



ORDINARY COUNCIL MEETING

AGENDA

5 MARCH 2024

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, 5 March 2024** 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 20 February 2024 (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 20 February 2024.

ATTACHMENTS

- 1 Minutes of the Ordinary Meeting of Orange City Council held on 20 February 2024

ORANGE CITY COUNCIL

MINUTES OF THE ORDINARY COUNCIL MEETING

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

ON 20 FEBRUARY 2024

COMMENCING AT 6:30PM

1 INTRODUCTION

ATTENDANCE

Cr J Hamling (Mayor), Cr K Duffy (6.36pm), 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

Acting Chief Executive Officer (Greenham), Director Corporate and Commercial Services, Director Development Services, Director Community, Recreation and Cultural Services, Manager Corporate Governance

1.1 APOLOGIES

RESOLVED - 24/034	Cr J Whitton/Cr T Greenhalgh
That the apologies be accepted from Cr J Evans and Cr K Duffy (Lateness) for the Council Meeting of Orange City Council on 20 February 2024.	
For: Cr J Hamling, 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: Cr J Evans, Cr K Duffy	

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.

1.5 OPENING PRAYER

Bernadette Collins of the Shalom House of Prayer led the Council in Prayer.

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

4.2 – Notice of Motion - Lords Place South Independent Review

- Richard Hattersley

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 6.34PM

2 MAYORAL MINUTES

2.1 MINING AND ENERGY RELATED COUNCILS NSW AGM AND DECEMBER MEETING 2023

TRIM REFERENCE: 2024/141

RESOLVED - 24/035

Cr T Mileto/Cr J Whitton

That the information contained in this Mayoral Minute be acknowledged.

For: Cr J Hamling, 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: Cr J Evans, Cr K Duffy

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED - 24/036

Cr G Floyd/Cr S Peterson

That the Minutes of the Ordinary Meeting of Orange City Council held on 6 February 2024 (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 6 February 2024.

For: Cr J Hamling, 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: Cr J Evans, Cr K Duffy

Cr Duffy arrived at the meeting with the time being 6.36pm

4 NOTICES OF MOTION/NOTICES OF RESCISSION

4.1 NOTICE OF MOTION - SUPPLY OF LIFE VAC DEVICES IN ALL NSW SCHOOLS

TRIM REFERENCE: 2024/170

MOTION

Cr T Greenhalgh/Cr G Power

That Orange City Council resolves to:

- 1 Advocate for the supply and introduction of Life Vac devices in all NSW Schools/ Childcare Centres by lobbying our Local and State members for funding for the Life Vac Devices.
- 2 Encourage all local sporting clubs to consider including them as a must have in addition to a defibrillator as part of their first aid toolkit.
- 3 Write to Prue Car, Deputy Premier, Minister for Education and Early Learning in support of this initiative.

AMENDMENT

Cr T Mileto/Cr S Peterson

That consideration of this item be deferred for the purpose of writing to the Australian Medical Association, College of Medical Physicians, NSW Health and Minister for Education and Early Learning to obtain expert information on the Life Vac device.

For: Cr T Mileto

Against: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonnell, Cr S Peterson, Cr G Power, Cr J Whitton

Absent: Cr J Evans

THE AMENDMENT ON BEING PUT WAS LOST

THE MOTION ON BEING PUT WAS CARRIED

RESOLVED - 24/037

Cr T Greenhalgh/Cr G Power

That Orange City Council resolves to:

- 1 Advocate for the supply and introduction of Life Vac devices in all NSW Schools/ Childcare Centres by lobbying our Local and State members for funding for the Life Vac Devices.
- 2 Encourage all local sporting clubs to consider including them as a must have in addition to a defibrillator as part of their first aid toolkit.
- 3 Write to Prue Car, Deputy Premier, Minister for Education and Early Learning in support of this initiative.

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

Against: Nil

Absent: Cr J Evans

4.2 NOTICE OF MOTION - LORDS PLACE SOUTH INDEPENDENT REVIEW

TRIM REFERENCE: 2024/169

RESOLVED - 24/038**Cr F Kinghorne/Cr G Floyd**

That Orange City Council arrange, as soon as practicable, an independent review of the planning, approval, and construction of the Lords Pl Sth Future Cities development. This review should consider the following:

- 1 Whether all relevant accurate information was officially given to councillors prior to the approval.
- 2 Whether all required/usual planning protocols and procedures were undertaken in relation to this matter.
- 3 Whether there were any concerns raised by staff involved in the development, especially in relation to the apparent haste in implementing the project, and, if so, how were these concerns addressed?
- 4 Whether the immediate start on the project was consistent with regulations, especially in relation to the effective blocking of any potential rescission motion.
- 5 Whether there was effective consultation/ communication with the business owners during the development. Did the minutes of the meetings held, accurately reflect the content of those meetings and were these minutes adopted at subsequent meetings?
- 6 Whether the differences between the concept plans and the actual development were necessary, specifically in relation to the arrangement of the double tree pits as perpendicular to the footpath rather than angled to align better with the parking spaces.
- 7 What internal reviews have already been conducted to date, and what is the outcome of any such reviews?

For: Cr J Hamling, Cr K Duffy, 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: Cr J Evans

5 GENERAL REPORTS**5.1 LORDS PLACE FURNITURE**

TRIM REFERENCE: 2024/128

RESOLVED - 24/039**Cr G Floyd/Cr K Duffy**

That the report on the Lords Place furniture EOI be acknowledged and the EOI process be endorsed.

For: Cr J Hamling, Cr K Duffy, 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: Cr J Evans

Cr Duffy asked how the EOI will go out.

The Director Corporate & Commercial Services advised the EOI will be aimed at the local business community not the general public, in association with Council needs.

Cr Power asked if there was a closing date for the EOI.

The Director Corporate & Commercial Services advised that the EOI would be open for a four week period.

QUESTION TAKEN ON NOTICE

Cr M McDonell

Cr McDonell asked what for the dollar value of Lords Place furniture items part of the EOI.

Cr Whitton asked why the EOI would only be for certain groups and not allowing everyone to have a say.

The Director Corporate & Commercial Services advised that the furniture was taken from the CBD businesses so aimed at the business community. There were also public liability considerations needing to be taken into account if furniture was placed in a public space.

Cr Whitton asked if Development Applications would be needed to install furniture.

The Director Development Services stated that it would depend on the item. It may be possible to use section 68 of the Local Government Act for approvals, however if it related to outdoor dining for example this would be administered under the Roads Act.

Cr Whitton asked how a business could obtain public liability insurance if they do not own the footpath.

The Director Corporate & Commercial Services advised that is items where used within their business liability would be transferred and the business responsibility.

Cr Mileto asked how we could ensure transparency when the EOI's come back to Council for a decision to choose the successful applicants.

The Director Corporate & Commercial Services advised that an assessment criteria would be established with weighting and scoring across the criteria's provided to Council.

5.2 FUTURECITY

TRIM REFERENCE: 2024/3

MOTION

Cr G Power/Cr M McDonell

That Council Resolves to:

- 1 Note the report from the Chief Executive Officer.
- 2 Note the list of potential projects under the FutureCity program; Maintain Projects 1-8 in the 2023/24 budget; and
- 3 Adjust the 2023/24 budget accordingly in the next quarterly review to match the adopted project list under recommendation 2.

AMENDMENT

Cr K Duffy/Cr T Mileto

That Council defer consideration of the FutureCity Program for the purpose of obtaining more information about the projects.

For: Cr J Hamling, Cr K Duffy, 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: Cr J Evans

THE AMENDMENT ON BEING PUT WAS CARRIED AND BECAME THE MOTION**THE MOTION ON BEING PUT WAS CARRIED****RESOLVED - 24/040****Cr K Duffy/Cr T Mileto**

That Council defer consideration of the FutureCity Program for the purpose of obtaining more information about the projects.

For: Cr J Hamling, Cr K Duffy, 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: Cr J Evans

Cr Whitton asked what were the parameters for use of the Grant funding and whether it could be used for anything or if it was only for beautification.

The Acting Chief Executive Officer stated that it needed to be in line with FutureCity ideals and could be used if it fit within the criteria.

Cr Kinghorne noted the report stated a Future Council could not be committed however the projects went into the 2024/25 Financial Year.

The Acting Chief Executive Officer stated that the current Council would be in for July & August of that period.

Cr Peterson asked if delaying projects would increase prices, whether carparks would see additional capacity from laying chipseal or asphalt, what the concerns are with the current CCTV infrastructure and what are we trying to achieve with that upgrade.

The Acting Chief Executive Officer stated that delays would only impact on timing until October 2024, both options for chipseal and asphalt are provided for Council to consider given there is a substantial difference in cost and no additional capacity is achieved, it is to improve the quality of the existing carparks.

The Director Community, Recreation & Cultural Services stated that there are thirty CCTV cameras which function satisfactorily, we have a close working relationship with the police and upgrades would bring CCTV up to current standards.

Cr McDonell asked if the festoon lighting had already been purchased and the cost was only for install.

The Acting Chief Executive Officer stated that they had not yet been purchased and most of the cost is for individual poles.

QUESTION TAKEN ON NOTICE**Cr M McDonell**

Cr McDonell asked if the proposed FutureCity Festoon Lighting was of better quality than the current lighting.

Cr Duffy noted a recent incident at Esso Park stating Council should not only be considering lighting at Robertson Park.

Cr Mileto asked what sampling of mulch is occurring to ensure it is safe for the site it is being used and how often that mulch is being tested to ensure it complies with regulations.

The Acting Chief Executive Officer stated that every pile is tested, not specifically for asbestos, however we do not believe there is any building waste in our mulch. We are now testing the end product for asbestos and will keep Council informed.

5.3 RECOMMENDATIONS AND RESOLUTIONS FROM POLICY COMMITTEES

TRIM REFERENCE: 2023/2287

RESOLVED - 24/041

Cr K Duffy/Cr D Mallard

That Council resolves:

- 1 That the Minutes of the Planning & Development Policy Committee at its meeting held on 6 February 2024 be and are hereby confirmed as a true and accurate record of the proceedings.
- 2 That the Minutes of the Infrastructure Policy Committee at its meeting held on 6 February 2024 be and are hereby confirmed as a true and accurate record of the proceedings.
- 3 That the Minutes of the Environmental Sustainability Policy Committee at its meeting held on 6 February 2024 be and are hereby confirmed as a true and accurate record of the proceedings.
- 4 That the Minutes of the Finance Policy Committee at its meeting held on 6 February 2024 be and are hereby confirmed as a true and accurate record of the proceedings.
- 5 That the Minutes of the Services Policy Committee at its meeting held on 6 February 2024 be and are hereby confirmed as a true and accurate record of the proceedings.

For: Cr J Hamling, Cr K Duffy, 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: Cr J Evans

QUESTION TAKEN ON NOTICE

Cr K Duffy

Cr Duffy asked for a Report to be provided to Council on complaint Statistics around Companion Animals.

5.4 QUARTERLY BUDGET REVIEW - QUARTER 2 OF 2023/2024

TRIM REFERENCE: 2024/80

RESOLVED - 24/042**Cr G Floyd/Cr S Peterson**

That Council resolves:

- 1 That the information provided in the report on the quarterly budget and performance indicators review for October 2023 to December 2023 be acknowledged.
- 2 To adopt variations in the consolidated overall cost to council arising from the December 2023 quarterly review amounting to \$5,000.

For: Cr J Hamling, Cr K Duffy, 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: Cr J Evans

Cr Peterson noted the reduction in cost for stormwater drainage and asked if this was a delay in Blackmans Swamp Stormwater Harvesting.

The Acting Chief Executive Officer stated that the changes were around projects not progressing this financial year, the stormwater harvesting would be one of those.

5.5 STATEMENT OF INVESTMENTS - DECEMBER 2023/JANUARY 2024

TRIM REFERENCE: 2024/87

RESOLVED - 24/043**Cr K Duffy/Cr J Whitton**

That Council resolves:

- 1 To note the Statement of Investments for the periods December 2023 and January 2024.
- 2 To adopt the certification of the Responsible Accounting Officer.

For: Cr J Hamling, Cr K Duffy, 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: Cr J Evans

QUESTION TAKEN ON NOTICE**Cr F Kinghorne**

Cr Kinghorne noted that the Aus Bond Bank Bill Index had been sitting at 0.94% for some months and has now been changed to 4.5% from back in June 2023, and asked for clarification as to why this has occurred.

5.6 FEES AND CHARGES AMENDMENTS - ORANGE CITY COUNCIL CHOICES AT HOME - HOME MAINTENANCE SERVICE FEE (LAWN MOWING) - POST EXHIBITION

TRIM REFERENCE: 2023/2252

RESOLVED - 24/044

Cr D Mallard/Cr K Duffy

That Council adopt the amended fees and charges for the client contribution fee of \$40.00 per hour (\$20.00 per half hour), for lawn mowing service provision to seniors under the Commonwealth Home Support Programme, effective from 26 February 2024.

For: Cr J Hamling, Cr K Duffy, 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: Cr J Evans

5.7 FEES AND CHARGES AMENDMENTS - ORANGE REGIONAL MUSEUM TOURING EXHIBITIONS - POST EXHIBITION

TRIM REFERENCE: 2023/2253

RESOLVED - 24/045

Cr G Floyd/Cr D Mallard

That Council adopts the Orange Regional Museum – Touring Exhibition fees:

Activity	Existing fee EX GST	Proposed fee Ex GST
Touring Exhibition Cost	Not included in Fees & Charges	\$0 to \$10,000

For: Cr J Hamling, Cr K Duffy, 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: Cr F Kinghorne

Absent: Cr J Evans

Cr Kinghorne asked why there was a wide range of the proposed fee and how this is calculated.

The Director Community, Recreation & Cultural Services advised that depends on the exhibition and it is difficult to identify. One element of an exhibition may cost \$1,000, the next \$2,000 and another \$100 to tour the exhibition. The Fees and Costings are set out between the parties and made on a cost recovery basis.

5.8 SPORTNSW INDUSTRY CONFERENCE - PANEL DISCUSSION SESSION

TRIM REFERENCE: 2024/100

RESOLVED - 24/046

Cr K Duffy/Cr J Whitton

That Council resolves to send the Mayor and Cr Greenhalgh to the Sport NSW Industry Conference to participate on a Panel at Sydney Olympic Park on 23 February 2024.

For: Cr J Hamling, Cr K Duffy, 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: Cr J Evans

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 Acting 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 - 24/047**Cr G Power/Cr G Floyd**

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 Tender - Lake Canobolas Accessible Boardwalk

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 Minutes of the Audit Risk and Improvement Committee Meeting 6 December 2023

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.

For: Cr J Hamling, Cr K Duffy, 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: Cr J Evans

The Mayor declared the Ordinary Meeting of Council adjourned for the conduct of the Closed Meeting at 7.47pm.

The Mayor declared the Ordinary Meeting of Council resumed at 7.54pm.

7 RESOLUTIONS FROM CLOSED MEETING

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

6.1 TENDER - LAKE CANOBOLAS ACCESSIBLE BOARDWALK

TRIM REFERENCE: 2024/88

RESOLVED - 24/048

Cr G Power/Cr T Greenhalgh

- 1 That the Tender F665-4 for Installation of Lake Canobolas Boardwalk be awarded to MDE Projects for their tendered price of \$350,208.00 (Ex GST).
- 2 That permission be granted for the use of the Council Seal on any relevant document as required.

For: Cr J Hamling, Cr K Duffy, 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: Cr J Evans

6.2 MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING 6 DECEMBER 2023

TRIM REFERENCE: 2024/67

RESOLVED - 24/049

Cr G Floyd/Cr F Kinghorne

That Council resolves:

- 1 That Council acknowledge the reports presented to the Audit, Risk & Improvement Committee at its meeting held 6 December 2023.
- 2 That Council determine recommendation 4.2(4) & 4.17 from the minutes of the Audit, Risk & Improvement Committee of 6 December 2023:
4.2(4) That Council confirm the ARIC Membership from 1 July 2024 under the new OLG guidelines.
4.17 That Council acknowledges the ARIC Annual Report for the year ending 31 December 2023.
- 3 That the remainder of the minutes of the Audit, Risk & Improvement Committee at its meeting held on 6 December 2023 be adopted.

For: Cr J Hamling, Cr K Duffy, 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: Cr J Evans

MATTER ARISING

Cr McDonell noted that at item 5.4 – Quarterly Budget Review – she called a point of order as the discussion from Cr Duffy was not on the agenda for that item, noting that Councillors could only raise business part of the agenda.

THE MEETING CLOSED AT 8.00PM

This is Page Number 11 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 20 February 2024.

COUNCIL MEETING ADJOURNS FOR THE CONDUCT OF THE POLICY COMMITTEES

Planning and Development - Chaired by Cr Jeff Whitton

Employment and Economic Development – Chaired By Cr Tony Mileto – No Items

Infrastructure - Chaired by Cr Jack Evans

Sport and Recreation - Chaired by Cr Tammy Greenhalgh – No Items

Environmental Sustainability - Chaired by Cr David Mallard

Finance - Chaired by Cr Kevin Duffy

Services - Chaired by Cr Melanie McDonell

COUNCIL MEETING RESUMES

4 NOTICES OF MOTION/NOTICES OF RESCISSION

4.1 NOTICE OF MOTION - COUNCIL'S INVOLVEMENT IN THE PROPOSED RAINBOW FESTIVAL

RECORD NUMBER: 2024/220

I, **CR KEVIN DUFFY** wish to move the following Notice of Motion at the Council Meeting of 5 March 2024:

MOTION

That Orange City Council cancel its involvement and activities in cash or in-kind including staff involvement in the proposed Rainbow Festival as part of the Our Region Our Voice Regional Youth Investment Program.

Signed Cr Kevin Duffy

STAFF COMMENT

Orange City Council secured \$125,800 funding from the NSW Government for the conduct of a Rainbow Festival to celebrate and support LGBTQIA+ young people and to increase tolerance in the community.

The festival is funded under The Our Region, Our Voice - Regional Youth Investment Program which was established in June 2022 by the NSW Government to deliver tailored investments and local projects that enhance the lives and wellbeing of regional youth and support them to live their best life and thrive within their local communities.

Council considered a report on the festival on 5 December 2023.

FINANCIAL/RESOURCING IMPLICATIONS

The project is funded by the grant amount of \$125,800 with Council's costs limited to staff time for the planning and conduct of the event.

If staff involvement was cancelled it is unlikely the rainbow festival could proceed.

Council would still incur costs to fulfill its obligations to pay entertainers and event suppliers. These costs are currently being funded through the grant however should the event not proceed Council would not be able to claim these costs under the grant as the activity was not delivered.

POLICY AND GOVERNANCE IMPLICATIONS

Should the event not proceed Council would be unable to claim costs incurred as the program did not proceed. Any costs incurred due to cancellation would then be borne by Council.

Council has significant exposure to reputational risk with NSW Government funding bodies and local businesses should the festival not be delivered.

ATTACHMENTS

- 1 Letters of Support Politicians - Rainbow Festival (redacted), D23/94993[🔗](#)

**Andrew Gee MP**

Federal Member for Calare

Our Ref: EB 22/09.91

Ms Catherine Davis
Executive Support Manager
Orange City Council
PO Box 35
ORANGE NSW 2800
Email:

Dear Ms Davis

Department of Regional NSW 'Our Region, Our Voice' Regional Youth Investment Program.

I write in support of the application from Orange City Council for funding under the Department of Regional NSW's 'Our Region, Our Voice' Regional Youth Investment Program to improve the lives and wellbeing of young people in regional areas.

Orange City Council propose to address the needs and aspirations of regional young people in a variety of ways, specifically by upgrading the Orange Youth Hub, increasing lighting infrastructure at local sports areas, extending the Glenroi Oval skate park, implementing an after-school and weekend youth engagement program "Merge", organising a LGBTQI+ festival, undertaking "Engage The Resilience Project" school workshops and partnering with a local provider to create support service "A Safe Place" for youth to access services outside business hours.

Overall, Orange City Council meet the objectives of the Regional Youth Investment program by facilitating students to learn, work and achieve in regional NSW, assisting them to be mentally and physically healthy, safe and thrive in their communities, helping them express their creativity, collaborate with other teams, develop a sense of achievement and feel socially and culturally connected to their communities, have transport and digital connectivity solutions to access training, work services and recreational activities; and reflect the diversity of young people's needs across the Orange City Council Local Government Area.

If successful in receiving funding Orange City Council will be able to deliver on these objectives.

It is for these reasons that I strongly support the application and wish it every success.

Yours sincerely

Andrew Gee MP
Federal Member for Calare

Dated: 20/9/24

Bathurst PO Box 54, Bathurst NSW 2795 P 02 6331 0524 F 02 6331 2561
Orange PO Box 673, Orange NSW 2800 P 02 6361 7138 or 1300 301 740 F 02 6362 3480
E andrew.gee.mp@aph.gov.au



THE NATIONALS *for Regional NSW***Hon Sam Farraway MLC**

MEMBER OF THE LEGISLATIVE COUNCIL

**RE: LETTER OF SUPPORT**

To Whom It May Concern,

I write in my capacity as the Duty MLC for the Orange Electorate to support Orange City Council's application for funding under the Department of Regional NSW's Youth Investment Program – Our Region, Our Voice.

For the past ten years, the population of the Orange has been growing steadily, leading to hundreds of families relocating to the area. Although this has fostered diversity, accelerated economic growth, and forged a sense of community, it also has added pressure onto the existing youth facilities that Council offer.

To this point, I have been informed that young people in Orange have expressed a desire for additional activities, events, and projects to be invested in and around town, both at the Council-run youth hub and beyond. These improvements would include upgrading the youth club, increasing lighting at local sports fields, extending the skate park, and implementing an afterschool / weekend youth engagement program.

Orange City Council also intends to promote diversity in their community by hosting a LGBTIA+ festival, participating in 'The Resilience Project' for mental fortitude in kids, and collaborating with a provider of a 'safe place' operator for children.

These programs aim to benefit the community by enhancing children's learning abilities, physical and mental health outcomes, creative expression, and in all, craft a sense of community cohesion. I'm confident that this funding will be effective because of the Council's wealth of expertise in supporting local youth.

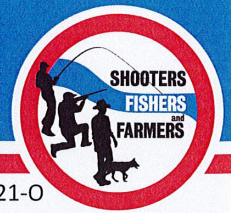
The Our Region, Our Voice initiative and Orange City Council share an aligned commitment to developing community connectivity and I am confident that this grant will deliver just that.

I am pleased to provide my support for this application.

Kind regards,

29/9/22

The Hon. Sam Farraway MLC
Duty MLC for the Orange Electorate

PHILIP DONATO MP
Member for Orange

220921-O

To Whom It May Concern

Re: Letter of Support for Orange City Council – NSW Government 'Our Region, Our Voice' Regional Youth Investment Program

I am pleased to have the opportunity to support Orange City Council's application to Our Region, Our Voice, Regional Youth Investment Program, for funding for the following projects:

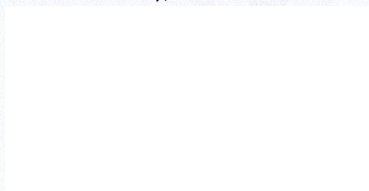
1. Upgrade the Orange Youth Hub to provide more opportunities for young people to engage in activities that improve mental and physical health, digital technology skills and engage in education and training.
2. Increase lighting infrastructure at local sporting areas such as Lomas Skate Park and Glenroi Oval, to provide increased activation and safer evening access for young people.
3. Extend the skate park at Glenroi Oval to provide more opportunity for recreation to young people in the east side of the city.
4. Provide an afterschool and weekend youth engagement program, Merge, which will provide organised activities and access to organised sport and arts for young people in a supported environment and run parallel to the Youth Hub.
5. Organise a LGBTQIA+ festival to allow local youth and community to celebrate inclusivity and diversity.
6. Engage The Resilience Project to provide workshops to schools to increase resilience for younger people.
7. Create a partnership with a local provider to create a Safe Place in out of business hours to increase safety for young people and an opportunity to link young people with local support services.

Young people in Orange have expressed their desire for additional activities, events and projects at the Orange Youth Hub and beyond. These improvements will allow an increased number of younger people to access health and educational recreation activities that will enhance wellbeing and resilience and lead to positive life outcomes.

Orange City Council has extensive experience providing programs and activities for young people and will be able to increase the options of programs available to support young people with the resources this grant provides.

For these reasons, I fully support this application to funding to support Orange City Council's application.

Yours sincerely,



Phil Donato MP
State member for Orange

21st September 2022



5 GENERAL REPORTS

5.1 ORANGE CITY LIBRARY STATISTICS JULY - DECEMBER 2023

RECORD NUMBER: 2024/200

AUTHOR: Roslyn Cousins, Manager Central West Libraries

EXECUTIVE SUMMARY

Projecting from the July – December statistics for the Library, loans will increase by 70% in 2023/24, exceeding even pre-Covid levels.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “4.1. A broad range of creative and cultural facilities, services and programs that meet community needs”.

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Nil

RECOMMENDATION

The report on Orange City Library Statistics by the Manager Central West Libraries be acknowledged.

FURTHER CONSIDERATIONS

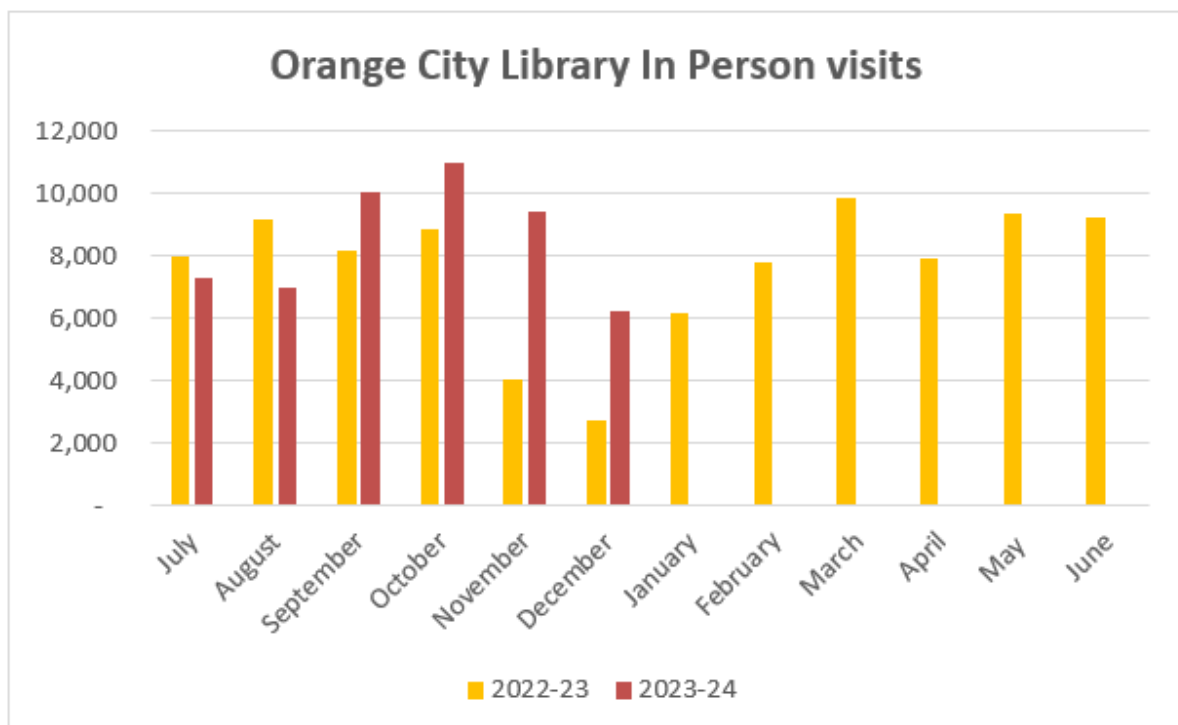
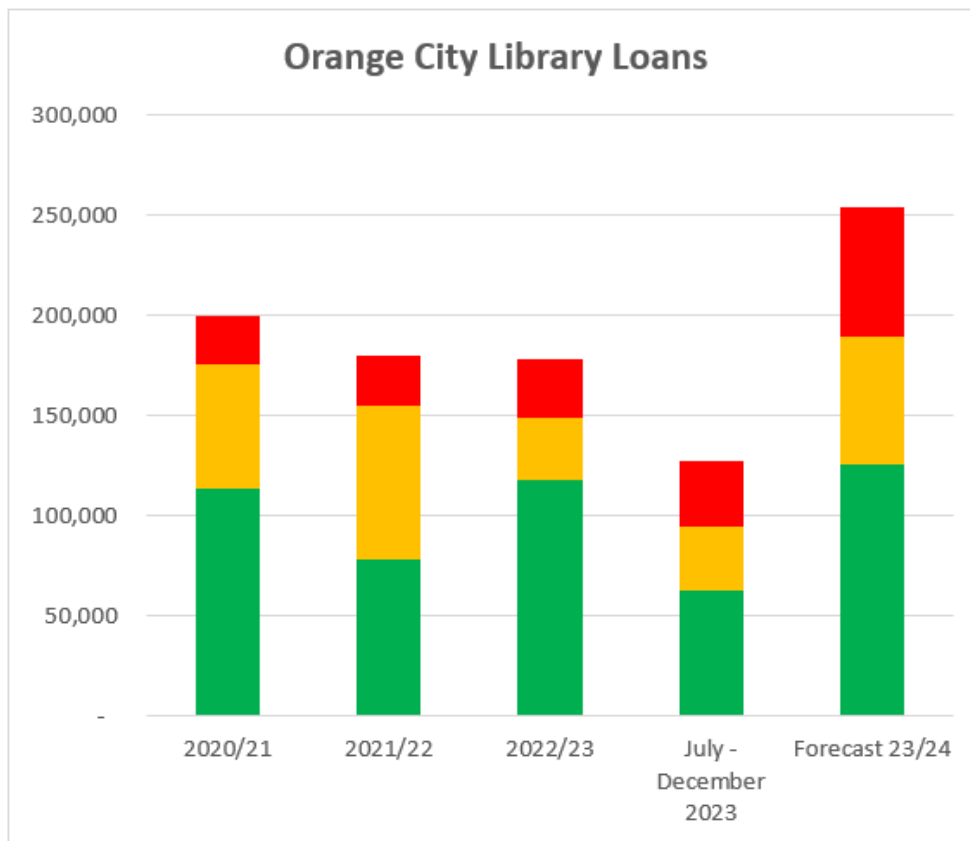
Consideration has been given to the recommendation’s impact on Council’s service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

SUPPORTING INFORMATION

Library business has boomed in the past six months exceeding even pre-Covid levels. This increase is not only driven by increased use of electronic resources (Ebooks, Emagazines, streaming movies, eNewspapers) but also the lending of physical items.

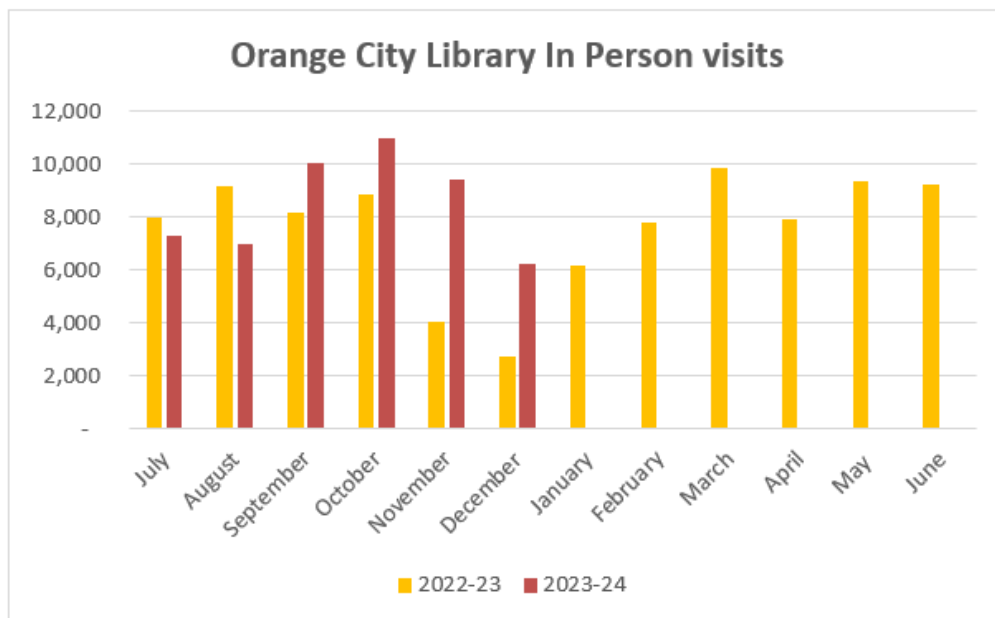
LOANS	Physical	eLoans	Web renewals	Total
2020/21	113,653	62,067	23,821	175,720
2021/22	77,881	77,155	25,117	155,036
2022/23	118,224	30,999	28,873	149,223
July - Dec 2023	62,868	31,714	32,383	126,965
Forecast 23/24	125,736	63,428	64,766	253,930
% Change				70%
Members	29,032			
Stock@ 30/6/2023	86,499			
PC bookings	3,757			
Wifi connections	13,458			

5.1 Orange City Library Statistics July - December 2023

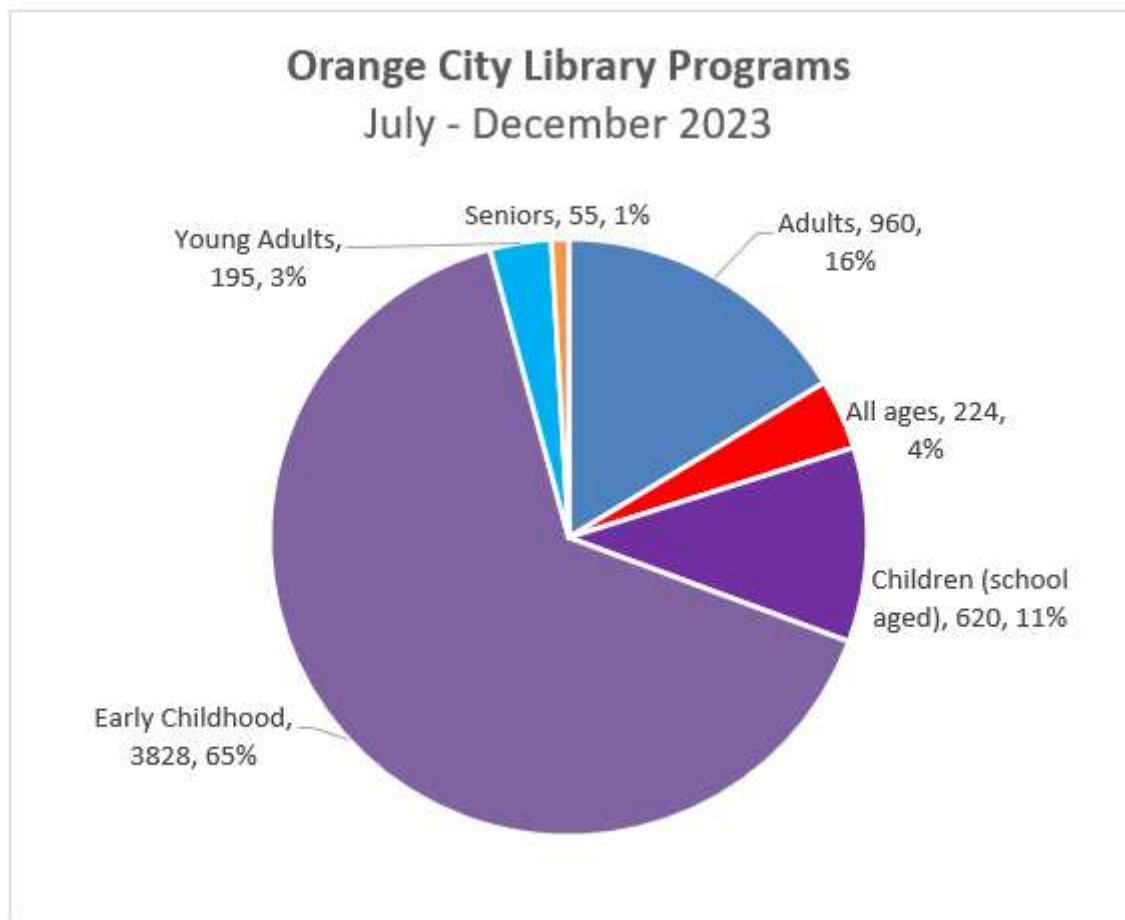


5.1 Orange City Library Statistics July - December 2023

IN PERSON VISITS	2021-22	2022-23	2023-24
July	6,031	7,971	7,271
August	3,535	9,163	7,005
September	1,124	8,175	10,047
October	5,796	8,875	11,008
November	6,829	4,027	9,412
December	4,658	2,703	6,259
January	5,019	6,172	
February	5,850	7,799	
March	7,376	9,883	
April	6,451	7,901	
May	7,794	9,345	
June	7,971	9,263	
Total	68,434	91,277	51,002



5.1 Orange City Library Statistics July - December 2023



5.2 STRATEGIC POLICY REVIEW - GRANTS AND DONATIONS - POST EXHIBITION

RECORD NUMBER: 2023/2240

AUTHOR: Rachelle Robb, Director Corporate & Commercial Services

EXECUTIVE SUMMARY

This report presents Strategic Policy ST32 – Donations and Grants which has been reviewed and placed on public exhibition from 20 December 2023 to 31 January 2024. One internal submission was received as outlined below and those changes now been included in the policy. The policy is now recommended to Council for Adoption.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “18.1. Provide representative, responsible and accountable community governance”.

FINANCIAL IMPLICATIONS

The 2023/24 budget for Donations and Grants is \$163,900. The policy updates recommend small changes to the internal allocation of funds between the different donations and grant programs, with no change to the overall budget.

Program	Current	Recommended	Reason
1. Small Donations	\$84,000	\$80,000	Reallocation of categories as below
2. Educational Support and Recognition	\$16,000	\$17,000	Additional \$1,000 to cover new categories
3. Sports Assistance	\$13,900	\$16,900	Additional \$3,000 to cover new categories
4. Sports Facility Partnership	\$50,000	\$50,000	No change
TOTAL	\$163,900	\$163,900	No change

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:

1. 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.
2. 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 Adopt Strategic Policy ST32 - Donations and Grants.

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

Following a Notice of Motion at Council's meeting of 23 September 2022, Council resolved to defer consideration of funding allocations for the Small Donations and Grants Program until an expedited review of the program had been undertaken (resolution 23/370).

The Small Donations and Grants Program review was completed in May 2023, with a report presented at Council's meeting of 6 June 2023. Council resolved to accept all recommendations in the report (23/210).

The Donations and Grants Policy ST32 and related webpage and application form have now been updated to reflect these resolutions.

2.1 REVIEW OF DONATIONS AND GRANTS POLICY

TRIM REFERENCE: 2023/735

RESOLVED - 23/210

Cr G Floyd/Cr G Power

That Council resolves to:

- 1 Increase the current funding of the Small Donations Program from \$64,000 to \$84,000 with a reallocation of the standing annual \$20,000 grant from Orange Harness Racing as these funds have not been expended since 2021.*
- 2 Consolidate the categories in the Small Donations Program and replace with a general category of a community or not-for-profit group providing benefit to the community.*
- 3 Improve the application process by simplifying the application form, using everyday language throughout, removing unnecessary details, and asking applicants to describe how the donation will benefit the local community. Please see the attached copies of the current and updated application forms for more details.*
- 4 Delegate authority to the CEO for regular prize giving, in-kind donations, and non-sport individuals or teams representing Orange at a National or Overseas Event, and for the education support and recognition program.*

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, Cr J Whitton

Against: Nil

Absent: Cr K Duffy

Policy for Adoption - ST32 – Donations and Grants

In line with Council resolution 23/210, Strategic Policy 029 Donations and Grants has been reviewed as outlined below. The policy has been on public exhibition from 20 December 2023 to 31 January 2024. One internal submission was received as outlined below and those changes now been included in the policy.

The submission from Council's Sport & Recreation Supervisor, supported by the Director Community, Recreation & Cultural Services requested the re-distribution of additional funds for these programs. Initially when presented to Council, staff had requested an additional

5.2 Strategic Policy Review - Grants and Donations - Post Exhibition

\$2,000 be allocated to each of these programs. This has now been adjusted to reflect an additional \$1,000 to the Education & Recognition Program and an additional \$3,000 to the Sports Participation program. The totals additional funds allocated has not changed being a total of \$4,000.

The Donations and Grants Strategic Policy has been updated in line with Council resolution 23/210

Amendment Date	Section/Reference and Amendment
March 2024	<ul style="list-style-type: none"> • New Numbering to ST32, previously ST029. • Simplification and reordering of the General Conditions. • Consolidation of the categories in the Small Donations Program: <ul style="list-style-type: none"> ○ Category 1 for consideration by Council ○ Category 2 under delegation to the CEO • Changes to opening and closing dates for Small Donation applications. • Changes to educational support and recognition program: <ul style="list-style-type: none"> ○ Schools are required to complete an application form ○ CWA and Orange Eisteddfod moved to this category from Small Donations • Changes to Sports Participation Program <ul style="list-style-type: none"> ○ Grand finals, Carnivals and Championships moved to this category from Small Donations • Additional \$4,000 in funding to cover new categories split between the Educational Support & Recognition and the Sports Participation programs.

Webpages for adoption

In line the policy updates, the updated webpages will reflect the simplified approach to applying for donations and grants, including an update to the opening and closing dates for each round.

Round	Current dates	Proposed dates
Round 1	Open 1 June – 6 August To Council in September	Open 1 July – 5 August To Council in September
Round 2	Open 1 September – 4 February To Council in March	Open 1 September – 5 October To Council in November
Round 3	Open 1 January – 6 March To Council in April	Open 1 January – 5 February To Council in March
Round 4	Open 4 April – 6 June To Council in July	Open 1 March – 5 April To Council in May

Small Donations Application Form

In line with Council resolution 23/210, the Small Donations application form has been simplified to make it more customer-friendly while still meeting requirements of the policy.

ATTACHMENTS

- 1 FOR ADOPTION - Strategic Policy - ST32 - Donations and Grants, D23/89310 [↓](#)
- 2 Small Donations - Application Form, D23/89267 [↓](#)



Strategic Policy ST32

Donations and Grants

FOR ADOPTION

PO Box 35, Orange
NSW 2800 Australia

135 Byng Street, Orange
NSW 2800 Australia

P: +61 2 6393 8000
F: +61 2 6393 8199

council@orange.nsw.gov.au
www.orange.nsw.gov.au



All policies can be reviewed or revoked by a resolution of Council, at any time.

1 PURPOSE

Council can assist the local community under a number of grant and donations programs.

Small Donations Program

Assistance to community and not-for-profit groups that offer significant contribution to the social, economic and/or environmental wellbeing of the Orange Local Government Area (LGA).

Educational Support & Recognition Program

Assistance to individuals undertaking the Graduate Certificate in Community Leadership and Resilience Scholarship at Charles Sturt University; assistance for annual Year 12 prize giving; and assistance for annual prize giving (CWA and Orange Eisteddfod).

Sports Assistance Program

Assistance to individuals who have been selected in representative levels and assistance to sports organisations sending teams to championship events.

This Program can also provide local sporting organisations with assistance to host unplanned events such as Grand Finals where additional resources are required.

Sports Facility Partnership Program

Assistance to local sporting clubs to improve local sporting facilities.

2 APPLICABILITY

This policy applies to all not-for-profit individuals, community groups and sporting groups that are residents in, or who conduct their activities in, the Orange Local Government area for the specific benefit of residents of the Orange Local Government area.

3 LEGISLATIVE FRAMEWORK

3.1 This policy is in accordance with these sections in the Local Government Act 1993:

- section 356 (financial assistance)

- section 377 (delegated authority)
- section 610E (waiving or reduction of fees)

3.2 And in accordance with this section in the Local Government Regulation 2021:

- section 207 (record of donations for auditing purposes).

4 GENERAL CONDITIONS

4.1 An application form has to be completed for requesting financial assistance.

4.2 All requests must illustrate how outcomes align with Council's Community Strategic Plan.

4.3 Applicants are limited to one application in a financial year unless otherwise stated.

4.4 Council will consider applications on merit, in conjunction with other applications received and the available budget for donations and grants.

4.5 Ineligible applications will not be considered and will be returned. Ineligibility includes:

- Incomplete forms or applications submitted outside round open and closing dates.
- Government entities.
- Applicants that have and outstanding debt with Council.
- Fundraising for groups or events outside the Orange Local Government Area.
- Applications for fee reductions or waiving of Council fees.
- Applications to cover applicant's insurance or project insurance costs.

4.6 Schools are unable to apply for donations for equipment, infrastructure or maintenance. Schools may apply for a donation if they are holding a community event open to the public or if they are holding a very significant, milestone anniversary event (50-years or more).

4.7 Donations and grants will not be retrospectively applied.



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- 4.8 Where applications are seeking funding for capital works or purchase of equipment under the value of \$3,000, no quote is required. A minimum of three written quotes must be included for anything above \$3,001. Purchases must be sourced from a local supplier unless they are not of sufficient quality, or it is not practical to do so.
- 4.9 All payments to applicants will be via electronic transfer.
- 4.10 A tax invoice, invoice or Statement by a Supplier form is not required for Council to pay a donation (as nothing is needed to be supplied for the payment).
- 4.11 If financial assistance is made in return of a supply for the payment, a tax invoice, invoice or Statement by Supplier form is required.
- 4.12 An acquittal form is to be completed and returned to Council for each donation provided.

5 CRITERIA AND CONDITIONS – SMALL DONATIONS PROGRAM

(GST does not apply)

\$80,000 reserve in each year.

Program Categories (For review by Council)

- 5.1 Community and not-for-profit group providing benefit to the local community Maximum* of \$2,500 per applicant (*a lesser amount may be donated). Must be a not-for-profit applicant.

Program Categories (For approval by CEO)

In-kind support for Council services

- 5.2 Maximum* of \$500 per applicant (* a lesser amount may be donated). Must be a not-for-profit applicant.

Program Conditions (in addition to General Conditions)

- 5.3 Applications from community and not-for-profit groups providing benefit to the local community will be determined by Council in four rounds each financial year:

Round 1: Open 1 July - 5 August, with the report to Council in September.

Round 2: Open 1 September - 5 October, with the report to Council in November.

Round 3: Open 1 January – 5 February, with the report to Council in March.

Round 4: Open 1 March – 5 April, with the report to Council in May.

5.4 Applications may be considered outside these rounds in extraordinary cases only.

5.5 Applications for determination by the Chief Executive Officer are determined by quick response. Quarterly reports on donations given will be submitted to Council.

5.6 Funding must be fully expended in the financial year allocated and unspent funds paid back to Council. Council will consider an exception to this when a service club is raising money for a large-cost, eligible project. Council will consider allowing a service club to expend the donation over a three-year period and to apply for the same project in the second and third year if the funding for the project total has not been fully raised (but not to apply for donation for a different purpose during this period) and the service club must submit an acquittal in each of the three years.

5.7 The maximum donation amount can be exceeded for not for-profit organisations working with the vulnerable. Applicants still apply within the maximum donation amount in the relevant category, with a request for additional funding supported by clear reasoning identifying benefit to the local community. Council's consideration to exceed the maximum donation will look at whether there is



All policies can be reviewed or revoked by a resolution of Council, at any time.

remaining money in the budget after all applications have been considered and determined in the subject round.

6 CRITERIA AND CONDITIONS – EDUCATIONAL SUPPORT AND RECOGNITION PROGRAM

(GST does not apply)

\$17,000 budget in each financial year

Program Conditions (in addition to General Conditions)

- 6.1 Applications can be determined by the Chief Executive Officer under section 377(1A) of the Local Government Act and considered within 7 days of receipt.
- 6.2 Quarterly reports on donations given will be submitted to Council.

Educational Support - Graduate Certificate in Community Leadership and Resilience Scholarship at the Charles Sturt University (\$12,000 reserve in each year)

- 6.3 Donations will be made from December to February each year (ahead of the March intake of this Scholarship).
- 6.4 Applicants must be residents of Orange.
- 6.5 Applicants must be undertaking the Graduate Certificate in Community Leadership and Resilience Scholarship at the Charles Sturt University and provide evidence of enrolment.
- 6.6 Assistance is \$1,200 maximum. 10 applicants can apply within the reserve for this Program.

Recognition Program - Annual Prize Giving for Year 12 (\$4,000 reserve in each year)

- 6.7 Assistance is a \$500 donation to each of the 8 high schools in Orange.
- 6.8 The donation is via the schools for annual prize giving to Year 12 students.
- 6.9 Schools are required to complete an application form to access the funds.
- 6.10 Schools are asked to name awards 'The Orange City Council Mayoral Award for...'

and invite a council representative to present the award at end of year ceremonies.

Recognition Program - Country Women's Association (\$500 reserve in each year)

- 6.11 Assistance is a maximum of \$500 (*a lesser amount may be requested).
- 6.12 The CWA is required to complete an application form to access the funds.

Recognition Program - Orange Eisteddfod (\$500 reserve in each year)

- 6.13 Assistance is a maximum of \$500 (*a lesser amount may be requested).
- 6.14 The Orange Eisteddfod is required to complete an application form to access the funds.

7 CRITERIA AND CONDITIONS – SPORTS ASSISTANCE PROGRAM

(GST does not apply)

\$16,900 budget in each financial year

Program Conditions (in addition to General Conditions)

- 7.1 Applications can be determined by the Chief Executive Officer and considered within 7 days of receipt. Quarterly reports on donations given will be submitted to Council.
- 7.2 Written proof of selection from the body running the event/making the selection must be provided.
- 7.3 Applicants can receive more than one donation in a financial year if:
 - an applicant has been selected in regional representation and has then been selected in state representation and/or in national representation in one sport;
 - an applicant has been selected in regional representation and/or state representation and or/national representation in more than one sport.



All policies can be reviewed or revoked by a resolution of Council, at any time.

- 7.4 The number of donations available to an applicant is capped at three in the one financial year. An applicant is ineligible for another donation at the same level for the same sport in one financial year.
- 7.5 If a team has received a donation, an individual in that team cannot be given a donation for the same representation.
- 7.6 Regional representation is not Orange representation. Regional and state representation will be as determined by the peak State body for the sport. National representation will be as determined by peak National body for the sport.
- 7.7 The location and duration of the sports event to be attended and costs arising from selection will be taken into consideration in determining the donation amount applicable.
- 7.8 Applications may only be considered for sports recognised by the Australian Sports Commission.
- teams)
\$750 total for the club/association.
- 6 State representation at National titles** (for a club/association for one team only)
\$500 total for the team.
- 7 State representation at National titles** (for a club/association with multiple teams)
\$1,000 total for the club/association.
- 8 National representation at international titles** (for a club/association for one team only)
\$1,000 total for the team.
- 9 National representation at international titles** (for a club/association with more than one team)
\$2,000 total for the club/association.
- 10 Grand Finals, Carnivals/Championships and Invitationals**
Maximum* of \$1,500 per applicant (* a lesser amount may be donated).
Must be a not-for-profit applicant.

Sports Participant Program Categories

- 1 Regional representation at State level events - Individual** (individual selected in a regional team)
Maximum* of \$250 per applicant (*a lesser amount may be donated). Category includes NSW Combined Independent School Sports representation (or similar) at NSW All School State Championship events.
- 2 State representation at National level events - Individual** (individual selected in State team)
Maximum* of \$500 per applicant (*a lesser amount may be donated)
- 3 National representation - Individual** (individual selected in a national team)
Maximum* of \$1,000 per applicant (*a lesser amount may be donated).
- 4 Regional representation at State titles** (for a club/association for one team only)
\$250 total for the team.
- 5 Regional representation at State titles** (for a club/association with multiple

8 CRITERIA AND CONDITIONS – SPORTS FACILITY PARTNERSHIP PROGRAM

(GST does not apply)

\$50,000 budget in each financial year

Objectives

- 8.1 Improve sporting and recreational facilities for local sporting organisations and the local community.
- 8.2 Create partnerships between Orange City Council and sporting groups in the development of sport and recreational facilities in the city.
- 8.3 Improve opportunities for local sporting organisations to host major sporting events.
- 8.4 Improve resources available to local sporting organisations and community groups.
- 8.5 Enhance the long-term sustainability of the sport.



All policies can be reviewed or revoked by a resolution of Council, at any time.

Guidelines

- 8.6 Applications for the Sports Facility Program will open once a year.
- 8.7 Maximum grant available will be \$15,000. Applications asking for a higher amount will not be considered.
- 8.8 Grants will be considered from local incorporated not-for profit sporting bodies with an ABN.
- 8.9 Grants are offered to sporting bodies for improvements to sporting and recreational facilities located within the Orange Local Government Area and include funding for minor plant.
- 8.10 Grants are on a dollar-for-dollar basis for actual funds. Donated materials and/or voluntary labour will be considered when estimating the cost. Voluntary labour is capped at \$25/hr unless trade qualified services are being provided. Quotations for each component of a project is required.
- 8.11 Evidence of sufficient funds being held to match the grant will be required before the grant is approved. For example, a copy of a recent bank statement should be attached to the application form.
- 8.12 Applications should address ongoing maintenance and/or expenses associated with the proposed project.
- 8.13 It is preferred that grants are sufficient to finish a project within a twelve-month period from approval, however projects already underway will be considered.
- 8.14 The grant can only be used for the purpose approved by Council. Any alterations to approved projects should be applied for in writing and are subject to Council's written consent.
- 8.15 If grants are for structures, relevant development application and/or application for construction certificate must be approved by Council before funding will be available.

8.16

- 8.17 Should more than one application be submitted, the association must rank their projects in order of priority. All applications should be accompanied by a letter of support from local peak bodies.
- 8.18 It should be noted that applications for projects on Council-owned land or Council-managed land are generally given a higher priority for funding.
- 8.19 All applications will be assessed following a report prepared for Council's consideration on the disbursement of funds. Funds will be distributed to sporting organisations as resolved by Council.

Projects considered

- 8.20 The enhancement of existing sporting facilities such as safety netting, lighting, water systems and upgrade of surfaces.
- 8.21 The provision of ancillary and support facilities at established sporting facilities (eg, sun-protection shelters, change rooms and grandstands).
- 8.22 The purchase of equipment that will improve the quality or function of a facility (eg, cricket wicket roller, timing equipment).
- 8.23 The project meets the objectives of the program.

Projects not considered

- 8.24 sporting goods (eg, bats, balls, uniforms).
- 8.25 Projects that have already been completed.
- 8.26 Construction or sealing of car parks or roads.
- 8.27 Projects that involve the development of private or commercial ventures.
- 8.28 General maintenance of sporting facilities (eg, painting).

ST32 – Strategic Policy – Grants and Donations

Review Due: November 2024	Version 1_24	Last Revision: 20 April 2021
Approved By:	Minute Number:	Approval Date:



SMALL DONATIONS PROGRAM - APPLICATION FORM

General donations

Community or not-for-profit group providing benefit to the local community can apply for a maximum of \$2,500

APPLICANT'S DETAILS

Name of organisation:

Contact name:

Position:

Postal address

Phone:

Mobile:

Email:

ABOUT YOUR ORGANISATION

Please select: ☐ Profit or ☐ Not-for-Profit

Please provide a short description of your organisation, and its purpose.

REASON FOR APPLYING FOR FINANCIAL ASSISTANCE

Please outline how the donation will be used

BENEFIT TO ORANGE

Please outline how the donation will benefit the local community, including any local businesses

YOUR COSTS

Please attach evidence of your costs. For purchase equipment, please attach one quote.

Total cost \$

Your contribution \$

Contribution from other sources, including other councils \$

Amount requested from Council \$

BANK ACCOUNT DETAILS FOR PAYMENT

BSB No:

Account No:

Account Name:

Bank:

ALIGNMENT TO COUNCIL'S COMMUNITY STRATEGIC PLAN

Which theme/s best match your reason for donation?



LIVE: A healthy, safe, inclusive and vibrant community

This theme recognises the importance of encouraging healthy lifestyles, community pride and a sense of belonging.



PRESERVE: Balancing the natural and built environment

This theme ensures that the unique natural, cultural, social and historical aspects of our community are preserved while recognising the need for growth and improvement.



PROSPER: A smart, innovative and resilient economy

This theme focuses on providing the community with positive choices for investment, employment and study.



COLLABORATE: Leadership and partnership

This theme looks at forging a collaborative community that engages with open and ongoing decision making.

DECLARATION

On behalf of: (name of organisation if applicable)



I certify to the best of my knowledge that the statements made in this application and any supporting documentation are true.

Signed

Date

Print name

Position in organisation

The information you provide will be handled in accordance with the Privacy and Personal Information Protection Act 1998. The supply of information by you is voluntary. If you cannot provide or do not wish to provide the information sought, your application may be unable to be processed. Any personal information collected from you will be in order to process your application.

5.3 STRATEGIC POLICY REVIEW

RECORD NUMBER: 2024/241

AUTHOR: Janessa Constantine, Manager Corporate Governance

EXECUTIVE SUMMARY

This report presents the Strategic Policy ST22 – Vandalism Reporting Scheme which has been reviewed and now recommended for adoption.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “18.1. Provide representative, responsible and accountable community governance”.

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

In accordance with the Local Government Act 1993, if the Council is of the opinion that the amendments are not substantial, it may adopt the amended draft policy without public exhibition. There have been no specific updates to these policies, and minor updates only to Policy Number, References to Legislations and Regulation and department names.

RECOMMENDATION

That Council resolves to adopt Strategic Policy ST22 – Vandalism Reporting Scheme

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

The policy has had only minor changes during this review period and the content and outcomes remain unchanged. This term of Council has not yet adopted this policy and it is now recommended for adoption.

Reference	Update
General	<ul style="list-style-type: none">• Renumbering of Policies - New Numbering ST22, previously ST100• Formatting updates.

5.4 REPORT ON FREE ENTRY TO AQUATIC CENTRE

RECORD NUMBER: 2024/245

AUTHOR: Scott Maunder, Director Community, Recreation and Cultural Services

EXECUTIVE SUMMARY

This report provides a summary of the patronage and issues experienced at the Aquatic Centre during the Free Entry Period over December and January.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “2.2. Provide recreational activities and programs that are inclusive and meet the needs of the community”.

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Nil

RECOMMENDATION

That Council note the report on Free Entry to the Aquatic Centre.

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

At its meeting of 19 December 2023 Council resolved to permit Free Entry into the Orange Aquatic Centre from 22 December 2023 to 31 January 2024 (inclusive) for everyone.

Patronage:

Following is a comparison of the patronage, café sales and merchandise sales across the same 6-week period for the 22/23 and 23/24 seasons:

Patronage	Café Sales	Merchandise Sales
22/23: 12,423	73,214.10	24,523.27
23/24: 28,992	91,172.94	28,800.60

As noted the increase in patronage more than doubled however these did not translate into an appreciable increase in income in other areas of the centre.

5.4 Report on Free Entry to Aquatic Centre

During this period a Carnival was also conducted which accounted for approximately 1,200 visits and more than \$11,000 to the café and over \$3,000 in merchandise. If these sales were removed from the above statistics sales would have been similar to the previous year.

Issues:

During the free entry period there was a marked increase in abuse of the staff. Over the six-week period more than 250 patrons were ejected from the centre.

The biggest issues were the refusal to follow instructions, abuse of staff or other patrons and a higher-than-normal rate of theft with a number of phones and watches being stolen from bags. A patron's car was stolen from the car park after children stole keys from his bag.

Police were engaged a number of times to report poor behaviour and to request walk throughs.

To protect patrons and staff Council engaged Security guards to manage behaviours. This came at a cost of approximately \$30,000 over the second half of the free entry period.

Council incurred further costs with the increase in staffing costs and cleaning during the period. Forgone revenue on entry based on previous years was approximately \$90,000. If those attending were required to pay for entry the revenue forgone would be approximately \$210,000 (noting this patronage is unlikely to be reached if paid entry was required).

The Centre also experienced a higher number of contaminations than usual – sometimes multiple pools or the same pool being closed multiple times. This has of course increased the online criticism on sites such as Council's FB page or pages such as spread the word orange.

Council also received an increase in complaints from regular patrons. Archetypal complaints were:

- "ruined by small minority" of users
- "very unsafe"
- "scared"
- "out of control", and required intervention to control
- Attended less than otherwise would have

The effect on the staff has been wearing – most were very tired and are relieved when free entry period ended.

The main age group that caused issues was that of teenagers.

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 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.

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 2024 National General Assembly - Nominations for Councillor Attendance

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 Tender - Construction of Orange Adventure Playground 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.

6.3 Submission Redaction Report - 5 March 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.

**6.1 2024 NATIONAL GENERAL ASSEMBLY - NOMINATIONS FOR COUNCILLOR
ATTENDANCE**

RECORD NUMBER: 2024/138

AUTHOR: Kate Shepherd, Executive Support Administration 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 (f) matters affecting the security of the Council, Councillors, Council staff or Council property.

6.2 TENDER - CONSTRUCTION OF ORANGE ADVENTURE PLAYGROUND UPGRADE

RECORD NUMBER: 2024/217

AUTHOR: Alan Giumelli, Project Manager

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.

6.3 SUBMISSION REDACTION REPORT - 5 MARCH 2024

RECORD NUMBER: 2023/2296

AUTHOR: Janessa Constantine, Manager Corporate Governance

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 (e) information that would, if disclosed, prejudice the maintenance of law.

7 RESOLUTIONS FROM CLOSED MEETING