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# ORANGE CITY COUNCIL

## MINUTES OF THE

## ORDINARY COUNCIL MEETING

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

ON 20 MAY 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 (6.41pm), Cr D Mallard, Cr M McDonell, Cr S Peterson (6.31pm), Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

A Chief Executive Officer (I Greenham), Director Corporate and Commercial Services, Director Development Services, Director Community, Recreation and Cultural Services, Manager Corporate Governance, Chief Financial Officer

#### 1.1 APOLOGIES

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##### RESOLVED - 25/185

Cr J Whitton/Cr M McDonell

That the apologies for lateness be accepted from Cr F Kinghorne and Cr S Peterson for the Council Meeting of Orange City Council on 20 May 2025.

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

Against: Nil

Absent: Cr F Kinghorne, Cr S Peterson

*\* Cr Peterson arrived at the meeting with the time being 6.31pm. \**

#### 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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Cr Peterson conducted an Acknowledgement of Country.

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

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Cr McDonell declared a Significant Non-Pecuniary Interest in Item 5.2 – Appointment of Joint Regional Planning Panel as she is a Councillor Appointed member.

Cr Peterson declared a Significant Non-Pecuniary Interest in Item 5.2 – Appointment of Joint Regional Planning Panel as an applicant is known to him.

Cr Power declared a Non-Significant Non-Pecuniary Interest in Item 5.2 – Appointment of Joint Regional Planning Panel as he is the alternate Councillor Appointed member.

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**1.5 OPENING PRAYER**

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Reverend Tim Goldsmith of the Orange Evangelical Church led the Council in Prayer.

**LGNSW AWARD PRESENTATION**

The Former Mayor Jason Hamling presented a 20 year service award from Local Government New South Wales.

*\* Cr Kinghorne arrived at the meeting with the time being 6.42pm.\**

**THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE OPEN FORUM AT 6.42pm.**

**Item 5.2 – Appointment of Joint Regional Planning Panel (JRPP) Member**

- Summer Commins

Cr Kinghorne asked the speaker if there was any risk of conflicts of interest given her Planning work.

*The speaker advised that conflicts of interest are disclosed in the general course of her work and this would be no different in the JRPP role.*

**THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 6.45pm.**

**2 MAYORAL MINUTES**

Nil

**3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING****RESOLVED - 25/186****Cr T Greenhalgh/Cr S Peterson**

That the Minutes of the Ordinary Meeting of Orange City Council held on 6 May 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 6 May 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

## 4 NOTICES OF MOTION/NOTICES OF RESCISSION

### 4.1 NOTICE OF MOTION - TEXTILES RECYCLING

TRIM REFERENCE: 2025/869

**RESOLVED - 25/187****Cr M McDonell/Cr S Peterson**

That staff investigate the costs and practicalities of a drop-off textiles recycling capacity being offered at the Orange Ophir Road Resource Recovery Centre, including investigating grant funding opportunities as well as partnership opportunities with organisations such as Textile Recyclers Australia, Upparel, Australian Clothing Recyclers, King Cotton, and Clothing Cleanup.

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

**QUESTION TAKEN ON NOTICE****Cr T Mileto**

Cr Mileto asked when damaged Solar Panels are delivered to the Resource Recovery Centre, can we recycle them.

**MATTER ARISING**

Cr Kinghorne noted that a Rail Action Group report had been provided to all Councillors and noted that the Central West Joint Organisation would continue to Lobby on the groups behalf.

**QUESTION TAKEN ON NOTICE****Cr M Ruddy**

Cr Ruddy noted that since January 2024, 131 women has been impacted by acts of violence. She requested that a report be provided to Council with information relating to an available Council site for a She Matters Mural to be painted.

## 5 GENERAL REPORTS

### 5.1 CONFIRMATION OF MINUTES FROM POLICY COMMITTEE MEETINGS 6 MAY 2025

TRIM REFERENCE: 2025/901

#### RESOLVED - 25/188

Cr J Whitton/Cr G Power

That Council resolves:

- 1 That the Minutes of the Planning & Development Policy Committee at its meeting held on 6 May 2025 be and are hereby confirmed as a true and accurate record of the proceedings.
- 2 That the Minutes of the Environmental Sustainability Policy Committee at its meeting held on 6 May 2025 be and are hereby confirmed as a true and accurate record of the proceedings.
- 3 That the Minutes of the Finance Policy Committee at its meeting held on 6 May 2025 be and are hereby confirmed as a true and accurate record of the proceedings.
- 4 That the Minutes of the Infrastructure Policy Committee at its meeting held on 6 May 2025 be and are hereby confirmed as a true and accurate record of the proceedings.
- 5 That the Minutes of the Recreation and Culture Policy Committee at its meeting held on 6 May 2025 be and are hereby confirmed as a true and accurate record of the proceedings.
- 6 That the Minutes of the Services Policy Committee at its meeting held on 6 May 2025 be and are hereby confirmed as a true and accurate record of the proceedings.
- 7 That the Minutes of the Regional and Economic Development Policy Committee at its meeting held on 6 May 2025 be and are hereby confirmed as a true and accurate record of the proceedings.

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 McDonell & Cr Peterson left the meeting with the time being 7.01pm\**

**5.2 APPOINTMENT OF JOINT REGIONAL PLANNING PANEL (JRPP) MEMBER**

TRIM REFERENCE: 2025/882

Cr McDonell declared a Significant Non-Pecuniary Interest in this item as she is a Councillor Appointed member left the chamber and did not participate in discussion or voting on this item.

Cr Peterson declared a Significant Non-Pecuniary Interest in this item as an applicant is known to him left the chamber and did not participate in discussion or voting on this item.

Cr Power declared a Non-Significant Non-Pecuniary Interest in this item as he is the alternate Councillor Appointed member.

**RESOLVED - 25/189****Cr K Duffy/Cr D Mallard**

That Council consider the two expression of interest submissions received and determine Ms Summer Commins to be appointed as Council's community representative for the final position on the Western Region Joint Regional Planning Panel - JRPP for the next three (3) year period.

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 McDonell & Cr Peterson returned to the meeting with the time being 7.04pm\**

**5.3 STATEMENT OF INVESTMENTS - APRIL 2025**

TRIM REFERENCE: 2025/875

**RESOLVED - 25/190****Cr D Mallard/Cr F Kinghorne**

That Council resolves to:

- 1 Note the Statement of Investments for the period April 2025.
- 2 Adopt the certification of the Responsible Accounting Officer.

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

**5.4 QUARTERLY CONSOLIDATED BUDGET REVIEW AND PROGRESS REPORT - QUARTER 3 OF 2024/2025**

TRIM REFERENCE: 2025/872

**RESOLVED - 25/191****Cr T Greenhalgh/Cr K Duffy**

That Council resolves:

- 1 That the information provided in the report on the Quarterly Budget and Performance Indicators review for January – March 2025 be acknowledged.
- 2 To adopt the variations in the consolidated overall cost to Council arising from the March 2025 quarterly review in the amount of a net operating deficit of \$135,498.

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

**QUESTION TAKEN ON NOTICE****Cr K Duffy**

Cr Duffy asked for a Report to be provided on the Profit and Loss of Council events relating to the 2025 Rainbow Festival

Cr Peterson asked if the operating balance deficit was now improving to \$136,000.

*The Chief Financial Officer indicated that the deficit in the general fund is actually \$186,000, which was the original budget for 2024/25. The forecast deficit in the consolidated fund deteriorated in position slightly to \$136,500 and proposed variations this quarter represent \$135,000.*

Cr Peterson asked if the \$18m loan is spilt and does it infer a slower spending which will delay construction.

*The Chief Financial Officer indicated the original loan draw down was in one year not over the two years of construction and this does not have any impact on construction.*

Cr Peterson acknowledged the pressure on the general fund over the water and sewer budget and asked if staff that work in these areas get paid from the restricted water and sewer funds or from the general operating budget.

*The Chief Financial Officer indicated that they are funded by the water and sewer fund.*

Cr Peterson indicated that there is a variation on the Conservatorium cashflow, what does this represent.

*The Chief Financial Officer indicated that this payment reflects the income that was expected from the sale of the Old Conservatorium that was originally budgeted in 2024/25 however now part of 2025/26.*

Cr Kinghorne noted Council applied to the OLG for approval to borrow money for the Conservatorium from its own funds and asked if we are only using half of it was there any expiration on that application?

*The Chief Financial Officer advised there was no expiration date for when the draw down occurs.*

Cr Kinghorne asked that if we were only taking half of the funds now, did that mean we are earning more on that than the interest on the other half we have not taken.

*The Chief Financial Officer indicated that it was still part of our investments earning a similar rate and all investment earnings are more than the loan rate.*

**QUESTION TAKEN ON NOTICE****Cr J Whitton**

Cr Whitton asked whether Elm trees recently removed on Anson Street near Kite Street would be replaced with Elm or another species of tree.

**5.5 RESPONSES TO QUESTIONS TAKEN ON NOTICE**

TRIM REFERENCE: 2025/107

**RESOLVED - 25/192****Cr M McDonell/Cr G Judge**

That the information contained in the report on responses to Questions Taken on Notice 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

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

TRIM REFERENCE: 2025/613

**RESOLVED - 25/193****Cr T Greenhalgh/Cr M McDonell**

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 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 Peterson asked if there was any progress on the vital signs of Orange.

*The Director Corporate & Commercial Services advised the stats were presented through the Economic Development Community Committee as part of the Central West Joint Organisation, know as it was previously 'the placemat'. This is now presented with more information at the Economic Development Community Committee. It is not currently available on Council's website as it does become out of date quickly. We will look at a way that we could include links to the data on websites that are updated.*

Cr McDonell asked if we have contacted the New South Wales government agencies for vacant land for affordable housing.

*The Director Development Services noted he would need to follow that up however, State owned land will continue to review land with renewing affordable housing statistics and which leads to prior resolution for a housing summit.*

Cr Ruddy asked if Arts of West will have an impact on the budget.

*The Director Community, Recreation & Cultural Services advised that there is a provision in the budget and the Gallery Director is currently working to report back as it is a body of work.*

## 6 CLOSED MEETING

In accordance with the Local Government Act 1993, and the Local Government (General) Regulation 2021, in the opinion of the Acting 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 Acting 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 - 25/194****Cr J Stedman/Cr G Judge**

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

**6.1 Proposed Acquisition of Land**

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 NSW Local Roads Congress - Additional 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.

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 Closed Meeting at 7.32pm.

The Mayor declared the Ordinary Meeting of Council resumed at 7.49pm.



## 7 RESOLUTIONS FROM CLOSED MEETING

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

### 6.1 PROPOSED ACQUISITION OF LAND

TRIM REFERENCE: 2025/578

**RESOLVED - 25/195****Cr M McDonell/Cr G Power**

That Council proceed with Compulsory Acquisition under the Land Acquisition (Just Terms Compensation) Act 1991 as per the terms contained in this 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

### 6.2 NSW LOCAL ROADS CONGRESS - ADDITIONAL NOMINATION FOR COUNCILLOR ATTENDANCE

TRIM REFERENCE: 2025/898

**RESOLVED - 25/196****Cr K Duffy/Cr J Whitton**

That Council resolves one additional Councillor will attend the NSW Local Roads Congress to be held in Sydney on Monday 2 June 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 7.50PM.

This is Page Number 9 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 20 May 2025.