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# ORANGE CITY COUNCIL

MINUTES OF THE

## ORDINARY COUNCIL MEETING

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

ON 4 MARCH 2025

COMMENCING AT 6:30 PM

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### 1 INTRODUCTION

#### ATTENDANCE

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Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, 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, Manager Executive Support, Executive Officer, Chief Financial Officer, Senior Management Accountant

#### 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 Kinghorne declared a Significant Pecuniary Interest in the following Planning & Development Policy Committee items as her husband's environmental consultancy company has undertaken work on these sites:

- PDC 2.3 – Development Application DA740/2024(1) – 72 Stevenson Way
- PDC 2.5 – Development Application DA676/2024(1) – 248-266 Summer Street
- PDC 2.7 – Orange LEP 2011- Amendment 42 – 168 Shiralee Road – Post Exhibition Report
- PDC 2.8 – Post-Exhibition Report – Amendment to the Orange Local Environmental Plan 2011 and Draft Planning Agreement – 277 Cargo Road

Cr Kinghorne declared a Significant Non-Pecuniary Interest in Recreation & Policy Committee item 2.1 – Membership – Arts Out West as she is a Director of ArtWork Orange.

Cr Greenhalgh declared a Significant Non-Pecuniary Interest in the following Planning and Development Policy Committee items:

- PDC 2.5 - as her employer has a business relationship with this establishment
- PDC 2.6 - as her employer has a business relationship with this establishment and is also sponsor of Bloomfield Junior Rugby League Football Club.

Cr Greenhalgh declared a Significant Non-Pecuniary Interest in the following Finance Policy Committee items:

- FPC 2.1- 2(1) - as the applicant is known to her
- FPC 2.1- 2(2) - as the applicant is known to her.

Cr Power declared a Significant Non-Pecuniary Interest in the following Finance Policy Committee items:

- FPC 2.1- 2(1) – as he has a contract with the event manager
- FPC 2.1- 2(2) – as he is catering for the event.

Cr Ruddy declared a Significant Non-Pecuniary Interest in Finance Policy Committee item FPC 2.1 – 2(3) as her business is one of the organisers of the event.

Cr Whitton declared a Significant Non-Pecuniary Interest in the following Finance Policy Committee items:

- FPC 2.1 - 2(1) – as he a board member of a Mental Health provider, Marathon Health
- FPC 2.1 - 2(2) – as he is a board of a Mental Health provider, Marathon Health
- FPC 2.1 - 2(3) – as he is a board member of an NDIS provider, Marathon Health.

**RESOLVED - 25/054****Cr T Greenhalgh/Cr M Ruddy**

That the following Late Item be permitted to be considered at the Council Meeting of 4 March 2025:

- 5.4 – 2025 National General Assembly – Call for Motions
- 6.3 – Chief Executive Officer Report

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

**Council welcomed representatives from the NSW Audit Office and Intentus to present to Council.**

**THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE OPEN FORUM AT 6.53pm**

**Recreation & Culture Policy Committee - Item 6.1 – Membership - Arts Out West**

- Fran Charge – Arts Out West
- Margot Jolly – Arts Out West
- Kylie Shead – Arts Out West

**THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 7.09PM**

**2 MAYORAL MINUTES**

Nil.

**3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING****RESOLVED - 25/055****Cr D Mallard/Cr M Ruddy**

That the Minutes of the Ordinary Meeting of Orange City Council held on 18 February 2025 (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 February 2025.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton  
Against: Nil  
Absent: Nil

**RESOLVED - 25/056****Cr M McDonell/Cr G Power**

That Council holds the Recreation & Culture Policy Committee first in the Policy Committee order of tonight's meeting.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, 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 7.10PM**

**THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 8.21PM**

## 4 NOTICES OF MOTION/NOTICES OF RESCISSION

### 4.1 NOTICE OF MOTION - INSTALLATION OF FOOTPATH LIGHTING ON VALENCIA DRIVE TO NORTHERN DISTRIBUTOR (PLOUGHMANS WETLANDS LOOP)

TRIM REFERENCE: 2025/115

#### RESOLVED - 25/074

Cr M Ruddy/Cr M McDonell

That Council:

- 1 Investigates the installation of suitable lighting along the footpath between Valencia Drive and the Northern Distributor Bypass bridge, extending further to cover the Wetlands Loop where lighting is currently absent.
- 2 Considers this project as a measure to:
  - Improve pedestrian safety for all residents, including families, elderly individuals, and those with mobility challenges.
  - Deter anti-social behaviour and reduce damage to properties adjoining the footpath.
- 3 Explores potential funding sources, including state or federal grants, to support the implementation of this project.
- 4 Notes the following community support and evidence:
  - A petition signed by 28 residents of Valencia Drive and surrounding streets in favour of this motion, with no opposition raised so far.
  - Photographic evidence of damage to adjoining fence caused by anti-social behaviour.
  - Photographic evidence of walkway with zero lighting. Image taken in darkness to show how dark the area is.
- 5 Engages with residents and other stakeholders to ensure the solution meets community needs and addresses the concerns raised.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

## 5 GENERAL REPORTS

### 5.1 RAINBOW FESTIVAL - RESPONSES TO QUESTIONS TAKEN ON NOTICE

TRIM REFERENCE: 2025/226

#### RESOLVED - 25/075

Cr M McDonell/Cr G Power

That the Council note the report on the 2025 Rainbow Festival which responds to the Question Taken on Notice.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

Cr Duffy asked whether Security, Police or staff would be at the event.

*The Director Corporate & Commercial Services confirmed yes, with Police as required/determined by them.*

Cr Kinghorne asked whether there was any feedback from vendors around paraphernalia controls.

*The Director Corporate & Commercial Services advised that she was unaware of any concerns about displays.*

**5.2 EVENT SPONSORSHIP PROGRAM - PROPOSED CHANGES**

TRIM REFERENCE: 2025/238

**RESOLVED - 25/076****Cr M Ruddy/Cr S Peterson**

That Council resolves:

- 1 To note the Event Sponsorship Program Review
- 2 That the financial implications detailed in this report be considered as part of the 2025/2026 budget deliberations.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

Cr Kinghorne asked if there was an increase in funding and loss of revenue.

*The Director Corporate & Commercial Services confirmed yes both.*

Cr McDonell asked where the \$10,000 additional funding would be coming from.

*The Director Corporate & Commercial Services advised that it was proposed from 1 July and would form part of the budget movements.*

Cr Greenhalgh noted that the new policy would mean events that were previously supported would miss out and asked how we would make sure we are not excluding events like the volcanic mountain challenge.

*The Director Corporate & Commercial Services advised that it would mean some are ineligible to apply under the new structure which looks at the Economic Benefits. We cannot say yes to all applications, similar to the current policy.*

**5.3 STRATEGIC POLICY REVIEWS**

TRIM REFERENCE: 2025/201

**RESOLVED - 25/077****Cr D Mallard/Cr S Peterson**

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

- ST32 – Donations & Grants
- ST43 – Event Development Fund

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

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**5.4 2025 NATIONAL GENERAL ASSEMBLY - CALL TO SUBMIT MOTIONS**

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TRIM REFERENCE 2025/284

**RESOLVED - 25/078****Cr T Mileto/Cr M McDonell**

That Council notes the report by the Executive Support Manager (ESM) on motions to be submitted to the National General Assembly to be held in Canberra in June 2025 and that Motions be submitted to the ESM prior to COB on Friday 7 March 2025.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

**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 - 25/079****Cr M McDonell/Cr T Greenhalgh**

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 Entering into Contracts for Linemarking Services**

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 Submission Redaction Report 4 March 2025**

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

**6.3 Chief Executive Officer Report**

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 (a) personnel matters concerning particular individuals (other than councillors).

For: Cr T Mileto (Mayor), Cr K Duffy, Cr T Greenhalgh, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

The Mayor declared the Ordinary Meeting of Council adjourned for the conduct of the Closed Meeting at 8.40pm

The Mayor declared the Ordinary Meeting of Council resumed at 9.01pm

## 7 RESOLUTIONS FROM CLOSED MEETING

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

### 6.1 ENTERING INTO CONTRACTS FOR LINEMARKING SERVICES

TRIM REFERENCE: 2025/222

#### RESOLVED - 25/080

Cr J Whitton/Cr K Duffy

That Council resolves to:

- 1 Approve the establishment of a new Linemarking Services Panel under the Council's Purchasing Policy;
- 2 Approve the Chief Executive Officer, or his nominee, to enter into a standard contract with ACT Linemarking Pty Ltd, Gumbay Holdings Pty Ltd t/as Avante Linemarking, Central West Linemarking Pty Ltd and Complete Linemarking Services Pty Ltd for linemarking services as part of the Panel;
- 3 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.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

### 6.2 SUBMISSION REDACTION REPORT 4 MARCH 2025

TRIM REFERENCE: 2025/96

#### RESOLVED - 25/081

Cr T Greenhalgh/Cr F Kinghorne

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

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

### 6.3 CHIEF EXECUTIVE OFFICER REPORT

TRIM REFERENCE 2025/292

#### RESOLVED - 25/082

Cr M McDonell/Cr G Judge

That Council notes the report by the current Chief Executive Officer on the appointment of a new Chief Executive Officer for Orange City Council in the third quarter of 2025.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

### THE MEETING CLOSED AT 9.02PM

This is Page Number 8 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 4 March 2025.