
ORANGE CITY COUNCIL

MINUTES OF THE

ORDINARY COUNCIL MEETING

HELD IN COUNCIL CHAMBER, CIVIC CENTRE, BYNG STREET, ORANGE WITH AN OPTION OF ONLINE
CONFERENCING PLATFORM ZOOM DUE TO COVID-19 REQUIREMENTS

ON 3 NOVEMBER 2020

COMMENCING AT 7.00PM

1 INTRODUCTION

ATTENDANCE

Cr R Kidd (Mayor), Cr G Taylor (Deputy Mayor), Cr K Duffy, Cr J Hamling, Cr J McRae (Zoom),
Cr T Mileto, Cr S Munro (Zoom), Cr S Nugent, Cr R Turner, Cr J Whitton

Chief Executive Officer, Acting Director Corporate and Commercial Services (Beck), Director
Development Services, Director Community, Recreation and Cultural Services, Director
Technical Services, Acting Manager Corporate Governance (Constantine), Executive Support
Manager.

1.1 APOLOGIES

RESOLVED - 20/378	Cr K Duffy/Cr S Nugent
That the apologies be accepted from Cr S Romano for the Council Meeting of Orange City Council on 3 November 2020.	

The Mayor advised that recommendation #3 of item 2.1 in the FPC – Donation of \$2,000 from
the Small Donations Program to Orange Community Broadcasters Inc, is withdrawn pending
court proceedings.

1.2 LIVESTREAMING AND RECORDING

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

1.3 ACKNOWLEDGEMENT OF COUNTRY

The Mayor conducted the Acknowledgement of Country.

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

Cr Mileto declared a non-significant, non-pecuniary interest in item 2.3 of the Planning and
Development Committee Meeting as his family has an interest in premises in the CBD

Cr McRae declared a significant pecuniary interest in item 2.3 of the Planning and
Development Committee Meeting as she owns property in the CBD.

Cr McRae declared a significant pecuniary interest in item 5.1 of the Ordinary Council Meeting as an owner of business premises in the vicinity of the old hospital site affected by the development of this block.

Cr McRae declared a significant non-pecuniary interest in item 5.2 of the Ordinary Council Meeting as a family member is the President of Orange Harness Racing.

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE OPEN FORUM AT 7.05PM.

OPEN FORUM

PDC Item 2.4 – DA 238/2020 (1) 86-102 Summer Street (Summer Centre)

Paul Saunders addressed Council on this application thanking the staff for their assistance with the application process.

Euan Greer provided a statement read by the Mayor outlining his concerns for this development.

PDC Item 2.2 – DA 259/2020(1) – March and Peisley Streets (Conservatorium and Planetarium)

Euan Greer provided a statement read by the Mayor outlining his concerns for this development.

COUNCIL MEETING RESUMED 7.14PM

2 MAYORAL MINUTES

2.1 CENTRAL NSW JO - BOARD REPORT 27 AUGUST 2020

TRIM REFERENCE: 2020/2065

RESOLVED - 20/379

Cr J Whitton/Cr G Taylor

That the information contained in this Mayoral Minute be acknowledged.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Mileto, Cr Munro, Cr Nugent, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Romano

Cr Duffy spoke about the Macquarie Lachlan Water Catchment Meeting calling for comment and submissions on the Macquarie Catchment and would Council will be making a submission in support of the Ulmarrah Dam.

The Director Technical Services advised that the CWJO currently has 2 catchment water strategies in draft form and the Ulmarrah Dam was put forward as an option.

Cr Nugent asked what the JO Sustainability Toolkit was and was the only funding for the JO provided by Local Government and not the State?

The Chief Executive Officer advised that JO members had agreed to spend funds on CBD consultancy and a sustainability piece relating to energy reduction matters. Initially the State funded the JO however this did not continue, it is currently being pursued.

2.2 SOLAR FARM POLICY

TRIM REFERENCE: 2020/2197

RESOLVED - 20/380**Cr J Hamling/Cr J Whitton**

That Orange City Council develop a Commercial Solar Farm Policy.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Mileto, Cr Munro, Cr Nugent , Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Romano

The Chief Executive Officer Read the Good News:

A letter was received from Cerebral Palsy Alliance thanking Council for the financial support afforded to them in July 2020 and advising this donation was used to buy sensory kits for children with disabilities in Orange.

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**RESOLVED - 20/381****Cr J Whitton/Cr S Nugent**

That the Minutes of the Ordinary Meeting of Orange City Council held on 20 October 2020 (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 20 October 2020.

MATTER ARISING

Cr Taylor asked where the issue regarding Green Bins he had previously raised was up to. *The Director of Technical Services advised that there is a report to come back to Council. The bins complained about were emptied with one weighing 150kgs. Generally there have been 17-18 complaints per month with over 17,000 bins collected per week.*

QUESTION TAKEN ON NOTICE

Cr Duffy requested information on a Bulky Waste collection before Christmas.

QUESTION TAKEN ON NOTICE

Cr Duffy requested that two bulky waste collections be added to the next budget.

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE POLICY COMMITTEE MEETINGS AT 7.33PM.

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 8.41PM.

4 NOTICES OF MOTION/NOTICES OF RESCISSION

4.1 NOTICE OF MOTION - ESSO PARK

TRIM REFERENCE: 2020/2163

RESOLVED - 20/401**Cr R Turner/Cr G Taylor**

That Council investigate the potential for the relocation of a section of ESSO Park and explore the potential of further options for a section of the park fronting Hamer Street.

FOR: CR KIDD, CR DUFFY, CR HAMLING, CR MCRAE, CR MILETO, CR MUNRO, CR NUGENT, CR TAYLOR, CR TURNER, CR WHITTON

AGAINST: NIL

ABSENT: CR ROMANO

5 GENERAL REPORTS

Cr McRae left the meeting with the time being 8.51pm

5.1 FORMER HOSPITAL SITE REDEVELOPMENT

TRIM REFERENCE: 2020/1992

Cr McRae declared a Significant Pecuniary interest in this item an owner of business premises in the vicinity of the old hospital site affected by the development of this block, left the meeting and did not participate in discussion or voting on this item.

RESOLVED - 20/402**Cr J Hamling/Cr J Whitton**

That Council establish a Development Control Plan for the development of the western end of the former Orange Base Hospital site in line with the attached Orange Base Hospital Site Design Report.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr Mileto, Cr Munro, Cr Nugent, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Romano, Cr McRae

5.2 ORANGE HARNESS RACING FUNDING

TRIM REFERENCE: 2020/2156

Cr McRae declared a Significant Non-Pecuniary interest in this item as a family member is the president of Orange Harness Racing, left the meeting and did not participate in discussion or voting on this item.

RESOLVED - 20/403**Cr R Kidd/Cr G Taylor**

That Council, through the Chief Executive Officer, hold discussions with Orange Harness Racing to address the agreement.

FOR: CR KIDD, CR DUFFY, CR HAMLING, CR MILETO, CR MUNRO, CR NUGENT, CR TAYLOR, CR TURNER, CR WHITTON

AGAINST: NIL

ABSENT: CR ROMANO, CR MCRAE

CR MCRAE RETURNED THE MEETING WITH THE TIME BEING 9.11PM

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 - 20/404

Cr J Whitton/Cr S Nugent

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 2020 Fourth Quarter and 2021 First Quarter Water/Sewerage Charges - 59-67 Bathurst Road 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 (b) the personal hardship of any resident or ratepayer.

6.2 Tender for Development of the Environmental Impact Assessment and Design for Construction of the Mountain Bike Trail

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 9.11pm.

The Mayor declared the Ordinary Meeting of Council resumed at 9.29pm.

7 RESOLUTIONS FROM CLOSED MEETING

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

6.1 2020 FOURTH QUARTER AND 2021 FIRST QUARTER WATER/SEWERAGE CHARGES - 59-67 BATHURST ROAD ORANGE

TRIM REFERENCE: 2020/2104

RESOLVED - 20/405

Cr K Duffy/Cr S Munro

- 1 That Council resolve to reduce the 2020 fourth quarter water consumption charge of \$27,489.00 by 40% to \$16,493.40 and the sewerage charge of \$5,280.44 pro-rata to normal consumption being \$2,153.75.
- 2 That Council resolve to reduce the 2021 first quarter water consumption charge of \$14,963.30 by 40% to \$8,977.98 and the sewerage charge of \$2,117.65 pro-rata to normal consumption being \$1,748.15.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Mileto, Cr Munro, Cr Nugent , Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Romano

6.2 TENDER FOR DEVELOPMENT OF THE ENVIRONMENTAL IMPACT ASSESSMENT AND DESIGN FOR CONSTRUCTION OF THE MOUNTAIN BIKE TRAIL

TRIM REFERENCE: 2020/2122

RESOLVED - 20/406

Cr J Hamling/Cr S Munro

That Council resolves:

- 1 That Tender F1586-1 for the Development of the Environmental Impact Assessment and Design for Construction of the Mountain Bike Trail be awarded to Envirofact Pty Ltd (trading as "The Environmental Factor") for their tendered price of \$419,772.56 (ex GST).
- 2 That permission be granted to affix the Council Seal on any relevant document.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Mileto, Cr Munro, Cr Nugent , Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Romano

Cr McRae left the meeting with the time being 9.29pm

THE MEETING CLOSED AT 9.35PM

This is Page Number 6 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 3 November 2020.