



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

16/08931

Dear Mr Styles

**Re: Planning proposal (PP\_2016\_ORANG\_003\_00) – Orange LEP 2011 – Amendment 15 – To increase the permitted height of buildings from 12 metres to 20 metres over part Lot 564 DP 776383 at 194 Anson Street, Orange through amendment to the Height of Buildings Map**

I am writing in response to your Council's request for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) in respect of the planning proposal to increase building height over part Lot 564 DP 776383, 194 Anson Street, Orange.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

The planning proposal is seeking to vary the height of buildings (HOB) standard from 12 metres to 20 metres to facilitate the development of a multi-storey serviced apartment building on part of the site fronting Anson Street. Given the significant change in height and the current Orange City Centre Plan 2010 – Development Guidelines a review of height controls for the block on which the Myer centre is located should be reviewed as part of the planning proposal.

The Department recognises that this site in Orange's city centre is of strategic importance and the closure of Myer at the end of 2016 presents an opportunity to undertake strategic planning for the site's future. To this end, the Department with the Office of the Government Architect would like to extend an offer to assist Council in undertaking preliminary strategic design assessment of the site to guide future development options.

The Department is able to offer advice on design services or procurement services should Council wish to engage a design consultant separately.

Plan making powers were delegated to Councils by the Minister in October 2012. I have considered the nature of Council's planning proposal and have decided not to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 8 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

If you would like to discuss this opportunity further or should you have any further enquiries, please contact Ashley Albury at the Department's Western Region office on (02) 6841 2180.

Yours sincerely

 5 October 2016  
**Stephen Murray**  
**Executive Director Regions**  
**Planning Services**

Encl:  
Attachment 1 – Gateway determination