

Mr David Waddell
Chief Executive Officer
Orange City Council
PO Box 35
ORANGE NSW 2800

Attention: Craig Mortell – Senior Planner – Development Services

Dear Mr Waddell

Planning proposal (PP-2022-4088) to amend Orange Local Environmental Plan 2011 – 12-20 Shiralee Road, Orange.

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend zones and minimum lot sizes for 12-20 Shiralee Road, Orange.

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with Ministerial Direction 4.1 Flooding under section 9.1 of the Act, requires further consultation with Biodiversity, Conservation and Science directorate in accordance with the terms of the Direction.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised on or before 23 July 2024. Council should aim to commence the exhibition of the planning proposal as soon as possible. Prior to public exhibition, Council is to address condition 1 of the Gateway determination to ensure exhibited documents for this planning proposal are adequate. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the Gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Oyshee Iqbal to assist you. Ms Iqbal can be contacted on 5852 6824.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. Hopkins', with a stylized, cursive script.

27th September 2023

Garry Hopkins
Director, Western Region
Local and Regional Planning

Encl: Gateway determination