
ORANGE CITY COUNCIL

MINUTES OF THE

ORDINARY COUNCIL MEETING

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

ON 1 AUGUST 2023

COMMENCING AT 6.30PM

1 INTRODUCTION

ATTENDANCE

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, Acting Director Technical Services (Theakstone), Manager Corporate Governance, Governance & Corporate Performance Lead, Executive Support Officer

1.1 APOLOGIES

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 Whitton declared a Significant Non-Pecuniary Interest in FPC item 2.1(3) Event Sponsorship Program as he is the chairperson of OCTEC, a sponsor for the event.

Cr Hamling declared a Significant Non-Pecuniary Interest in item FPC 2.1(3) Event Sponsorship Program as he is a board member for OCTEC, a sponsor for the event.

Cr Floyd declared a Significant Non-Pecuniary Interest in IPC item 2.1 Minutes of the City of Orange Traffic Committee 12 July 2023 as his employer is the organiser of the event seeking approval.

2 MAYORAL MINUTES

Nil.

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED - 23/305**Cr T Greenhalgh/Cr M McDonell**

That the Minutes of the Ordinary Meeting of Orange City Council held on 18 July 2023 (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 18 July 2023.

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 6.34PM

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 7.31PM

4 NOTICES OF MOTION/NOTICES OF RESCISSION

4.1 NOTICE OF MOTION - REMOVAL OF THE TROUT CLOSED SEASON IN MACQUARIE AND TURON RIVERS

TRIM REFERENCE: 2023/1149

RESOLVED - 23/323**Cr G Floyd/Cr T Greenhalgh**

That Council acknowledge in the Chamber the NSW DPI Fisheries recent decision to remove the Trout fishing closed season in parts of the Macquarie and Turon River systems.

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 - MINING AND ENERGY RELATED COUNCILS - RESOURCES ENERGY INDUSTRY AND INNOVATION FORUM COUNCILLOR REPORT

TRIM REFERENCE: 2023/1222

RESOLVED - 23/324**Cr K Duffy/Cr J Whitton**

That the report by Councillor Kevin Duffy on the Resources Energy Industry and Innovation Forum held in Dubbo on 6-9 June 2023 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

QUESTION TAKEN ON NOTICE**Cr F Kinghorne**

Cr Kinghorne asked whether working towards no emissions by 2050 by joining the Australian Electrification Association was at an individual level or whether Council's become part of it and whether Council has a role to play.

5 GENERAL REPORTS**5.1 STRATEGIC POLICY ADOPTION - POST EXHIBITION**

TRIM REFERENCE: 2023/1137

RESOLVED - 23/325**Cr J Whitton/Cr M McDonell**

That Council adopts the following Strategic Policies:

- ST18 – Social Media
- ST19 – Media
- ST20 – Community Engagement

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

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

TRIM REFERENCE: 2023/1196

RESOLVED - 23/326**Cr G Floyd/Cr G Power**

That the report on the Provision of Expenses and Facilities to Councillors 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

QUESTION TAKEN ON NOTICE**Cr T Greenhalgh**

Cr Greenhalgh asked what was included in the Councillor costings for Meeting Functions and Council Business.

Cr Kinghorne asked if training was compulsory.

The Chief Executive Officer advised that some training is compulsory for example the Code of Conduct; however, other training is optional for example problem solving. The Chief Executive Officer also advised there will be a report on training at the next meeting.

5.3 LORDS PLACE UPGRADE - PROJECT COSTINGS

TRIM REFERENCE: 2023/1226

RESOLVED - 23/327**Cr M McDonell/Cr G Power**

That the Chief Executive Officer's report on the Lords Place Upgrade – Project Costings be acknowledged.

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

Cr Kinghorne asked why there were unforeseen costs relating to furnishing and fencing.

The Chief Executive Officer advised that the dining deck safety audit required a hand railing installation which was an additional cost and delayed furniture installation.

Cr Mileto asked if there were any claims arising from the recent flooding in Lords Place, what the cause was and if it has been rectified.

The Chief Executive Officer advised that there have been no claims, debris was identified as the cause and it has been cleared.

6 CLOSED MEETING

In accordance with the Local Government Act 1993, and the Local Government (General) Regulation 2005, in the opinion of the General Manager, 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 - 23/328**Cr T Greenhalgh/Cr K Duffy**

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 Lease Cafe Orange Adventure Playground

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 Part Post Office Lane

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 Contract - Icely Road Water Treatment Plant Generator and Main Switch Board - Design and Construct

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, Cr J Whitton

Against: Nil

Absent: Nil

The Mayor declared the Ordinary Meeting of Council adjourned for the conduct of the Closed Meeting at 8.00pm.

The Mayor declared the Ordinary Meeting of Council resumed at 8.26pm.

7 RESOLUTIONS FROM CLOSED MEETING

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

6.1 LEASE CAFE ORANGE ADVENTURE PLAYGROUND

TRIM REFERENCE: 2023/1072

RESOLVED - 23/329

Cr K Duffy/Cr J Whitton

That Council resolves:

- 1 To enter consecutive leases for the term of up to 20 years of the Adventure Playground Café on the terms contained in this report.
- 2 That permission be granted to use 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

6.2 LEASE PART POST OFFICE LANE

TRIM REFERENCE: 2023/1150

RESOLVED - 23/330

Cr K Duffy/Cr J Evans

That Council defers the matter at the request of the applicant.

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 CONTRACT - ICELY ROAD WATER TREATMENT PLANT GENERATOR AND MAIN SWITCH BOARD - DESIGN AND CONSTRUCT

TRIM REFERENCE: 2023/1199

RESOLVED - 23/331

Cr T Mileto/Cr G Floyd

That Council resolves:

- 1 To enter into a contract with Large Industries Pty Ltd for the Icelly Road Water Treatment Plant Generator and Main Switchboard – Design and Construct (F4019) for the amount of \$1,074,730.95 ex GST; and
- 2 That the use of Council's Seal be authorised on relevant contractual documents.
- 3 That an additional amount of \$110,000 be drawn from the Water Asset Renewal Fund in the September 2023 quarterly review to facilitate the project.

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 8.28PM.

This is Page Number 6 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 1 August 2023.