

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

Our ref: IRF23/3327

Dear Mr Waddell

Planning proposal (PP-2023-1363) to amend Orange Local Environmental Plan 2011

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) and additional information received on 16 November 2023 in respect of the planning proposal to rezone land at 26 Lysterfield 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 applicable directions of the Minister under section 9.1 of the Act 4.1 Flooding is justified in accordance with the terms of the Direction. No further approval is required in relation to the Directions.

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 30 September 2024. Council should aim to commence the exhibition of the planning proposal as soon as possible.

Parliamentary Counsel's Office is not responsible for the drafting of map-only amendments to LEPs. Requests for legal drafting for map-only amendments must instead be sent to mapinstrument.drafting@dpie.nsw.gov.au. The relevant Department of Planning and Environment team contact should be copied into the request. The request must include the drafting instruction template, planning proposal and gateway Determination.

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, August 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 Meredith McIntyre to assist you. Ms McIntyre can be contacted on 6229 7912.

Yours sincerely

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

Garry Hopkins
Director Western Region
Local and Regional Planning

Encl: Gateway determination

22/12/2023