



## **ORDINARY COUNCIL MEETING**

# **AGENDA**

**20 DECEMBER 2022**

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993 that an **ORDINARY MEETING** of **ORANGE CITY COUNCIL** will be held in the **COUNCIL CHAMBER, CIVIC CENTRE, BYNG STREET, ORANGE** on **Tuesday, 20 December 2022** commencing at **6.30PM**.

David Waddell

**CHIEF EXECUTIVE OFFICER**

For apologies please contact Administration on 6393 8106.

## AGENDA

### EVACUATION PROCEDURE

In the event of an emergency, the building may be evacuated. You will be required to vacate the building by the rear entrance and gather at the breezeway between the Library and Art Gallery buildings. This is Council's designated emergency muster point.

Under no circumstances is anyone permitted to re-enter the building until the all clear has been given and the area deemed safe by authorised personnel.

In the event of an evacuation, a member of Council staff will assist any member of the public with a disability to vacate the building.

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## **1 INTRODUCTION**

### **1.1 APOLOGIES AND LEAVE OF ABSENCE**

### **1.2 LIVESTREAMING AND RECORDING**

This Council Meeting is being livestreamed and recorded. By speaking at the Council Meeting you agree to being livestreamed and recorded. Please ensure that if and when you speak at this Council Meeting that you ensure you are respectful to others and use appropriate language at all times. Orange City Council accepts no liability for any defamatory or offensive remarks or gestures made during the course of this Council Meeting. A recording will be made for administrative purposes and will be available to Councillors.

### **1.3 ACKNOWLEDGEMENT OF COUNTRY**

I would like to acknowledge the Traditional Custodians of the land on which we meet today, the people of the Wiradjuri Nation. I pay my respects to Elders past and present, and extend those respects to Aboriginal Peoples of Orange and surrounds, and Aboriginal people here with us today.

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

The provisions of Chapter 14 of the Local Government Act, 1993 (the Act) regulate the way in which Councillors and designated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public role.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons given for declaring such interest.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussion or voting on that matter, and requires that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code of Conduct also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

## **RECOMMENDATION**

It is recommended that Councillors now disclose any conflicts of interest in matters under consideration by the Council at this meeting.

## **COUNCIL MEETING ADJOURNS FOR THE CONDUCT OF THE OPEN FORUM**

## **COUNCIL MEETING RESUMES**

**2 MAYORAL MINUTES**

Nil

**3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**RECOMMENDATION**

That the Minutes of the Ordinary Meeting of Orange City Council held on 6 December 2022 (copies of which were circulated to all members) be and are hereby confirmed as a true and accurate records of the proceedings of the Council meeting held on 6 December 2022.

**ATTACHMENTS**

- 1 Minutes of the Ordinary Meeting of Orange City Council held on 6 December 2022

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# ORANGE CITY COUNCIL

MINUTES OF THE

## ORDINARY COUNCIL MEETING

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

ON 6 DECEMBER 2022

COMMENCING AT 6.30PM

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### 1 INTRODUCTION

#### ATTENDANCE

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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 Community, Recreation and Cultural Services, Director Technical Services, Manager Corporate Governance, Governance Officer, Senior Planner (Hicks), Manager Development Assessment.

#### 1.1 APOLOGIES

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Nil

#### 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 Kinghorne declared a Significant Pecuniary Interest in PDC Item 2.2 Development Application DA392/2021(1) – 6-8 Callawa Street, as her Husband's business has undertaken work at this site.

Cr Evans declared a Significant Pecuniary Interest in Closed Item 6.3 – Tenders for Clergate Road Stages 2 and 3 as the applicant is a customer of his business.

Cr Hamling declared a Non-Significant Non-Pecuniary Interest in PDC Item 2.1 – Items approved under delegated authority as he is an OCTEC Board member.

Cr Whitton declared a Non-Significant Non-Pecuniary Interest in PDC Item 2.1 – Items approved under delegated authority as he is an OCTEC Board member.

Cr Hamling declared a Significant Pecuniary Interest in FPC Item 2.2 Small Donations and Grant Applications – part 1 as he is a member of Staff at Orange High School.

Cr Hamling declared a Significant Non-Pecuniary Interest in FPC Item 2.2 Small Donations and Grant Applications – part 8 as he has family employed at Glenroi Heights Public School.

Cr Floyd declared a Significant Pecuniary Interest in FPC Item 2.2 Small Donations and Grant Applications – part 6 as the applicant, Newcrest is his employer.

### 1.5 OPENING PRAYER

Greg Blanch of the Orange Evangelical Church led the Council in Prayer.

### THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE OPEN FORUM AT 6.34PM

The following members of the public addressed Council in the Open Forum:

#### **PDC Item 2.2 – DA 392/2021 (1) – 6-8 Callawa Street, Orange**

Rod Fragar

Gary Arthur

Amber Gunn spoke

#### **ESPC Item 2.2 – Minutes of the Parks, Trees and Waterways Community Committee 13 October 2022**

Margie Totman

Sue Duchnaj

Tony Ford spoke

#### **Council Agenda Item 4.2 – Notice of Motion – Gaanha-bula, Mount Canobolas Mountain Bike Trail**

Scott Turner

Rodney Farrell

#### **Council Agenda item 4.2 – Notice of Motion – Statement from the Heart**

Kishaya Delaney

### THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 7.12PM

## 2 MAYORAL MINUTES

### 2.1 LGNSW ANNUAL CONFERENCE - OCTOBER 2022

TRIM REFERENCE: 2022/2337

#### **RESOLVED - 22/494**

**Cr K Duffy/Cr G Floyd**

That the information contained in this Mayoral Minute on the LGNSW Annual Conference 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

**3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING****RESOLVED - 22/495****Cr J Whitton/Cr M McDonell**

That the Minutes of the Ordinary Meeting of Orange City Council held on 15 November 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 15 November 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 7.14PM**

**THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 9.00PM**

**4 NOTICES OF MOTION/NOTICES OF RESCISSION****4.1 NOTICE OF MOTION - RATES NOTICE BREAKDOWN AND EXPENDITURE ATTACHMENT**

TRIM REFERENCE: 2022/2406

**RESOLVED - 22/527****Cr S Peterson/Cr T Mileto**

That future Rates Notices include a breakdown demonstrating how Rates are spent and additionally how total Council expenditure is spent.

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 - GAANHA-BULA - MOUNT CANOBOLAS MOUNTAIN BIKE TRAILS**

TRIM REFERENCE: 2022/2409

**MOTION****Cr G Power/Cr M McDonell**

That Council resolves not to carry out any further work toward the State Significant Development proposal to develop the Mount Canobolas Mountain Bike Trails, in light of the economic priorities and challenges facing Council in addition to the potential environmental and cultural heritage impacts associated with the proposal.

**THE MOTION ON BEING PUT WAS LOST**

For: Cr J Evans, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr G Power,

Against: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr T Mileto, Cr S Peterson, Cr J Whitton

Absent: Nil



**MATTER ARISING****Cr K Duffy**

Cr Duffy requested that a full briefing for Councillors be held in March/April 2023 of where the Mountain Bike Trails proposal is up to.

**4.3 NOTICE OF MOTION - STATEMENT FROM THE HEART**

TRIM REFERENCE: 2022/2412

**MOTION****Cr G Power/Cr M McDonell**

That Council resolves:

- 1 To support the Uluru Statement from the Heart and its call for a First Nations Voice to Parliament protected by the Constitution;
- 2 To promote and support the campaign for a “Yes” vote in a referendum on a Voice; and
- 3 That Council write to the Federal Member for Calare seeking his support for the referendum and to support the “Yes” campaign.

**AMENDMENT****Cr T Mileto/Cr T Greenhalgh**

That the Notice of Motion be deferred for a period of not more than 12-months to allow further consultation to occur where possible, with all Aboriginal Elders in the Orange LGA, and that more information also be provided to Council in relation to the statement moving forward, that would allow Councillors to make a more informed decision on the matter.

For: Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr T Mileto

Against: Cr J Hamling, Cr J Evans, Cr D Mallard, Cr M McDonell, 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 - 22/528****Cr G Power/Cr M McDonell**

That Council resolves:

- 1 To support the Uluru Statement from the Heart and its call for a First Nations Voice to Parliament protected by the Constitution;
- 2 To promote and support the campaign for a “Yes” vote in a referendum on a Voice; and
- 3 That Council write to the Federal Member for Calare seeking his support for the referendum and to support the “Yes” campaign.

For: Cr J Hamling, Cr G Floyd, Cr J Evans, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Cr K Duffy, Cr T Greenhalgh, Cr F Kinghorne, Cr T Mileto

Absent: Nil

**4.4 COUNCILLOR REPORT – 2030 AND BEYOND - ADAPTATION FOR OUR FUTURE:  
CONFERENCE REPORT - CR MELANIE MCDONELL**

TRIM REFERENCE: 2022/2303

**RESOLVED - 22/529****Cr M McDonell/Cr J Hamling**

That the attendance by Cr McDonell at the 2030 and Beyond – Adaptation for our Future Conference on 1-2 November 2022 and this report be noted.

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

TRIM REFERENCE: 2022/1317

**RESOLVED - 22/530****Cr D Mallard/Cr M McDonell**

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 Greenhalgh asked how many of the Beyond Blue benches are installed.

Cr Mileto advised the concrete pads are in process of going in as positions have been determined for 15 benches.

Cr Duffy asked in regards to the information on the lawn mowing contracts.

*Chief Executive Officer advised the matter had been discussed with the Director Community, Recreation and Culture that specifications can and will be shared, but not the contracts.*

**MATTER ARISING****Cr S Peterson**

Cr Peterson requested that the information he requested on the benchmarking of fees and charges be followed up.

**5.2 CONDUCT OF THE 2024 LOCAL GOVERNMENT ELECTION**

TRIM REFERENCE: 2022/2214

**RESOLVED - 22/531****Cr M McDonell/Cr G Floyd**

That Orange City Council resolves:

- 1 That pursuant to Sections 296(2) and 296(3) of the Local Government Act 1993, an election arrangement be entered into by contract for the NSW Electoral Commissioner to administer all elections of the Council.
- 2 That permission be granted for the use of the Council Seal on all relevant documents.

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 the pre-polling timing and specifications is determined elsewhere and was there to be a questions put to Councillors on a referendum to reduce the number of Councillors.

*This Chief Executive Officer advised yes, specifications not determined locally and there is a report drafted that will come to Council 20 December 2022 or early 2023.*

**QUESTION TAKEN ON NOTICE****Cr F Kinghorne**

Cr Kinghorne requested information on costings for last Local Government election and the impact COVID had on these costings.

**5.3 STRATEGIC POLICY REVIEWS**

TRIM REFERENCE: 2022/2315

**RESOLVED - 22/532****Cr M McDonell/Cr T Greenhalgh**

That Council resolves to place the following policies on public exhibition for a minimum period of 28 days:

- ST06 - Statement of Business Ethics
- ST07 - Modern Slavery Prevention
- ST14 – Related Parties

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

**5.4 STRATEGIC POLICY POST EXHIBITION ADOPTION**

TRIM REFERENCE: 2022/2346

**RESOLVED - 22/533****Cr G Floyd/Cr F Kinghorne**

That Council resolves to adopt the following policies in accordance with the contents of this report:

- ST01 - Code of Conduct
- ST01.1 - Procedures for the Administration of the Code of Conduct
- ST02 - Code of Meeting Practice
- ST03 - Councillor Payment of Expenses and Provision of Facilities

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 - 22/534****Cr J Whitton/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 Minutes of the Audit Risk and Improvement Committee Meeting of 3 November 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.

**6.2 WITHDRAWN - Evaluation of Submissions - NetWaste Tender for Processing of Garden Organics, Wood and Timber****6.3 Tenders for Clergate Road Stages 2 and 3**

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 Submission Redactions 6 December 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.

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 Closed Meeting at 10.00pm

The Mayor declared the Ordinary Meeting of Council resumed at 10.08pm.

## 7 RESOLUTIONS FROM CLOSED MEETING

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

### 6.1 MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING OF 3 NOVEMBER 2022

TRIM REFERENCE: 2022/2355

**RESOLVED - 22/535****Cr G Floyd/Cr F Kinghorne**

- 1 That Council acknowledge the reports presented to the Audit, Risk & Improvement Committee at its meeting held 3 November 2022.
- 2 That the minutes of the Audit, Risk & Improvement Committee at its meeting held on 3 November 2022 be adopted.

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

### 6.2 WITHDRAWN - EVALUATION OF SUBMISSIONS - NETWASTE TENDER FOR PROCESSING OF GARDEN ORGANICS, WOOD AND TIMBER

TRIM REFERENCE: 2022/2402

**THIS ITEM WAS WITHDRAWN.**

### 6.3 TENDERS FOR CLERGATE ROAD STAGES 2 AND 3

TRIM REFERENCE: 2022/2408

**RESOLVED - 22/536****Cr J Hamling/Cr K Duffy**

That Council resolves to:

- 1 Not accept any tenders for Clergate Road upgrade stages 2 and 3;
- 2 Not invite fresh tenders as negotiations with the sole tenderer within budget should result in a contract being able to be entered into;
- 3 Enter into negotiations with the tenderer identified in this report to finalise terms, conditions and price with a view to entering into a contract for the Clergate Road Stage 2 and Stage 3 project;
- 4 Approve the Chief Executive Officer, or his nominee, to enter into a standard contract for a value up to and including the budgeted amount;
- 5 Grant permission to the Chief Executive Officer or nominee to do such things as may be necessary or convenient to give effect to this decision, including affixing the Council Seal to all relevant documents 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

**6.4 SUBMISSION REDACTIONS 6 DECEMBER 2022**

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TRIM REFERENCE: 2022/1819

**RESOLVED - 22/537**

**Cr K Duffy/Cr G Power**

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

**THE MEETING CLOSED AT 10.10PM**

This is Page Number 10 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 6 December 2022.

**THE NSW AUDIT OFFICE TO PRESENT THE ANNUAL FINANCIAL STATEMENTS**

THE NSW AUDIT OFFICE WILL JOIN THE MEETING TO PRESENT THE ANNUAL FINANCIAL STATEMENTS.

**4 NOTICES OF MOTION/NOTICES OF RESCISSION**

Nil



## **5 GENERAL REPORTS**

### **5.1 RECOMMENDATIONS AND RESOLUTIONS FROM POLICY COMMITTEES**

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RECORD NUMBER: 2022/1315

AUTHOR: Janessa Constantine, Manager Corporate Governance

#### **EXECUTIVE SUMMARY**

Council's Policy Committees (Planning and Development Committee, Employment and Economic Development Policy Committee, Infrastructure Policy Committee, Sport and Recreation Policy Committee, Environmental Sustainability Policy Committee, Finance Policy Committee and Services Policy Committee) have delegation to determine matters before those Committees with the exception of items that impact on Council's Delivery/Operational Plan.

This report provides minutes of the Policy Committees held this month. Resolutions made by the Committees are presented for adoption or amendment by Council.

#### **LINK TO DELIVERY/OPERATIONAL PLAN**

The recommendation in this report relates to the Delivery/Operational Plan strategy "17.1. Provide representative, responsible and accountable community governance".

#### **FINANCIAL IMPLICATIONS**

Nil

#### **POLICY AND GOVERNANCE IMPLICATIONS**

Nil

**RECOMMENDATION**

That Council resolves:

- 1 That the Minutes of the Planning & Development Policy Committee at its meeting held on 6 December 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 6 December 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 6 December 2022 be and are hereby confirmed as a true and accurate record of the proceedings.
- 4 That the Minutes of the Sport and Recreation Policy Committee at its meeting held on 6 December 2022 be and are hereby confirmed as a true and accurate record of the proceedings.
- 5 That the Minutes of the Environmental Sustainability Policy Committee at its meeting held on 6 December 2022 be and are hereby confirmed as a true and accurate record of the proceedings.
- 6 That the Minutes of the Finance Policy Committee at its meeting held on 6 December 2022 be and are hereby confirmed as a true and accurate record of the proceedings.
- 7 That the Minutes of the Services Policy Committee at its meeting held on 6 December 2022 be and are hereby confirmed as a true and accurate record of the proceedings.

**FURTHER CONSIDERATIONS**

Consideration has been given to the recommendation's impact on Council's service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

**SUPPORTING INFORMATION****Planning and Development Policy Committee**

At the Planning and Development Policy Committee meeting held on 6 December 2022, all resolutions were made under delegation, and the minutes are presented for adoption.

**Employment and Economic Development Policy Committee**

At the Employment and Economic Development Policy Committee meeting held on 6 December 2022, all resolutions were made under delegation, and the minutes are presented for adoption.

**Infrastructure Policy Committee**

At the Infrastructure Policy Committee meeting held on 6 December 2022, all resolutions were made under delegation, and the minutes are presented for adoption.

**5.1 Recommendations and Resolutions from Policy Committees**

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**Sport and Recreation Policy Committee**

At the Sport and Recreation Policy Committee meeting held on 6 December 2022, all resolutions were made under delegation, and the minutes are presented for adoption.

**Environmental Sustainability Policy Committee**

At the Environmental Sustainability Policy Committee meeting held on 6 December 2022, all resolutions were made under delegation, and the minutes are presented for adoption.

**Finance Policy Committee**

At the Finance Policy Committee meeting held on 6 December 2022, all resolutions were made under delegation, and the minutes are presented for adoption.

**Services Policy Committee**

At the Services Policy Committee meeting held on 6 December 2022, all resolutions were made under delegation, and the minutes are presented for adoption.

**ATTACHMENTS**

- 1 PDC 6 December 2022 Minutes, 2022/2468 [↓](#)
- 2 EEDPC 6 December 2022 Minutes, 2022/2469 [↓](#)
- 3 IPC 6 December 2022 Minutes, 2022/2470 [↓](#)
- 4 SRPC 6 December 2022 Minutes, 2022/2471 [↓](#)
- 5 ESPC 6 December 2022 Minutes, 2022/2472 [↓](#)
- 6 FPC 6 December 2022 Minutes, 2022/2473 [↓](#)
- 7 SPC 6 December 2022 Minutes, 2022/2474 [↓](#)

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## ORANGE CITY COUNCIL

MINUTES OF THE

### PLANNING AND DEVELOPMENT COMMITTEE

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

ON 6 DECEMBER 2022

COMMENCING AT 7.14PM

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#### 1 INTRODUCTION

##### ATTENDANCE

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Cr J Whitton (Chairperson), Cr J Hamling (Mayor), Cr G Power (Deputy Mayor), Cr D Mallard, Cr K Duffy, Cr M McDonell, Cr T Mileto, Cr G Floyd, Cr S Peterson, Cr T Greenhalgh, Cr F Kinghorne, Cr J Evans

Chief Executive Officer, Director Corporate and Commercial Services, Director Community, Recreation and Cultural Services, Director Technical Services, Manager Corporate Governance, Governance Officer, Senior Planner (Hicks), Manager Development Assessment

##### APOLOGIES AND LEAVE OF ABSENCE

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Nil.

##### 1.1 DECLARATION OF PECUNIARY INTERESTS, SIGNIFICANT NON-PECUNIARY INTERESTS AND LESS THAN SIGNIFICANT NON-PECUNIARY INTERESTS

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Cr Kinghorne declared a Significant Pecuniary Interest in Item 2.2 Development Application DA392/2021(1) – 6-8 Callawa Street, as her Husband's business has undertaken work at this site.

Cr Hamling declared a Non-Significant Non-Pecuniary Interest in Item 2.1 – Items approved under delegated authority as he is an OCTEC Board member.

Cr Whitton declared a Non-Significant Non-Pecuniary Interest in Item 2.1 – Items approved under delegated authority as he is an OCTEC Board member.

**MINUTES OF PLANNING AND DEVELOPMENT COMMITTEE****6 DECEMBER 2022****2 GENERAL REPORTS****2.1 ITEMS APPROVED UNDER THE DELEGATED AUTHORITY OF COUNCIL**

TRIM REFERENCE: 2022/2154

*Cr Hamling and Cr Whitton declared Non-Significant Non-Pecuniary Interests in this item as they are OCTEC Board members, and noting the items were approved under delegated authority, remained in the chamber and voted on this item.*

**RESOLVED - 22/496****Cr K Duffy/Cr J Evans**

That Council resolves to acknowledge the information provided in the report by the Manager Development Assessments on Items Approved Under the Delegated Authority of 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

*\*Cr Kinghorne left the meeting with the time being 7.16pm\**

**2.2 DEVELOPMENT APPLICATION DA 392/2021(1) - 6-8 CALLAWA STREET**

TRIM REFERENCE: 2022/1527

*Cr Kinghorne declared a Significant Pecuniary Interest as her Husband's business has undertaken work at this site, left the chamber and did not participate in discussion or voting on this item.*

**RESOLVED - 22/497****Cr T Mileto/Cr K Duffy**

- 1 That Council approve development application DA 392/2021(1) for demolition, Category 1 land remediation and construction of a mixed-use development comprising three buildings each with shop top housing and seniors housing (in-fill self-care housing) (comprising a combined total of three shop top housing apartments and 42 seniors housing apartments), ground floor tenancies (for future fit out and use as retail and/or business premises) (comprising a total of six ground floor tenancies) and basement and ground level car parking, and associated site landscaping and public domain improvements, pursuant to the conditions of consent in the attached draft Notice of Approval.
- 2 That this consent does not grant consent for the subdivision of the site or the fit-out and use of the ground floor tenancies. These matters will be required to be addressed as part of future development application(s).
- 3 That the updated Notice of Determination, clauses 4 and 41 as provided to Councillors be noted.

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 Mileto noted it is a complying DA but questioned the value of the development and if it would therefore go to planning panel.

**MINUTES OF PLANNING AND DEVELOPMENT COMMITTEE**

**6 DECEMBER 2022**

Cr Greenhalgh asked what the definition of Seniors Housing was.  
*The Manager Development Assessment advised application was made under legislation where the applicant has specifically sought seniors housing. This then generates need for assessment under those controls, and availability for special disability accommodation under Federal legislation.*

**QUESTION TAKEN ON NOTICE**

**Cr T Mileto**

Cr Mileto asked for information on when the \$10mil Regional Joint Planning Panel threshold applies.

*\*Cr Kinghorne returned to the meeting with the time being 7.22pm\**

**2.3 DEVELOPMENT APPLICATION DA 278/2022(1) - 80 DEAN DRIVE**

TRIM REFERENCE: 2022/2373

**RESOLVED - 22/498**

**Cr M McDonell/Cr G Power**

That Council consents to development application DA 278/2022(1) for Secondary Dwelling at Lot 202 DP 1210563 - 80 Dean Drive, Orange pursuant to the conditions of consent in the attached Notice of Approval.

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

**2.4 DEVELOPMENT APPLICATION DA 277/2022(1) - 3 AND 5 GATEWAY CRESCENT**

TRIM REFERENCE: 2022/2375

**RESOLVED - 22/499**

**Cr T Mileto/Cr J Hamling**

That Council consents to development application DA 277/2022(1) for Self-Storage Units and Consolidation of land at Lot 16 and 17 DP 270446 - 3 and 5 Gateway Crescent, Orange pursuant to the conditions of consent in the attached Notice of Determination.

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 STATEMENT OF INVESTMENTS - NOVEMBER 2022**

TRIM REFERENCE: 2022/2333

AUTHOR: Julie Murray, Financial Accountant

**EXECUTIVE SUMMARY**

The purpose of this report is to provide a statement of Council's investments held as of 30 November 2022.

**LINK TO DELIVERY/OPERATIONAL PLAN**

The recommendation in this report relates to the Delivery/Operational Plan strategy "17.2. Ensure financial stability and support efficient ongoing operation".

**FINANCIAL IMPLICATIONS**

Nil

**POLICY AND GOVERNANCE IMPLICATIONS**

Nil

**RECOMMENDATION**

That Council resolves:

- 1 To note the Statement of Investments as of 30 November 2022.**
- 2 To adopt the certification of the Responsible Accounting Officer.**

**FURTHER CONSIDERATIONS**

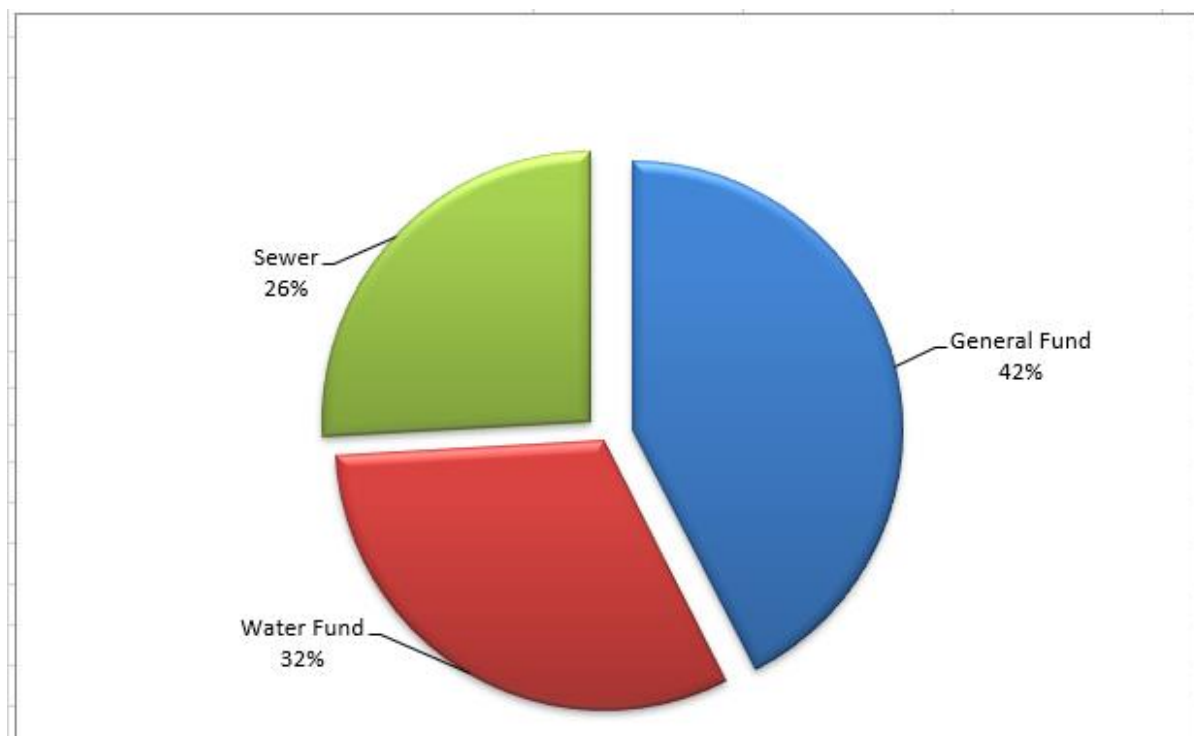
Consideration has been given to the recommendation's impact on Council's service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

**SUPPORTING INFORMATION**

Section 212(1) of the Local Government (General) Regulation 2005 requires that a written report be presented each month at an Ordinary Meeting of the Council detailing all money that Council has invested under Section 625 of the Local Government Act 1993.

As of 30 November 2022, the investments held by Council in each fund is shown below:

	<b>30/11/2022</b>	<b>31/10/2022</b>
General Fund	101,124,675.92	96,613,356.01
Water Fund	75,289,487.54	74,905,218.81
Sewer Fund	61,626,977.40	61,633,170.04
<b>Total Funds</b>	<b>238,041,140.86</b>	<b>233,151,744.86</b>



### Portfolio Advice

Council utilises the services of an independent investment advisor in maintaining its portfolio of investments. Council's current investment advisor is Imperium Markets, an independent asset consultant that works with wholesale investors to develop, implement and manage their investment portfolio. Imperium Markets is a leading provider of independent investment consulting services to a broad range of institutional investors including government agencies, superannuation funds and not-for-profit organisations.

Imperium Markets major services provided to Council include:

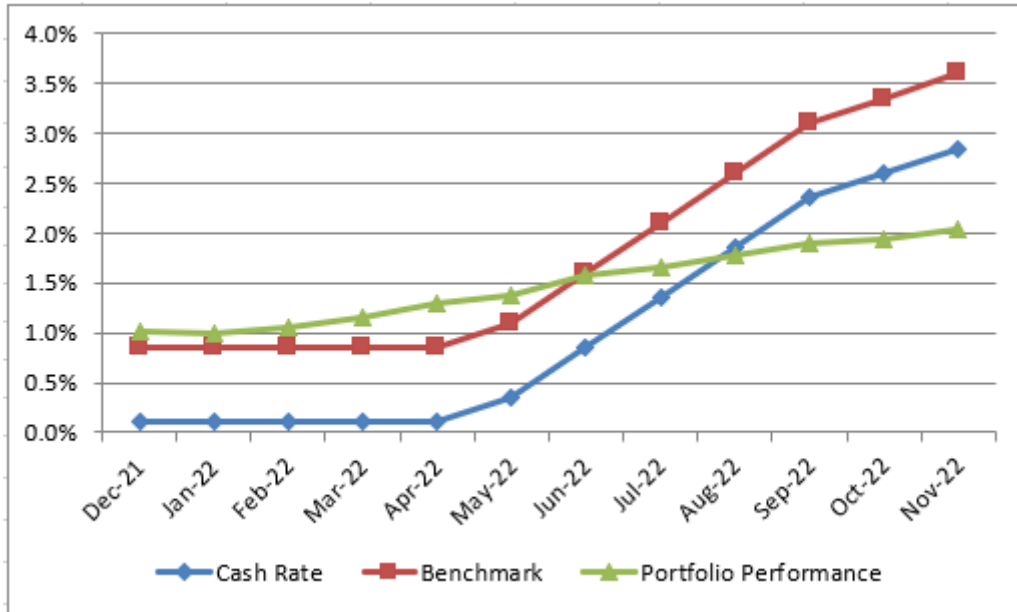
- Quarterly portfolio summary reports
- Advice on investment opportunities, in particular Floating Rate Note products
- Advice on policy construction
- Year-end market values for Floating Rate Note products held by Council.

### Portfolio Performance

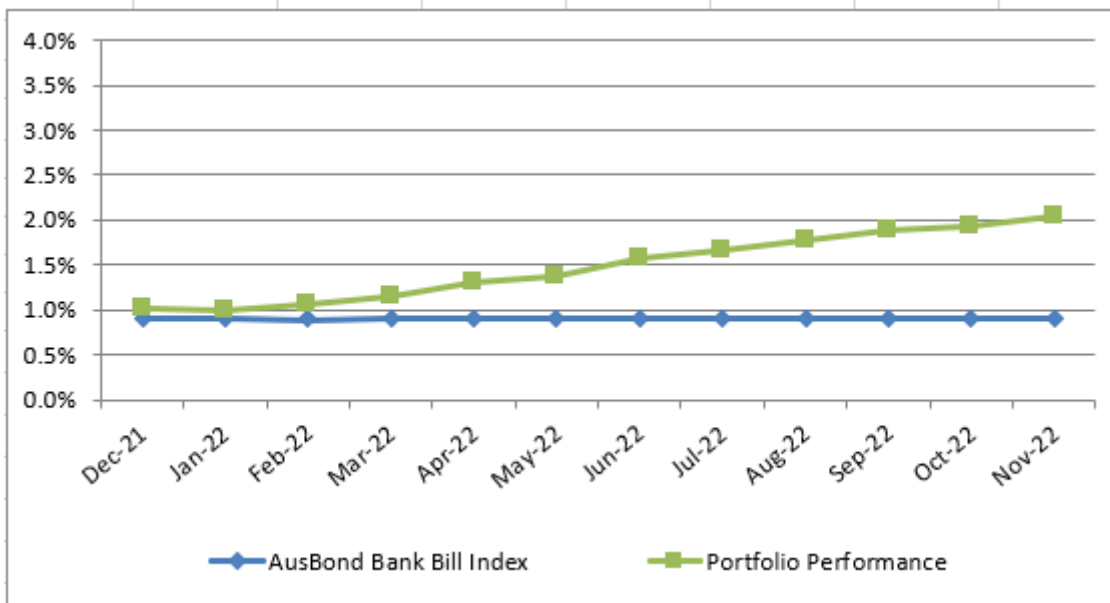
Council's current Long Term Financial Plan establishes the benchmark for Council's interest on investments at "75 basis points above the current cash rate". The cash rate as of 30 November 2022 has increased at 2.85 per cent. The weighted average interest rate of Council's investment portfolio at the same reporting date was 2.04 per cent which is below Council's benchmark i.e., the cash rate of 2.85 per cent plus 0.75 per cent (or 360 basis points). This is being monitored closely with retiring investments being reinvested to optimise their returns.



5.2 Statement of Investments - November 2022



Council has also utilised the AusBond Bank Bill Index to provide a further benchmark focused on long term investments. As of 30 November 2022, the AusBond rate was 0.91 per cent. The weighted average interest rate of Council’s investment portfolio at the same reporting date was 2.04 per cent.



Council’s Investment Policy establishes limits in relation to the maturity terms of Council’s investments as well as the credit ratings of the institutions with whom Council can invest.

The following tables provide a dissection of Council’s investment portfolio as required by the Policy. The Policy identifies the maximum amount that can be held in a variety of investment products or with institutions based on their respective credit ratings.

Table 1 shows the percentage held by Council (holdings) and the additional amount that Council could hold (capacity) for each term to maturity allocation in accordance with limits established by Council’s Policy.

Table 1: Maturity – Term Limits

<b>Term to Maturity Allocation</b>	<b>Maximum</b>	<b>Holdings</b>	<b>Capacity</b>
0 - 3 Months	100.00%	21.91%	78.09%
3 - 12 Months	100.00%	31.22%	68.78%
1 - 2 Years	70.00%	21.08%	48.92%
2 - 5 Years	50.00%	25.79%	24.21%
5+ Years	25.00%	0.00%	25.00%

Table 2 shows the total amount held, and the weighted average interest rate (or return on investment), by credit rating. The credit rating is an independent opinion of the capability and willingness of a financial institution to repay its debts, or in other words, the providers' financial strength or creditworthiness. The rating is typically calculated as the likelihood of a failure occurring over a given period, with the higher rating (AAA) being superior due to having a lower chance of default. However, it is generally accepted that this lower risk will be accompanied by a lower return on investment.

The level of money held in the bank accounts has been added to the table to illustrate the ability of Council to cover the operational liabilities that typically occur (for example payroll, materials and contracts, utilities).

Table 2: Credit Rating Limits

<b>Credit Rating</b>	<b>Maximum</b>	<b>Holding</b>	<b>Remaining Capacity</b>	<b>Value</b>	<b>Return on investment</b>
Bank Accounts	100.00%	10.31%	89.68%	24,574,585.53	2.50%
AAA	100.00%	0.42%	99.58%	998,230.00	4.50%
AA	100.00%	59.00%	41.00%	140,437,732.00	1.97%
A	60.00%	15.50%	44.50%	36,896,094.45	2.67%
BBB & NR	40.00%	14.76%	25.24%	35,134,498.88	1.59%
Below BBB	0.00%	0.00%	0.00%	N/A	N/A

As a result of the increases in the Cash rate since May 2022 and the impact of the increased interest rates now being offered, management is currently reviewing its investments that are providing lower returns. Term deposits may be able to be broken and reinvested, however each banking institution has different terms and penalties. Analyse is being undertaken taking into consideration costs and penalties, however there is a potential for reinvesting the funds at a higher rate of return.

#### Certification by Responsible Accounting Officer

I, Veronica Webb, hereby certify that all investments have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.

**5.3 CODE OF CONDUCT COMPLAINT REPORTING 2021/22**

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RECORD NUMBER: 2022/2094

AUTHOR: Janessa Constantine, Manager Corporate Governance

**EXECUTIVE SUMMARY**

This report provides an update on the status of Code of Conduct Complaints received relating to Councillors and/or the Chief Executive Officer during the reporting period of 1 September 2021 – 31 August 2022. It should be noted that this reporting period fell partly within the tenure of the previously elected Council.

**LINK TO DELIVERY/OPERATIONAL PLAN**

The recommendation in this report relates to the Delivery/Operational Plan strategy “17.1. Provide representative, responsible and accountable community governance”.

**FINANCIAL IMPLICATIONS**

Nil

**POLICY AND GOVERNANCE IMPLICATIONS**

Part 11 of the Procedures for the Code of Conduct set out the information that is to be reported to Council and the Office of Local Government within 3 months of 30 September each year. Council reported to the Office of Local Government for the period 1 September 2021 - 31 August 2022 on 1 December 2022.

Other information is not included given the requirements of Part 12 of the Procedures, which require information about complaints and the management and investigation of complaints is to be treated as confidential and not disclosed publicly.

**RECOMMENDATION**

**That the report on Code of Conduct Complaint Reporting for 2021/22 be acknowledged.**

**FURTHER CONSIDERATIONS**

Consideration has been given to the recommendation’s impact on Council’s service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

**SUPPORTING INFORMATION**

This report provides statistics on Code of Conduct complaints against Councillors and/or the Chief Executive Officer from 1 September 2021 – 31 August 2022.

## 5.3 Code of Conduct Complaint Reporting 2021/22

Required information	Number during period
Total number of Code of Conduct complaints made about Councillors and/or the Chief Executive Officer under the Code of Conduct during the period	10
Number of Code of Conduct complaints referred to a Conduct Reviewer	Nil
Number of Code of Conduct complaints finalised by a Conduct Reviewer at the Preliminary Assessment stage and the outcome of those complaints	Nil
Number of Code of Conduct complaints investigated by a Conduct Reviewer	Nil
Number of Code of Conduct complaints investigated by a Conduct Review Committee	Nil
Without identifying particular matters, the outcome of Code of Conduct complaints investigated by a Conduct Reviewer or Conduct Review Committee under the Procedures	N/A
Number of matters reviewed by the Office of Local Government, and without identifying particular matters, the outcome of the reviews	1 Yet to be finalised.
The total cost of dealing with Code of Conduct complaints made about Councillors and the Chief Executive Officer in the year from 1 September 2021 to 31 August 2022, including staff costs.	Approximately \$2,000 in staff costs.

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#### 5.4 STRATEGIC POLICY - POST EXHIBITION ADOPTION

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RECORD NUMBER: 2022/2488

AUTHOR: Janessa Constantine, Manager Corporate Governance

##### EXECUTIVE SUMMARY

This report presents policies which have been reviewed, placed on public exhibition and are now recommended for adoption. No submissions were received during the exhibition period of 16 November 2022 – 14 December 2022. The policies for adoption include:

- ST04 - Councillor Access to Information and their Interaction with Staff
- ST05 - Records Management for Councillors
- ST13 - Cyber Security

##### LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “17.1. Provide representative, responsible and accountable community governance”.

##### FINANCIAL IMPLICATIONS

Nil

##### POLICY AND GOVERNANCE IMPLICATIONS

Council’s Strategic Policies are reviewed and amended to ensure ongoing compliance with legislation and industry best practice.

Policies of Council are of two types – Strategic Policies are determined by Council, and relate to Councillors, required by Legislation or Regulation and/or have an impact on the Orange community. The Local Government Act 1993 requires the public exhibition of Policies (if new or include significant changes) and adoption by Council. Operational Policies are determined and implemented by the Chief Executive Officer, and relate to staff and the operations of the organisation.

##### RECOMMENDATION

That Council adopts the following Strategic Policies:

- **ST04 - Councillor Access to Information and Interaction with Staff**
- **ST05 - Records Management for Councillors**
- **ST13 - Cyber Security**

##### FURTHER CONSIDERATIONS

Consideration has been given to the recommendation’s impact on Council’s service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

**SUPPORTING INFORMATION****ST04 - Councillor Access to Information and Interaction with Staff**

The Councillor Access to Information and Interaction with Staff policy is based on the Model Policy issued by the Office of Local Government. While not mandatory, the policy reflects best practice and all Councils are encouraged to adopt it. In adopting the Model Policy, Council are free to adapt the policy to suit the circumstances of Council. Provisions which can be adjusted were included in Red in the draft version for Consideration and decision of Council and changes listed below. The Councillor request system will allow for requests for information to be managed through the Executive Office. This ensures items are received, followed up, directed to the appropriate staff and notification to Councillors following finalisation.

Reference	Update
General	<ul style="list-style-type: none"> <li>• Renumbering of Policies commenced – New Numbering at ST04, previously ST019.</li> <li>• New Formatting</li> <li>• Re-Written policy based on the 2022 template issued by the OLG.</li> <li>• 5.7(b) – 2 business days for acknowledgement, 10 business days for final response.</li> <li>• 5.8 – 5 business days’ notice for staff to attend a specific meeting</li> <li>• 5.18 – 6 monthly reports to Council on performance and efficiency of request system.</li> <li>• Schedule 1 - Confirmation of staff accessible to Councillors.</li> <li>• Schedule 2 - Councillor Request System workflow</li> </ul>

**ST05 – Councillor Records Management**

The Councillor Records Management policy is based on the Model Records Management for Councillors from NSW State Archives and Records. While not mandatory, the policy reflects best practice and all Councils are encouraged to adopt it. Template Meeting Notes will be available to all Councillors electronically and as a hard copy note pad.

Reference	Update
General	<ul style="list-style-type: none"> <li>• Renumbering of Policies commenced – New Numbering at ST05, previously ST062.</li> <li>• New Formatting</li> <li>• Re-naming from Records Management for Councillors to Councillor Records Management.</li> <li>• No major updates from previous policy, updated references to positions and Executive Support Office.</li> <li>• Inclusion of Meeting Note template.</li> </ul>

**ST13 – Cyber Security**

Reference	Update
General	<ul style="list-style-type: none"> <li>• New Policy based on Cyber Security NSW requirements.</li> </ul>

**ATTACHMENTS**

- 1 For Adoption - ST04 - Councillor Access to Information and Interaction with Staff, D22/69203 (Under Separate Cover) [⇒](#)
- 2 For Adoption - ST05 - Councillor Records Management, D22/71895 (Under Separate Cover) [⇒](#)
- 3 For Adoption - ST13 - Cyber Security, D22/69532 (Under Separate Cover) [⇒](#)

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## 5.5 STRATEGIC POLICY REVIEWS

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RECORD NUMBER: 2022/2496

AUTHOR: Janessa Constantine, Manager Corporate Governance

### EXECUTIVE SUMMARY

This report presents policies which have been reviewed and are recommended for placement on public exhibition for a period of 28 days:

- ST09 – Gifts & Benefits
- ST16 – Access to Information Held by Council
- ST21 – Child Safe

Noting that in this instance the 28 days will run through the Christmas/New Year period, the exhibition period will be increased until 31 January 2023 to allow for sufficient exhibition.

Additionally, it was anticipated that the Draft Social Media Policy (based on the OLG Model) and the Communications & Engagement Policy (as reviewed) would be available for consideration of exhibition at this meeting. Due to the OLG's release of the Model Media Policy (on Monday 12 December, just as this paper was being finalised), it was determined that staff would review the contents of the 3 policies together to ensure the policies provided would be clear, concise, non-conflicting and to avoid unnecessary duplication. The policy(s) will then be submitted to a Council Meeting in early 2023 for placement on public exhibition.

Following a review of Councils Policy Structure, over the coming months, Council will continue to be provided with policies for consideration as they are updated and recommended for exhibition before adoption.

### LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy "17.1. Provide representative, responsible and accountable community governance".

### FINANCIAL IMPLICATIONS

Nil

### POLICY AND GOVERNANCE IMPLICATIONS

Council's Strategic Policies are reviewed and amended to ensure ongoing compliance with legislation and industry best practice.

Policies of Council are of two types – Strategic Policies are determined by Council, and relate to Councillors, required by Legislation or Regulation and/or have an impact on the Orange community. The Local Government Act 1993 requires the public exhibition of Policies (if new or include significant changes) and adoption by Council. Operational Policies are determined and implemented by the Chief Executive Officer, and relate to staff and the operations of the organisation.

**RECOMMENDATION**

That Council resolves to place the following policies on public exhibition for a minimum period of 28 days:

- **ST09 – Gifts & Benefits**
- **ST16 – Access to Information Held by Council**
- **ST21 – Child Safe**

**FURTHER CONSIDERATIONS**

Consideration has been given to the recommendation's impact on Council's service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

**SUPPORTING INFORMATION****Policies for Exhibition**

The following policies have been reviewed and outlined below are changes/updates made to each policy. It is recommended these policies be placed on public exhibition for a period of at least 28 days to allow for Council and public review and submissions.

**ST09 – Gifts & Benefits**

The Gifts and Benefits policy has been reviewed and incorporates best practice provisions to support the recently adopted Code of Conduct.

Reference	Update
General	<ul style="list-style-type: none"> <li>• Renumbering of Policies commenced – New Numbering at ST09, previously ST039</li> <li>• New Formatting</li> <li>• In keeping with the code of conduct – the nominal value has remained at \$50 and not raised to \$100 as in the model version.</li> </ul>

**ST16 – Access to Information held by Council**

Reference	Update
General	<ul style="list-style-type: none"> <li>• Renumbering of Policies commenced – New Numbering at ST16 previously ST083</li> <li>• New Formatting</li> <li>• Update of Forms</li> </ul>

**ST21 – Child Safe**

Reference	Update
General	<ul style="list-style-type: none"> <li>• Renumbering of Policies commenced – New Numbering at ST21, previously ST146</li> <li>• New Formatting</li> <li>• Minor typographical updates.</li> </ul>



**ATTACHMENTS**

- 1 For Exhibition - Strategic Policy - ST09 - Gifts and Benefits, [D22/79477](#) (Under Separate Cover)
- 2 For Exhibition - Strategic Policy - ST16 - Access to Information Held By Council, [D22/79663](#) (Under Separate Cover)
- 3 For Exhibition - Strategic Policy - ST21 - Child Safe, [D22/79705](#) (Under Separate Cover)

## **6 CLOSED MEETING - SEE CLOSED AGENDA**

The Chief Executive Officer will advise the Council if any written submissions have been received relating to any item advertised for consideration by a closed meeting of Orange City Council.

The Mayor will extend an invitation to any member of the public present at the meeting to make a representation to Council as to whether the meeting should be closed for a particular item. 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.

### **RECOMMENDATION**

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 Evaluation of Submissions - NetWaste Tender for Processing of Garden Organics, Wood and Timber**

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.

#### **6.2 Tender for the Wade Park Field Lighting Upgrade**

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.

**6.1 EVALUATION OF SUBMISSIONS - NETWASTE TENDER FOR PROCESSING OF GARDEN ORGANICS, WOOD AND TIMBER**

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RECORD NUMBER: 2022/2466

AUTHOR: Wayne Davis, Manager Waste Services and Technical Support

**REASON FOR CONFIDENTIALITY**

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.



**6.2 TENDER FOR THE WADE PARK FIELD LIGHTING UPGRADE**

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RECORD NUMBER: 2022/2388

AUTHOR: Lucy Gorton, Project Officer

**REASON FOR CONFIDENTIALITY**

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.

**7 RESOLUTIONS FROM CLOSED MEETING**