



## **ORDINARY COUNCIL MEETING**

# **AGENDA**

**5 NOVEMBER 2024**

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993 that an **ORDINARY MEETING of ORANGE CITY COUNCIL** will be held in the **COUNCIL CHAMBER, CIVIC CENTRE, BYNG STREET, ORANGE** on **Tuesday, 5 November 2024** commencing at **6:30 PM**.

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.

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## **1 INTRODUCTION**

### **1.1 APOLOGIES AND LEAVE OF ABSENCE**

### **1.2 LIVESTREAMING AND RECORDING**

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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**

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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 OPENING PRAYER**

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**1.5 OATH OR AFFIRMATION OF OFFICE BY COUNCILLORS (MOVED FROM 5.1)**

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TRIM REFERENCE: 2024/1007

AUTHOR: David Waddell, Chief Executive Officer

**EXECUTIVE SUMMARY**

Under the Local Government Act 1993, Councillors (including Mayors) are required to take an oath or affirmation of office. Oaths or affirmations of office must be taken by each Councillor at or before the first meeting of the Council after being elected.

**LINK TO DELIVERY/OPERATIONAL PLAN**

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

**FINANCIAL IMPLICATIONS**

Nil.

**POLICY AND GOVERNANCE IMPLICATIONS**

The requirement to take an oath or affirmation of office is at Section 233A of the Local Government Act 1993. The oath or affirmation may be taken or made before the Chief Executive Officer of the Orange City Council, an Australian legal practitioner, or a Justice of the Peace.

**RECOMMENDATION**

**That each Councillor take the oath or affirmation of office and the record be included in the Council Meeting minutes.**

**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**

**Under Section 233A of the Local Government Act 1993 it is a requirement of Councillors (including the Mayor) to take an oath or affirmation, notice from the Office of Local Government sets out:**

- A Councillor must take an oath of office or make an affirmation of office at or before the first meeting of the Council after the Councillor is elected.
- A Councillor must be physically present before the Chief Executive Officer to take the oath or affirmation.
- An oath or affirmation should be taken by each Councillor as the first item of business for the meeting.

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**1.5 Oath or Affirmation of Office by Councillors (moved from 5.1)**

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- The Council's Chief Executive Officer must ensure that a record is kept of the taking of the oath or affirmation. This can be done by way of a signed statement containing the oath or affirmation or by recording the taking of the oath or affirmation by each Councillor in the minutes of the Council Meeting.
- If the councillor is unable to attend the first Council Meeting, he or she may take the oath or affirmation of office at another location in the presence of Council's Chief Executive Officer.
- The oath or affirmation of office may also be taken before an Australian legal practitioner or a Justice of the Peace.
- The taking of the oath or affirmation outside a Council meeting must be publicly recorded by the Council.
- Where an oath or affirmation is taken outside a Council meeting, a Council staff member should also be present to ensure that an accurate record can be kept by the Council.
- A Councillor who fails, without a reasonable excuse, to take the oath or affirmation of office, will not be entitled to attend Council meetings until they do so and will be taken to be absent without leave.
- If a Councillor is absent without leave for three consecutive Ordinary Council Meetings their office is automatically declared vacant and a by-election must be held.

A Councillor may select the oath or the affirmation. In law, an affirmation is a solemn declaration allowed to those who conscientiously object to taking an oath. An affirmation has exactly the same legal effect as an oath but is usually taken to avoid the religious implications of an oath; it is thus legally binding but not considered a religious oath. The oath is not required to be sworn on a bible.

The required wording for both the oath and the affirmation is provided below.

**Oath**

**I [name of Councillor] swear that I will undertake the duties of the office of Councillor in the best interests of the people of Orange and the Orange City Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgement.**

**Affirmation**

**I [name of Councillor] solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people of Orange and the Orange City Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgement.**

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**1.6 DECLARATION OF PECUNIARY INTERESTS, SIGNIFICANT NON-PECUNIARY INTERESTS  
AND LESS THAN SIGNIFICANT NON-PECUNIARY INTERESTS**

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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 3 September 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 3 September 2024.

**ATTACHMENTS**

- 1 Minutes of the Ordinary Meeting of Orange City Council held on 3 September 2024

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# ORANGE CITY COUNCIL

MINUTES OF THE

## ORDINARY COUNCIL MEETING

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

ON 3 SEPTEMBER 2024

COMMENCING AT 6:30 PM

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### 1 INTRODUCTION

#### ATTENDANCE

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Cr J Hamling (Mayor), 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 (Deputy Mayor), Cr J Whitton

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

#### 1.1 APOLOGIES

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Nil.

#### 1.2 LIVESTREAMING AND RECORDING

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

#### 1.3 ACKNOWLEDGEMENT OF COUNTRY

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The Mayor conducted an Acknowledgement of Country.

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

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Cr Mileto declared a Significant Non-Pecuniary Interest in Item 5.2 – Naming – Female Change Rooms & Accessible Amenities – Sir Jack Brabham Park as he is the President of ODFA and the person outlined in the report is a candidate on his election ticket.



**RESOLVED - 24/407****Cr K Duffy/Cr T Greenhalgh**

That the following Late Items be permitted to be considered at the Council Meeting of 3 September 2024:

4.1 – Naming of Orange Sports Precinct Stadium

4.2 – Conference Report – National Local Government Housing Summit

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 MAYORAL MINUTES****2.1 MAYORAL MINUTE - COUNTRY MAYORS ASSOCIATION GENERAL MEETING OF 9 AUGUST 2024**

TRIM REFERENCE: 2024/1491

**RESOLVED - 24/408****Cr G Floyd/Cr K Duffy**

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

**3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING****RESOLVED - 24/409****Cr J Whitton/Cr D Mallard**

That the Minutes of the Ordinary Meeting of Orange City Council held on 20 August 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 20 August 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

**4 NOTICES OF MOTION/NOTICES OF RESCISSION**

**4.1 NOTICE OF MOTION - NAMING OF ORANGE SPORTS PRECINCT STADIUM**

TRIM REFERENCE: 2024/1537

**MOTION**

**Cr J Hamling/Cr G Floyd**

That when constructed the Orange Sports Precinct Main Stadium be named the John Davis Stadium.

**AMENDMENT**

**Cr T Mileto**

That Council defer consideration of the Sports Precinct Stadium naming to the new Council.

**THE AMENDMENT LAPSED WITH NO SECONDER**

**THE MOTION ON BEING PUT WAS CARRIED**

**RESOLVED - 24/411**

**Cr J Hamling/Cr G Floyd**

That when constructed the Orange Sports Precinct Main Stadium be named the John Davis Stadium.

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

**4.2 NOTICE OF MOTION - CONFERENCE REPORT - NATIONAL LOCAL GOVERNMENT HOUSING SUMMIT**

TRIM REFERENCE: 2024/1538

**RESOLVED - 24/412**

**Cr D Mallard/Cr J Hamling**

That the report by Cr David Mallard and Cr Jason Hamling on the National Local Government Housing Summit held in Adelaide on 16 August 2024 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, Cr J Whitton

Against: Nil

Absent: Nil

**5 GENERAL REPORTS**

**5.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE**

TRIM REFERENCE: 2024/1529

**RESOLVED - 24/413**

**Cr F Kinghorne/Cr G Floyd**

That the Report on the Response to Questions Taken on Notice 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, Cr J Whitton

Against: Nil

Absent: Nil

Cr Kinghorne asked if there will be an updated process to ensure publication of responses to Questions Taken on Notice moving forward, as identified in s9.17 of the Code of Meeting Practice.

*The Chief Executive Officer confirmed that this will be the case.*

*\*Cr Mileto left the meeting with the time being 6.47pm\**

**5.2 NAMING - FEMALE CHANGE ROOMS & ACCESSIBLE AMENITIES - SIR JACK BRABHAM PARK**

TRIM REFERENCE: 2024/1533

Cr Mileto declared a Significant Non-Pecuniary Interest in this item as he is the President of ODFA and the person outlined in the report is a candidate on his election ticket, left the meeting and did not participate in discussion or voting on this item.

**MOTION**

**Cr G Floyd/Cr S Peterson**

That Council resolve:

- 1 That Council name the new Change Rooms located at Jack Brabham Park the “Brett Hazzard Change Room”; and
- 2 That an opening ceremony be conducted following the declaration of successful Councillors from the 2024 Council election.

**AMENDMENT**

**Cr K Duffy/Cr J Whitton**

That Council defer consideration of the Female Change Room & Accessible Amenities – Sir Jack Brabham Park naming and obtain additional information.

For: Cr K Duffy, Cr F Kinghorne, Cr D Mallard, Cr M McDonell

Against: Cr J Hamling, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr S Peterson, Cr G Power, Cr J Whitton

Absent: Cr T Mileto

**THE AMENDMENT ON BEING PUT WAS LOST**

**THE MOTION ON BEING PUT WAS CARRIED**

**RESOLVED - 24/414****Cr G Floyd/Cr S Peterson**

That Council resolve:

- 1 That Council name the new Change Rooms located at Jack Brabham Park the “Brett Hazzard Change Room”; and
- 2 That an opening ceremony be conducted following the declaration of successful Councillors from the 2024 Council election.

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 S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr T Mileto

*\*Cr Mileto returned to the meeting with the time being 6.55pm\****5.3 COUNCIL TERM DECEMBER 2021- SEPTEMBER 2024**

TRIM REFERENCE: 2024/1528

**RESOLVED - 24/415****Cr D Mallard/Cr G Power**

That the Report of the Chief Executive Officer 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, Cr J Whitton

Against: Nil

Absent: Nil

*In response to the Chief Executive Officer's end of the Council term report and Cr Hamling (Mayor) and Cr Evans not standing for next term, all Councillors took the opportunity to convey their thanks and best wishes to both Councillors. Councillors also thanked each other and the Council staff for their support during the Council Term.***6 CLOSED MEETING**

Nil.

**THE MEETING CLOSED AT 7.21PM**

This is Page Number 5 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 3 September 2024.

**4 NOTICES OF MOTION/NOTICES OF RESCISSION**

Nil



## **5 GENERAL REPORTS**

### **5.1 OATH OR AFFIRMATION OF OFFICE BY COUNCILLORS (MOVED TO 1.5)**

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### **5.2 ELECTION OF DEPUTY MAYOR 2024**

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RECORD NUMBER: 2024/1008

AUTHOR: David Waddell, Chief Executive Officer

#### **EXECUTIVE SUMMARY**

The Local Government Act 1993 provides that Council *may* elect a Councillor to be the Deputy Mayor (section 231). Traditionally, Orange City Council has elected a Deputy Mayor every 1-2 years. This report is prepared on the basis that Council wishes to elect a Deputy Mayor for a 2 year period and provides a process for this election to take place.

A Nomination Form is attached to this report and is available in hard copy from the International Room (outside the Chamber) or from the Executive Support Office.

#### **LINK TO DELIVERY/OPERATIONAL PLAN**

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

#### **FINANCIAL IMPLICATIONS**

Nil.

#### **POLICY AND GOVERNANCE IMPLICATIONS**

Section 231 of the Local Government Act provides that the term of the Deputy Mayor can be for the Mayoral term or a shorter term. This report proposes that the role be for a two year term.

#### **RECOMMENDATION**

**That Council resolves:**

- 1 To elect a Deputy Mayor for the period November 2024 to September 2026 (then re-elect in September 2026 for the remainder of the Council term).**
- 2 That the method of voting for the election of Deputy Mayor be ordinary ballot.**
- 3 That the Chief Executive Officer, acting as the Returning Officer, conduct the election for the Deputy Mayor.**

#### **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**

Traditionally Orange City Council has elected our Deputy Mayor every 1-2years this report recommends election of a Deputy Mayor for the period being November 2024 to September 2026, then re-elect in September 2026 for the remainder of the Council term.

The procedure to be followed for the conduct of the Elections is to be in accordance with Schedule 7 of the Local Government (General) Regulation 2021 which states (in part):

- 1 The Chief Executive Officer is the Returning Officer.
- 2
  - a) A Councillor may be nominated without notice for election as Deputy Mayor
  - b) The nomination is to be made in writing by two or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing
  - c) The nomination is to be delivered or sent to the Returning Officer
  - d) The Returning Officer is to announce the names of the nominees at the Council Meeting at which the election is to be held.

Nominations can be lodged in a locked ballot box, which is located in the Chief Executive Officer's office and will be in the Council Chamber prior to the Meeting. A nomination form has been provided with this report and will be available in the Chamber at the start of the meeting.

At the start of the meeting, the Returning Officer will unlock the box and announce the nominated Councillors for the position of Deputy Mayor.

Nominated Councillors will be given the opportunity to decline nomination for position of Deputy Mayor at this time.

A Nomination Form is attached to this report and is available in hard copy from the International Room (outside the Chamber) or from the Executive Support Office.

The Election count and procedures for nominations, as set out in the Local Government (General) Regulation 2021 Schedule 7, are detailed below:

**Election**

- 3
  - (1) If only one Councillor is nominated, that Councillor is elected.
  - (2) If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
  - (3) The election is to be held at the Council Meeting at which the Council resolves on the method of voting.
  - (4) "ballot" has its normal meaning of secret ballot  
"open voting" means voting by a show of hands or similar means.



**Ordinary Ballot or Open Voting****Marking of Ballot Papers**

- 5 (1) If the election proceeds by ordinary ballot, the Returning Officer is to decide the manner in which votes are to be marked on the ballot-papers.
- (2) The formality of a ballot-paper under this Part must be determined in accordance with clause 345 (1) (b) and (c) and (6) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

**Count - 2 Candidates**

- 6 (1) If there are only 2 candidates, the candidate with the higher number of votes is elected.
- (2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.

**Count - 3 or more candidates**

- 7 (1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If 3 or more candidates remain, a further vote is taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
- (3) If, after that, 3 or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only 2 candidates remain.
- (4) A further vote is to be taken of the 2 remaining candidates.
- (5) Clause 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.
- (6) If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

It is recommended the ballot be undertaken by Ordinary Ballot. The process for a Preferential Ballot is outlined below.

**Preferential Ballot****Ballot-papers and Voting**

- 9 (1) The ballot-papers are to contain the names of all the candidates. The Councillors are to mark their votes by placing the numbers '1', '2' and so on against the various names so as to indicate the order of their preference for all the candidates.
- (2) The formality of a ballot-paper under this Part is to be determined in accordance with clause 345 (1) (b) and (c) and (5) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

**Count**

- 10 (1) If a candidate has an absolute majority of first preference votes, that candidate is elected.
- (2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preference on those ballot-papers.
- (3) A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.
- (4) In this clause, absolute majority, in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.

In the past, Council has nominated to conduct the election of Deputy Mayor by Ordinary Ballot and therefore that method of voting is recommended.

**Choosing by Lot**

- 12 To choose a candidate by lot, the names of candidates who have equal numbers of votes are written on similar slips of paper by the Returning Officer, the slips are folded by the Returning Officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the Returning Officer and the candidate whose name is on the drawn slip is chosen.

**Result**

- 13 The result of the election is:
- a) To be declared to the Councillors at the Council Meeting at which the election is held by the Returning Officer; and
- b) To be delivered or sent to the Chief Executive of the Office of Local Government and to the Secretary of Local Government New South Wales.

**ATTACHMENTS**

- 1 FORM - Deputy Mayor Nomination Form - October 2024, D24/115747 [↓](#)

# Deputy Mayor Nomination



## FORM

Please use this nomination form for the position of Deputy Mayor - Orange City Council.  
The process is outlined under Schedule 7 of the Local Government (General) Regulation 2021.

### NOMINATION

We, the undersigned, hereby nominate

For the position of DEPUTY MAYOR for the 2024 Council Term of Office as determined by Council at its meeting of 5 November 2024.

**\*\*A minimum of two nominators is required\*\***

Nominator	<input type="text"/>	<input type="text"/>
	Name	Signature

Nominator	<input type="text"/>	<input type="text"/>
	Name	Signature

Nominator	<input type="text"/>	<input type="text"/>
	Name	Signature
	DATE	

Nominator	<input type="text"/>	<input type="text"/>
	Name	Signature
		<input type="text"/>
		DATE

### ACCEPTANCE

I,  CONSENT TO MY  
NOMINATION FOR THE POSITION OF **DEPUTY MAYOR** FOR THE 2024 TERM OF OFFICE.

SIGNED

DATE



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**5.3 COUNCILLOR VACANCY - COUNTBACK METHOD**

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RECORD NUMBER: 2024/1009

AUTHOR: David Waddell, Chief Executive Officer

**EXECUTIVE SUMMARY**

Councils have an option of using a countback of votes cast at the last ordinary election to fill casual vacancies occurring in the offices of Councillors in the first 18 months after the election. If Councils do not resolve to fill casual vacancies using a countback at their first meeting after the election, by-elections will need to be held to fill vacancies.

**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**

If Council chooses to use a countback to fill any vacancy that may occur, this will result in a lower cost than the cost of holding a by-election. A single by-election could cost in the order of \$250,000.

**POLICY AND GOVERNANCE IMPLICATIONS**

Council’s Chief Executive Officer is required under the Local Government (General) Regulation 2021 (the Regulation) to notify the election manager of the Council’s Ordinary Election, the NSW Electoral Commissioner, of the Council’s resolution within 7 days of the resolution.

**RECOMMENDATION**

**That pursuant to section 291A(1)(b) of the Local Government Act 1993, Orange City Council declares that casual vacancies occurring in the office of a Councillor within 18 months after the last ordinary election of Councillors for the Council on 14 September 2024 are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act and directs the Chief Executive Officer to notify the NSW Electoral Commission of the Council’s decision within 7 days of the decision.**

**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**

In 2016 the NSW Parliament passed amendments to the Local Government Act 1993 focusing on improving Council governance and strategic business planning. One of these amendments was the countback provision. The commencement of the countback provision in the Local Government (General) Regulation was deferred from the 2017 Local Government Elections and came into effect for the 2021 elections.

Council adopted the countback method following the 2021 Local Government Elections. This was not used during the last Term of Council.

Councils have the option of using a countback of votes cast at the last Ordinary Election to fill casual vacancies occurring in the Offices of Councillors in the first 18 months after the election.

This will allow Councils to use a countback to fill vacancies at a lower cost than the cost of holding a by-election.

A countback election has no impact on sitting Councillors.

Potential candidates are those unelected from the ordinary election. The returning officer contacts all unelected candidates who may still be eligible to be elected. Interested candidates must submit a formal application.

Any candidates that do not apply to participate in the countback election (non-participating) cannot be elected.

If there are no eligible candidates, an attendance by-election must be held. If there is only one eligible candidate, that candidate is elected. If there are multiple eligible candidates, a countback is conducted.

To exercise the option of using a countback to fill casual vacancies occurring in the first 18 months following the election, Councils must resolve, at their first meeting after the election, to use a countback to fill casual vacancies.

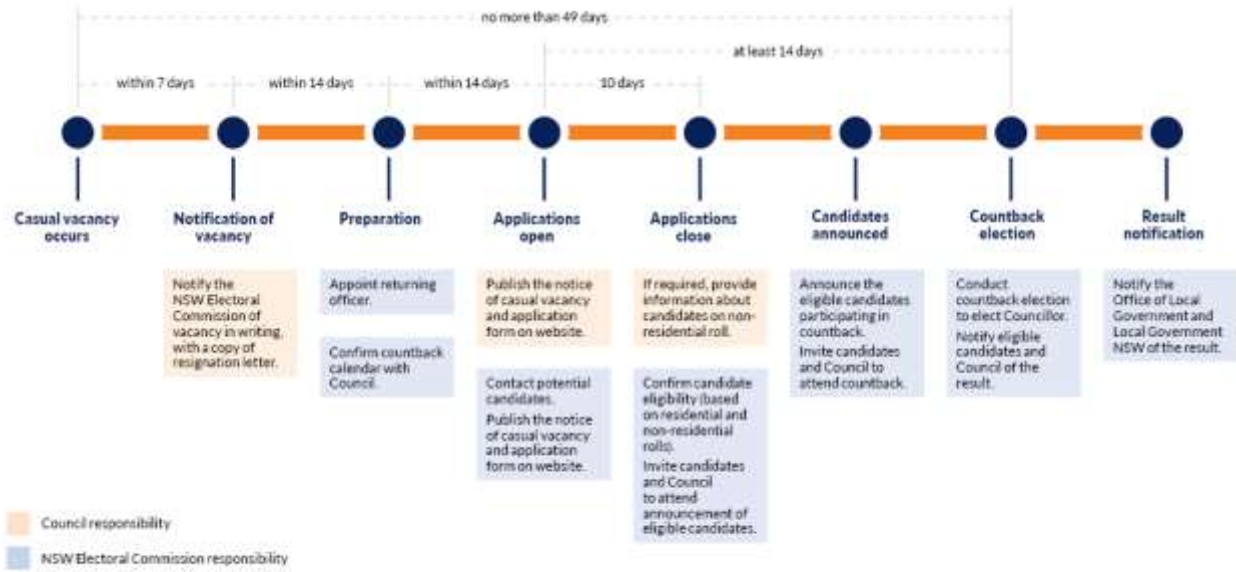
If Councils do not resolve this at the first meeting after the election, they will be required to fill casual vacancies through a by-election.

Countback elections can only be used for 18 months after the 2024 Local Government elections; that is, until 14 March 2026.

It is recommended that Council adopt the countback method for a casual vacancy that may occur in the first 18 months of this Council term.

The following summarises the steps involved in a countback election.

5.3 Councillor Vacancy - Countback Method



Further information on countbacks is available at <https://elections.nsw.gov.au/elections/how-counting-works/countback-elections>





**5.4 DAY, TIME AND FREQUENCY OF COUNCIL MEETINGS**

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TRIM REFERENCE: 2024/1010

AUTHOR: David Waddell, Chief Executive Officer

**EXECUTIVE SUMMARY**

This report seeks to confirm the day of the week, time and frequency of Council meetings.

In accordance with section 365 of the Local Government Act 1993, Councils are required to meet ten (10) times each year, each in a different month. Over previous years, Council has met at least 22 times per year, this is more than double that required.

Traditionally, Councils in NSW do not meet in January. Many Councils have also determined to have a mid-year break for the month of July.

This report provides information for the Council to consider when determining its meetings frequency, days and times and encourages Councillors to challenge the status quo.

**LINK TO DELIVERY/OPERATIONAL PLAN**

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

**FINANCIAL IMPLICATIONS**

The time of day that a Council meeting is held will have financial implications as far as staff time, catering and in some cases staff accommodation costs. Financial implications may also be involved in terms of carer costs associated with Councillors requiring a carer to look after children whilst at afterhours Council meetings in accordance with the Councillors Expenses policy.

**POLICY AND GOVERNANCE IMPLICATIONS**

Any change to meeting frequency set by the previous Council will require an amendment to the Code of Meeting Practice. Any change to this Code must be placed on public exhibition for 28 days prior to resolution by Council for any change to be put into place. Upon determination of the meeting schedule, an updated Code will be presented to Council for placement on public exhibition.

**RECOMMENDATION**

That Council resolves the following schedule for the 2024-2028 Council Term:

- 1 That Council hold 11 scheduled Ordinary Meetings of Council per year, which will include Policy Committees**
- 2 That the meetings be held on the first Tuesday of the month starting at 6.30pm**
- 3 That the Meeting planned for 19 November 2024 be changed to 20 November to allow for attendance at the LGNSW Annual Conference**
- 4 That the Meetings planned for 3 December & 17 December 2024 proceed to allow for any reports to be provided that were delayed from the election period of the new Council**
- 5 That no Meetings be planned for January each year**
- 6 That an Open Forum be held at each meeting**
- 7 That an updated Code of Meeting Practice be provided to Council before placement on Public Exhibition for 28 days.**

**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**

This report seeks Council's determination of the current schedule of meetings as listed in the Code of Meeting Practice and whether the current schedule is to continue under this new Council.

Council is required to have in place a Code of Meeting Practice. The Code includes the scheduling details of Council meetings. Determining the frequency of meetings for the new Council is the subject of this report.

The current Code of Meeting Practice identifies Ordinary Meetings of Council are to be held from 6.30pm on the first and third Tuesdays of each month. Policy Committees are also held on the first Tuesday of each month. Meetings are to conclude by 9.30pm. This will be changed if Council resolved to alter the meeting times.

The former Council established Policy Committees. All Councillors were members and these Committees were formed to receive reports on specific topic areas and to consider issues and minutes of Community and other committees who consider similarly themed matters. Reports to the Policy Committees were received at the meetings of the first Tuesday of each month.

A report on the previous Policy Committee structure and the community committees that report to each Policy Committee, will be prepared for Council's consideration following a Councillor Information Session to enable the Council to discuss the Policy and Community Committee framework.

There is no onus on Council to adopt what any previous Council structure provided. The vote of the majority of Councillors on any item carries the item to be resolved.

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#### 5.4 Day, Time and Frequency of Council Meetings

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Council can change the meeting frequency and times however any change will require a change to the Code of Meeting Practice. Changes to the Code require a public exhibition process and report back to Council of any comments received prior to the change to the Code being implemented (Local Government Act s 360, 362 and 363).

Council has many different options for times and days of the week to hold Council meetings, of course, dependent upon Councillor availability and willingness to try something different. The Mayor, Councillors and staff are all seeking to introduce a more family-friendly approach. Businesses in general are also leaning towards a more flexible approach to work hours where the ability to attend Council meetings during the day may be afforded and work times changed to cater for this. With the proposed change to one meeting per month, this becomes more achievable for many Councillors with day time employment/businesses. The ability to attend meetings via Audio-Visual Link also assists managing the work/life/Council balance. The ability for effective cognitive decision making during late evening meetings should also be considered.

In accordance with section 365 of the Local Government Act 1993, Councils are required to meet ten (10) times each year, each in a different month. Over previous terms, Council has met at least 22 times per year, this is more than double than required.

Council is able to call an extraordinary meeting whenever a need arises, such as the annual budget, or after the January break. This is not uncommon among Council's who hold one meeting per month. The Mayor has indicated that preference should be given to holding any extraordinary meetings on the third Tuesday of the month if the one meeting per month recommendation is resolved.

In the 2024 Calendar year so far, 20% of Council meetings were completed within 70 minutes.

Traditionally, Councils in NSW do not meet in January. Many Councils have also determined to have a mid-year break for the month of July.

When considering the option of one Council meeting per month, concerns relating to large business papers and therefore large meeting times can be offset in the following ways:

- The formalities of two meetings becoming only one. Following a review of meetings held in the past 12 months it is estimated that this takes approximately 18 minutes per meeting.
- The proposal also halves staff time from generating two business papers and minutes per month and a greater lead time available for the productions of reports and agendas, providing Councillors with more than the current 3 business days reading time.
- Decisions can also be made on whether Community Committee agendas are included in the Business Papers, or only the minutes to minimise the reading required for Councillors. This is a process that many other Councils currently do.
- Any Standard Report that has been put to the Council previously or is for noting only can also be reconsidered by Council staff with the intention to only put business before Council that is a requirement or items which have been noted as contentious matters.

Council currently conducts a public forum, where required, at the commencement of the Ordinary Meeting of Council. Topics discussed must be items in the business paper in order to satisfy the requirement for Council to give proper notice (Local Government Act clause

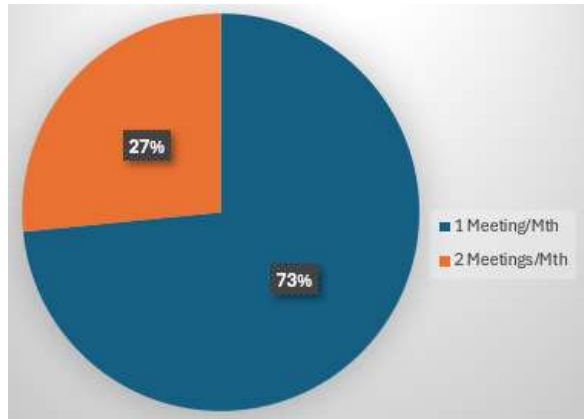
5.4 Day, Time and Frequency of Council Meetings

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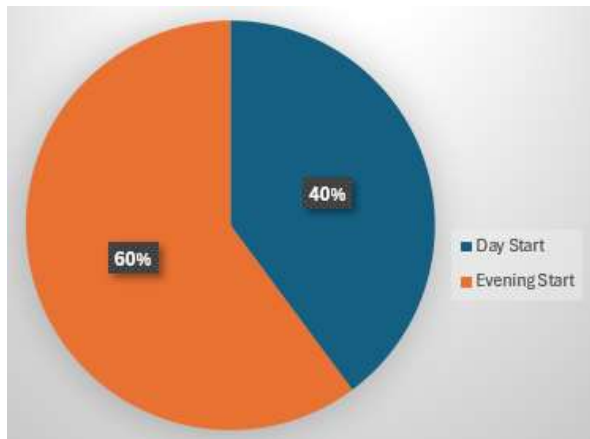
367, Code of Meeting Practice clause 2.5) of the topics being discussed at its meetings. Traditionally this has been undertaken at the start of each meeting depending on registered speakers and is recommended to continue as it has in previous terms.

**Statistics of the 128 Councils in NSW**

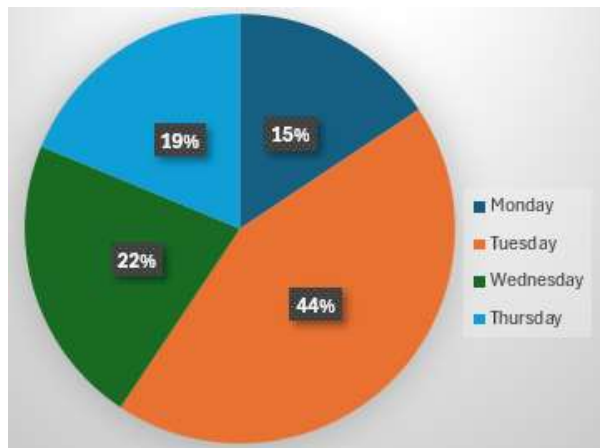
94 or approximately 73% of Council’s have one (1) Council Meeting per month. There are no Councils in NSW who hold meetings in January. There are a number of Councils who have determined a mid-year break in July.



51 or approximately 40% of Council’s start their meetings during the day – anywhere from 8.45am – 4pm. Other start times varied between 5, 5.30, 6, 6.30 or 7pm.



20 Council’s hold meetings on Mondays. 56 Council’s hold meetings on Tuesdays, 28 hold meetings on Wednesdays and 24 hold meetings on Thursdays.



**5.4 Day, Time and Frequency of Council Meetings**

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<b>Proposed Scheduled Dates 2024</b>	<b>Proposed Scheduled Dates 2027</b>
5 November 2024	2 February 2027
20 November 2024 (changed from 19 November to allow for LGNSW Annual Conference attendance)	2 March 2027
3 December 2024 (Policy)	6 April 2027
17 December 2024	4 May 2027
	1 June 2027
	15 June 2027 (tentative)
	6 July 2027
	3 August 2027
	7 September 2027
	5 October 2027
	2 November 2027
	7 December 2027
<b>Proposed Scheduled Dates 2025</b>	<b>Proposed Scheduled Dates 2028</b>
4 February 2025	1 February 2028
4 March 2025	7 March 2028
1 April 2025	4 April 2028
6 May 2025	2 May 2028
3 June 2025	6 June 2028
17 June 2025 (tentative)	20 June 2028 (tentative)
1 July 2025	4 July 2028
5 August 2025	1 August 2028
2 September 2025	LG Elections - 9 September 2028
7 October 2025	7 November 2028 (tentative)
4 November 2025	
2 December 2025	
<b>Proposed Scheduled Dates 2026</b>	
3 February 2026	
3 March 2026	
7 April 2026	
5 May 2026	
2 June 2026	
16 June 2026 (tentative)	
7 July 2026	
4 August 2026	
1 September 2026	
6 October 2026	
3 November 2026	
1 December 2026	



**5.5 MATTER APPROVED UNDER DELEGATION - NEW YEARS EVE 2024**

RECORD NUMBER: 2024/1650  
 AUTHOR: David Waddell, Chief Executive Officer

**EXECUTIVE SUMMARY**

At the Council Meeting of 6 August 2024, Council resolved:

**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*

This report provides information to Council on those items approved under this delegation during the period 4 September 2024 to 25 October 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**

Nil.

**POLICY AND GOVERNANCE IMPLICATIONS**

Nil.

**RECOMMENDATION**

**That the information contained in the Report on Matters Approved under Delegation be acknowledged.**

**FURTHER CONSIDERATIONS**

The recommendation of this report has been assessed against Council’s other key risk categories and the following comments are provided:

Service/Project Delivery	Council has an event team that have the appropriate skills and experience to produce a complex event at the new location.
Financial	Costs incurred to date are not specific to the Lake Canobolas location. Sponsorship opportunities have not yet been awarded. Delegated decision making was required in order to procure the

	fireworks in the required time period at the quoted costs. There is minimal financial impact relating to the change of location.	
Reputation/Political	Council has a minor appetite for significant impacts on Council's reputation. The decision to change the location was made predominately due to safety concerns and Council understands that both locations have impacts on surrounding residents.	
Environment	Fire and Rural Fire Service crews will continue to be engaged in the development of event plans to ensure fire control and management plans are in place.	
People & WHS	As part of the Bush Fire consultant's initial discussions regarding the Lake Canobolas location, the number of attendees that would be impacted in an emergency was significant. Mitigating the potential harm to attendees and staff is paramount to Council's concerns.	

## SUPPORTING INFORMATION

### New Years Eve Event

At the Council Meeting of 9 July 2024, Council resolved to hold its New Years Event at Lake Canobolas.

As part of the planning of the event, neighbours around Lake Canobolas were consulted about the event and there were several residents who raised their concerns about the event. Their concerns included traffic management and the fireworks impacting on their animals.

At the same time, a detailed bush fire risk assessment commenced. While the fireworks aspect of the event could have been managed, the number of people who would have been in attendance raised a concern. As the plan includes many attendees and buses as a major transport feature, a fast evacuation should a bush fire break out would be limited.

The practical mitigation of this would be to limit the number people attending. While this would also assist with managing traffic concerns, lowering the number of people attending would have significantly decreased the benefit to our community.

Due to planning requirements, specifically finalising the contract for the fireworks, a decision on the location needed to be finalised before the first Council meeting of this term.

The situation was discussed with the Councillors during the caretaker period and the Chief Executive Officer decided to relocate the event to the Waratahs Sports Precinct under his delegations in the caretaker period.



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**5.6 AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC) - MEMBERSHIP AND TERMS OF REFERENCE**

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RECORD NUMBER: 2024/1089

AUTHOR: Janessa Constantine, Manager Corporate Governance

**EXECUTIVE SUMMARY**

With the dissolution of the previous Council and the Local Government Election on 14 September 2024, Council's Audit, Risk & Improvement Committee (ARIC) also dissolved.

The purpose of this report is to elect a Councillor or Councillors as members of the ARIC, provide the Council with information of suitable independent members for appointment to the ARIC until September 2028 to coincide with the Council Term, and resolve to place the Terms of Reference for the ARIC and Internal Audit on public exhibition.

The Councillor member or members are to be appointed by the governing body at the first meeting of the Council after the elections.

**LINK TO DELIVERY/OPERATIONAL PLAN**

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

**FINANCIAL IMPLICATIONS**

The independent members are remunerated. Current fees and charges have been set by the Council at \$1,500 (+GST) for the Chair per meeting and \$1200 (+GST) for the other independent members per meeting.

The fees are in-line with other fees paid to ARIC members across the Local Government Sector.

Independent members are also entitled to claim per kilometre rate reimbursement for travel to and from meetings. As this is a Statutory Committee, funds have been allocated and budgeted on an ongoing basis.

Councillor members of the Committee are not paid in addition to their Councillor Allowance.

**POLICY AND GOVERNANCE IMPLICATIONS**

The ARIC is a Statutory Committee that was required to be in place by 4 June 2022, however our ARIC commenced in 2009. New membership requirements came into effect 1 July 2024. With the requirement for 3 Independent Members (1 of whom is Chairperson) and 1 Non-Voting Councillor (who cannot be the Mayor).

Mr Bill Gillooly has been a serving ARIC Member since 2017. The OLG Guidelines and Local Government (General) Regulation 2021 provides that a person cannot be an ARIC Member for more than 8 years in any 10 year period. It is recommended that Mr Bill Gillooly's membership cease in November 2025 to allow time to appoint a further additional member while keeping continuity of the committee within the requirements.

The ARIC Terms of Reference outline at 10.3 – "Committee meetings can be held in person, by telephone or videoconference. Proxies are not permitted to attend meetings if a committee member cannot attend".

**RECOMMENDATION**

That Council resolves:

- 1 To appoint at least one Non-Voting Councillor to the Audit, Risk and Improvement Committee until September 2028 unless otherwise resolved by Council.
- 2 To appoint Mr Robert Lagaida as an Independent Member and Chairperson of the Audit, Risk and Improvement Committee until September 2028 unless otherwise resolved by Council.
- 3 To appoint Mr Lewis von Stieglitz as an independent member of the Audit, Risk and Improvement Committee until September 2028 unless otherwise resolved by Council.
- 4 To appoint Mr Bill Gillooly as an independent member of the Audit, Risk and Improvement Committee until November 2025 unless otherwise resolved by Council.
- 5 To place Strategic Policy ST40 – Audit Risk & Improvement - Terms of Reference on public exhibition for a minimum of 28 days.
- 6 To place Strategic Policy ST41 – Internal Audit – Terms of Reference on public exhibition for a minimum of 28 days.

**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**

On 19 December 2022, the Office of Local Government (OLG) issued an update on the Guidelines for Risk Management and Internal Audit for Local Government in NSW. A link to the guidelines is located below:

<https://www.olg.nsw.gov.au/council-circulars/22-41-update-on-the-guidelines-for-risk-management-and-internal-audit-for-local-government-in-nsw/>

Compliance with the Guidelines was required by 1 July 2024.

**Councillor Membership**

In accordance with the Guidelines, Councillors are permitted to be Non-Voting Committee members where resolved by Council. There is no requirement for Councillors to be members. The term of membership for a Councillor is 4 years to coincide with the term of Council. The Mayor is not permitted to be an ARIC member.

The ARIC Terms of Reference at 10.3 provide that "Committee meetings can be held in person, by telephone or videoconference. Proxies are not permitted to attend meetings if a committee member cannot attend".

It is recommended that Council appoint one or more Non-Voting Councillor Member/s for this term of Council.

Orange City Councillors receive a standing invite to attend ARIC Meetings as guests. Voting from guests is not permitted. Participation from guests in meetings is generally as an observer, however this is at the discretion of the Chairperson.

### Membership

The ARIC Charter identifies the composition of the ARIC as determined by Council, with three independent members (one who is chairperson) and a Non-Voting Councillor as core members. Other Non-voting members who attend include the Chief Executive Officer (CEO), Manager Corporate Governance, Director of Corporate and Commercial Services, Chief Financial Officer (CFO) and other subject matter experts as required from time to time.

The membership of the Audit, Risk and Improvement Committee as at 1 July 2024 was:

Position	Incumbent	Start Current Term Date	Finish Current Term Date	Recommendation
Chairperson	Mr Robert Lagaida	3 March 2022	September 2024	September 2028
Independent member	Mr William Gillooly	3 March 2022	September 2024	November 2025
Independent member	Mr Lewis von Steiglitz	6 December 2023	September 2024	September 2028
Non-Voting Councillor	Cr Frances Kinghorne	1 July 2024	September 2024	As resolved by Council.
Non-Voting Councillor (Alternate)	Cr Steven Peterson	1 July 2024	September 2024	As resolved by Council.

Appointments to the ARIC terminate at the conclusion of a term of Council, therefore this term of the ARIC will be until September 2028 unless otherwise resolved by Council.

As noted, Mr William Gillooly has been appointed as Independent Member on Council's ARIC since November 2017. As the limit on membership is 8 years, Mr Gillooly would only be able to continue as an independent member until November 2025. To allow for continuity through the new Council and allowing for sufficient time to appoint a new Independent Member it is recommended to appoint Mr Gillooly until November 2025.

The ARIC Terms of Reference and the Internal Audit Terms of Reference have been endorsed by the ARIC and are provided for Information of the Council with recommendation for placement on public exhibition.

### **ATTACHMENTS**

- 1 FOR EXHIBITION - Strategic Policy - ST41 - Internal Audit Terms of Reference, D24/88227 [↓](#)
- 2 FOR EXHIBITION - Strategic Policy - ST40 - Audit Risk & Improvement (ARIC) - Terms of Reference, D24/88228 [↓](#)

















































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**5.7 MINING AND ENERGY RELATED COUNCILS (MERC) - COUNCILLOR REPRESENTATIVE**

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RECORD NUMBER: 2024/1660

AUTHOR: Catherine Davis, Executive Support Manager

**EXECUTIVE SUMMARY**

The MERC (Mining & Energy Related Councils) are holding their AGM on Thursday 14 November 2024.

At this meeting the MERC will elect a Chairperson. In order for Orange City Council's representative to be able to stand for this position, this report seeks to determine our Councillor representative on this committee. Meetings are generally held quarterly.

All other Committees will be determined at a future meeting. This appointment is as an exception to selecting a Councillor representative for this external agency as their meeting occurs before our other appointment process. Cr Duffy was the last Orange City Council representative and also the last Chair of MERC.

**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**

Attendance at quarterly MERC meetings (usually held in Sydney) incurs a one or two night accommodation cost plus any out of pocket expenses such as meals and parking. Generally meetings can be attended via audio visual link.

There is no specific budget allocation for a MERC representative to cover the costs of attending meetings. Unless Council resolves otherwise the funds will come out of the selected Councillor conference allowance of \$5,000.

Future year costings for attendance at all external agency meetings should be considered in those future budgets.

**POLICY AND GOVERNANCE IMPLICATIONS**

Nil.

**RECOMMENDATION**

**That Council select a Councillor representative for the Mining and Energy Related Councils Committee.**

**SUPPORTING INFORMATION**

This early election of a Councillor representative to the MERC agency has come through a request from the Executive Officer of MERC due to the timing of their AGM.

Additional information relating to the MERC can be found at <https://miningrelatedcouncils.asn.au/>

The elected Councillor member will be required to attend the MERC AGM on 14 November 2024. Meetings can generally be attended either in person or via Audio Visual Link.

## **6 CLOSED MEETING - SEE CLOSED AGENDA**

The Chief Executive Officer will advise the Council if any written submissions have been received relating to any item advertised for consideration by a closed meeting of Orange City Council.

The Mayor will extend an invitation to any member of the public present at the meeting to make a representation to Council as to whether the meeting should be closed for a particular item. In accordance with the Local Government Act 1993, and the Local Government (General) Regulation 2021, in the opinion of the Chief Executive Officer, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

### **RECOMMENDATION**

That Council adjourn into a Closed Meeting and members of the press and public be excluded from the Closed Meeting, and access to the correspondence and reports relating to the items considered during the course of the Closed Meeting be withheld unless declassified by separate resolution. This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the following provisions:

#### **6.1 2024 LGNSW Annual Conference - Nomination for Councillor Attendance**

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (f) matters affecting the security of the Council, Councillors, Council staff or Council property.

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**6.1 2024 LGNSW ANNUAL CONFERENCE - NOMINATION FOR COUNCILLOR ATTENDANCE**

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RECORD NUMBER: 2024/1309

AUTHOR: Catherine Davis, Executive Support Manager

**REASON FOR CONFIDENTIALITY**

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (f) matters affecting the security of the Council, Councillors, Council staff or Council property.

## **7 RESOLUTIONS FROM CLOSED MEETING**