
ORANGE CITY COUNCIL

MINUTES OF THE

ORDINARY COUNCIL MEETING

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

ON 6 AUGUST 2024

COMMENCING AT 6:30PM

1 INTRODUCTION

ATTENDANCE

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

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, Manager Engineering Services, Governance Officer

1.1 APOLOGIES

Nil.

RESOLVED - 24/322	Cr T Greenhalgh/Cr D Mallard
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That Cr F Kinghorne & Cr K Duffy be permitted to attend the Council Meeting of Orange City Council on 6 August 2024 via Audio Visual Link.

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

1.2 LIVESTREAMING AND RECORDING

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

1.3 ACKNOWLEDGEMENT OF COUNTRY

The Mayor conducted an Acknowledgement of Country.

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

Cr Evans declared a Non-Significant Non-Pecuniary Interest in PDC Item 2.5 Development Application DA 516/2024(1) - 258 Clergate Road as the applicant is a customer of his business.

Cr Evans declared a Non-Significant Non-Pecuniary Interest in EEDPC Item 2.1 Minutes of the Economic Development Community Committee 3 July 2024 as he is a member of Business Orange.

Cr Greenhalgh declared a Non-Significant Non-Pecuniary Interest in PDC Item 2.5 Development Application DA 516/2024(1) - 258 Clergate Road as the applicant is a sponsor of Bloomfield Junior Rugby League Club.

Cr Kinghorne declared Significant Pecuniary Interests in PDC Items 2.2 Development Application DA 557/2024(1) – 20 Shiralee Road, 2.3 Development Application DA 370/2023(1) – 54 Stevenson Way, 2.5 Development Application DA 516/2024(1) - 258 Clergate Road, 2.6 Development Application DA 270/2022(1) – 260 Clergate Road and 2.8 Planning Proposal to Amend Orange LEP 2011 – Amendment 42 –168 Shiralee Road as her husband’s consultancy company has undertaken work on these sites.

Cr Kinghorne declared a Non-Significant Non-Pecuniary Interest in PDC Item 2.7 Development Application DA 532/2024(1) – 11 Cameron Place as she owns property adjacent to this development.

Cr Mileto declared a Non-Significant Non-Pecuniary Interest in FPC Item 2.2(4) Small Donations – Requests for Donations, Am I Next as the event organiser is a candidate on his election ticket.

Cr Floyd declared a Non-Significant Non-Pecuniary Interest in PDC Item 2.3 Development Application DA 370/2023(1) – 54 Stevenson Way as he resides nearby.

Cr Whitton declared a Non-Significant Non-Pecuniary Interest in PDC Item 2.1 Items Approved Under Delegated Authority of Council as OCTEC has an application noted in this report where he is board member.

Cr Hamling declared a Non-Significant Non-Pecuniary Interest in PDC Item 2.1 Items Approved Under Delegated Authority of Council as OCTEC has an application noted in this report where he is board member.

RESOLVED - 24/323**Cr M McDonell/Cr J Evans**

That the following Late Item be permitted to be considered at the Council Meeting of 6 August 2024:

5.8 – Greening Orange – Our Urban Forest Strategy – Post Exhibition.

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

Against: Cr K Duffy

Absent: Nil

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

CCL Item 5.3 - Plan of Management Spring Creek Reservoir to Permit Recreational Fishing – Post Exhibition

- Rodney Tonkin – OJAS
- Neil Jones – Ploughmans Wetlands Care Group

CCL Item 4.3 - Notice of Motion – Orange Rail Action Group (ORAG)

- Neil Jones – Orange Rail Action Group (ORAG)

PDC Item 2.4 – Development Application DA 230/2022 (1) – 33 Maramba Road

- Neil Jones – Environmentally Concerned Citizens of Orange
- Rory Nott – Orange Asset Holdings Pty Ltd

CCL Item 5.7 – Geographical Naming Board Rejects Name – Southern Distributor Road

- Gemma Dwyer

PDC Item 2.3 – Development Application DA 370/2023(1) – 54 Stevenson Way

- Brian Hutchinson

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 7.01PM

2 MAYORAL MINUTES

2.1 MAYORAL MINUTE - REGIONAL CITIES NSW BOARD MEETING MINUTES - 9 MAY 2024

TRIM REFERENCE: 2024/1237

RESOLVED - 24/324

Cr G Floyd/Cr S Peterson

That the information contained in this Mayoral Minute be acknowledged.

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

Against: Nil

Absent: Nil

2.2 MAYORAL MINUTE - CNSWJO MAY BOARD REPORT

TRIM REFERENCE: 2024/1243

RESOLVED - 24/325**Cr D Mallard/Cr M McDonell**

- 1 That the information contained in this Mayoral Minute be acknowledged.
- 2 That Council note that:
 - Three reports will be provided to Council from CNSWJO, these being on Strategic Planning for Water Utilities, Destination Marketing for Visitation and reducing duplication from Modern Slavery regulation; and
 - The next meeting of the CNSWJO will be at Federal Parliament in Canberra, provide advice to CNSWJO on Council priority for advocacy into this meeting.

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

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**RESOLVED - 24/326****Cr J Whitton/Cr T Greenhalgh**

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

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

Against: Nil

Absent: Nil

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE POLICY COMMITTEE MEETINGS AT 7.04PM

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 8.45PM

RESOLVED - 24/377

Cr J Hamling/Cr G Floyd

That item 5.3 Plan of Management Spring Creek Reservoir to Permit Recreational Fishing – Post Exhibition and item 5.7 Geographical Naming Board Rejects Name – Southern Distributor Road be moved forward in the agenda to be heard and determined.

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 PLAN OF MANAGEMENT SPRING CREEK RESERVOIR TO PERMIT RECREATIONAL FISHING - POST EXHIBITION

TRIM REFERENCE: 2024/923

MOTION

Cr S Peterson/Cr J Whitton

That the updated Plan Of Management – Spring Creek Dam be adopted to permit recreational fishing.

AMENDMENT

Cr T Mileto/Cr M McDonell

That the updated Plan Of Management – Spring Creek Dam be adopted to permit recreational fishing for an interim 12 month period then reviewed after this period.

For: Cr J Evans, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr G Power

Against: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr S Peterson, Cr J Whitton

Absent: Nil

Casting Vote: Against – Cr J Hamling

THE AMENDMENT ON BEING PUT WAS TIED. THE CHAIRPERSON (MAYOR) USED A CASTING VOTE TO VOTE AGAINST THE AMENDMENT. THE AMENDMENT WAS LOST.

THE MOTION ON BEING PUT WAS CARRIED.

RESOLVED - 24/378

Cr S Peterson/Cr J Whitton

That the updated Plan Of Management – Spring Creek Dam be adopted to permit recreational fishing.

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

Against: Cr D Mallard

Absent: Nil

5.7 GEOGRAPHICAL NAMING BOARD REJECTS NAME - SOUTHERN DISTRIBUTOR ROAD

TRIM REFERENCE: 2024/1276

RESOLVED - 24/379**Cr J Hamling/Cr J Whitton**

That the report on the Geographical Naming Board rejecting name Southern Distributor Road be acknowledged and that Council write to the Geographical Naming Board seeking Brabham Way as the road name.

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

4 NOTICES OF MOTION/NOTICES OF RESCISSION**4.1 NOTICE OF MOTION - COMMUNITY SURVEY**

TRIM REFERENCE: 2024/1252

MOTION**Cr S Peterson/Cr J Evans**

That the results of the Community Engagement Survey conducted in August and September 2023 be publicly released by mid-August to allow for the findings to be considered as part of the upcoming election process.

THE MOTION ON BEING PUT WAS LOST.

For: Cr J Evans, Cr G Floyd, Cr F Kinghorne, Cr S Peterson

Against: Cr J Hamling, Cr K Duffy, Cr T Greenhalgh, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr G Power, Cr J Whitton

Absent: Nil

4.2 NOTICE OF MOTION - CONFERENCE REPORT - 2024 FLOODPLAIN MANAGEMENT AUSTRALIA

TRIM REFERENCE: 2024/1288

RESOLVED - 24/380**Cr F Kinghorne/Cr J Evans**

That Council note the Conference report and continue its support with Floodplain Management Australia.

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

4.3 NOTICE OF MOTION - ORANGE RAIL ACTION GROUP (ORAG)

TRIM REFERENCE: 2024/1330

RESOLVED - 24/381**Cr F Kinghorne/Cr J Evans**

That Council resolves:

- 1 To note the attached report from the Orange Rail Action Group.
- 2 To continue to support the Orange Rail Action Group in its endeavours to achieve improved passenger rail services between Orange and Sydney.

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

4.4 NOTICE OF MOTION - SISTER CITY - PATNA, BIHAR INDIA

TRIM REFERENCE: 2024/1358

MOTION**Cr J Whitton/Cr K Duffy**

That the Sister City Community Committee consider commencing a Sister City Relationship with Patna, Bihar India.

AMENDMENT**Cr T Mileto/Cr M McDonell**

That consideration of forming a Sister City Relationship with Patna, Bihar India be deferred for consideration of the new Council in late 2024.

THE AMENDMENT WAS WITHDRAWN.**RESOLVED - 24/382****Cr J Whitton/Cr K Duffy**

That the Sister City Community Committee consider commencing a Sister City Relationship with Patna, Bihar India.

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

QUESTION TAKEN ON NOTICE**Cr F Kinghorne**

Cr Kinghorne asked that information be provided on the Sister City selection criteria.

5 GENERAL REPORTS

5.1 PROVISION OF EXPENSES AND FACILITIES TO COUNCILLORS - FINANCIAL YEAR REPORT

TRIM REFERENCE: 2024/1097

RESOLVED - 24/383**Cr G Floyd/Cr M McDonell**

That the report on the Provision of Expenses and Facilities to Councillors be noted, with \$243 adjustment to Cr Mileto's expenses that was applied in error from the previous financial year.

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

Cr McDonell asked when Councillor devices needed to be returned for end of term. *The Acting Director Corporate and Commercial Services advised that this would be done after the final Council Meeting on 3 September 2024.*

5.2 CARETAKER PERIOD & DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER 4 SEPTEMBER 2024 - 4 NOVEMBER 2024

TRIM REFERENCE: 2024/1249

RESOLVED - 24/384**Cr G Power/Cr M McDonell**

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 4 September 2024 through to the first meeting of the new Council currently scheduled for 5 November 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, Cr J Whitton

Against: Nil

Absent: Nil

Item 5.3 - Plan of Management Spring Creek Reservoir to Permit Recreational Fishing - Post Exhibition - has been moved to another part of the document.

5.4 STRATEGIC POLICY REVIEW - BANNERS - POST EXHIBITION

TRIM REFERENCE: 2024/928

RESOLVED - 24/385

Cr M McDonell/Cr G Floyd

That Council adopts Strategic Policy ST36 – Banners, the accompanying Banner Guide and its associated updated 2024/2025 Fees and Charges:

Name	Year 23/24 (incl GST)	Year 24/25			Statutory	GST
		Fee (excl GST)	GST	Fee		
Zone 1 – Hill to Anson	N/A	\$474.10	\$0.00	\$474.10	N	N
Zone 2 – Anson to Peisley	N/A	\$474.10	\$0.00	\$474.10	N	N
Zone 3 – Anson Street	\$339.60	\$355.55	\$0.00	\$355.55	N	N
Zone 4 – McNamara Street Carpark	N/A	\$825.55	\$0.00	\$825.55	N	N

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

5.5 STRATEGIC POLICY REVIEW

TRIM REFERENCE: 2024/1236

RESOLVED - 24/386

Cr M McDonell/Cr D Mallard

That Council resolves to place Strategic Policy ST08 – Fraud & Corruption Prevention 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, Cr J Whitton

Against: Nil

Absent: Nil

RESOLVED - 24/387

Cr J Evans/Cr G Floyd

That the Council Meeting continue until 10.30pm, noting the time being 9.30pm and in accordance with the Code of Meeting Practice defining this to be the limit on Council Meetings.

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

5.6 UPDATE ON OUTSTANDING AND COMPLETED RESOLUTIONS OF COUNCIL INCLUDING QUESTIONS TAKEN ON NOTICE, MATTERS ARISING AND NOTICES OF MOTION

TRIM REFERENCE: 2024/973

RESOLVED - 24/388**Cr D Mallard/Cr J Whitton**

That the information provided in the report on Outstanding and Completed Resolutions, Questions Taken on Notice, Matters Arising and Notices of Motion be acknowledged.

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

Against: Nil

Absent: Nil

Cr Peterson asked for an update on the Vital Signs of Orange placemat.

The Acting Director Corporate & Commercial Services advised this is an annual report card from the Central West Joint Organisation and that Council is also working with Regional NSW on access to a live dashboard to provide this information.

QUESTION TAKEN ON NOTICE**Cr G Floyd**

Cr Floyd asked for confirmation if the action of thanking Fridgys from 4 April 2024 had been completed.

QUESTION TAKEN ON NOTICE**Cr J Evans**

Cr Evans asked for an update on the review of the Forest Road speed limit.

Item 5.7 Geographical Naming Board Rejects Name - Southern Distributor Road - has been moved to another part of the document.

5.8 GREENING ORANGE - OUR URBAN FOREST STRATEGY - POST EXHIBITION

TRIM REFERENCE: 2024/1369

RESOLVED - 24/389**Cr M McDonell/Cr D Mallard**

That the strategic document Greening Orange – Our Urban Forest Strategy be adopted.

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

Cr Hamling thanked all Community Committee Members for their contributions to the community over the Council term.

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 - 24/390**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 Minutes of the Audit Risk and Improvement Committee Meeting 26 June 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 (f) matters affecting the security of the Council, Councillors, Council staff or Council property.

6.2 Resolution of Minor Property Matters - Phillip Street

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (b) the personal hardship of any resident or ratepayer and (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 Entering into Contracts for Dam Surveillance and Inspections

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

6.4 Tender F4256 - Head Design Consultancy - Orange Sports Precinct

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

6.5 Tender F3676-5 - The Orange Ultimate Flood Modification Scheme - Feasibility and Design Project

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.

6.6 Easement Adjustment through Lot 68 DP 756899

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.

6.7 Submission Redaction Report 6 August 2024

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (e) information that would, if disclosed, prejudice the maintenance of law.

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

Against: Nil

Absent: Nil

The Mayor declared the Ordinary Meeting of Council adjourned for the conduct of the Closed Meeting at 9.33pm.

The Mayor declared the Ordinary Meeting of Council resumed at 9.50pm.

7 RESOLUTIONS FROM CLOSED MEETING

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

6.1 MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING 26 JUNE 2024

TRIM REFERENCE: 2024/925

RESOLVED - 24/391

Cr J Whitton/Cr K Duffy

That Council resolves:

- 1 That Council acknowledged the reports presented to the Audit, Risk & Improvement Committee at its meeting held 26 June 2024.
- 2 That the minutes of the Audit, Risk & Improvement Committee from its meeting held on 26 June 2024 be adopted, noting Cr Peterson was in attendance at this meeting.

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

6.2 RESOLUTION OF MINOR PROPERTY MATTERS - PHILLIP STREET

TRIM REFERENCE: 2024/1184

RESOLVED - 24/392**Cr M McDonell/Cr T Greenhalgh**

- 1 That Council approach individual property owners and negotiate a subdivision and consolidation of the residue land.
- 2 That permission be granted to the CEO to negotiate settlement.
- 3 That permission be granted for the use of the Council seal on any necessary documentation.

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

6.3 ENTERING INTO CONTRACTS FOR DAM SURVEILLANCE AND INSPECTIONS

TRIM REFERENCE: 2024/1267

RESOLVED - 24/393**Cr J Whitton/Cr K Duffy**

That Council resolves to:

- 1 Approve the Chief Executive Officer, or his nominee, to enter into a standard contract with the Department of Regional NSW (NSW Public Works) for Dam Surveillance and Inspections.
- 2 Grant permission to the Chief Executive Officer or nominee, to do such things as may be necessary or convenient to give effect to this decision, including affixing the Council Seal to all relevant documents if required.
- 3 Approve the Chief Executive Officer, or his nominee, to engage the Department of Regional NSW (NSW Public Works) to act as Council's specialised dam consultant to review reports and documentation and advise Council of possible dam safety risks on a case-by-case basis.

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

6.4 TENDER F4256 - HEAD DESIGN CONSULTANCY - ORANGE SPORTS PRECINCT

TRIM REFERENCE: 2024/1324

RESOLVED - 24/394**Cr G Floyd/Cr G Power**

That Council resolves:

- 1 That the tender by Mode Design Corp. Pty Ltd in the recommended tender amount as detailed in this report, be accepted for Contract F4256 for Orange Sports Precinct Head Design Consultancy; and
- 2 That a provision is made for contingency of 10% of the contract value.

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

6.5 TENDER F3676-5 - THE ORANGE ULTIMATE FLOOD MODIFICATION SCHEME - FEASIBILITY AND DESIGN PROJECT

TRIM REFERENCE: 2024/1328

RESOLVED - 24/395**Cr G Floyd/Cr G Power**

That Council resolves to:

- 1 Accept the tender from BG&E Pty Limited to the value of \$876,565 for Items 1 – 6 within the Request for Tender, subject to concurrence from the Department of Climate Change, Energy, the Environment and Waters;
- 2 Accept any of the separable portions within the funding constraints dependant on the outcome of Items 1 – 6; and
- 3 Affix the Common Seal to any contractual documents for this tender.

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

6.6 EASEMENT ADJUSTMENT THROUGH LOT 68 DP 756899

TRIM REFERENCE: 2024/1368

RESOLVED - 24/396**Cr D Mallard/Cr M McDonell**

That Council endorse the adjustment of the easement through Lot 68 DP 756899 to fully encompass the newly constructed watermain.

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

6.7 SUBMISSION REDACTION REPORT 6 AUGUST 2024

TRIM REFERENCE: 2023/2301

RESOLVED - 24/397

Cr T Greenhalgh/Cr M McDonell

That the information contained in the Submission Redaction report be acknowledged.

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

Against: Nil

Absent: Nil

THE MEETING CLOSED AT 9.54PM.

This is Page Number 16 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 6 August 2024.