022 to 30 June 2022 – Funding Events Retrospectively – as he has a relationship with the applicant for Yu-Gi-Oh! WCQ Regional Qualifiers through the Orange Business Chamber.

Cr Evans declared a Significant Non-Pecuniary Interest in item 6.2 – Proposed Lease Part 77 Kite Street Orange – as he campaigned with an organisation member who previously sat on the Board of the organisation that is occupying the premises.

Cr Peterson declared a Significant Non-Pecuniary Interest in item 5.3 – Request for Financial Assistance – Event Sponsorship Round 3 & 4 – 1 January 2022 to 30 June 2022 – Funding

Events Retrospectively – as he knows the applicant for Yu-Gi-Oh! WCQ Regional Qualifiers on a personal basis.

Cr Kinghorne declared a Significant Non-Pecuniary Interest in item 5.6 – Development Application DA 304/2007(2) – 5 Borrodell Drive – as her spouse has undertaken soil testing on this site.

Cr Kinghorne declared a Significant Non-Pecuniary Interest in item 6.2 – Proposed Lease Part 77 Kite Street Orange – as a Committee member who belongs to the organisation that is occupying the leased premises was on her election ticket.

Cr Mileto declared a Significant Non-Pecuniary Interest in item 6.2 – Proposed Lease Part 77 Kite Street Orange – as he campaigned with a Committee member who belongs to the organisation that is occupying the premises.

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE OPEN FORUM AT 6:31PM

Item 5.6 – Development Application DA 304/2007(2) – 5 Borrodell Drive

Diedre Leslie addressed Council on her concerns for the proposed Development Application. Gavin Gleeson addressed Council on the proposed development and the notice of approval.

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 6:45PM

2 MAYORAL MINUTES

2.1 COUNCIL MEETING 21 JUNE 2022 - CHANGE OF DATE

TRIM REFERENCE: 2022/684

RESOLVED - 22/139

Cr J Whitton/Cr T Greenhalgh

That the Council Meeting scheduled for Tuesday 21st June 2022 be rescheduled and held on Thursday 23rd June 2022.

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

Against: Nil

Absent: Cr F Kinghorne

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED - 22/140

Cr S Peterson/Cr K Duffy

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

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

Against: Nil

Absent: Cr F Kinghorne

Cr Kinghorne arrived at the meeting with the time being 6:53pm

4 NOTICES OF MOTION/NOTICES OF RESCISSION

4.1 NOTICE OF MOTION - FISHING AT SUMA PARK

TRIM REFERENCE: 2022/765

RESOLVED - 22/141

Cr S Peterson/Cr J Evans

That Council staff provide a report for Councillor's consideration into the feasibility and impacts of fishing in Suma Park Dam or other water sources (including Lake Canobolas and Gosling Creek), if a jetty was constructed.

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 - INVESTIGATION OF ROAD SAFETY AND UPGRADES TO RACECOURSE ROAD

TRIM REFERENCE: 2022/766

RESOLVED - 22/142

Cr J Evans/Cr K Duffy

That Council resolves to:

- 1 Be provided with a report of the current usage of Racecourse Road by pedestrians and vehicles.
- 2 Be provided with a report of past incidences and fatalities on Racecourse Road.
- 3 Conduct an investigation for proposed safety measures for both pedestrians and vehicles to be implemented between Woodward Street and the junction of Pinnacle and Canobolas Roads.

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 RECOMMENDATIONS AND RESOLUTIONS FROM POLICY COMMITTEES

TRIM REFERENCE: 2022/773

RESOLVED - 22/143**Cr J Whitton/Cr D Mallard**

- 1 That the Minutes of the Infrastructure Policy Committee at its meeting held on 3 May 2022 be and are hereby confirmed as a true and accurate record of the proceedings.
- 2 That the Minutes of the Finance Policy Committee at its meeting held on 3 May 2022 be and are hereby confirmed as a true and accurate record of the proceedings.
- 3 That the Minutes of the Services Policy Committee at its meeting held on 3 May 2022 be and are hereby confirmed as a true and accurate record of the proceedings.

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

TRIM REFERENCE: 2022/820

RESOLVED - 22/144**Cr J Whitton/Cr D Mallard**

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 Duffy noted that on page 42 it should be Maramaba Road not Narambla Place that requires long grass being mowed.

Cr Duffy asked what be being done with election placards around Orange.

The Chief Executive Officer stated that he had provided direction to Council Rangers and Tree Crews to remove all placards from Council Trees. Further direction will ensure any placards on Council land will also be removed.

Cr McDonell asked when tree planting will occur at the Hill Street/William Maker Drive intersection.

The Chief Executive Officer noted that it was provided for in this year's budget.

The Director Community, Recreation and Cultural Services stated that plants have been ordered however have not been available due to delays. Once the plants are received, they will be planted and this will include the roundabout as well. It is anticipated that this will still occur during winter.

Cr Evans and Cr Peterson left the meeting with the time being 7:07pm

5.3 REQUEST FOR FINANCIAL ASSISTANCE - EVENT SPONSORSHIP ROUND 3 & 4 - 1 JANUARY 2022 TO 30 JUNE 2022 - FUNDING EVENTS RETROSPECTIVELY.

TRIM REFERENCE: 2022/680

Cr Evans declared a Significant Non-Pecuniary Interest in this item as he has a relationship with the applicant for Yu-Gi-Oh! WCQ Regional Qualifiers through the Orange Business Chamber, left the chamber and did not participate in the discussion or voting on this item.

Cr Peterson declared a Significant Non-Pecuniary Interest in item as he knows the applicant for Yu-Gi-Oh! WCQ Regional Qualifiers on a personal basis, left the chamber and did not participate in the discussion or voting on this item.

RESOLVED - 22/145

Cr K Duffy/Cr D Mallard

That Council resolves:

- 1 That the additional information provided in this report concerning two submissions in Round 3 of Council's Events Sponsorship fund for the Yu-Gi-Oh! WCQ Regional Qualifiers and Wangarang Golf Challenge is noted.

For: Cr J Hamling, Cr K Duffy, 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 J Evans, Cr S Peterson

RESOLVED - 22/146

Cr K Duffy/Cr D Mallard

- 2 To approve the provision of funding to Nicolass Drage (DR Gaming Pty Ltd) based on the information in this report.

For: Cr J Hamling, Cr K Duffy, 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 J Evans, Cr S Peterson

RESOLVED - 22/147

Cr K Duffy/Cr D Mallard

- 3 To approve the provision of funding to Wangarang Industries Ltd based on the information in this report.

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr G Power, Cr J Whitton

Against: Cr M McDonell, Cr T Mileto,

Absent: Cr J Evans, Cr S Peterson

Cr Mileto asked if Wangarang had applied in the correct category being the Flagship Event Fund requiring 1000 attendees and an impact of \$150k plus to the region.

The Director Corporate & Commercial Services stated that they had applied under this category in their original application as this event has now been established for some years.

Cr Evans and Cr Peterson returned to the meeting with the time being 7:13pm

5.4 QUARTERLY BUDGET REVIEW AND PROGRESS REPORT - QUARTER 3 OF 2021/2022

TRIM REFERENCE: 2022/757

RESOLVED - 22/148

Cr K Duffy/Cr J Whitton

That Council resolves:

- 1 That the information provided in the report on the quarterly budget for January 2022 to March 2022 be acknowledged.
- 2 The bank reconciliation statement be acknowledged.
- 3 To adopt favourable variations in the consolidated overall cost to council arising from the March 2022 quarterly review amounting to \$1,394,220.

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 McDonell asked if any of the 9% outstanding rates charges are recovered.

The Acting Chief Financial Officer stated that rates are fulling collectable on properties, that Council can sell properties unpaid rates longer than 5 years and that there is generally 5-6% of unpaid rates at the end of the year.

Cr Greenhalgh asked for an explanation of what s64 and s94 contributions were.

The Director Technical Services stated that s64 contributions are for water and sewer charges under the act and s94, soon to be s711, charges are for development contributions related to land development around subdivisions.

Cr Mallard noted that the annual cat desexing program has been expanded to include cats and dogs.

5.5 STATEMENT OF INVESTMENTS - APRIL 2022

TRIM REFERENCE: 2022/682

RESOLVED - 22/149**Cr K Duffy/Cr S Peterson**

That Council resolves:

- 1 To note the Statement of Investments as of 30 April 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

Cr Kinghorne left the meeting with the time being 7:18pm

5.6 DEVELOPMENT APPLICATION DA 304/2007(2) - 5 BORRODELL DRIVE

TRIM REFERENCE: 2022/519

Cr Kinghorne declared a Significant Non-Pecuniary Interest in this item as a close relative has undertaken soil testing on this site, left the chamber and did not participate in voting or discussion on this item.

MOTION**Cr T Mileto/Cr J Evans**

That Council defer development application DA 304/2007(1) for Subdivision (nine lot residential) and Demolition (tree removal) at Lot 22 DP 791830 - 5 Borrodell Drive, Orange for the purpose of engaging a suitably qualified person to undertake testing to determine the reason for failure, at the applicants' expense – and provide a report to Council on the outcome for further determination.

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

That Council consents to modify the development application DA 304/2007(1) for Subdivision (nine lot residential) and Demolition (tree removal) at Lot 22 DP 791830 - 5 Borrodell Drive, Orange pursuant to the conditions of consent in the attached Notice of Approval.

For: Cr K Duffy, Cr G Floyd, Cr J Whitton

Against: Cr J Hamling, Cr J Evans, Cr T Greenhalgh, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power

Absent: Cr F Kinghorne

THE AMENDMENT ON BEING PUT WAS LOST

FORESHADOWED AMENDMENT**Cr J Hamling/Cr T Greenhalgh**

That Council defers development application DA 304/2007(1) for Subdivision (nine lot residential) and Demolition (tree removal) at Lot 22 DP 791830 - 5 Borrodell Drive, Orange for the purpose of providing further information to Council on the approval process to allow for considered determination of the application.

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

Against: Nil

Absent: Cr F Kinghorne

THE FORESHADOWED AMENDMENT ON BEING PUT WAS CARRIED AND BECAME THE MOTION**THE MOTION ON BEING PUT WAS CARRIED****RESOLVED - 22/150****Cr J Hamling/Cr T Greenhalgh**

That Council defers development application DA 304/2007(1) for Subdivision (nine lot residential) and Demolition (tree removal) at Lot 22 DP 791830 - 5 Borrodell Drive, Orange for the purpose of providing further information to Council on the approval process to allow for considered determination of the application.

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

Against: Nil

Absent: Cr F Kinghorne

Cr Kinghorne returned to the meeting with the time being 7:35pm

5.7 APPOINTMENT OF JOINT REGIONAL PLANNING PANEL (JRPP) MEMBERS

TRIM REFERENCE: 2022/758

RESOLVED - 22/151**Cr J Whitton/Cr M McDonell**

That Council appoint Mr Allan Renike to the Western Region Joint Regional Planning Panel for the next three years.

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

5.8 ADDITIONAL SPECIAL VARIATION 2022/2023 FINANCIAL YEAR

TRIM REFERENCE: 2022/842

RESOLVED - 22/152**Cr M McDonell/Cr T Greenhalgh**

That Council resolves:

- 1 To endorse the recommendation of 19 April 2022 resolution number 22/120 to apply for a permanent ASV.
- 2 That Council acknowledge the additional income derived by the ASV is approximately \$620,000 in the 2022/2023 Financial year
- 3 That the ASV is required to ensure Council's continued financial sustainability after reasonable consideration of the impact on ratepayers and community in 2022/2023 and future years.

FOR: CR J HAMLING, CR K DUFFY, CR J EVANS, CR T GREENHALGH, CR D MALLARD, CR M MCDONELL, CR T MILETO, CR S PETERSON, CR G POWER, CR J WHITTON

AGAINST: CR G FLOYD, CR F KINGHORNE

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 - 22/153**Cr M McDonell/Cr J Whitton**

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 17 May 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 Proposed Lease Part 77 Kite Street 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 (a) personnel matters concerning particular individuals (other than councillors) and (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 Orange Sports Precinct Bulk Earthworks and Trunk Stormwater Drainage - RFT 10048031 - Tender Recommendation

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

6.4 Electricity Procurement - Update to Council

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 7:41pm.

The Mayor declared the Ordinary Meeting of Council resumed at 8:09pm.

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 17 MAY 2022

TRIM REFERENCE: 2022/641

RESOLVED - 22/154

Cr J Whitton/Cr M McDonell

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

Cr Kinghorne, Cr Evans & Cr Mileto left the meeting with the time being 7:46pm

6.2 PROPOSED LEASE PART 77 KITE STREET ORANGE

TRIM REFERENCE: 2022/412

Cr Kinghorne declared a Significant Non-Pecuniary Interest in this item as a Director of the organisation that is occupying the leased premises was on the same election ticket, left the chamber and did not participate in discussion or voting on this item.

Cr Mileto declared a Significant Non-Pecuniary Interest in this item as he campaigned with an organisation member who previously sat on the Board of the organisation that is occupying the premises, left the chamber and did not participate in discussion or voting on this item.

Cr Evans declared a Significant Non-Pecuniary Interest in this item as he campaigned with an organisation member who previously sat on the Board of the organisation that is occupying the premises, left the chamber and did not participate in discussion or voting on this item.

MOTION

Cr K Duffy/Cr G Floyd

- 1 That Council enter into another one year License Agreement with The Community Broadcasters to use the top floor of the Senior Citizens Building at 77 Kite Street Orange on the terms set out in the report at the status quo rental rate.
- 2 That the Council seal be affixed to any necessary documentation.

AMENDMENT

Cr M McDonell/Cr D Mallard

- 1 That Council enter into another one year License Agreement with The Community Broadcasters to use the top floor of the Senior Citizens Building at 77 Kite Street Orange on the terms set out in the report at the market rental rate.
- 2 That the Council seal be affixed to any necessary documentation.

For: Cr M McDonell

Against: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr D Mallard, Cr S Peterson, Cr G Power, Cr J Whitton

Absent: Cr J Evans, Cr F Kinghorne, Cr T Mileto

THE AMENDMENT ON BEING PUT WAS LOST**THE MOTION ON BEING PUT WAS CARRIED****RESOLVED - 22/155****Cr K Duffy/Cr G Floyd**

- 1 That Council enter into another one year License Agreement with The Community Broadcasters to use the top floor of the Senior Citizens Building at 77 Kite Street Orange on the terms set out in the report at the status quo rental rate.
- 2 That the Council seal be affixed to any necessary documentation.

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

Against: Nil

Absent: Cr J Evans, Cr F Kinghorne, Cr T Mileto

Cr Kinghorne, Cr Evans & Cr Mileto returned to the meeting with the time being 7:53pm

6.3 ORANGE SPORTS PRECINCT BULK EARTHWORKS AND TRUNK STORMWATER DRAINAGE - RFT 10048031 - TENDER RECOMMENDATION

TRIM REFERENCE: 2022/819

MOTION**Cr J Whitton/Cr G Floyd**

That Council resolves:

- 1 That the tender by Symal Infrastructure Pty Ltd in the Recommended Tender Amount of \$8,800,849.20 (including GST), be accepted for Contract No. 10048031 for Orange Sports Precinct Bulk Earthworks and Truck Stormwater Drainage; and
- 2 That a provision is made for contingency of 10% of the contract value.

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

That Council defer the consideration of the Tender for Orange Sports Precinct Bulk Earthworks and Truck Stormwater Drainage and seek a redesign of the sporting precinct to provide for more of a balance in sporting fields and parkland areas.

For: Cr D Mallard

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

Absent: Nil

THE AMENDMENT ON BEING PUT WAS LOST**THE MOTION ON BEING PUT WAS CARRIED****RESOLVED - 22/156****Cr J Whitton/Cr G Floyd**

That Council resolves:

- 1 That the tender by Symal Infrastructure Pty Ltd in the Recommended Tender Amount of \$8,800,849.20 (including GST), be accepted for Contract No. 10048031 for Orange Sports Precinct Bulk Earthworks and Truck Stormwater Drainage; and
- 2 That a provision is made for contingency of 10% of the contract value.

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

Against: Cr D Mallard

Absent: Nil

6.4 ELECTRICITY PROCUREMENT - UPDATE TO COUNCIL

TRIM REFERENCE: 2022/840

RESOLVED - 22/157**Cr J Whitton/Cr T Greenhalgh**

That Council resolves to:

- 1 Note the extreme and unprecedented volatility of the electricity market currently being experienced
- 2 Replace the previous resolution from Council's Environmental Sustainability Policy Committee report of 1 June 2021, resolution 21/160, part 3:
That Council contribute a minimum of 50% of Council's electricity load to a renewable energy power purchase agreement where the pricing is lower than the existing contracted price;
with
That Council contribute a minimum of 50% of Council's electricity load to a renewable energy Power Purchase Agreement.
- 3 Receive a report on completion of the procurement process.

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

Against: Nil

Absent: Nil

THE MEETING CLOSED AT 8:12PM

This is Page Number 13 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 17 May 2022.