
ORANGE CITY COUNCIL

MINUTES OF THE

ORDINARY COUNCIL MEETING

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

ON 7 JUNE 2022

COMMENCING AT 6:30 PM

1 INTRODUCTION

ATTENDANCE

Cr J Hamling (Mayor), Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne (*zoom/6.43pm*), Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson (*zoom/7.15pm*), Cr G Power (Deputy Mayor), Cr J Whitton (*zoom*).

Chief Executive Officer, Director Corporate and Commercial Services, Director Development Services, Director Community, Recreation and Cultural Services, Director Technical Services, Manager Corporate Governance, Manager Development Assessment, Governance Administration Officer, Manager Engineering Services

1.1 APOLOGIES

RESOLVED - 22/158	Cr T Mileto/Cr K Duffy
That the apologies be accepted from Cr Jack Evans and Cr Steven Peterson (for lateness) for the Council Meeting of Orange City Council on 7 June 2022.	
RESOLVED - 22/159	Cr T Mileto/Cr K Duffy
That Cr S Peterson, Cr J Whitton and Cr F Kinghorne be permitted to attend the Council Meeting of Orange City Council on 7 June 2022 via audio visual link (<i>zoom</i>).	

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 S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

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

Crs Kinghorne, Hamling, Greenhalgh, Mileto, Cr McDonell and Whitton declared Interests in matters considered under item 2.2 – Draft Local Housing Strategy – Post Exhibition – each of which are noted on the items throughout the Minutes of the Planning and Development Committee of 7 June 2022.

Cr Kinghorne declared a Significant Non-Pecuniary interest in items 2.4 and 2.5 of the Planning and Development Committee – 5 Borrodell Drive – as her spouse has undertaken soil testing on this site.

1.5 OPENING PRAYER

Pastor Jon Baker of Orange Church of Christ led the Council in Prayer.

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE OPEN FORUM AT 6:35PM

Stephen Martin spoke to Council meeting item 3.1, Minutes of the Ordinary meeting of Orange City Council held on 17 May 2022.

The following speakers spoke to PDC meeting item 2.2, Draft Local Housing Strategy – Post Exhibition report.

- Sue Field
- Tim Hall
- Susannah Playfair
- Chip Howitt
- Anne Salter
- Catherine Pringle
- Lee Cook

Deirdre Leslie spoke to PDC meeting item 2.5 – Investigations into tree health, 5 Borrodell Drive, Orange

The following speakers spoke to PDC meeting item 2.6, DA 18/2022(1) – 52 Kite Street

- Jacqueline Tuck
- William Tuck
- Paddy Williams

Cr F Kinghorne joined the meeting with the time being 6:43pm

Cr S Peterson joined the meeting with the time being 7.15pm

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 7:16PM**2 MAYORAL MINUTES**

Nil

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED - 22/160**Cr T Greenhalgh/Cr M McDonell**

That the Minutes of the Ordinary Meeting of Orange City Council held on 17 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 17 May 2022.

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 S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

Cr K Duffy apologised to those who misconstrued the intent of his comments during item 4.2 of the Council Meeting of 17 May 2022 and offered to bring back a motion regarding road safety to both Council and the Orange and Cabonne Road Safety Committee.

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 8:43PM

4 NOTICES OF MOTION/NOTICES OF RESCISSION

4.1 NOTICE OF MOTION - SPORTING PRECINCT CAPITAL & ONGOING FINANCIALS

TRIM REFERENCE: 2022/987

RESOLVED - 22/229**Cr M McDonell/Cr D Mallard**

That Council provide a report detailing both the Capital and ongoing financials related to the Sporting Precinct, including but not limited to:

- I. Expected ongoing costs of servicing and maintaining the Precinct once completed; including estimated costs of purchasing new equipment and other resources required to service and maintain the Precinct;
- II. Whether these expenses been budgeted for in current and future budgets;
- III. The likely sources of funding these costs.
- IV. That staff provide quarterly reporting on capital expenditure on the project.

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 S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

4.2 NOTICE OF MOTION - RUBBISH REMOVAL AND RECYCLING SERVICES DURING ANNUAL CHRISTMAS/NEW YEARS FESTIVE SEASON

TRIM REFERENCE: 2022/994

MOTION**Cr G Floyd/Cr K Duffy**

That Council resolves to:

- 1 Facilitate with its business partner increased recycling services during the annual Christmas and New Year's festive season, which will assist residents in the removal of the additional recyclable materials which typically accumulate in households at this time of the year. This will promote a better awareness of recycling and the responsible disposal of refuse and reduce unnecessary landfill.
- 2 Increase the frequency of recyclable material collection from fortnightly to weekly during this period.
- 3 Receive a report with a revised delivery schedule over this period and associated costing.

AMENDMENT**Cr J Whitton/Cr M McDonell**

That Council resolves to:

- 1 Facilitate with its business partner increased recycling services during the annual Christmas and New Year's festive season, which will assist residents in the removal of the additional recyclable materials which typically accumulate in households at this time of the year. This will promote a better awareness of recycling and the responsible disposal of refuse and reduce unnecessary landfill.
- 2 Increase the frequency of recyclable material collection from fortnightly to weekly during this period.
- 3 Receive a report with a revised delivery schedule over this period and associated costing including costs associated with the placement of skip bins located in the CBD for waste and recycling.

For: Cr J Hamling, 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: Cr J Evans

THE AMENDMENT ON BEING PUT WAS CARRIED AND BECAME THE MOTION**THE MOTION ON BEING PUT WAS CARRIED**

RESOLVED - 22/230**Cr J Whitton/Cr M McDonell**

That Council resolves to:

- 1 Facilitate with its business partner increased recycling services during the annual Christmas and New Year's festive season, which will assist residents in the removal of the additional recyclable materials which typically accumulate in households at this time of the year. This will promote a better awareness of recycling and the responsible disposal of refuse and reduce unnecessary landfill.
- 2 Increase the frequency of recyclable material collection from fortnightly to weekly during this period.
- 3 Receive a report with a revised delivery schedule over this period and associated costing including costs associated with the placement of skip bins located in the CBD for waste and recycling.

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 S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

Cr Mileto asked for further information around additional costs.

The Director Technical Services stated it was not a straight forward option to add additional service due to structure of current services and reminded Councillors of the additional ticket service that can be used for an additional service with tickets available to purchase from the cashier for \$2 each.

Cr McDonell asked when the last waste audit was conducted and the frequency of audits.

The Director Technical Services advised an audit is underway but generally we see good compliance with audits conducted regularly.

Cr Duffy asked if the 2.5% rate increase has gone in yet.

The Chief Executive Officer advised it has been submitted and we will know the result on 21 June 2022.

Cr Greenhalgh stated it was a concern taking up carparking spaces in carparks at peak shopping times/festive season with the placement of skip bins.

The Chief Executive Officer advised this is something the report can review.

MATTER ARISING**Cr J Hamling**

Cr Hamling requested further promotion of additional waste collection ticketing system.

5 GENERAL REPORTS

5.1 PROGRESS REPORT - OPERATIONAL PLAN 2021/2022 (DELIVERY PLAN YEAR 4) - SIX MONTHS FROM 1 JULY 2021 TO 31 DECEMBER 2021

TRIM REFERENCE: 2022/891

RESOLVED - 22/231**Cr M McDonell/Cr K Duffy**

That the Progress Report - Operational Plan 2021/2022 (Delivery Program Year 4) – Six Months from 1 July 2021 to 31 December 2021 be 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 S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

Cr Mileto asked why the processing time of DA's was higher than previous.

The Director Development Services advised the jump in time is mainly due to use of State Government planning portal, increased development within the City and some staff vacancies.

5.2 PROJECT ACTIVITIES JUNE 2022

TRIM REFERENCE: 2022/951

RESOLVED - 22/232**Cr T Greenhalgh/Cr F Kinghorne**

That the information in the report on Projects be acknowledged.

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 S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

5.3 GRANT APPROVALS AND EVENTS CALENDAR

TRIM REFERENCE: 2022/997

RESOLVED - 22/233**Cr J Hamling/Cr D Mallard**

That Council resolves to:

- 1 Approve the use of \$220,000 of the Reconnecting Regional NSW – Community Events Program grant to host the proposed Orange Winter Fire Festival in August 2022.
- 2 Approve the use of the balance of the ‘Reconnecting Regional NSW – Community Events Program’ grant (\$67,582) to enhance the Council’s 2022 New Year’s Eve event which will not include Fireworks.
- 3 Approve the use of the \$35,000 Building Better Regions grant to host the ‘Sprint into Summer – Orange Mile’ in December 2022.
- 4 Approve a Council contribution of \$35,000 from the proposed 2022/23 events budget to the ‘Sprint into Summer – Orange Mile’, as per the requirements of the grant.
- 5 Note the calendar of Council-run community events.

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

Against: Nil

Absent: Cr J Evans

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 - 22/234**Cr K Duffy/Cr T Greenhalgh**

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 7 June 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 Lease hangar site AA Orange Airport

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 Lease Hangar Z Orange Airport

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 Minutes of the Audit Risk and Improvement Committee Meeting of 5 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 (f) matters affecting the security of the Council, Councillors, Council staff or Council property.

The Mayor declared the Ordinary Meeting of Council adjourned for the conduct of the Closed Meeting at 9:30pm.

The Mayor declared the Ordinary Meeting of Council resumed at 9:35pm.

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 7 JUNE 2022

TRIM REFERENCE: 2022/961

RESOLVED - 22/235**Cr K Duffy/Cr G Power**

That the information in this report be acknowledged.

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 S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

6.2 LEASE HANGAR SITE AA ORANGE AIRPORT

TRIM REFERENCE: 2022/965

RESOLVED - 22/236**Cr T Greenhalgh/Cr M McDonell**

The Council resolves:

- 1 To enter a lease of Hangar AA for a term of 15 years.
- 2 That approval be granted for the use of the Council Seal on all relevant documents.

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 S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

6.3 LEASE HANGAR Z ORANGE AIRPORT

TRIM REFERENCE: 2022/964

RESOLVED - 22/237**Cr G Power/Cr K Duffy**

That Council resolves:

- 1 To enter a 10 year lease of Hangar Z on Council land at the Orange Airport.
- 2 That approval be granted for the use of the Council Seal on all relevant documents.

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 S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

6.4 MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING OF 5 MAY 2022

TRIM REFERENCE: 2022/993

RESOLVED - 22/238**Cr K Duffy/Cr F Kinghorne**

- 1 That Council acknowledge the reports presented to the Audit, Risk & Improvement Committee at its meeting held 5 May 2022.
- 2 That the minutes of the Audit, Risk & Improvement Committee at its meeting held on 5 May 2022 be adopted.

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 S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

THE MEETING CLOSED AT 9:37PM

This is Page Number 10 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 7 June 2022.