
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 2 MARCH 2021

COMMENCING AT 7.00PM

1 INTRODUCTION

ATTENDANCE

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

Chief Executive Officer, Acting Director Corporate and Commercial Services (Redmond),
Director Development Services, Director Technical Services, Acting Manager Corporate
Governance (Constantine), Executive Support Officer, Manager Development Assessment,
Town Planner Strategic (Phillips)

1.1 APOLOGIES

RESOLVED - 21/058

Cr J Hamling/Cr S Nugent

That the apologies be accepted from Cr J McRae, Cr S Munro, and Cr Romano for the Council
Meeting of Orange City Council on 2 March 2021.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr Mileto, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton
Against: Nil

Absent: Cr McRae, Cr Munro, Cr Romano

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

Nil

2 MAYORAL MINUTES

Nil

RESOLVED - 21/059**Cr S Nugent/Cr G Taylor**

That Council permit the addition of the late item 5.2 – Future City Implementation.

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED - 21/060**Cr J Whitton/Cr G Taylor**

That the Minutes of the Ordinary Meeting of Orange City Council held on 16 February 2021 (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 16 February 2021.

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

Against: Nil

Absent: Cr McRae, Cr Munro, Cr Romano

MATTER ARISING

Cr Duffy raised a newspaper article from Hearts for Orange which he believed was contradictory to the resolution Council from February 2021.

RESOLVED - 21/061**Cr K Duffy/Cr R Turner**

That the Chief Executive Officer advise staff to write to the Editor clarifying the Council resolution regarding Hearts for Orange.

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

Against: Cr Turner

Absent: Cr McRae, Cr Munro, Cr Romano

RESOLVED - 21/062**Cr R Kidd/Cr J Hamling**

That item 4.1 – Notice of Motion – Community Automatic External Defibrillator Locations be heard before the Council adjourns for the Policy Committees.

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

Against: Nil

Absent: Cr McRae, Cr Munro, Cr Romano

4 NOTICES OF MOTION/NOTICES OF RESCISSION**4.1 COMMUNITY AUTOMATIC EXTERNAL DEFIBRILLATOR LOCATIONS**

TRIM REFERENCE: 2021/285

RESOLVED - 21/063**Cr J Whitton/Cr R Kidd**

That Council;

- 1 Create community awareness location maps of existing Automated External Defibrillators (AEDs).
- 2 Investigate a location app for AEDs.
- 3 Arrange community promotion to have businesses and other groups locate AED in their business or facilities for community access.
- 4 Investigate funding opportunities to assist in placing AEDs in strategic locations where there are zero AEDs nearby / community high use location in the accessible areas.

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

AGAINST: NIL

ABSENT: CR MCRAE, CR MUNRO, CR ROMANO

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE POLICY COMMITTEE MEETINGS AT 7.09PM**THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 8.10PM**

5 GENERAL REPORTS

5.1 REQUEST FOR WAIVING OF FEES - ORANGE CULTURAL CENTRE

TRIM REFERENCE: 2021/227

MOTION

That Council waive the fees for all permanent users of the Orange Cultural Centre for the period 25 March 2020 to 29 June 2020.

AMENDMENT

Cr S Nugent/Cr T Mileto

That Council waive the fees for all permanent users of the Orange Cultural Centre for a 6 month period commencing 25 March 2020.

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

Against: Cr Duffy

Absent: Cr McRae, Cr Munro, Cr Romano

THE AMENDMENT ON BEING PUT TO THE MEETING WAS CARRIED AND BECAME THE MOTION.

THE MOTION ON BEING PUT TO THE MEETING WAS CARRIED.

RESOLVED - 21/064

Cr S Nugent/Cr T Mileto

That Council waive the fees for all permanent users of the Orange Cultural Centre for a 6 month period commencing 25 March 2020.

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

Against: Nil

Absent: Cr McRae, Cr Munro, Cr Romano

5.2 FUTURE CITY IMPLEMENTATION

TRIM REFERENCE: 2021/315

RESOLVED - 21/065

Cr S Nugent/Cr G Taylor

- 1 That Council endorse the plans and consultation for McNamara Street – (Summer to Kite).
- 2 That Council endorse the plans and consultation for Lords Place – (Summer to Byng) and Byng Street – (Lords to McNamara).

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

AGAINST: NIL

ABSENT: CR MCRAE, CR MUNRO, CR ROMANO

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 - 21/066**Cr K Duffy/Cr R Turner**

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 Entering into Contracts for Inspection and Condition Assessment of Gravity Sewer and Stormwater Mains using CCTV

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 Lease office Carl Sharp Cricket Centre of Excellence

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 Sale Industrial Land - Lot 105 DP 1194589

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 Proposed Purchase Lot 1 DP 503021

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.

6.5 Land and Environment Proceedings

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 Information contained in this paper is subject to legal professional privilege and is strictly confidential. Any disclosure of this paper, including a verbal disclosure of its content or conclusions, beyond Council officers directly involved in this matter may result in the loss of legal professional privilege and cause damage to the Council's legal and financial position. Councillors have a good faith duty to strictly maintain confidentiality of privileged communications, and any failure to do so may result in a penalty under section 664 of the Local Government Act 1993 and action under the Code of Conduct.

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE CLOSED MEETING AT 8.30PM

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 8.47PM

7 RESOLUTIONS FROM CLOSED MEETING

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

6.1 ENTERING INTO CONTRACTS FOR INSPECTION AND CONDITION ASSESSMENT OF GRAVITY SEWER AND STORMWATER MAINS USING CCTV

TRIM REFERENCE: 2021/123

RESOLVED - 21/067

Cr S Nugent/Cr K Duffy

That Council accept and sign contracts with one or more of the CNSWJO panel contract companies (Interflow or Total Drain Cleaning Services or Toxfree Australia) for sewer and stormwater inspection services on the basis of value for money and availability at time of contract.

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

Against: Nil

Absent: Cr McRae, Cr Munro, Cr Romano

6.2 LEASE OFFICE CARL SHARP CRICKET CENTRE OF EXCELLENCE

TRIM REFERENCE: 2021/131

RESOLVED - 21/068

Cr J Hamling/Cr T Mileto

That Council resolves:

- 1 To enter into a 3 year lease with one 3 year option with Cricket NSW with rent commencing at \$300 per month plus GST of the administration room of the Carl Sharp Cricket Centre of Excellence
- 2 That permission be granted to use the Council seal on all necessary documentation.

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

Against: Cr Duffy

Absent: Cr McRae, Cr Munro, Cr Romano

6.3 SALE INDUSTRIAL LAND - LOT 105 DP 1194589

TRIM REFERENCE: 2021/252

RESOLVED - 21/069**Cr R Turner/Cr S Nugent**

That Council resolves:

- 1 That Council sell 30 Astill Drive Orange for the sum of \$350,000 plus GST.
- 2 That permission be granted for the use of the Council Seal on any relevant documentation.

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

Against: Nil

Absent: Cr McRae, Cr Munro, Cr Romano

6.4 PROPOSED PURCHASE LOT 1 DP 503021

TRIM REFERENCE: 2021/254

RESOLVED - 21/070**Cr K Duffy/Cr G Taylor**

That Council resolves to:

- 1 Proceed with the purchase of Lot 1 DP 503021 for the sum of \$15,000 plus GST.
- 2 That permission be granted to use the Council seal on all necessary documentation.
- 3 That upon acquisition Lot 1 DP 503021 be classified as Operational Land.

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

Against: Nil

Absent: Cr McRae, Cr Munro, Cr Romano

6.5 LAND AND ENVIRONMENT PROCEEDINGS

TRIM REFERENCE: 2021/261

RESOLVED - 21/071**Cr K Duffy/Cr G Taylor**

That Council take part in the proceedings as per the option detailed in this report.

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

Against: Nil

Absent: Cr McRae, Cr Munro, Cr Romano

Cr Duffy raised concerns about the remote meeting attendance continuing beyond the 26 March 2021. Cr Hamling stated that it should be updated so that Councillors can attend and participate if they are incapacitated or away for work and still be able to have their say and that Council should embrace it.

THE MEETING CLOSED AT 8.52PM

This is Page Number 8 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 2 March 2021.