



**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBER, CIVIC CENTRE, BYNG STREET, ORANGE**  
**ON 5 MAY 2026**  
**COMMENCING AT 6:00 PM**

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## **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 & Commercial Services, Director Development Services, Director Community, Recreation & Cultural Services, Director Infrastructure, Manager Corporate Governance, Manager Waste Services & Technical Support, Manager Community Services, Manager Communications & Engagement, Legal & Property Officer, Governance Officer (Allan)

### **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 Greenhalgh declared a Significant Non-Pecuniary Interest in item 4.2 - Notice of Motion - Indoor Playground Fitout Contributions, and the open forum item as she is a general member of Reach Sporting Association.

Cr Peterson declared a Non-Significant Non-Pecuniary Interest in item 4.2 - Notice of Motion - Indoor Playground Fitout and the open forum item as his son is involved in parkour which could take place at the venue.

Cr Peterson declared a Significant Non-Pecuniary Interest in RCPC item 2.1 - Minutes of the Bicycle Community Committee Meeting - 25 February 2026 as it involves safety upgrades at the intersection where he sustained personal injury.

**RESOLVED - 26/200****Cr F Kinghorne/Cr G Power**

That the following Late Item be permitted to be considered at the Council Meeting of 5 May 2026:

- Item 2.2 Mayoral Minute - Response from Minister for Local Government Ron Hoenig - Request for Review on Proposed Meeting Regarding Compensation for Sporting Ground Land

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 Greenhalgh left the meeting with the time being 6.04pm\**

**THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE OPEN FORUM AT 6:04PM.**

Item 4.2 - Notice of Motion - Indoor Playground Fitout Contribution

- Conor England - Reach Sporting Association

**THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 6:14PM.**

*\*Cr Greenhalgh returned to the meeting with the time being 6.14\**

**2 MAYORAL MINUTES****2.1 MAYORAL MINUTE - REGIONAL CITIES NSW (RCNSW) BOARD & COUNTRY MAYORS ASSOCIATION (CMA) BOARD MEETING MINUTES - MARCH 2026**

TRIM REFERENCE: 2026/763

**RESOLVED - 26/201****Cr T Mileto/Cr T Greenhalgh**

That Council note the Mayoral Minute on the Regional Cities NSW Board Meeting Minutes held on 26 March 2026 and the Country Mayors Association (CMA) Board Meeting Minutes held on 27 March 2026.

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

**2.2 MAYORAL MINUTE - RESPONSE FROM MINISTER FOR LOCAL GOVERNMENT RON HOENIG  
- REQUEST FOR REVIEW ON PROPOSED MEETING REGARDING COMPENSATION FOR  
SPORTING GROUND LAND**

TRIM REFERENCE: 2026/870

**RESOLVED - 26/202****Cr M McDonell/Cr D Mallard**

That the information contained in this Mayoral Minute - response from the Minister for Local Government Ron Hoenig – Request for review on proposed meeting regarding compensation for sporting ground land, 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

**QUESTION TAKEN ON NOTICE****Cr F Kinghorne**

Cr Kinghorne request confirmation from the Office of Local Government to clarify if it would have been an issue if the proposed meeting regarding compensation for the sporting ground land had taken place.

**3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING****RESOLVED - 26/203****Cr D Mallard/Cr M McDonell**

That the Minutes of the Ordinary Meeting of Orange City Council held on 21 April 2026 (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 21 April 2026.

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 6.28PM.**

**THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 7.10PM.**

**4 NOTICES OF MOTION/NOTICES OF RESCISSION**
**4.1 QUESTION WITH NOTICE - DEFIBRILLATOR (AED) UPDATE**

TRIM REFERENCE: 2026/719

**RESOLVED - 26/219**
**Cr M Ruddy/Cr M McDonell**

1 That this Item be heard and voted on in seriatim.

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 - 26/220**
**Cr T Greenhalgh/Cr K Duffy**

2 That Council acknowledge the 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

**RESOLVED - 26/221**
**Cr T Greenhalgh/Cr K Duffy**

3 That Council DEFER consideration of Defibrillator (AED) temporary hire or purchase for the purpose of obtaining additional information.

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 is a possibility of Council receiving a refund and not having the recalled AEDs returned.

*The Chief Executive Officer advised that some of the AEDs were provided through donation and others were subsidised, so the pathway for obtaining a refund is complicated.*

Cr Whitton asked if the provider is obligated to provide a refund to Council under consumer law.

*The Manager Community Services advised that there has been no response at this time from the provider regarding a potential refund, but that Council cannot take this further as it was Council's decision to remove the AEDs from the units.*

Cr Greenhalgh asked how many of the 16 AEDs were donated and how many were purchased.

*The Chief Executive Officer advised that approximately 5- 6 were donated.*

Cr McDonell noted that National First Aid would potentially charge \$90.00/month per AED, and asked when they can expect an accurate dollar figure.

*The Chief Executive Officer advised that staff have followed up and are still waiting for a response. He noted that there is a concern that if an AED was lost, Council would need to make up the cost for replacement.*

Cr Mileto asked if Council are the only organisation that has had these AEDs recalled.

*The Chief Executive Officer advised that it was a worldwide recall.*

Cr Whitton asked if Council could claim the loss of these AEDs on insurance.

*The Chief Executive officer advised that there is a \$50k deductible and the cost is less than this.*

Cr Whitton asked if there has been adequate communication to the community regarding the AEDs not being available.

*The Chief Executive Officer advised that the Communications Team has advertised regarding the removal and that signs have been placed on the units.*

Cr Duffy asked if Council has any statistics on how often AEDs are used in Orange.

*The Chief Executive Officer advised that none of the AEDs from this deployment were used while they were in place, though some were taken out and returned without needing to be used. There have been multiple incidents in the past few years of AEDs available in Council buildings being used.*

Cr Duffy asked if there are any AEDs available at Gosling Creek.

*The Chief Executive Officer advised that there are none at this time, but they could be added at a future date.*

Cr Greenhalgh asked if a list of businesses in Orange that have available AEDs could be added to the Council website and have this communicated this to the community.

*The Director Corporate & Commercial Services advised that there is a separate organisation that runs this service which Council has links to on the website, and that it is also available as an app. She advised that Council has removed the recalled AEDs from this list.*

#### **4.2 NOTICE OF MOTION - INDOOR PLAYGROUND FITOUT CONTRIBUTION**

TRIM REFERENCE: 2026/761

*Cr Greenhalgh declared a Non-Significant Non-Pecuniary Interest in this item left the meeting with the time being 7.31pm and did not participate in discussion or voting.*

*Cr Peterson declared a Non-Significant Non-Pecuniary Interest in this Item as his son is involved in parkour which could take place at the venue.*

#### **RESOLVED - 26/222**

**Cr S Peterson/Cr K Duffy**

That Council commit to a maximum \$50,000 co-contribution with Reach Sporting Association as part of the community building partnership 2026 NSW State government grant, subject to providing Council with additional information before proceeding to Stage 2 of the grant funding application.

For: Cr T Mileto (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: Cr T Greenhalgh (Deputy Mayor)

Cr Whitton suggested that staff help guide the applicant in preparing for the next grant as the application is lacking in information.

*The Director Corporate & Commercial Services advised that this grant process is different than others in that the Stage 1 of the application is due this week and is an Expression of Interest only, and Stage 2 is the full application and is due later this year. Applicants are only eligible if they pass Stage 1, but they can withdraw at any time between stages, so if Council were to approve funding after this meeting, they have the ability to change their decision after receiving further information.*

Cr Whitton asked how parkour and indoor rock climbing match up with Council's vision of an indoor playground.

*The Director Corporate & Commercial Services advised that she only has the information that is provided in the report.*

Cr McDonell asked if Council has applied for this grant.

*The Chief Executive Officer advised that they have not applied for this particular grant.*

Cr Kinghorne asked if Council still needs to match the co-contribution even if it is not Council that applies for the grant.

*The Director Corporate & Commercial Services advised that the grant requires property and landowners' consent and may require consent from Council, and that a letter of support does not mean a financial contribution.*

Cr Kinghorne asked if there would be any ramifications of Council retaining ownership of the equipment.

*The Director Corporate & Commercial Services advised that the equipment would be treated as another Council asset and an agreement would be needed for them leasing and maintaining it.*

*\*Cr Greenhalgh returned to the meeting with the time being 7.52pm\**

## 5 GENERAL REPORTS

### 5.1 CONFIRMATION OF MINUTES FROM THE EXTRAORDINARY PLANNING & DEVELOPMENT COMMITTEE MEETING 21 APRIL 2026

TRIM REFERENCE: 2026/831

#### **RESOLVED - 26/223**

**Cr D Mallard/Cr M McDonell**

That the Minutes of the Extraordinary Planning & Development Committee at its meeting held on 21 April 2026 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 Duffy asked if the developer is going to be at the site inspection tomorrow.

*The Chief Executive Officer advised that it is not standard practice to have the developer on a site inspection.*

### 5.2 IPART'S COUNCIL REFERENCE GROUP (CRG) - REVIEW OF RATE PEG METHODOLOGY

TRIM REFERENCE: 2026/750

#### **RESOLVED - 26/224**

**Cr D Mallard/Cr G Power**

That Council makes a submission to IPART outlining that the RATE PEG Methodology does not account for tourism numbers.

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

**5.3 REPORT ON WITHHOLDING TAX FROM COUNCILLOR REMUNERATION**

TRIM REFERENCE: 2026/753

**RESOLVED - 26/225****Cr M McDonell/Cr D Mallard**

That Council note the report on withholding tax from Councillor Remuneration.

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 Council's insurers had concerns with either method as stated in the report. *The Director Corporate & Commercial Services advised that the report should say the insurer had no concerns with either method.*

Cr Kinghorne asked what is meant by automated expectations from the tax office. *The Director Corporate & Commercial Services advised that Superannuation is calculated automatically through the payroll system and paid separately. If some Councillors chose to withhold tax and others did not it would cause a reconciling difference and increase the opportunity for error.*

Cr McDonell asked if the legislation requires a unanimous decision. *The Director Corporate & Commercial Services advised that the decision to be able to withhold tax needs to be unanimous, but the choice to withhold is individual.*

Cr Whitton asked if Councillors need to provide invoices if they choose not to partake. *The Director Corporate & Commercial Services advised that no, Council will continue to pay Councillors as normal.*

**5.4 DRAFT INTEGRATED PLANNING AND REPORTING - DELIVERY PROGRAM 2025-2029, OPERATIONAL PLAN AND RESOURCING STRATEGY 2026-2027 INCLUDING LONG TERM FINANCIAL PLAN, BUDGET, FEES & CHARGES, WORKFORCE MANAGEMENT STRATEGY AND ASSET MANAGEMENT STRATEGY**

TRIM REFERENCE: 2026/547

**RESOLVED - 26/226****Cr J Whitton/Cr G Power**

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

- 1 Draft Operational Plan 2026/2027 including Delivery Program 2025-2029
- 2 Draft Asset Management Strategy 2026/2027 (2027-2046)
- 3 Draft Long Term Financial Plan 2026/2027 (2027-2036)
- 4 Draft Workforce Management Strategy 2026/2027 (2027-2030)
- 5 Draft Budget 2026/2027
- 6 Draft Fees and Charges 2026/2027
- 7 Draft Strategic Policy ST27 - Statement of Revenue
- 8 Draft Strategic Policy ST28 - Asset Management.

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 the budget having the same number listed multiple times in succession means it is separate funding amounts or one amount that covers all expenses

*The Director Corporate & Commercial Services advised that it is not cumulative, it is the same number through different activities.*

Cr Peterson asked what the three different book stock categories are?

*The Manager Community Services advised that the first book stock is the Mary-Elizabeth Byrnes collection and trust which was a bequeathed to the library and used for ongoing purchases of Australian Literature. The second book stock is a fund dedicated to purchases for Orange City Library which are to remain solely at the Orange City Library rather than be rotated through the other branches. The third book stock program covers library stock for all 8 branches.*

Cr Peterson noted that the infrastructure renewal backlog general summary is not getting better nor worse.

*The Chief Executive Officer advised that work is being undertaken on analysing the backlogs and that an accurate figure will be provided when available.*

Cr Peterson asked for an update on a risk management session for Council.

*The Director Corporate & Commercial Services advised that a session is planned for 5 June 2026.*

Cr Peterson noted there is a large difference in the general fund proposed budget between 26/27 and 25/26 and asked if this is due to major project expenditure.

*The Director Corporate & Commercial Services confirmed that it is due to the major projects moving from Work in Progress.*

Cr Peterson asked why there is a change in the fees for negotiation assessment in planning agreements and why there are new fees regarding Development Control Plans.

*The Director Development Services advised that this is to address cost recovery and Council's time and resources while being consistent with what other regional Councils are charging.*

Cr Peterson asked why there has been a significant decrease in fees for the Orange Aquatic Centre. *The Manager Community Services advised that staff have been benchmarking prices against other regional facilities and that some upfront costs were higher for families than comparable centres. Staff are aiming to make it more accessible by introducing weekly or fortnightly membership payments and a Summer holiday family pass for families who only use the pool in those months.*

Cr Peterson asked if the increase in general cemetery charges and associated fees is due to changing the name of the charges.

*The Director Development Services advised that they have primarily changed the name as per a request from an auditor to clarify where GST was applicable.*

## 5.5 STRATEGIC POLICY REVIEWS - POST - EXHIBITION

TRIM REFERENCE: 2026/612

### RESOLVED - 26/227

Cr K Duffy/Cr D Mallard

That Council adopts the following Strategic Policies:

- ST21 – Child Safe
- ST32 – Donations & Grants
- ST34 – Water Carting
- ST61 – Swimming Pool Barrier Inspection Program

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 Chief Executive Officer acknowledged the Managers that have been acting in Executive Leadership roles over the past few months pending the recruitment of Directors and thanked them for their hard work\**

## 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 - 26/228****Cr M McDonell/Cr J Stedman**

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 Council Land - Orange Airport**

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 (d)i commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**6.2 Tender F3113-59 - Athletics Track and Field Design and Construction - Orange Sports Precinct**

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 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 8:13 PM.

The Mayor declared the Ordinary Meeting of Council resumed at 8:41 PM.

**7 RESOLUTIONS FROM CLOSED MEETING**

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

**6.1 LEASE COUNCIL LAND - ORANGE AIRPORT**

TRIM REFERENCE: 2026/555

**RESOLVED - 26/229****Cr J Whitton/Cr F Kinghorne**

That Council continue to charge the rental for all airport hangar ground land as adopted in Council's current Fees and Charges.

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 Stedman left the meeting with the time being 8.21pm\**

*\*Cr Stedman returned to the meeting with the time being 8.25pm\**

**6.2 TENDER F3113-59 - ATHLETICS TRACK AND FIELD DESIGN AND CONSTRUCTION - ORANGE SPORTS PRECINCT**

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TRIM REFERENCE: 2026/730

**RESOLVED - 26/230****Cr D Mallard/Cr G Power**

- 1 That the Chief Executive Officer be authorised to enter into a contract with Polytan Asia Pacific Pty Ltd for a value of \$4,550,195.30 (excl. GST) subject to a satisfactory financial check.
- 2 That the use of the common seal of Council be authorised for use on the associated contractual documents.

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 8:42 PM.**

This is Page Number 11 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 5 May 2026.