
ORANGE CITY COUNCIL

MINUTES OF THE

ORDINARY COUNCIL MEETING

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

ON 6 FEBRUARY 2024

COMMENCING AT 6:30PM

1 INTRODUCTION

ATTENDANCE

Cr J Hamling (Mayor), Cr K Duffy (6.34pm), 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)

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

1.1 APOLOGIES

RESOLVED - 24/001

Cr F Kinghorne/Cr J Evans

That the apologies be accepted from Cr J Whitton and Cr K Duffy (Lateness) for the Council Meeting of Orange City Council on 6 February 2024.

For: Cr J Hamling, 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

Against: Nil

Absent: Cr K Duffy, Cr J Whitton

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 Kinghorne declared a Significant Pecuniary Interest in PDC Items 2.2 – Development Application DA 278/2023(1) - 1 The Billabong, Clifton Grove, 2.3 – Development Application DA 275/2023(1) - 25 Wahratta Way and 2.4 – Development Application DA 213/2023(1) - Lot 15 Hawthorn Place as her husband’s consultancy company has undertaken work on these sites.

THERE WAS NO OPEN FORUM

2 MAYORAL MINUTES

Nil

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED - 24/002

Cr G Floyd/Cr D Mallard

That the Minutes of the Ordinary Meeting of Orange City Council held on 19 December 2023 (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 19 December 2023.

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

Against: Nil

Absent: Cr K Duffy, Cr J Whitton

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE POLICY COMMITTEE MEETINGS AT 6.32PM

Cr Duffy arrived at the meeting with the time being 6.34pm

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 7.17PM

4 NOTICES OF MOTION/NOTICES OF RESCISSION

4.1 NOTICE OF MOTION - FIREWORKS - NEW YEAR'S EVE - WARATAH OVAL

TRIM REFERENCE: 2024/55

RESOLVED - 24/027**Cr G Floyd/Cr K Duffy**

That Council:

- 1 Look into the possibilities of re-instating a fireworks show or other alternatives for New Years Eve at Waratahs Oval or a suitable location.
- 2 Investigate funding opportunities from sources such as business donations, grants or council funding.
- 3 Report back to the Chamber with costings and funding options and opportunities.

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

Against: Nil

Absent: Cr J Whitton

5 GENERAL REPORTS

5.1 16 DAYS OF ACTIVISM AGAINST GENDER-BASED VIOLENCE

TRIM REFERENCE: 2023/2316

RESOLVED - 24/028**Cr M McDonell/Cr D Mallard**

- 1 That Council notes the report on the 16 Days of Activism Against Gender-Based Violence
- 2 That Council resolves to support the campaign in 2024 and allocates \$5,000 in the 2024/2025 budget to deliver events and promotions to raise awareness of Gender based violence.
- 3 That Council investigate other State and Federal funding opportunities to support the campaign.

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

Against: Nil

Absent: Cr J Whitton

5.2 2024 NATIONAL GENERAL ASSEMBLY - OPENING OF CALL TO SUBMIT MOTIONS

TRIM REFERENCE: 2024/5

RESOLVED - 24/029**Cr T Greenhalgh/Cr G Power**

That Council notes the report by the Executive Support Manager on motions to be submitted to the National General Assembly to be held in Canberra in July 2024.

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

Against: Nil

Absent: Cr J Whitton

6 CLOSED MEETING

In accordance with the Local Government Act 1993, and the Local Government (General) Regulation 2021, in the opinion of the Chief Executive Officer, 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 - 24/030**Cr G Floyd/Cr J Evans**

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 NetWaste Tender for Collection and Recycling of Used Mattresses

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 Waiving of interest

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.

6.3 Submission Redaction Report - 6 February 2024

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

Against: Nil

Absent: Cr J Whitton

The Mayor declared the Ordinary Meeting of Council adjourned for the conduct of the Closed Meeting at 8.00pm.

The Mayor declared the Ordinary Meeting of Council resumed at 8.21pm.

7 RESOLUTIONS FROM CLOSED MEETING

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

6.1 NETWASTE TENDER FOR COLLECTION AND RECYCLING OF USED MATTRESSES

TRIM REFERENCE: 2023/2282

RESOLVED - 24/031**Cr M McDonell/Cr G Power**

That Council:

- 1 Award Tender F4121 for the Collection and Recycling of Used Mattresses to Commonwealth Steel Pty Ltd (trading as Molycop 360) for their tendered price as set out in this report for the initial two (2) year term with the option of two (2) x 12-month available extensions.
- 2 Participate in a Regional price review that will be conducted after the initial 2-year contract term and would be initiated once only during the full 2 year + 2 x 12 month extension periods (CPI indexation is the preferred method of review as noted in this report).
- 3 Delegate the authority to execute the contract for the Collection and Recycling of Used Mattresses to the Chief Executive Officer and the use of the Common Seal of Council be authorised for use on documents associated with the contract.

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

Against: Nil

Absent: Cr J Whitton

6.2 WAIVING OF INTEREST

TRIM REFERENCE: 2024/68

RESOLVED - 24/032**Cr K Duffy/Cr G Floyd**

That Council waive the interest component of the outstanding rates as detailed in this report.

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

Against: Nil

Absent: Cr J Whitton

6.3 SUBMISSION REDACTION REPORT - 6 FEBRUARY 2024

TRIM REFERENCE: 2023/2295

RESOLVED - 24/033

Cr K Duffy/Cr D Mallard

That the information contained in the Submission Redaction 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

Against: Nil

Absent: Cr J Whitton

THE MEETING CLOSED AT 8.22PM.

This is Page Number 6 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 6 February 2024.