
ORANGE CITY COUNCIL

MINUTES OF THE

ORDINARY COUNCIL MEETING

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

ON 7 MAY 2024

COMMENCING AT 6:30PM

1 INTRODUCTION

ATTENDANCE

Cr J Hamling (Mayor), Cr K Duffy (6.41pm), Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power (Deputy Mayor), Cr J Whitton (6.31pm)

Chief Executive Officer, Acting Director Corporate and Commercial Services (Sharp), Acting Director Development Services (Johnston), Director Community, Recreation and Cultural Services, Director Technical Services, Manager Corporate Governance, Chief Financial Officer

1.1 APOLOGIES

RESOLVED - 24/143

Cr G Power/Cr D Mallard

That the apologies be accepted from Cr J Evans, Cr J Whitton (lateness) and Cr K Duffy (lateness) for the Council Meeting of Orange City Council on 7 May 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

Against: Nil

Absent: Cr J Evans, 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.

Cr Whitton arrived at the meeting with the time being 6.31pm

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

Cr Floyd declared a Non-Significant, Non-Pecuniary Interest in PDC Item 2.1 – Items Approved Under Delegated Authority of Council as he resides nearby to a property contained in the report.

Cr Kinghorne declared a Significant Pecuniary Interest in PDC Item 2.2 – Development Application DA426/2024(1) – 8 Old Regret Road, Clifton Grove as her husband’s consultancy business has undertaken work on this site.

Cr Peterson declared a Non-Significant, Non-Pecuniary Interest in FPC Item 2.2(3) – Small Donations – Requests for Donations – Orange Girl Guides as he has a previous Scout Member and Leader.

Cr Hamling declared a Non-Significant, Non-Pecuniary Interest in item 4.2 – Notice of Motion – Orange Wine Trail as he has a transfer business.

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE OPEN FORUM AT 6.33PM.

5.4 – Amendments to the Plan of Management Spring Creek Dam to Permit Recreational Fishing

- Adam Harrison – Kinross Wolaroi School
- Steph O’Dea
- Benjamin Watt – Kinross Wolaroi School

4.2 – Notice of Motion – Orange Wine Trail

- Carolynne James – President – Orange Bicycle Users Group

Cr Duffy arrived at the meeting with the time being 6.41pm

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 6.51PM.

2 MAYORAL MINUTES

Nil

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED - 24/144

Cr J Whitton/Cr G Floyd

That the Minutes of the Ordinary Meeting of Orange City Council held on 16 April 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 16 April 2024.

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

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE POLICY COMMITTEE MEETINGS AT 6.51PM

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 7.51PM

4 NOTICES OF MOTION/NOTICES OF RESCISSION

4.1 NOTICE OF MOTION - TAX DEDUCTIONS FROM COUNCILLOR REMUNERATION

TRIM REFERENCE: 2024/656

MOTION **Cr M McDonell/Cr D Mallard**

That Council investigates deducting Tax from Councillor remuneration prior to payment.

THE MOTION ON BEING PUT WAS LOST

For: Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power

Against: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr T Mileto, Cr J Whitton

Absent: Cr J Evans

4.2 NOTICE OF MOTION - ORANGE WINE TRAIL

TRIM REFERENCE: 2024/639

Cr Hamling declared a Non-Significant, Non-Pecuniary Interest in this item as he has a transfer business.

RESOLVED - 24/170 **Cr S Peterson/Cr G Floyd**

That Council resolves to:

- 1 Note the completed Orange Region Food and Wine Business Case;
- 2 Utilize the Orange Bicycle Committee supported by the Manager Economic Development to pursue grants;
- 3 Endorse the Trail Project as a priority Council Tourism Infrastructure Project and provide necessary seed funding as part of the budget process; and
- 4 Seek to partner with Cabonne Council in deciding a Governance model.

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 PROJECT UPDATE - ORANGE CONSERVATORIUM AND PLANETARIUM

TRIM REFERENCE: 2024/517

RESOLVED - 24/171

Cr G Power/Cr D Mallard

That the information in the report on the Orange Conservatorium and Planetarium project update be acknowledged.

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

5.2 DRAFT INTEGRATED PLANNING AND REPORTING - OPERATIONAL PLAN AND RESOURCING STRATEGY 2024-2025 INCLUDING LONG TERM FINANCIAL PLAN, BUDGET, FEES & CHARGES, WORKFORCE MANAGEMENT STRATEGY AND ASSET MANAGEMENT STRATEGY

TRIM REFERENCE: 2024/638

RESOLVED - 24/172

Cr K Duffy/Cr J Whitton

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

1. Draft Operational Plan - Actions on Principal Activity 2024/2025
2. Draft Budget 2024/2025
3. Draft Fees and Charges 2024/2025
4. Draft Long Term Financial Plan 2024/2025 (2025-2034)
5. Draft Workforce Management Strategy 2024/2025 (2025-2034)
6. Draft Asset Management Strategy 2024/2025 (2025-2044)
7. Draft Strategic Policy ST27 - Statement of Revenue
8. Draft Strategic Policy ST28 - Asset Management.

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 S Peterson

Cr Peterson noted that 11% of Council's expenditure is on roads, parking, footpaths and the CBD and requested a breakdown of how much of this is spent on roads and footpaths.

QUESTION TAKEN ON NOTICE

Cr F Kinghorne

Cr Kinghorne noted that last year we spoke about increasing awareness of Pensioner rebates on Rates and Water and asked if this had made a difference.

QUESTION TAKEN ON NOTICE

Cr J Whitton

Cr Whitton asked whether Gold Card holders are able to get the Pensioner Rebates on Rates and Water as well as Pension Card holders.

5.3 DRAFT STRATEGIC POLICY - REDMOND PLACE PRECINCT (DIVERSE AND AFFORDABLE HOUSING)

TRIM REFERENCE: 2024/571

RESOLVED - 24/173**Cr J Whitton/Cr D Mallard**

That the Draft Strategic Policy – Redmond Place Precinct (Diverse and Affordable Housing) be placed on public exhibition for a period of not less than 28 days.

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 S Peterson**

Cr Peterson asked if data could be obtained for the number of homes and beds available in Orange at a particular time to see a trend line of our population versus house and room numbers over time.

QUESTION TAKEN ON NOTICE**Cr K Duffy**

Cr Duffy asked that Council be provided with a report on the current status of the 268 trees planted at Redmond Place in memory of the lives lost in Vietnam, noting some had been removed.

5.4 AMENDMENTS TO THE PLAN OF MANAGEMENT SPRING CREEK DAM TO PERMIT RECREATIONAL FISHING

TRIM REFERENCE: 2024/436

RESOLVED - 24/174**Cr G Floyd/Cr J Whitton**

That the proposal to permit recreational fishing at Spring Creek Dam be placed on public exhibition for a period of 28 days.

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 Mallard asked what is being considered beyond stage 1 and noted that an increase in enforcement is required.

The Chief Executive Officer stated that discussions with Fisheries NSW had been held on a preliminary basis only and the intention was to monitor the first initiative with the possibility of expanding the activities, not the zone. Fisheries and Rangers will take on compliance enforcement activities.

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 - 24/175**Cr T Greenhalgh/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 - F3803 - Design and Construction of the Orange Aquatic Centre 50m Pool Heating

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.

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

The Mayor declared the Ordinary Meeting of Council adjourned for the conduct of the Closed Meeting at 8.38pm.

The Mayor declared the Ordinary Meeting of Council resumed at 8.45pm.

7 RESOLUTIONS FROM CLOSED MEETING

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

6.1 TENDER - F3803 - DESIGN AND CONSTRUCTION OF THE ORANGE AQUATIC CENTRE 50M POOL HEATING

TRIM REFERENCE: 2024/324

RESOLVED - 24/176

Cr J Whitton/Cr G Power

That Council resolves:

- 1 That Tender Submissions for Tender F3803-9 be rejected and that negotiations take place with Johnson Controls Australia to progress with a final hybrid design and installation of Stage 1, being gas fired boiler capacity installed with a target date of September 2024 for the 50m pool.
- 2 That Johnson Controls Australia be engaged to complete Stage 2 to achieve a hybrid gas and electric heat pump system for the 50m pool, when grant funds become available.
- 3 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 McDonnell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

THE MEETING CLOSED AT 8.46PM

This is Page Number 7 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 7 May 2024.