
ORANGE CITY COUNCIL

MINUTES OF THE

ORDINARY COUNCIL MEETING

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

ON 5 AUGUST 2025

COMMENCING AT 6:30 PM

1 INTRODUCTION

ATTENDANCE

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 Support Officer, Manager Engineering Services

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 Kinghorne declared a Significant Pecuniary Interest in Item 4.3 - Notice of Motion - Advancing Menstrual Equity in Orange - Share the Dignity Council Cares Program as her business may benefit from the program.

Cr Kinghorne declared a Significant Pecuniary Interest in PDC Item 2.2 - Development Application DA 19/1995(2) - Lot 4 Ophir Road as her husband's consultancy company has undertaken work on this site.

Cr Kinghorne declared a Significant Pecuniary Interest in PDC Item 2.3 - Development Application DA 149/2007(2) - 1040 Pinnacle Road as her husband's consultancy company has undertaken work on this site.

Cr Kinghorne declared a Significant Pecuniary Interest in PDC Item 2.5 - Development Application DA 100/2025(1) - 59-67 Bathurst Road - KWS as her husband's consultancy company has undertaken work on this site.

Cr Kinghorne declared a Significant Pecuniary Interest in PDC Item 2.6 - Post-exhibition Report - Amendment to Orange Development Control Plan 2004 - 277 Cargo Road Site-Specific Development Control Plan as her husband's consultancy company has undertaken work on this site.

Cr Kinghorne declared a Significant Pecuniary Interest in PDC Item 2.7 - Amendment to Orange Development Control Plan 2004 - Site-Specific Development Control Plan - 274 Leeds Parade as her husband's consultancy company has undertaken work on this site.

Cr McDonell declared a Non-Significant Non-Pecuniary Interest in PDC Item 2.5 - Development Application DA 100/2025(1) - 59-67 Bathurst Road - KWS as she is an ex-student of Kinross Wolaroi High School.

Cr Ruddy declared a Significant Non-Pecuniary Interest in PDC Item 2.3 - Development Application DA 149/2007(2) - 1040 Pinnacle Road as the applicant is known to her.

Cr Stedman declared a Non-Significant Non-Pecuniary Interest in FPC Item 2.1 - 2(a) - Donation to Housing Plus as he is employed by Housing Plus.

Cr Whitton declared a Significant Pecuniary Interest in FPC Item 2.1 - 2(a) - Donation to Housing Plus as he is the Chairman for OCTEC who owns the building in which Housing Plus is a tenant.

RESOLVED - 25/365**Cr T Mileto/Cr G Power**

That the following Late Item be permitted to be considered at the Council Meeting of 5 August 2025:

- FPC Item 2.2 – Small Donations – Requests for Donations Additional

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 OPEN FORUM AT 6.35PM

FPC Late Item 2.2 – Small Donations – Requests for Donations Additional

- Jenny Hazelton – Orange Push for Palliative

PDC Item 2.3 – Development Application DA 149/2007(2) – 1040 Pinnacle Road

- Melissa Street

PDC Item 2.2 – Development Application DA 19/1995(2) - Lot 4 Ophir Road

- Written Submission from Deborah Kwa provided to Councillors
- Elizabeth Griffin

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 6.57PM.

The Mayor paid tribute to the outgoing Chief Executive Officer, David Waddell and thanked him for his time with Council.

2 MAYORAL MINUTES

Nil

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED - 25/366

Cr T Greenhalgh/Cr F Kinghorne

That the Minutes of the Ordinary Meeting of Orange City Council held on 15 July 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 15 July 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

Cr Kinghorne asked what the communication plans are in relation to the temporary closure of the Ash Street.

The Chief Executive Officer advised that communication is a key focal point and staff will hold regular meetings with the representatives of the business impacted by the closure.

Cr Duffy asked if the officer of TfNSW, who is a member of the Traffic Committee, has the power to overturn the Office of National Rail Safety Regulator and the NSW Rail Safety Laws in relation to the road priority changing of the closing railway.

The Director Technical Services advised that it is Ash Street that will be closing, not the Ash Street crossing. The realignment of the road has been passed by the Traffic Committee. He advised that under the new Roads Act that was introduced 1 August 2025, the local Traffic Committee is now disbanded and that there is a local transport forum going forward that has granted Council increased powers under that arrangement. TfNSW will no longer vote on Council proposals, however they do have the opportunity to address their concerns within that local transport forum.

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE POLICY COMMITTEE MEETINGS AT 7:09 PM

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 8:24 PM.

4 NOTICES OF MOTION/NOTICES OF RESCISSION

4.1 NOTICE OF MOTION - DV SAFE PHONE INITIATIVE

TRIM REFERENCE: 2025/1506

RESOLVED - 25/391**Cr D Mallard/Cr M McDonell**

That Council resolves to investigate opportunities to contribute to the DV Safe Phone initiative, including:

- 1 Establishing one or more donation collection points at Council locations such as the Civic Centre, Library, etc., so that community members can donate their old mobile phones to be collected, repaired and distributed to domestic violence victim-survivors
- 2 Donating Council-owned mobile phones whenever they are replaced and decommissioned
- 3 Encouraging Council staff and community members to consider donating their old personal mobile phones, and
- 4 Promoting the initiative among local organisations and agencies who provide support to victim-survivors of domestic violence and encouraging them to consider becoming an agency partner if they aren't one already.

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 F Kinghorne**

Cr Kinghorne asked what currently happens to old Council-owned phones when they are no longer required.

4.2 NOTICE OF MOTION - RAIL TOURISM OPPORTUNITIES

TRIM REFERENCE: 2025/1587

RESOLVED - 25/392**Cr S Peterson/Cr F Kinghorne**

That Council promote rail tourism opportunities to Orange in collaboration with Orange 360, Transport for New South Wales, Lachlan Valley rail and private rail journey operators.

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 left the meeting with the time being 8.35pm

4.3 NOTICE OF MOTION - ADVANCING MENSTRUAL EQUITY IN ORANGE - SHARE THE DIGNITY COUNCIL CARES PROGRAM

TRIM REFERENCE: 2025/1598

Cr Kinghorne declared a Significant Pecuniary Interest in item as her business may benefit from the program, left the meeting and did not participate in discussion or voting on this item.

MOTION**Cr M Ruddy/Cr M McDonell**

- 1 That Council acknowledge the information contained in this report.
- 2 Council implement a reusable period product rebate with a \$5,000 cap as a trial, offering a 50% reimbursement on purchases up to \$100 per household until the amount is exhausted.

AMENDMENT**Cr K Duffy/Cr G Judge**

That Council DEFERS the decision to implement a reusable period product rebate with a \$5,000 cap as a trial, offering a 50% reimbursement on purchases up to \$100 per household until the amount is exhausted to obtain further information from other Councils that have trailed similar services.

For: Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge

Against: Cr T Mileto (Mayor), Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Absent: Cr F Kinghorne

THE AMENDMENT ON BEING PUT WAS LOST**THE MOTION ON BEING PUT WAS CARRIED****RESOLVED - 25/393****Cr M Ruddy/Cr M McDonell**

- 1 That Council acknowledge the information contained in this report.
- 2 Council implement a reusable period product rebate with a \$5,000 cap as a trial, offering a 50% reimbursement on purchases up to \$100 per household until the amount is exhausted.

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

Against: Cr T Greenhalgh (Deputy Mayor), Cr G Judge

Absent: Cr F Kinghorne

Cr Duffy asked how much money Council has in the solid waste reserve.

The Chief Executive Officer advised that the money in the waste reserve is all earmarked for a certain purpose, similar to the water reserve and the sewer reserve.

Cr Kinghorne returned to the meeting with the time being 8.57pm

5 GENERAL REPORTS

5.1 CONFIRMATION OF MINUTES FROM PLANNING & DEVELOPMENT POLICY COMMITTEE MEETING 1 JULY 2025

TRIM REFERENCE: 2025/1560

RESOLVED - 25/394**Cr G Power/Cr M McDonell**

That the Minutes of the Planning & Development Policy Committee at its meeting held on 1 July 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

5.2 ADOPTION OF COUNCIL'S ORGANISATIONAL STRUCTURE

TRIM REFERENCE: 2025/235

RESOLVED - 25/395**Cr D Mallard/Cr F Kinghorne**

That Council adopt the Organisational Structure shown in the report with the Directorates of:

- Corporate and Commercial Services
- Community, Recreation and Cultural Services
- Technical Services
- Development Services

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 for clarification of Senior Staff noting Council should be consulted with employing or dismissing Senior Staff.

The Chief Executive Officer advised that this clause refers to Senior Staff on contract. Our Senior Staff, Directors are on the Award. This would still be relevant to other Councils who have Senior Staff Contracts.

5.3 VALUE OF MEMBERSHIPS

TRIM REFERENCE: 2025/1511

RESOLVED - 25/396**Cr M Ruddy/Cr J Whitton**

That Council resolve to pay the Joint Organisation and MERC membership invoices for the 2025/2026 year.

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 Ruddy asked how much money has come out of MERC within the last two years.

The Director Technical Services advised that while there have been no new allocations over the past two years, the community has benefited from the previous allocations, such as the Adventure Playground

Cr Peterson asked if there are any other similar long term commitments with an annual fee being paid to the organisation by Council.

The Chief Executive Officer advised that this goes back to Cr Ruddy's motion that any memberships exceeding \$10,000 be brought before Council.

RESOLVED - 25/397**Cr J Stedman/Cr G Power**

That the Council Meeting continue until 10.00pm, noting the time nearing 9.30pm in accordance with the Code of Meeting Practice defining the limit on Council Meetings.

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 GUIDELINE - OFFICE OF LOCAL GOVERNMENT - FREE SPEECH IN LOCAL GOVERNMENT NSW

TRIM REFERENCE: 2025/1498

RESOLVED - 25/398**Cr G Power/Cr D Mallard**

That Council acknowledge the Office of Local Government Guideline – Free Speech in Local Government in NSW.

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 left the meeting with the time being 9.25pm

5.5 EXTENSION OF LEASE SPRING CREEK DAM KINROSS WOLAROI SCHOOL - POST EXHIBITION

TRIM REFERENCE: 2025/1579

RESOLVED - 25/399**Cr M McDonell/Cr F Kinghorne**

- 1 That Council enter into a lease for a 21 year tenure for continued rowing by the Kinross Wolaroi School at Spring Creek Dam.
- 2 That approval be granted for the use of the Council Seal on any necessary documentation if required.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), 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: Cr K Duffy

5.6 COUNCILLOR RELATED STRATEGIC POLICY REVIEWS - POST EXHIBITION

TRIM REFERENCE: 2025/1519

RESOLVED - 25/400**Cr J Stedman/Cr M McDonell**

That Council resolves to adopt Strategic Policy ST02 - Code of Meeting Practice with a change to cl17.10 to lodge a Notice of Rescission by 5pm the day proceeding the meeting.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), 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: Cr K Duffy

Cr Peterson left the meeting with the time being 9.34pm and joined the meeting via Audio Visual link

5.7 POLICY REVIEW - EVENT UNDERWRITING FUND - POST EXHIBITION

TRIM REFERENCE: 2025/1589

RESOLVED - 25/401**Cr G Power/Cr D Mallard**

That Council adopts Strategic Policy - ST23 - Event Underwriting Fund Policy.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), 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: Cr K Duffy

5.8 STRATEGIC POLICY REVIEWS

TRIM REFERENCE: 2025/1518

RESOLVED - 25/402**Cr M McDonell/Cr M Ruddy**

That Council resolves to adopt the following Strategic Policy's:

- Strategic Policy ST21 – Child Safe
- Strategic Policy ST13 – Cyber Security
- Strategic Policy ST14 – Related Parties
- Strategic Policy ST07 – Modern Slavery
- Strategic Policy ST18 – Social Media
- Strategic Policy ST19 - Media
- Strategic Policy ST26 – Council-Related Development Applications – Managing Conflict of Interests.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), 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: Cr K Duffy

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 - 25/403**Cr M Ruddy/Cr D Mallard**

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

6.1 Minutes of the Audit Risk & Improvement Committee 4 June 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 (f) matters affecting the security of the Council, Councillors, Council staff or Council property.

6.2 Submission Redaction Report 5 August 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.

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

Against: Nil

Absent: Cr K Duffy

The Mayor declared the Ordinary Meeting of Council adjourned for the conduct of the Closed Meeting at 9.37pm.

The Mayor declared the Ordinary Meeting of Council resumed at 9.55pm.

7 RESOLUTIONS FROM CLOSED MEETING

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

6.1 MINUTES OF THE AUDIT RISK & IMPROVEMENT COMMITTEE 4 JUNE 2025

TRIM REFERENCE: 2025/1394

RESOLVED - 25/404**Cr F Kinghorne/Cr G Power**

That Council resolves:

- 1 That Council acknowledge the reports presented to the Audit, Risk & Improvement Committee at its meeting held 4 June 2025.
- 2 That the minutes of the Audit, Risk & Improvement Committee from its meeting held on 4 June 2025 be adopted.
- 3 That Council endorse the ARIC 4-year Strategic Plan.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), 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: Cr K Duffy

6.2 SUBMISSION REDACTION REPORT 5 AUGUST 2025

TRIM REFERENCE: 2025/1294

RESOLVED - 25/405**Cr M McDonell/Cr D Mallard**

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

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), 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: Cr K Duffy

THE MEETING CLOSED AT 9:56 PM

This is Page Number 10 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 5 August 2025.