

Mr Gary Styles
General Manager
Orange City Council
PO Box 35
ORANGE NSW 2800

Attention: Mr David Waddell, Director Development Services

Dear Mr Styles

Planning proposal (PP_2018_ORANG_001_01) to amend Orange Local Environmental Plan 2011- Towac Park Precinct – Alteration of Gateway determination and proceed to community consultation.

I refer to Council correspondence dated 1 April 2019 and 11 April 2019 in relation to satisfying Gateway determination conditions 1, 2, and 3, requesting plan making delegation for PP_2018_ORANG_001_01 and to extend the timeframe to finalise the LEP amendment by six (6) months.

I wish to advise that Orange City Council has provided adequate information to satisfy conditions 1, 2 and 3 of the Gateway determination issued on 21 December 2018 and may now proceed to community consultation.

In relation to section 9.1 Directions 1.2 Rural Zones, 1.3 Mining, Petroleum Production and Extractive Industries, 3.1 Residential Zones and 5.10 Implementation of Regional and State Environmental Planning Policies (Rural Lands 2008 and No 55 Remediation of Land) I have considered the information provided and I am satisfied that the inconsistencies have been addressed and no further work is required in relation to these matters.

In relation to Council's request to be authorised as the local plan-making authority. I have considered the work that Council has undertaken and have conditioned the Alteration of Gateway determination for Council to be authorised as the local plan-making authority.

I have determined as the delegate of the Minister, in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 21 December 2018 for PP_2018_ORANG_001_01 to allow Council to be the local plan-making authority and extend timeframe by six (6) months until 21 June 2020. The Alteration of Gateway determination is enclosed.

The amending local environmental plan (LEP) is to be finalised by 21 December 2019. Council should aim to commence the community consultation as soon as possible. Council's request to draft and finalise the LEP should be made directly to

Parliamentary Counsel's Office (parliamentary.counsel@pco.nsw.gov.au) ten (10) weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment (westernregion@planning.nsw.gov.au) for administrative purposes.

All related files for the LEP Amendment, including PDF Maps, Map Cover Sheet, planning proposal documents and GIS data, if available, must be submitted to the Department via the Planning Portal Website at www.planningportal.nsw.gov.au/planning-tools/online-submission-planning-data.

In accordance with "A guide for the preparation of local environmental plans" the authorised plan making reporting template is enclosed for Council's information. Table 2 of the attachment is to be completed and included in Council's section 3.36 submission when requesting the planning proposal be finalised.

Please ensure that the planning proposal has been adjusted to include only the land as identified in **Attachment A**.

Please include this letter as part of the community consultation package.

If you have any further questions, please contact Mr Wayne Garnsey, Team Leader, from the Department of Planning and Environment, Western Region office, on 5852 6800.

Yours sincerely



12.4.19

Damien Pfeiffer
Director Regions, Western
Planning Services

Encl:
Alteration of Gateway Determination
Attachment A – Land the subject of this Gateway determination
Authorised plan-making reporting template

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2018_ORANG_001_01) to amend Orange Local Environmental Plan 2011- Towac Park Precinct.

I, Director Regions, Western at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 21 December 2018 for the proposed amendment to the Orange Local Environmental Plan 2011- Towac Park as follows:

1. Delete

"condition 7", The timeframe for completing the LEP is to be **12 months** following the date of the Gateway determination.

and replace with:

a new condition 7: The time frame for completing the LEP is to be by 21 June 2020.

2. Insert new condition 8

"Condition 8"

The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
- (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

Dated 12th day of April 2019.



Damien Pfeiffer
Director Regions, Western
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning

ATTACHMENT A: Land the subject of this planning proposal:

Address	Real property address
113 Canobolas Road	Lot 11 DP 700977
24 Canobolas Road	Part Lot 2 DP 615542
77 James Road	Lot 14 DP 785177
5 Ploughmans Lane	Part Lot 15 DP 785177
16 James Road	Lot 16 DP 846647
1 Ploughmans Lane	Lot 17 DP 846647
35 Pinnacle Road	Lot 1 DP 310521
136 Pinnacle Road	Lot 192 & Lot 144 DP 750401
Roads	
Address	Real property address
57 Ploughmans Lane	Lot 10 DP 700977
53 Ploughmans Lane	Lot 9 DP 700977
45 Ploughmans Lane	Lot 8 DP 700977
39 Ploughmans Lane	Lot 7 DP 700977
35 Ploughmans Lane	Lot 6 DP 700977
27 Ploughmans Lane	Lot 5 DP 700977
17 Ploughmans Lane	Lot 4 DP 700977

Attachment 5 –Plan making reporting template when Council is authorised to make the local environmental plan

Reporting template for LEP amendments where Council is authorised to make the plan

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- Planning proposal authority (PPA) is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the PPA should add additional rows to **Table 2** to include this information
- The PPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP tracking system, LEPs Online, is kept up to date
- A copy of this completed report must be provided to the department with the PPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP 2018 ORANG 001 01
Date Sent to DPE under s3.34	
Date considered at LEP Review Panel	N/A
Gateway determination date	21 December 2018

Table 2 – To be completed by the PPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date Council requested draft LEP from PCO		
Date draft LEP received from PCO		
Date Council requested final PCO Opinion		
Date Council received final PCO Opinion		
Date Council provided/requested GIS data or maps.		
Date ePlanning confirmed mapping is suitable and sent to PCO.		
LEP Finalisation date (Date LEP made by GM (or other) under delegation)		
Date sent to DPE requesting notification		

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information: