
ORANGE CITY COUNCIL

MINUTES OF THE

ORDINARY COUNCIL MEETING

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

ON 19 JULY 2022

COMMENCING AT 6.30PM

1 INTRODUCTION

ATTENDANCE

Cr J Hamling (Mayor), Cr K Duffy, Cr J Evans(*zoom*), 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, A/Executive Support Manager (Dally)

1.1 APOLOGIES

Nil

RESOLVED - 22/286	Cr M McDonell/Cr D Mallard
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That Cr J Evans be permitted to attend the Council Meeting of Orange City Council on 19 July 2022 via audio visual link (zoom).

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

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 Whitton noted that he had previously declared interests in a number of items outlined as part of Item 5.3 – Outstanding and Completed Resolutions, Questions Taken on Notice, Matters Arising and Notices of Motion.

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE OPEN FORUM AT 6.32PM

Jess Whan addressed the Chamber on behalf of Youth Action Committee at the invitation of Cr Floyd. The Youth Action Council has asked Council to consider an appropriate space that may be available for future youth facilities.

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 6.42PM

2 MAYORAL MINUTES

2.1 CHIEF EXECUTIVE OFFICER - PERFORMANCE REVIEW PANEL

TRIM REFERENCE: 2022/1187

RESOLVED - 22/287

Cr J Hamling/Cr J Whitton

That Council resolves to:

- 1 Establish a Chief Executive Officer Performance Review Panel consisting of the Mayor (Cr Jason Hamling), Deputy Mayor (Cr Gerald Power), a Councillor appointed by the Chief Executive Officer and a Councillor appointed by Council.
- 2 Acknowledge the appointment of Councillor Jeff Whitton as the Chief Executive Officer's nomination for the panel.
- 3 Select Cr Greenhalgh as the Council appointment to be included on the Chief Executive Officer's Performance Review Panel.
- 4 Acknowledge that all Councillors appointed to the Chief Executive Officer Performance Review Panel will complete the General Manager Performance Appraisal Training prior to the next appraisal of the Chief Executive Officer.
- 5 Delegate the Performance Review of the Chief Executive Officer to the Chief Executives Performance Review Panel.

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

Councillor Nomination	Nominated By	Accepted/Declined
Cr Tammy Greenhalgh	Cr J Hamling/Cr J Whitton	Accepted
Cr Melanie McDonell	Cr G Power/Cr D Mallard	Accepted
Cr F Kinghorne	Cr G Power	Declined

Division of Voting for Council Representative on CEO Performance Review Panel	
Voted For Cr Greenhalgh	Cr J Hamling, Cr T Mileto, Cr J Whitton, Cr J Evans, Cr F Kinghorne, Cr T Greenhalgh, Cr S Peterson
Voted For Cr McDonell	Cr K Duffy, Cr G Power, Cr M McDonell, Cr D Mallard, Cr G Floyd
Absent	Nil

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED - 22/288**Cr J Whitton/Cr G Floyd**

That the Minutes of the Ordinary Meeting of Orange City Council held on 5 July 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 July 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

4 NOTICES OF MOTION/NOTICES OF RESCISSION

Nil

5 GENERAL REPORTS

5.1 RECOMMENDATIONS AND RESOLUTIONS FROM POLICY COMMITTEES

TRIM REFERENCE: 2022/847

RESOLVED - 22/289**Cr D Mallard/Cr M McDonell**

That Council resolves:

- 1 That the Minutes of the Planning & Development Policy Committee at its meeting held on 5 July 2022 be and are hereby confirmed as a true and accurate record of the proceedings.
- 2 That the Minutes of the Employment and Economic Development Policy Committee at its meeting held on 5 July 2022 be and are hereby confirmed as a true and accurate record of the proceedings.
- 3 That the Minutes of the Infrastructure Policy Committee at its meeting held on 5 July 2022 be and are hereby confirmed as a true and accurate record of the proceedings.
- 4 That the Minutes of the Environmental Sustainability Policy Committee at its meeting held on 5 July 2022 be and are hereby confirmed as a true and accurate record of the proceedings.
- 5 That the Minutes of the Finance Policy Committee at its meeting held on 5 July 2022 be and are hereby confirmed as a true and accurate record of the proceedings.
- 6 That the Minutes of the Services Policy Committee at its meeting held on 5 July 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

Cr Duffy asked for information to be provided on upgrades to Clergate Road.

The Director Technical Services stated that Tenders have been opened and are currently being assessed with a report to be provided to the next Council Meeting.

Cr Whitton asked for an update to parking near the pedestrian crossing on Lords place.

The Director Technical Services advised the matter was still to be brought before the Traffic Committee.

5.2 STATEMENT OF INVESTMENTS - JUNE 2022

TRIM REFERENCE: 2022/1235

RESOLVED - 22/290

Cr K Duffy/Cr G Floyd

That Council resolves:

- 1 To note the Statement of Investments as of 30 June 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 Greenhalgh asked why Council did not invest in AAA rating investments.

The Director Community, Recreation and Cultural Service stated there are parameters set for each level and Council would look at investing in those that provided the highest return and typically AAA Rating investments have lower returns. There is no requirement to invest in those with a AAA Rating.

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

TRIM REFERENCE: 2022/1305

RESOLVED - 22/291

Cr M McDonell/Cr S Peterson

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 McDonell asked regarding Council Resolution 22/229 of 7 June 2022 for clarification of 'Liaising with NSW Government'.

The Director Community, Recreation and Cultural Services advised staff are working through design parameters of the site which has shifted from 6 months ago, refining elements and taking increasing costs into consideration. Pulling together an accurate figure is being worked on.

Cr Greenhalgh requested clarification of the technical issues regarding Council Resolution 21/380 of 19 October 2021.

The Chief Executive Officer advised he and Cr Floyd have met about how to approach this as we cannot just stock fish. Cr Floyd attended the recent Trout Acclimatisation meeting. Council staff will have to meet with fisheries and have program supported/approved and consider where else in Orange.

Cr Greenhalgh stated Council Resolution of 15 March 2022, a letter to be written to ALGA has yet to be completed.

The Chief Executive Officer noted the delay.

Cr Mallard sought clarification on when a homelessness policy would be prepared as per Resolution 22/182 from the Planning and Development Committee of 7 June 2022.

The Director Development Services stated that the Local Housing Strategy has been finalised and provided to Department of Planning. Additional policy work starts to commence as year progresses.

QUESTION TAKEN ON NOTICE

Cr D Mallard

Cr Mallard ask if the audit of Council land found suitable land for partnering with social and affordable housing and if the old sale yards can be assessed for viability of this land as a prospect for a residential area.

Cr Duffy asked if we have access to 5 Borrodell Drive if an Arborist has been engaged and whether staff had had discussion with the property owners.

The Director Development Services advised access will be around enforcement of the Environmental Planning & Assessment Act and the original consent related to site. Staff are currently engaging with the consultant and have not yet discussed the matter with the property owners. As per the Resolution of Council, staff will provide a further report.

Cr Duffy raised the story in paper regarding Lone Pine tree and if there were any cost to Council in process of shifting powerlines.

The Chief Executive Officer advised that no, the tree work was done by contractor for essential energy at their cost. Council will incur costs when cutting down and replacing the tree, which will be passed on to essential energy.

5.4 REPORT ON 2022 BULKY WASTE SERVICE

TRIM REFERENCE: 2022/1295

MOTION

Cr K Duffy/Cr G Floyd

That Council resolves:

- 1 To note the report on 2022 Bulky Waste Service.
- 2 To determine to schedule a kerb side Bulky Waste Service in February 2023.

AMENDMENT

Cr F Kinghorne/Cr T Mileto

That Council defers item 5.4 – Report on 2022 Bulky Waste Service for staff to look at further options for bulky waste services.

THE MOTION WAS WITHDRAWN BY CR DUFFY
THE AMENDMENT BECAME THE MOTION AND WAS CARRIED
RESOLVED - 22/292 Cr F Kinghorne/Cr T Mileto
That Council defers item 5.4 – Report on 2022 Bulky Waste Service for staff to look at further options for bulky waste 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

Cr Whitton sought clarification if Council resolved to schedule kerb side bulky waste in February 2023 that everyone gets an additional \$11 fee, or the other option for 'user-pay' would see no increase but \$220 per booking for residents.

The Director Technical Services stated the \$220 fee is for a once off pick up involving a smaller truck for single services. When a campaign for bulky waste is run, a special truck is brought in by JR Richards specific to larger collections. Resources were not available to do the campaign in February as per the traditional booking time. JR Richards may not have the resources to do group pick up bookings. There is window to review the bulky services before rates go out in September. The Director of Technical Services referred to part B of the original motion stating residents can take Bulky white goods to tip free of charge along with green waste.

Cr Peterson asked when there was no bulky waste collection, was illegal waste dumping increased or seen as an issue.

The Director of Technical Services advised bulky waste collections do assist with discouraging illegal dumping.

6 CLOSED MEETING

Nil

THE MEETING CLOSED AT 7.21PM

This is Page Number 6 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 19 July 2022.