



ORDINARY COUNCIL MEETING

AGENDA

9 JULY 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, 9 July 2024** commencing at **6:30PM**.

David Waddell

CHIEF EXECUTIVE OFFICER

For apologies please contact Executive Support on 6393 8391.

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.

1	INTRODUCTION.....	4
	1.1 Apologies and Leave of Absence	4
	1.2 Livestreaming and Recording	4
	1.3 Acknowledgement of Country.....	4
	1.4 Declaration of pecuniary interests, significant non-pecuniary interests and less than significant non-pecuniary interests.....	4
	COUNCIL MEETING ADJOURNS FOR THE CONDUCT OF THE OPEN FORUM	4
	COUNCIL MEETING RESUMES	4
2	MAYORAL MINUTES	5
	Nil	
3	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	5
	3.1 Minutes of the Ordinary Meeting of Orange City Council held on 18 June 2024	6
	COUNCIL MEETING ADJOURNS FOR THE CONDUCT OF THE POLICY COMMITTEES.....	22
	Planning and Development - Chaired by Cr Jeff Whitton.....	22
	Employment and Economic Development – Chaired By Cr Tony Mileto – No items	22
	Infrastructure - Chaired by Cr Jack Evans	22
	Sport and Recreation - Chaired by Cr Tammy Greenhalgh	22
	Environmental Sustainability - Chaired by Cr David Mallard	22
	Finance - Chaired by Cr Kevin Duffy	22
	Services - Chaired by Cr Melanie McDonell.....	22
	COUNCIL MEETING RESUMES	22
4	NOTICES OF MOTION/NOTICES OF RESCISSION.....	23
	4.1 Notice of Rescission - Super Sopper Budget 2024/2025.....	23
	4.2 Allocation of Funds Generated from the Sale of Biodiversity Credits	25
	4.3 Notice of Motion - Summer Street Christmas Shopping Event.....	27

5	GENERAL REPORTS	29
5.1	Caretaker Period & Delegations to the Chief Executive Officer 7 August 2024 - 4 November 2024	29
5.2	Strategic Policy Review - Redmond Place Precinct (Diverse and Affordable Housing) - Post Exhibition	33
5.3	New Years Eve 2024 - Event Options	63
6	CLOSED MEETING - SEE CLOSED AGENDA.....	69
6.1	Proposed Sale Vacant Land 94 Woodward Street for Development for Social and Affordable Housing	71
6.2	Lease Shop 3 Leaheys Arcade.....	73
6.3	Submission Redaction Report - 9 July 2024	75
7	RESOLUTIONS FROM CLOSED MEETING	76

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 18 June 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 18 June 2024.

ATTACHMENTS

- 1 Minutes of the Ordinary Meeting of Orange City Council held on 18 June 2024

ORANGE CITY COUNCIL

MINUTES OF THE

ORDINARY COUNCIL MEETING

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

ON 18 JUNE 2024

COMMENCING AT 6:30PM

1 INTRODUCTION

ATTENDANCE

Cr J Hamling (Mayor), Cr K Duffy (6.35pm), Cr J Evans, Cr G Floyd, Cr T Greenhalgh (*Audio Visual Link*), Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power (Deputy Mayor)

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

1.1 APOLOGIES

RESOLVED - 24/228**Cr D Mallard/Cr S Peterson**

That the apologies be accepted from Cr J Whitton and Cr K Duffy (Lateness) for the Council Meeting of Orange City Council on 18 June 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 J Whitton, Cr K Duffy

RESOLVED - 24/229**Cr D Mallard/Cr S Peterson**

That Cr T Greenhalgh be permitted to attend the Council Meeting of Orange City Council on 18 June 2024 via Audio Visual Link.

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 J Whitton, Cr K Duffy

1.2 LIVESTREAMING AND RECORDING

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

1.3 ACKNOWLEDGEMENT OF COUNTRY

Cr S Peterson 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 item 5.5 - Development Application DA306/2021(3) – Lots 87 and 88 Lysterfield Road as her husband’s consultancy company has undertaken work on these sites.

Cr Hamling declared a Significant Non-Pecuniary Interest in item 5.3 - Lords Place Furniture Re-Use, Recommendations from the Expressions of Interest as he is a board member of OCTEC who operates Huntley Berry Farm mentioned in this report.

Cr Kinghorne declared a Significant Non-Pecuniary interest in item 5.4(1)(v) – Funding for Springbank Lane as residents are customers of her business, left the meeting and did not vote in discussion or voting on this item.

Cr Greenhalgh declared a Non-Significant Non-Pecuniary interest in item 5.4(1)(t) – Funding for a Super Sopper as she is the Secretary of Bloomfield Junior Rugby League Football Club.

Cr Mileto declared a Non-Significant Non-Pecuniary interest in item 5.4(1)(t) – Funding for a Super Sopper as he is the president of Orange District Football Association.

1.5 OPENING PRAYER

Khalid Tufail of the Orange Islamic Centre led the Council in Prayer.

The Mayor welcomed the 2nd and 3rd Orange Scouts to the chamber to view tonight’s meeting.

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE OPEN FORUM AT 6.34PM

Cr Duffy arrived at the meeting with the time being 6.35pm

Item 5.4 - Adoption - Integrated Planning & Reporting – Operational Plan and Resourcing Strategy 2024-2025 including Budget, Fees & Charges, Workforce Management Strategy, Long Term Financial Plan and Asset Management Strategy

- Leonard Elliot – Springbank Lane
- Rod Somerville – Planetarium Equipment
- Marea Ruddy – Rainbow Festival
- Cassandra Trengrove – The Colour City Rainbow Hub – Rainbow Festival

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 6.55PM

2 MAYORAL MINUTES

Nil.

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED - 24/230**Cr G Floyd/Cr S Peterson**

That the Minutes of the Ordinary Meeting of Orange City Council held on 4 June 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 4 June 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

QUESTION TAKEN ON NOTICE

Cr M McDonell

Cr McDonell asked for an update to be provided to Councillors on the Gender Based Violence Working Group.

4 NOTICES OF MOTION/NOTICES OF RESCISSION

4.1 NOTICE OF MOTION - REVIEW OF LAND ASSETS FOR EMERGENCY OR SHORT TERM HOUSING

TRIM REFERENCE: 2024/980

RESOLVED - 24/231**Cr F Kinghorne/Cr D Mallard**

That Orange City Council review its land assets to determine whether any of these holdings would be suitable or appropriate for placement of structures that could provide emergency or short-term housing, and if so, work with the community to raise money to provide such structures and connections to services such as water, sewer & electricity.

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 RECOMMENDATIONS AND RESOLUTIONS FROM POLICY COMMITTEES

TRIM REFERENCE: 2023/2293

RESOLVED - 24/232**Cr K Duffy/Cr T Mileto**

That Council resolves:

- 1 That the Minutes of the Planning & Development Policy Committee at its meeting held on 4 June 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 4 June 2024 be and are hereby confirmed as a true and accurate record of the proceedings.
- 3 That the Minutes of the Sport and Recreation Policy Committee at its meeting held on 4 June 2024 be and are hereby confirmed as a true and accurate record of the proceedings.
- 4 That the Minutes of the Environmental Sustainability Policy Committee at its meeting held on 4 June 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 4 June 2024 be and are hereby confirmed as a true and accurate record of the proceedings.

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

QUESTION TAKEN ON NOTICE**Cr K Duffy**

Cr Duffy requested an update on provision of a report with plans and costings for the Southern Feeder/Distributor Road.

5.2 RAINBOW FESTIVAL POST EVENT REPORT

TRIM REFERENCE: 2024/839

RESOLVED - 24/233**Cr M McDonell/Cr G Power**

That the Rainbow Festival Post Event Report be noted.

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

Cr McDonell asked what the plan is now with the list of recommendations from the Rainbow Festival.

The Acting Director Corporate & Commercial Services advised that all feedback is taken on board to assist in any future event.

Cr Duffy asked for the costings for staff time and any payment to the police for the Rainbow Festival.

The Acting Director Corporate & Commercial Services advised that \$27,097 was the staff contribution noting that this included payment to staff who would have been paid in the normal operation of their role and that no payment was made to the police for their attendance.

QUESTION TAKEN ON NOTICE

Cr F Kinghorne

Cr Kinghorne noted that the Rainbow Festival Drag Brunch cost \$6,500, which would equate to 80 tickets at a price of \$81.25 and asked if that included payment to the Queens and how much.

Cr Kinghorne noted that part of the feedback was provision of drinking water and asked what we would do next time.

The Chief Executive Officer advised that next time we would do better.

Cr Hamling left the meeting with the time being 7.15pm and Cr Power (Deputy Mayor) assumed the role of chairperson

5.3 LORDS PLACE FURNITURE RE-USE, RECOMMENDATIONS FROM THE EXPRESSIONS OF INTEREST

TRIM REFERENCE: 2024/837

Cr Hamling declared a Significant Non-Pecuniary Interest in this item as he is a board member of OCTEC who operates Huntley Berry Farm mentioned in this report, left the meeting and did not participate in discussion or voting on this item.

RESOLVED - 24/234

Cr M McDonell/Cr D Mallard

That Council resolves:

- 1 That Birdie Noshery & Drinking Est receives:
 - 4 Chairs
- 2 That Orange Uniting Church receives:
 - 4 Concrete Chairs
 - 6 Pot Plants
 - 4 Shade Structures
 - 3 Round Chairs
 - 2 Chairs
- 3 That Blowes Real Estate receives:
 - 1 Concrete Chair
 - 2 Pot Plants
 - 1 Chair
- 4 That Orange Botanic Gardens receives:
 - 2 Concrete Chairs
 - 3 Concrete Blocks
- 5 That Huntley Berry Farm receives:
 - 3 Concrete Chairs
 - 10 Concrete Blocks
 - 4 Pot Plants
 - 2 Shade Structures
 - 1 Round Chair
 - 1 Chair
 - 1 Dining Deck.

For: 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, Cr J Hamling

Cr McDonell noted that Printhe Wines was not successful in receiving a Dining Deck and asked why given there were no other requests for the Dining Decks.

The Acting Director Corporate & Commercial Services advised that this fell outside the scope of the EOI and that there was no instruction from Council at this stage on what would occur with the remaining furniture.

QUESTION TAKEN ON NOTICE

Cr M McDonell

Cr McDonell stated that with the remaining 4 Concrete Blocks and 5 Dining Decks, and information from the previous Director Corporate & Commercial Services (Robb) that this could amount to \$150,000 and asked if this was correct.

Cr Hamling returned to the meeting with the time being 7.20pm and resumed the role of chairperson

RESOLVED - 24/235

Cr M McDonell/Cr G Power

That item 5.4 - Adoption - Integrated Planning & Reporting - Operational Plan and Resourcing Strategy 2024-2025 including Budget, Fees & Charges, Workforce Management Strategy, Long Term Financial Plan and Asset Management Strategy be heard and determined in seriatim.

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

5.4 ADOPTION - INTEGRATED PLANNING & REPORTING - OPERATIONAL PLAN AND RESOURCING STRATEGY 2024-2025 INCLUDING BUDGET, FEES & CHARGES, WORKFORCE MANAGEMENT STRATEGY AND ASSET MANAGEMENT STRATEGY

TRIM REFERENCE: 2024/672

RESOLVED - 24/236

Cr S Peterson/Cr T Mileto

That 5.4(1) be heard and determined in seriatim.

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

Against: Cr J Evans

Absent: Cr J Whitton

RESOLVED - 24/237

Cr J Hamling/Cr S Peterson

a) That include Operational grants received for autumn & winter school holidays, open streets event and diggers of WWI at \$56,809 in the 2024/2025 budget.

RESOLVED - 24/238

Cr G Power/Cr M McDonell

b) That Council include Adjustment to staff recruitment at (\$236,000) in the 2024/2025 budget.

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

<p>RESOLVED - 24/239</p> <p>c) That Council include Biobank credit from sales at \$300,000 in the 2024/2025 budget.</p> <p>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</p> <p>Against: Nil</p> <p>Absent: Cr J Whitton</p>	<p>Cr M McDonell/Cr J Hamling</p>
<p>RESOLVED - 24/240</p> <p>d) That Council include Capital grant for adventure playground at \$400,000 in the 2024/2025 budget.</p> <p>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</p> <p>Against: Nil</p> <p>Absent: Cr J Whitton</p>	<p>Cr J Hamling/Cr M McDonell</p>
<p>RESOLVED - 24/241</p> <p>e) That Council include Adventure playground - budget adjusted to resolution 24/076 at \$342,026 in the 2024/2025 budget.</p> <p>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</p> <p>Against: Nil</p> <p>Absent: Cr J Whitton</p>	<p>Cr M McDonell/Cr D Mallard</p>
<p>RESOLVED - 24/242</p> <p>f) That Council include Central Western Daily digitisation of negatives at \$25,000 in the 2024/2025 budget.</p> <p>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</p> <p>Against: Nil</p> <p>Absent: Cr J Whitton</p>	<p>Cr J Hamling/Cr G Power</p>
<p>RESOLVED - 24/243</p> <p>g) That the Councillor allowance be set at \$27,050 and the Mayoral Allowance be set at \$66,800 for 2024/2025, being the maximum allowance for Regional Centre Councils as determined by the Local Government Remuneration Tribunal on 29 April 2024.</p> <p>For: Cr J Hamling, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr G Power</p> <p>Against: Cr K Duffy, Cr F Kinghorne, Cr S Peterson</p> <p>Absent: Cr J Whitton</p>	<p>Cr M McDonell/Cr G Power</p>
<p>RESOLVED - 24/244</p> <p>h) That Council include Function centre repairs to stage, roof & rising damp at \$248,891 in the 2024/2025 budget.</p> <p>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</p> <p>Against: Nil</p> <p>Absent: Cr J Whitton</p>	<p>Cr T Greenhalgh/Cr J Evans</p>
<p>RESOLVED - 24/245</p> <p>i) That Council include Smith Hockey Fields – surface revitalisation works at \$200,000 in the 2024/2025 budget.</p>	<p>Cr G Floyd/Cr T Greenhalgh</p>

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

RESOLVED - 24/246

Cr M McDonell/Cr G Power

j) That Council include Playground shades for Matthews Park and William Maker Drive at \$50,000 in the 2024/2025 budget.

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

RESOLVED - 24/247

Cr M McDonell/Cr D Mallard

k) That Council include the Rainbow festival with \$50,000 quarantined in the 2024/2025 budget, until a project plan with additional event information is provided to the Council.

For: Cr J Hamling, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr G Power

Against: Cr K Duffy, Cr F Kinghorne, Cr S Peterson

Absent: Cr J Whitton

RESOLVED - 24/248

Cr M McDonell/Cr G Power

l) That Council include Resource Recovery Centre – wages adjustment due to cessation of contractor at \$305,341 in the 2024/2025 budget.

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

RESOLVED - 24/249

Cr G Power/Cr M McDonell

m) That Council include Riding for the Disabled entry repairs at \$21,000 in the 2024/2025 budget.

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

RESOLVED - 24/250

Cr G Power/Cr M McDonell

n) That Council include Safety & Wellbeing Incentive to match insurer contribution at (\$20,000) in the 2024/2025 budget.

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

RESOLVED - 24/251

Cr T Mileto/Cr J Hamling

o) That Council include Scout Camp upgrades – budget re-entry from 2022 at \$987,274 in the 2024/2025 budget.

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

RESOLVED - 24/252**Cr G Power/Cr S Peterson**

p) That Council include Sewer capital works brought forward from future years to match updated capital program at \$2,991,000 in the 2024/2025 budget.

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

RESOLVED - 24/253**Cr T Greenhalgh/Cr G Floyd**

q) That Council include Sport4All contract for inclusive children's sports coaching at \$5,000 in the 2024/2025 budget.

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

RESOLVED - 24/254**Cr T Mileto/Cr J Hamling**

r) That Council include Water capital works brought forward from future years to match updated capital program at \$1,536,000 in the 2024/2025 budget.

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

RESOLVED - 24/255**Cr D Mallard/Cr S Peterson**

s) That Council include Wine Trails – seed funding at \$25,000 in the 2024/2025 budget.

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

Cr Greenhalgh declared a Non-Significant Non-Pecuniary interest in this item as she is the secretary of Bloomfield Junior Rugby League Football Club.

Cr Mileto declared a Non-Significant Non-Pecuniary interest in this item as he is the president of Orange District Football Association.

RESOLVED - 24/256**Cr T Mileto/Cr J Hamling**

t) That Council include the purchase of a Super Sopper at \$35,000 in the 2024/2025 budget.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr T Mileto, Cr G Power

Against: Cr D Mallard, Cr M McDonell, Cr S Peterson

Absent: Cr J Whitton

RESOLVED - 24/257**Cr F Kinghorne/Cr T Mileto**

u) That Council include the waiving of Mud Hut Fees for Clifton Grove residents at \$355 in the 2024/2025 budget.

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

Cr Kinghorne declared a Significant Non-Pecuniary interest in this item as residents are customers of her business, left the meeting and did not vote in discussion or voting on this item.

MOTION

v) That Council include the sealing of Springbank Lane at \$150,000 in the 2024/2025 budget.

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr S Peterson

Against: Nil Cr J Evans, Cr T Greenhalgh, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr G Power

Absent: Cr J Whitton, Cr F Kinghorne

THE MOTION ON BEING PUT WAS LOST

RESOLVED - 24/258

Cr K Duffy/Cr J Hamling

w) That the issue of fitting out of the Planetarium be noted.

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr T Mileto, Cr S Peterson

Against: Cr J Evans, Cr D Mallard, Cr M McDonell, Cr G Power

Absent: Cr J Whitton

RESOLVED - 24/259

Cr M McDonell/Cr S Peterson

2 That the following expenditure, as amended, for the period 1 July 2024 to 30 June 2025 be adopted in accordance with the requirements of Clause 211 (2) of the Local Government (General) Regulation 2021:

2024/25	General Fund	Water Fund	Sewer Fund	All Funds
Operational Expenditure	95,927,869	17,614,966	12,405,319	125,948,155
Capital Expenditure	48,592,564	22,967,263	13,122,385	84,682,212
Loan Repayments	4,636,752	332,837	388,624	5,358,214
TOTAL	149,157,186	40,915,067	25,916,329	215,988,581

RESOLVED - 24/260

Cr J Evans/Cr D Mallard

3 To adopt the Schedule of Fees and Charges as listed in the exhibited draft Delivery/Operational Plan, as amended, for the period 1 July 2024 to 30 June 2025, provided that such changes may be varied by any alteration to the Local Government Act 1993 or Local Government (General) Regulation 2021 as directed by the NSW Government and subject to Council having the right to vary fees charged during the year subject to the required exhibition processes being observed. The fees and charges for the Companion Animals Act are yet to be published and circulated by the NSW Government. These fees and charges will be amended and adopted as soon as they are received from the NSW Government.

RESOLVED - 24/261

Cr G Power/Cr G Floyd

4 In accordance with Sections 534, 535, 537 and 538 of the Local Government Act 1993, to adopt the following structure for rating purposes for the period 1 July 2024 to 30 June 2025, and make the ad valorem rate in the dollar and base amount as detailed in the table below, noting that land value to be used is based on the valuation date of 1 July 2022 and supplementary information provided since that date, for the rateable

land in the Orange Local Government Area, as follows:

Ordinary Rates	No. of assessments	Value of assessments \$M	Ad Valorem Amount	Base Amount	Base Amount % of Total	Estimated Yield \$
Residential	17,038	5,213	0.002832	810.71	48.33%	28,577,510
Residential – Rural Residential	497	470	0.001442	810.71	37.26%	1,081,280
Residential – Clifton Grove	231	139	0.002356	810.71	36.31%	515,761
Residential – Ammerdown	43	44	0.001855	810.71	29.65%	117,579
Residential – Village	195	45	0.002068	481.18	49.79%	188,456
Farmland	382	617	0.000827	810.71	37.76%	820,127
Business	1,390	906	0.009196	810.71	11.91%	9,460,665
Business – Village	19	3	0.002244	442.71	49.51%	16,990
Special Rates						
Orange Central Business Area	324	226	0.003547	N/A	N/A	804,842
					TOTAL	\$41,583,210

RESOLVED - 24/262

Cr G Power/Cr T Mileto

5 To adopt the:

- a Operational Plan 2024-2025
- b Resourcing Strategy incorporating the Long-Term Financial Plan, Workforce Management Plan and Asset Management and Strategy 2024-2025
- c Strategic Policy ST27 – Statement of Revenue
- d Strategic Policy ST28 – Asset Management

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

QUESTION TAKEN ON NOTICE

Cr S Peterson

Cr Peterson noted that the \$25,000 budget allocation (5.4)(1)(f) for the Central Western Daily digitisation of negatives should be referred to the Historical Society for a review of efficiency and information about the scanning, whether the purchase of scanner would be appropriate and whether there was an end date or number of photos for this project.

Cr Kinghorne asked how many playground shade sail areas are still to be covered.

The Chief Executive Officer advised approximately 20 remain.

QUESTION TAKEN ON NOTICE

Cr K Duffy

Cr Duffy asked for a report to be provided to Council on the process for covering playgrounds with shade sails. It was noted by Cr McDonell that the Play Strategy is currently on exhibition.

Cr Hamling asked whether a Super Sopper would be an investment for the Sporting Precinct and whether it could be used for other fields.

The Director Community, Recreation & Cultural Services advised that the 8 new fields part of the Sports Precinct are designed taking into account primary factors such as wet weather and accounted for with specific drainage, which once constructed would not have the need for a Super Sopper or similar equipment. It could be moved to other fields if required.

Cr Hamling asked how much \$150,000 would provide in sealing Springbank Lane and whether there was a list of priority roads.

The Director Technical Services advised that \$150,000 would cover approximately 130m of the 300m road. There is no priority for sealing of gravel roads. Similar projects in the past have been funded 50/50 by the residents of the particular road.

Cr McDonell asked if there was any regular re-grading of Springbank Lane.

The Director Technical Services advised that gravel roads are graded on a yearly schedule.

Cr McDonell asked for clarification on whether Council was paying for the fit-out of the Conservatorium and whether the Planetarium would be the same.

The Director Community, Recreation & Cultural Services advised that Council was not fitting out the Conservatorium and this would be the same for the Planetarium. The building would be provided with air conditioning, lights and chairs included, however IT equipment was not. It is noted that the IT equipment required has a 4 yearly replacement schedule.

Cr McDonell asked if there was any update on the establishment of an Indoor Playground.

The Director Community, Recreation & Cultural Services advised that discussions had been held with the Tennis Centre and other interested parties and no final arrangements have been made at this stage.

MATTER ARISING

Cr M McDonell

Cr McDonell noted that the Sports Precinct is not listed clearly in the Asset Management Strategy and there is no specific category that covers Recreation.

QUESTION TAKEN ON NOTICE

Cr F Kinghorne

Cr Kinghorne noted that there were previous discussions at the Ageing and Access Community Committee around people abandoning shopping trolleys because they had no alternative to get their shopping home and asked if there was a different approach Council could take to assist with this.

Cr Kinghorne left the meeting with the time being 9.01pm

5.5 DEVELOPMENT APPLICATION DA 306/2021(3) - LOTS 87 AND 88 LYSTERFIELD ROAD

TRIM REFERENCE: 2024/932

Cr Kinghorne declared a Significant Pecuniary Interest in this item as her husband's consultancy company has undertaken work on these sites, left the meeting and did not participate in discussion or voting on this item.

RESOLVED - 24/263**Cr G Power/Cr S Peterson**

That Council consents to development application DA 306/2021(3) for Subdivision (Stage 1: 3 residential lots and 2 development lots; Stages 2(a), 2b) and 2(c): 84 residential lots, 1 public reserve lot and 5 roads; Stage 3: 9 residential lots) and Demolition (outbuildings and dwellings) at Lots 87 and 88 DP 1293987 - Lysterfield Road, Orange (formerly known as Lot 184 DP 750401 – 142 Lysterfield Road, Lot 1 DP 130391 - 142 Lysterfield Road and Lot 188 DP 750401 - 158 Lysterfield Road) pursuant to the conditions of consent in the attached Notice of Approval.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power

Against: Nil

Absent: Cr J Whitton, Cr F Kinghorne

Cr Kinghorne returned the meeting with the time being 9.02pm

5.6 STATEMENT OF INVESTMENTS - MAY 2024

TRIM REFERENCE: 2024/914

RESOLVED - 24/264**Cr M McDonell/Cr G Floyd**

That Council resolves to:

- 1 Note the Statement of Investments for the period May 2024
- 2 Adopt the certification of the Responsible Accounting Officer.

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

5.7 ALCOHOL FREE ZONE RE-ESTABLISHMENT PROPOSAL - 1 AUGUST 2024 TO 31 JULY 2028

TRIM REFERENCE: 2024/912

RESOLVED - 24/265**Cr T Mileto/Cr M McDonell**

That Council resolves pursuant to Sections 644, 644A, 644B, 644C and 646 of the Local Government Act 1993 (as amended) to re-establish an Alcohol Free Zone in the public roads and car parks within the area bounded by Hill Street to the West, William Street and Endsleigh Avenue to the East, Prince Street to the North and Moulder Street to the South, for a period of four years from 1 August 2024 till 31 July 2028, with an exemption for events in Robertson Park whereby formal approval has been requested in writing to the CEO and approval has been provided.

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

5.8 STRATEGIC POLICY REVIEW

TRIM REFERENCE: 2024/926

RESOLVED - 24/266**Cr M McDonell/Cr J Evans**

That Council resolves to place Strategic Policy ST36 – Banners and its associated Fees and Charges on public exhibition for a minimum period of 28 days.

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

MATTER ARISING**Cr J Hamling**

Cr Hamling asked if the lights in Summer Street between Anson St & Lords Pl could be inspected as there were a number of bulbs not working.

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 - 24/267**Cr D Mallard/Cr G Power**

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 - F1062-237 - Spatial System

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 Tender - F4207 - NetWaste - Collection and Recycling of Used Tyres

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 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 9.07pm

The Mayor declared the Ordinary Meeting of Council resumed at 9.10pm.

7 RESOLUTIONS FROM CLOSED MEETING

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

6.1 TENDER - F1062-237 - SPATIAL SYSTEM

TRIM REFERENCE: 2024/911

RESOLVED - 24/268

Cr G Floyd/Cr M McDonell

That Council resolves to:

- 1 Not accept any of the tenders for a New Spatial System; and
- 2 Grant permission to the Chief Executive Officer, or his nominee to negotiate with a software supplier with a view to entering into a contract in relation to a New Spatial System.

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 TENDER - F4207 - NETWASTE - COLLECTION AND RECYCLING OF USED TYRES

TRIM REFERENCE: 2024/951

RESOLVED - 24/269

Cr K Duffy/Cr G Floyd

That Council endorse:

- 1 Tender F4207 for the Collection and Recycling of Used Tyres and award the contract to JLW Services Pty Ltd for their tendered prices 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 Delegation of authority to execute the contracts for the Collection and Recycling of Used Tyres to the Chief Executive Officer with the respective participating Councils.

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 9.11PM

This is Page Number 1621 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 18 June 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

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 RESCISSION - SUPER SOPPER BUDGET 2024/2025

RECORD NUMBER: 2024/1031

We, **CR FRANCES KINGHORNE, CR GLENN FLOYD and CR STEVEN PETERSON** wish to move the following Notice of Rescission at the Council Meeting of 9 July 2024:

MOTION

That Council rescind the following resolution of Council from its meeting on 18 June 2024:

Cr Greenhalgh declared a Non-Significant Non-Pecuniary interest in this item as she is the secretary of Bloomfield Junior Rugby League Football Club.

Cr Mileto declared a Non-Significant Non-Pecuniary interest in this item as he is the president of Orange District Football Association.

RESOLVED - 24/256

Cr T Mileto/Cr J Hamling

t) *That Council include the purchase of a Super Sopper at \$35,000 in the 2024/2025 budget.*

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr T Mileto, Cr G Power

Against: Cr D Mallard, Cr M McDonell, Cr S Peterson

Absent: Cr J Whitton

BACKGROUND

Councillor Mileto proposed this purchase in order to try and improve the playing conditions at Jack Brabham Park & Sturgeon Oval. This attempt to overcome the challenges of waterlogged playing fields is commendable, but it has come to my attention that this equipment may not be the best way to manage the problem. A local soil scientist has explained that a Super Sopper device is unlikely to be effective due to the combination of soil type and the nature of the water table at these locations. He has indicated that there is likely to be a more effective solution, which would probably be to install appropriate subsoil drainage.

In rescinding the Council resolution, I would propose a motion to conduct some research into possible solutions to this problem, in order to ascertain the most appropriate management of these sites, and avoid the inappropriate expenditure of a significant amount of funds.

Signed Cr Frances Kinghorne Cr Glenn Floyd Cr Steven Peterson

STAFF COMMENT

Council staff have conducted some research into Super Soppers and advise as follows:

Benefits

- Super sopper is good at removing surface water on well-draining fields after heavy rainfall when fields need to be ready for play ASAP e.g. SCG during summer test matches

4.1 Notice of Rescission - Super Sopper Budget 2024/2025

- They come in a range of sizes and models from a 600mm hand push unit with a 20 litre holding tank to an 1800mm self-propelled unit with 2 absorbent rollers and a 200 litre holding tank
- Can reduce postponements and cancellations under the right conditions.
- Can act as a roller to smooth out rough areas before drying

Limitations

- Not ideal for sportsgrounds with heavy clay soils with minimal/no sub surface drainage like Brabham and Sturgeon. Surface water generally occurs on these fields when the soil profile is saturated so even if some water is removed from the surface, the fields will remain very soft and wet underfoot. Any rain experienced during or after the super sopper will only result in more surface water especially during the Orange winters when evaporation is minimal.
- Time - According to the Super Sopper representative, it takes the 1800mm self-propelled super sopper approx. 2.5 hours to cover a standard cricket field. That means it would take over 6 hours to run over the 5 football fields on Huntley Road at Brabham.
- Weight - the 1800mm self-propelled unit weighs 850Kg dry – add an operator plus the weight of the water being removed from the surface (200 litre tank) and the total weight would be over 1,100Kg +. This type of weight will only add to compaction of the playing surface – reducing natural drainage, increase surface hardness and decrease performance of the turf.
- Ground conditions – where grass cover is poor (e.g. soccer goal mouths), soil/mud sticks to the sponges on the rollers which can create larger depressions for water to lay.
- It was suggested by the Super Soper representative that Council not to consider a unit smaller than 1800mm as the time it takes to get over a field is far too long. An 1800mm tow behind unit is available but needs to be pulled with a tractor, gator or ride on mower however, if there is surface water present on the fields we would typically avoid driving any machinery on them to avoid damage.
- Cost – 1800mm self-propelled unit is \$57,850 + GST with 12 month lead time or the 1800mm tow behind is \$19,800 + GST with approx. 2 month lead time (not recommended).
- Operation – Only Council staff would be permitted to operate the units so sportsground staff would need to factor time into their current work schedule if conditions were suitable through the week. Alternatively, staff would need to work on weekends prior to games starting – provided there was sufficient time and weather allowed.

Recommendation

Our Sports Ground Staff feel that there are too many limitations to the super sopper for use during the winter sporting season so wouldn't recommend purchasing. Rather the view is to address the root cause of the issue which is poor sub surface drainage. Perhaps consider a prioritised works program over the next 5-10 years to install sub-surface drainage on our more heavily used competition sportsgrounds e.g. Bernie Stedman Field, Brendon Sturgeon Oval and Brabham 1 to 4.

POLICY AND GOVERNANCE IMPLICATIONS

Nil

4.2 ALLOCATION OF FUNDS GENERATED FROM THE SALE OF BIODIVERSITY CREDITS

RECORD NUMBER: 2024/1128

I, **CR JASON HAMLING** wish to move the following Notice of Motion at the Council Meeting of 9 July 2024:

MOTION

- 1 That Council allocates 75% of the funds generated from the sale of Biodiversity Credits to support Council sustainability projects.**
- 2 That Council determine available options for the allocation of the remaining 25% of the funds.**

BACKGROUND

On 18 April 2023, Council resolved to sell Biodiversity Offset Credits from the Council Biobanking property known as Girralang. The April resolution also included an action to hold a Councillor workshop at which consideration could be given to options where the funds from the credit sales would be allocated.

Subsequently, a total of \$336,000 worth of credits were sold in a reverse tender process and placed into a restricted account. The Councillor workshop was held at the conclusion of the recent budget briefing on 21 June 2024.

It was determined during the workshop that 75% of the funds would be allocated towards sustainability projects, with the allocation of the remaining 25% to be determined at the next Council meeting.

This report is provided for Council to endorse the outcomes of the workshop and to determine what other Council projects the 25% (\$84,000) would be allocated to.

Signed Cr Jason Hamling

STAFF COMMENT

On 18 April 2023, it was the resolution of Council to workshop available options for funds generated from the sale of Biodiversity Credits. Subsequently, a total of \$336,000 worth of credits were sold in a reverse tender process and placed into a restricted account.

Councillors that attended the 21 June 2024 Councillor Briefing were provided the opportunity to workshop options for these funds in accordance with the April 2023 Council resolution.

Councillors at the briefing agreed that 75% of the funds would be allocated towards sustainability projects, with the remaining 25% to be determined at the next Council meeting.

There is a total of \$84,000 to be allocated by Council. Previously identified options included supporting local organisations that are providing aid to vulnerable community members, such as FoodCare Orange, or investing in initiatives that provide emergency or short-term housing on Council land assets.

4.2 Allocation of Funds Generated from the Sale of Biodiversity Credits

Staff have reached out to FoodCare staff, requesting information for Council's consideration on specifically what any additional funding from Council would be used for. At the time of writing this report, FoodCare was yet to provide this detail.

There are a number of sustainability projects that would benefit from the allocation of the funding. It is requested that resolves Recommendation 1 at least. If Council is not comfortable finalising Recommendation 2 without specifics from FoodCare, then Council may wish to defer consideration of that part of the recommendation.

FINANCIAL/RESOURCING IMPLICATIONS

The funds are currently in a restricted account and will have no budget implications.

POLICY AND GOVERNANCE IMPLICATIONS

Nil

4.3 NOTICE OF MOTION - SUMMER STREET CHRISTMAS SHOPPING EVENT

RECORD NUMBER: 2024/1084

I, **CR JACK EVANS** wish to move the following Notice of Motion at the Council Meeting of 9 July 2024:

MOTION

That Council resolves to Formulate a Working Party, with local businesses and support from Business Orange to host an evening/afternoon 'Christmas Shopping Event' in Early December.

BACKGROUND

Councillors will recall 20 years ago (maybe) there used to be a Summer Street Christmas Party that is remembered fondly amongst the community. There is a desire to bring a similar Christmas Shopping event back to open the Christmas retail trade. Attempts have been made by individual businesses and Business Orange to stage similar events e.g. Shop and Sip, to varying degrees of success, however road closures, alcohol licensing and other issues have been flagged as inhibiting growth and success.

At this point it is time to bring Council formally to the table to assist with coordinating different marketing resources, road closures and Licensing etc.

The working party may choose to coordinate the Shopping event with existing Christmas events being held.

Signed Cr Jack Evans

STAFF COMMENT

A working party meeting could be coordinated over the coming months to facilitate the request.

FINANCIAL/RESOURCING IMPLICATIONS

The assumption is that the proposed Christmas Shopping Event would have no cost to Council as there is no available budget for an additional event.

Resources (Staff) are particularly limited around the Christmas period with three major events, Carols, New Years Eve and Australia Day all occurring within a two-month period.

POLICY AND GOVERNANCE IMPLICATIONS

There are no Governance implications resulting from the request for a working party.

ATTACHMENTS

- 1 Business Orange Letter of Support, D24/68874 [↓](#)

**BUSINESS
ORANGE**

27th June 2024

Orange City Council
Wiradjuri Country
PO Box 35
ORANGE NSW 2800

Dear Councillors,

We write in full support of a working group to be formed to investigate the feasibility and logistics to host a Christmas Shopping Event in Early December in the CBD.

We are receiving regular and concerning feedback from our retail business members that trading is declining significantly. We are consistently hearing that sales are down by 20% or more compared to prior periods for retailers, with even higher declines experienced by those selling personal discretionary items.

With this week's inflation data from May, resulting in two consecutive monthly increases in CPI, it's looking certain that interest rates will not reduce this calendar year, and consumer spending will not be encouraged from monetary policy.

Members are providing feedback that they have been able to maintain gross profit margins, but overheads such as insurances, and utilities are bleeding the net profit of the businesses, and their ability to not only grow, but simply sustain.

Providing an opportunity for local retailers to have an 'event' or 'festival' style lead up to Christmas, will allow them to launch their Christmas campaigns with an emphasis on shopping local, and driving consumers to the CBD for their Christmas shopping needs. A single event operated in the right way can be the difference between breaking even or closing the doors for small businesses.

We not only support the proposal to form a working group to investigate this event, but we are also willing to be part of the working group to provide support and input as needed.

Yours Sincerely,

Daniel Sutton
President

**BUSINESS
ORANGE**

5 GENERAL REPORTS

5.1 CARETAKER PERIOD & DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER 7 AUGUST 2024 - 4 NOVEMBER 2024

RECORD NUMBER: 2024/913

AUTHOR: Janessa Constantine, Manager Corporate Governance

EXECUTIVE SUMMARY

The Local Government Elections are scheduled to be held on 14 September 2024. In accordance with the Local Government (General) Regulation, the caretaker period is the 4 weeks preceding an Ordinary Election, in this case commencing 16 August 2024.

Under the Local Government Act 1993, all current Councillors (except the Mayor) cease to hold their civic office on election day 14 September 2024. This means that Council will be without a governing body from 14 September 2024 until the declaration of the election and swearing in of the new Council. This report seeks Council's delegation to the Chief Executive Officer to exercise the functions of Council as required in the last meeting of the Council on 6 August 2024 and the first meeting of Council which is currently scheduled for 5 November 2024.

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

1% of Council's 2023/2024 revenue from rates is \$378,633.01

POLICY AND GOVERNANCE IMPLICATIONS

Under Section 377 of the Local Government Act 1993 Council may, by resolution, delegate to the CEO any delegable function under this Act.

RECOMMENDATION

That Council resolves:

- 1 To Note the information contained in this report.
- 2 That Council resolves to delegate any permissible delegable function under the Local Government Act 1993 to the Chief Executive Officer (those delegations currently in place) for the period 7 August 2024 through to the first meeting of the new Council currently scheduled for 5 November 2024.

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

With the Caretaker Period commencing 16 August 2024, the last Council meeting of the Term will be 4 August 2024.

During the Caretaker period, Council or the Chief Executive Officer must not exercise any of the following:

- a) *entering a contract or undertaking involving the expenditure or receipt by the council of an amount equal to or greater than \$150,000 or 1% of the council's revenue from rates in the preceding financial year (whichever is the larger),*
 - b) *determining a controversial development application, except where—*
 - I. *a failure to make such a determination would give rise to a deemed refusal under the Environmental Planning and Assessment Act 1979, section 8.11(1), or*
 - II. *such a deemed refusal arose before the commencement of the caretaker period,*
 - (c) *the appointment or reappointment of a person as the council's general manager (or the removal of a person from that position), other than—*
 - I. *an appointment of a person to act as general manager under section 336(1) of the Act, or*
 - II. *a temporary appointment of a person as general manager under section 351(1) of the Act.*
- (2) *Despite subsection (1), such a function may be exercised in a particular case with the consent of the Minister.*

All Councillor positions become vacant on the date of the next election, 14 September 2024. The Mayor remains Mayor until the successor is declared to be elected to Office.

The NSW Electoral Commission have provided information noting that a declaration of the election may not be made until mid-October 2024. The first meeting of the new Council is currently scheduled for 5 November 2024.

It has been recommended by the Office of Local Government that Councils ensure appropriate delegations are in place for Chief Executive Officers/General Managers to be able to exercise the functions of the Council as required in this period between election day and the first meeting of the Council following the election.

For the information of Councillors, Section 377 (1) of the Local Government Act states that the following functions are NOT able to be delegated to the Chief Executive Officer:

377 General power of the council to delegate

- (1) *A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following—*
- (a) *the appointment of a general manager,*
 - (b) *the making of a rate,*
 - (c) *a determination under section 549 as to the levying of a rate,*
 - (d) *the making of a charge,*
 - (e) *the fixing of a fee,*
 - (f) *the borrowing of money,*
 - (g) *the voting of money for expenditure on its works, services or operations,*

5.1 Caretaker Period & Delegations to the Chief Executive Officer 7 August 2024 - 4 November 2024

- (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),*
 - (i) the acceptance of tenders to provide services currently provided by members of staff of the council,*
 - (j) the adoption of an operational plan under section 405,*
 - (k) the adoption of a financial statement included in an annual financial report,*
 - (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,*
 - (m) the fixing of an amount or rate for the carrying out by the council of work on private land,*
 - (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,*
 - (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the [Environmental Planning and Assessment Act 1979](#),*
 - (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,*
 - (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,*
 - (r) a decision under section 234 to grant leave of absence to the holder of a civic office,*
 - (s) the making of an application, or the giving of a notice, to the Governor or Minister,*
 - (t) this power of delegation,*
 - (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.*
- (1A) Despite subsection (1), a council may delegate its functions relating to the granting of financial assistance if—*
- (a) the financial assistance is part of a specified program, and*
 - (b) the program is included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and*
 - (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and*
 - (d) the program applies uniformly to all persons within the council's area or to a significant proportion of all the persons within the council's area.*
- (2) A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Departmental Chief Executive except as provided by the instrument of delegation to the council.*
- (3) A council may delegate functions to a joint organisation only with the approval, by resolution, of the board of the joint organisation.*

5.2 STRATEGIC POLICY REVIEW - REDMOND PLACE PRECINCT (DIVERSE AND AFFORDABLE HOUSING) - POST EXHIBITION

RECORD NUMBER: 2024/924

AUTHOR: Mark Hodges, Director Development Services

EXECUTIVE SUMMARY

This report seeks to adopt the *Strategic Policy – Redmond Place Precinct (Diverse and Affordable Housing)* (Draft Strategic Policy).

The policy has been on public exhibition from 13 May 2024 to 14 June 2024. One submission was received during the exhibition period.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “5.3. Improve housing supply, diversity and affordability”.

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

This policy is required to support the future planning proposal for the Redmond Place development.

RECOMMENDATION

That Council adopt Strategic Policy ST24 - Redmond Place Precinct (Diverse and Affordable Housing).

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 Draft Strategic Policy has been on public exhibition from 13 May 2024 to 14 June 2024.

One submission was received during public exhibition from Shelter New South Wales (NSW). The submission has been summarised and addressed in the following table.

Submission/s	
Issue	Response
<p><u>Action 1.1</u> <i>Whilst ... on-the-ground projects can serve a secondary purpose of providing iterative feedback on existing policies, or provide learnings and inspiration for new policy development, we do not agree that pinning future policy development so closely to one-off projects is a sound way to create coherent land use policies.</i></p>	<p>The Strategic Policy applies specifically to the Redmond Place project and not to the City as a whole. It does not “pin” future policy development to a “one-off project”.</p> <p>No change required.</p>
<p><u>Definition of “affordable housing”</u> <i>... the “Affordable Housing” definition ... is too wedded to Landcom’s definition of “affordable housing”, which does not directly cite the NSW planning legislation definition of Affordable Housing. If this norm is duplicated in future policy creation – say for the yet-to-be-created Key Worker Housing Policy – Council’s own policies could suffer dislocation from the source definition (in the Environmental Planning & Assessment Act 1979 and State Environmental Planning Policy (Housing) 2021).</i></p>	<p>The definition of “affordable housing” adopted by the policy is specific to the Redmond Place project and is prescribed by Landcom’s <i>Housing Policy</i> in accordance with the Project Delivery Agreement between Council and Landcom.</p> <p>No change required.</p>
<p><u>Public and social housing</u> <i>The specific exclusion of “Public Housing” and silence on Social Housing provision more generally in the Draft Strategic Policy is unacceptable.</i></p>	<p>The Strategic Policy does not “exclude” public or social housing from being provided within the Redmond Place precinct. The core focus of the project, however, is the market-based provision of affordable housing in line with Landcom’s <i>Housing Policy</i> and the Project Delivery Agreement.</p> <p>No change required.</p>
<p><u>Social housing waitlist</u> <i>Using Affordable Rental Housing provision as the primary way to tackle the Social Housing waitlist is indirect, clumsy, and unreliable.</i></p>	<p>The Strategic Policy does not propose using “Affordable Rental Housing provision as the primary way to tackle the Social Housing waitlist”.</p> <p>No change required.</p>

Submission/s	
Issue	Response
<p><u>Application of mandatory affordable housing schemes</u></p> <p><i>Mandatory rather than voluntary Affordable Housing Schemes are overall fairer, easier to interrogate and implement, and deliver more predictable outcomes in Affordable Housing delivery.</i></p>	<p>Comment is not relevant to the Redmond Place project.</p> <p>No change required.</p>
<p><u>Income-based distribution of affordable housing</u></p> <p><i>Specify minimum proportions within the three income bands (very low, low, and moderate) who should be housed in Affordable Rental Housing to prevent developer or housing provider bias in accepting mostly moderate income tenants.</i></p>	<p>Future allocation of affordable housing dwellings to individual tenants and households within the Redmond Place Precinct will be determined by the participating community housing provider(s) in accordance with their provider priorities.</p> <p>No change required.</p>
<p><u>Housing design</u></p> <p><i>Careful attention to be paid to design outcomes for Affordable Housing within broader private housing complexes so these dwellings are not materially subpar or perceived to be subpar by way of location, floor-level, number of bedrooms, strata by-laws, open space, solar access, ventilation, passive heating/cooling opportunities and the like.</i></p>	<p>The design of affordable housing will be determined by community housing providers in accordance with the precinct design guidelines. It should be noted that community housing providers currently operating in the City of Orange (e.g. Housing Plus) consistently construct housing of a high design quality as this enables the housing to 'fit' unobtrusively within established neighbourhoods, optimise social and lifestyle benefits for tenants and minimise ongoing maintenance and operational costs.</p> <p>No change required.</p>
<p><u>Lifespan of affordable housing</u></p> <p><i>Landcom's Housing Policy December 2023 does not commit to Affordable Housing needing to be in perpetuity. In perpetuity or 50+ year requirements in international cases (the US) have not been shown to significantly affect unit development activity.</i></p>	<p>Landcom is not a direct provider of affordable housing. The lifespan of individual affordable housing developments within the Redmond Place Precinct will be determined by the relevant community housing provider(s) in line with its corporate priorities and obligations under State and Commonwealth legislation and policies, including—</p> <ul style="list-style-type: none"> • NSW Community Housing Eligibility Policy

Submission/s	
Issue	Response
	<ul style="list-style-type: none"> • NSW Affordable Housing Ministerial Guidelines • National Rental Affordability Scheme • Applicable planning instruments <p>It should be noted that affordable housing projects within the Redmond Place Precinct will require development consent under the EP&A Act. In this regard, Chapter 2, Division 1 of <i>State Environmental Planning Policy (Housing) 2021</i> requires relevant projects to be maintained as affordable housing for at least 15 years.</p> <p>No change required.</p>
<p><u>Ownership and operation of affordable rental housing</u> <i>Affordable Rental Housing ownership, operations, and tenancy management should be retained by government agencies, local Councils, or not-for-profit community housing providers.</i></p>	<p>Affordable rental housing within the Redmond Place precinct is to be delivered and operated by community housing providers.</p> <p>No change required.</p>
<p><u>Conditions of consent for affordable housing</u> <i>Affordable Housing compliance needs to be instilled in DA conditions of consent as well as on land titles (examples include requiring Affordable Housing tenancies to be filled prior to Occupation Certificates being issued for private market dwellings)</i></p>	<p>Appropriate conditions of consent will be applied at the time of development consent being issued for individual affordable housing projects.</p> <p>No change required.</p>
<p><u>Regulation of affordable housing</u> <i>A centralised monitoring framework on dwellings approved, constructed, and operational as Affordable Housing with clear demarcation of government agencies responsible for compliance and</i></p>	<p>Comment is not relevant to the Redmond Place project. Council does not regulate or monitor the operation of affordable housing.</p> <p>No change required.</p>

Submission/s	
Issue	Response
<i>enforcement at each stage in the Affordable Housing lifecycle.</i>	
<p><u>Relationship to Draft Place Vision</u></p> <p><i>Does the Strategic Policy adequately capture the essence of inclusive neighbourhoods with housing for people at all stages of life, if the Strategic Policy specifically excludes Public Housing (and Social Housing) from the planned-for mix?</i></p>	<p>Yes. As noted above, the Strategic Policy does not “exclude” the provision of public and social housing within the Redmond Place Precinct.</p> <p>No change required.</p>
<p><u>Housing diversity and universal design</u></p> <p><i>... what commitments does Council have from Landcom as to minimum proportions of dwellings that will overlap on targets of Diverse AND Affordable AND Universal in design?</i></p>	<p>The concept plan for the Redmond Place project provides for the development of a diverse range of housing sizes and types. Liveable housing standards are to be determined as part of the development control framework (i.e., DCP and design guidelines) adopted for the precinct.</p> <p>No change required.</p>

ATTACHMENTS

- 1 FOR ADOPTION - Strategic Policy - ST24 - Redmond Place Precinct (Diverse and Affordable Housing), D24/43886 [↓](#)

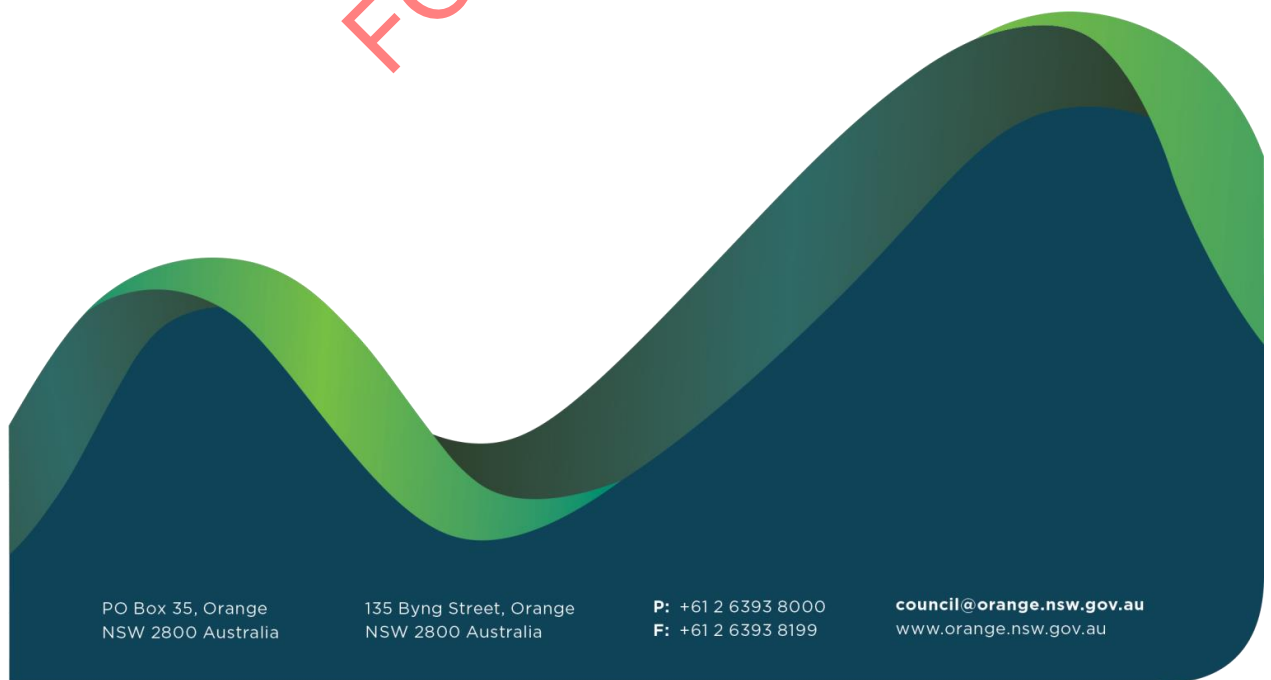


Strategic Policy ST24

Redmond Place Precinct

(Diverse & Affordable Housing)

FOR ADOPTION



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NSW 2800 Australia

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5.3 NEW YEARS EVE 2024 - EVENT OPTIONS

RECORD NUMBER: 2024/1123

AUTHOR: Jen Sharp, Acting Director Corporate & Commercial Services

EXECUTIVE SUMMARY

At the Council Meeting on 6 February 2024, Council resolved:

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:	
<ol style="list-style-type: none"> 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	

Further, at its 4 June 2024 Meeting Council resolved:

5.2 NEW YEARS EVE - EVENT OPTIONS

TRIM REFERENCE: 2024/16

MOTION	Cr G Power/Cr S Peterson
<ol style="list-style-type: none"> 1 That Council's New Years Eve Event is to be held at Lake Canobolas and include Fire Works. 2 That sponsorship is sort from local businesses to support the increased budget required. 	
AMENDMENT	Cr D Mallard/Cr M McDonell
<ol style="list-style-type: none"> 1 That Council's New Years Eve Event is to be held at Lake Canobolas and include a Laser Show. 2 That sponsorship is sort from local businesses to support the increased budget required. 	
For: Cr D Mallard, Cr T Mileto	
Against: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr M McDonell, Cr S Peterson, Cr G Power, Cr J Whitton	
Absent: Nil	
THE AMENDMENT ON BEING PUT WAS LOST	
FORESHADOWED AMENDMENT	Cr M McDonell/Cr J Whitton
That Council defer consideration of the New Years Eve Event Options for the purpose of a Councillors Workshop.	
THE FORESHADOWED AMENDMENT ON BEING PUT WAS CARRIED AND BECAME THE MOTION	
THE MOTION ON BEING PUT WAS CARRIED	
RESOLVED - 24/221	Cr M McDonell/Cr J Whitton
That Council defer consideration of the New Years Eve Event Options for the purpose of a Councillors Workshop.	
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, Cr J Whitton	
Against: Nil	
Absent: Nil	

5.3 New Years Eve 2024 - Event Options

Orange has the opportunity to present a flagship event on New Year's Eve by expanding the traditional style event. Lake Canobolas is a key feature of our region and provides an excellent venue for a premium event.

The viable alternative to hold a traditional New Year's Eve event with fireworks would be Waratah's due to its satisfactory exclusion range for the fireworks (no Aged Care or Hospitals in the vicinity), amount of parking available and suitable grounds which do not have other events planned immediately before or after.

Council members have participated in a workshop on the event, including a briefing on the background to the recommendation of these two locations.

The option of making New Year's Eve a flagship event at Lake Canobolas is in line with our Community Strategic Plan and Operational Plan goals to capitalise on the character and lifestyle of Orange to remain a destination of choice.

The expansion to becoming a flagship event involves re-instating fireworks, including market stalls, increasing the entertainment offering for a variety of age groups and the inclusion of alcohol and alcohol-free areas. Making this the flagship event for Orange and the Central West at New Years Eve, with the potential to provide an attraction for locals and visitors.

The initial investigation with local businesses has shown willingness to participate with sponsorship of the event, however commitments would not be given by the business until the details of the event were confirmed.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy "12.2. Develop and attract a variety of events, festivals, venues and activities for locals and visitors, ensuring accessibility for all".

POLICY AND GOVERNANCE IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

FY25 budget for New Years Eve is \$62,830. This year's proposed event would incur an increase in budget to approximately \$100,000, driven by key items:

- Fireworks \$26,000
- Staging \$6,000
- Buses and Traffic Management \$10,000
- Additional entertainment \$8,000

Sponsorship of up to \$42,000 would need to be raised to meet the shortfall in the current budget.

If sponsorship to that level is not obtained, compromises can be made to reduce the costs such as reducing the number of children's entertainment options, furniture hire and merchandise or a reallocation of funds from other areas of Council's budget could be made to complete the event program.

RECOMMENDATION

That Council resolves:

- 1 That Council note the report on New Year's Eve 2024 Options**
- 2 That Lake Canobolas is selected as the location of the New Year's Eve Event for 31 December 2024**
- 3 That sponsorship is sought from local businesses to support the increased budget for the event.**

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.

Service/Project Delivery	Council has an event team that have the appropriate skills and experience to produce a complex event.
Financial	There is a risk that adequate sponsorship is not secured to cover all costs. In this case, funding can be re-allocated from other Economic Development budget allocations to cover any shortfall.
Environment	Fire and Rural Fire Service crews will be engaged in the development of event plans to ensure fire control and management plans are in place
People & WHS	There is a risk of holding a public event around water. Provision has been included in the budget for security and lifeguards, as well as fencing to adequately zone the event space and lighting to provide visibility after sunset. The event will close at 10pm and buses are being provided to transport patrons to and from town.

SUPPORTING INFORMATION**Event Strategy:**

Orange Region Destination Management Plan (2022) recommended that regional events should be a priority initiative, including flagship events that reinforce the regional brand. Locating the New Years Eve event at the unique location of Lake Canobolas, following the impressive upgrades in 2024 aligns with building the event from the traditional to something that will attract more visitors as well as provide a celebration for locals.

We know that 28% of visitors to Orange have family or friends in the Local Government Area, and hope that providing an attractive event will prompt a decision to celebrate New Years Eve in Orange at a time of year locals are tempted to leave the region.

Our Operational Plan includes both the goal of developing events for locals and visitors and the goal to capitalise on the character and lifestyle of Orange to remain a destination of choice. Having a premium event at Lake Canobolas supports us achieving these goals.

OPTION 1 (Recommended): Lake Canobolas.

Lake Canobolas is a key feature of our region and provides a unique offering which separates us from neighbouring districts (Bathurst/Dubbo/Parkes/Forbes). Utilising Lake Canobolas would also broaden the event to offer family-centred entertainment and providing attraction for the 25-40 aged group of our community. The Lake is a dynamic space that can be utilised to create different activation areas:

1. Family and alcohol free, and
2. Alcohol friendly area where children are also allowed to enter, under the supervision of their parents.

The venue allows an area for market stalls, entertainment areas as well as benefits of distance to the area where the fireworks can be discharged.

The body of water also significantly reduces the risk of bush fires as the plan assumes that there would be a high fire danger on the day, discharging over a Lake means that embers fall into the water and are extinguished.

Risks around traffic management and additional water safety provisions have been factored into the costing of this recommendation.

The distance to the location can be overcome by the running of buses to the event which also provides safe return to town for those choosing to consume alcohol.

The location of Lake Canobolas has a lower number of near neighbours who could be disturbed by the event.

OPTION 2: Waratah Sports Precinct.

The grounds at Waratahs Sports Precinct have been used for New Year's Eve in previous years. It is familiar and close to town and is more in line with traditional New Year's Eve events staged in neighbouring Local Government Areas.

The location is more central than Lake Canobolas.

Waratah's sport club would allow us to use the area without a venue charge.

The Waratah's location has more near neighbours, who may benefit from seeing the fireworks without leaving home however, it is noted that we have received feedback in past years from neighbours who are pet owners and have concerns about their pets during firework displays and from neighbours who were had traffic and noise complaints.

Fireworks and Safety

Issues with fireworks have occurred in previous years with total fire bans cancelling the event in 2019. If this were to occur again, it would impact the event at either location. If the event were scheduled for Lake Canobolas, the remainder of the entertainment and event program could be run and still have a successful event.

The ability to stage fireworks at Lake Canobolas has been canvassed with in-principle support from Canobolas Rural Fire Service and Cabonne Council. Utilising the large body of water means that the display could be triggered from the far bank on the water's edge or from a platoon or the bridge over the water. This can give a reduction of bush fire risks with the water being the directly below. The recommended plan includes closing the far bank

5.3 New Years Eve 2024 - Event Options

providing distance of patrons from firing site. This would also provide the potential for use of bigger fireworks.

A Development Application will be required with Cabonne Council, along with a review of plans by their traffic committee.

The use of buses and parking tickets were discussed, with staff noting Councillor's suggestions for the smooth implementation of this part of the event.

Councillors' raised concerns about the safety of the water at Lake Canobolas with a large crowd. During the workshop with Councillors staff presented their plans, including life guards during the times swimming is permitted, patrols of the banks during the period when swimming is not permitted (after dusk), SES presence and boat availability for monitoring the area.

It was noted that other Council's do have New Years' Eve events next to, or near large bodies of water and that they are successfully run without serious incident.

CURRENT WORKING BUDGET OPTIONS

ELEMENT	LAKE CANOBOLAS (RECOMMENDED)	WARATAH SPORTS PRECINCT	ORIGINAL NEW YEARS EVE PLAN
Fireworks	26,500	20,250	-
Alternative in lieu of Fireworks	-	-	5,000
AV Operation	11,800	11,800	11,800
Staging	6,600	6,600	6,600
Bands/Entertainment	9,000	9,000	9,000
Kids Entertainment	9,000	9,000	9,000
Furniture Hire	4,000	-	-
Toilets	3,000	3,000	3,000
Lighting, Bins, Consumables	2,200	800	800
Generator Hire	1,700	1,700	1,700
Printing and Media	3,000	3,000	3,000
Summer St signs	3,000	3,000	3,000
Merchandise	2,000	-	-
Staffing (including Lifeguards at Lake)	6,200	4,200	4,200
Traffic Management	1,500	1,500	1,500
Busses	10,000	-	-
Contingency	5,000	5,000	4,230
TOTAL	104,500	78,850	62,830

5.3 New Years Eve 2024 - Event Options

Noting that some sponsorship will be required for both the Lake Canobolas and Waratah's options due to the inclusion of Fireworks. The spend will be limited to the amount of sponsorship is obtained.

It is predicted that an event held at Lake Canobolas would attract a higher level of sponsorship contributions.

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 Proposed Sale Vacant Land 94 Woodward Street for Development for Social and Affordable Housing

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.2 Lease Shop 3 Leaheys Arcade

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 - 9 July 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 PROPOSED SALE VACANT LAND 94 WOODWARD STREET FOR
DEVELOPMENT FOR SOCIAL AND AFFORDABLE HOUSING**

RECORD NUMBER: 2024/1001

AUTHOR: Nick Redmond, Manager Communications & Engagement

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.

6.2 LEASE SHOP 3 LEAHEYS ARCADE

RECORD NUMBER: 2024/1098

AUTHOR: Shirley Hyde, Legal and Property 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 (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 - 9 JULY 2024

RECORD NUMBER: 2023/2300

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