

---

# ORANGE CITY COUNCIL

MINUTES OF THE

## PLANNING & DEVELOPMENT COMMITTEE

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

ON 4 FEBRUARY 2025

COMMENCING AT 6:47 PM

---

### 1 INTRODUCTION

#### ATTENDANCE

---

Cr M McDonell (Chairperson), Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, 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, Acting Director Technical Services (Davies), Manager Corporate Governance, Governance Officer

#### APOLOGIES AND LEAVE OF ABSENCE

---

Nil.

#### 1.1 DECLARATION OF PECUNIARY INTERESTS, SIGNIFICANT NON-PECUNIARY INTERESTS AND LESS THAN SIGNIFICANT NON-PECUNIARY INTERESTS

---

Cr Peterson declared a Significant Non-Pecuniary Interest in item 2.2 – Development Application DA 405/2017(6) – 2 Cottonwood Way as he is a volunteer of the Orange Evangelical Church.

Cr Kinghorne declared a Significant Non-Pecuniary Interest in item 2.2 – Development Application DA 405/2017(6) – 2 Cottonwood Way as she resides nearby.

Cr Mallard declared a Non-Significant Non-Pecuniary interest in the Matter Arising from Cr Duffy relating generally to Solar Farms as he is a member and shareholder of Central West renewable Energy.

## 2 GENERAL REPORTS

### 2.1 ITEMS APPROVED UNDER THE DELEGATED AUTHORITY OF COUNCIL

TRIM REFERENCE: 2024/1760

#### RESOLVED - 25/002

Cr J Whitton/Cr T Greenhalgh

That Council resolves to acknowledge the information provided in the report by the Manager Development Assessments on Items Approved Under the Delegated Authority of Council.

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

\*Note: Cr Peterson had moved to the rear of the room in anticipation of leaving for the next time and voted for item 2.1 out of camera view.

*\*Cr Kinghorne & Cr Peterson left the meeting with the time being 6.48pm\**

### 2.2 DEVELOPMENT APPLICATION DA 405/2017(6) - 2 COTTONWOOD WAY

TRIM REFERENCE: 2025/2

*Cr Peterson declared a Significant Non-Pecuniary interest in this item as he is a volunteer of the Orange Evangelical Church, left the meeting and did not participate in discussion or voting on this item.*

*Cr Kinghorne declared a Significant Non-Pecuniary Interest in this item as she resides nearby, left the meeting and did not participate in discussion or voting on this item.*

#### MOTION

Cr T Mileto/Cr M Ruddy

That Council defer consideration of development consent DA 405/2017(5) for Place of Public Worship and Business Identification Sign at Lot 9 DP 746439 - 2 Cottonwood Way, Orange (formerly known as 241 Ploughmans Lane), to the Council Meeting on 18 February 2025 for the purpose of Councillors receiving additional information including the Acoustics report and information of the specific events to be held.

#### AMENDMENT

Cr J Whitton/Cr D Mallard

That Council modifies development consent DA 405/2017(5) for Place of Public Worship and Business Identification Sign at Lot 9 DP 746439 - 2 Cottonwood Way, Orange (formerly known as 241 Ploughmans Lane), pursuant to the conditions of consent in the attached modified Notice of Approval.

For: Cr T Greenhalgh, Cr D Mallard, Cr M McDonell, Cr G Power, Cr J Whitton

Against: Cr T Mileto (Mayor), Cr K Duffy, Cr G Judge, Cr M Ruddy, Cr J Stedman

Absent: Cr F Kinghorne, Cr S Peterson

Casting Vote: For – Cr M McDonell (Chairperson)

**THE AMENDMENT ON BEING PUT WAS TIED.**

**THE CHAIRPERSON (CR MCDONELL) USED A CASTING VOTE TO VOTE FOR THE AMENDMENT.**

**THE AMENDMENT WAS CARRIED AND BECAME THE MOTION.**

**THE MOTION ON BEING PUT WAS CARRIED.****RESOLVED - 25/003****Cr J Whitton/Cr D Mallard**

That Council modifies development consent DA 405/2017(5) for Place of Public Worship and Business Identification Sign at Lot 9 DP 746439 - 2 Cottonwood Way, Orange (formerly known as 241 Ploughmans Lane), pursuant to the conditions of consent in the attached modified Notice of Approval.

For: Cr T Greenhalgh, Cr D Mallard, Cr M McDonell, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Cr T Mileto (Mayor), Cr K Duffy, Cr G Judge

Absent: Cr F Kinghorne, Cr S Peterson

Cr Mileto asked if the application can be approved for a trial period of six months, to determine the extent of any impact to surrounding residents.

*The Director Development Services advised that the Land and Environment Court does not allow trial approvals.*

Cr Mileto asked for clarification on where in the report the additional information is provided.

*The Director Development Services advised that Conditions at 57 indicated events and activities that could be undertaken; and Condition 51 restrict events to 12 per year and people onsite are limited to 40 people after 10.30-11pm. It was also noted that while full technical information is not provided, the report provides information that the application is compliant.*

Cr McDonell asked how when the application has been lodged with Council.

*The Director Development Services advised the application was lodged in October 2023.*

*\*Cr Kinghorne & Cr Peterson returned to the meeting with the time being 7.03pm.\**

**MATTER ARISING****Cr K Duffy**

Cr Duffy noted that Solar Farms were not permitted within 10kms of an urban area and requested that comprehensive reports for Solar Farm developments (including such information as shareholders and independent funding) be included on reports presented to Council for consideration.

*The Chief Executive Officer advised that staff would include as much information as possible, including a site visit, however the Solar Farm application will go to the Regional Planning Panel for determination.*

Cr Mallard noted that he would declare a Non-Significant Non-Pecuniary interest in the Matter Arising from Cr Duffy generally relating to Solar Farms as he is a member and shareholder of Central West renewable Energy.

**THE MEETING CLOSED AT 7.08PM.**