



## Department of Planning, Housing and Infrastructure

Our ref: PP-2023-2696 (IRF24/2767)

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

Dear Mr Waddell

### **Planning proposal PP-2023-2696 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) on 5 November 2024 in respect of the planning proposal to rezone land to R1 General Residential and introduce 500m2 MLS at part 168 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 proposal is consistent with the applicable Directions of the Minister under section 9.1 of the Act. 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 6 October 2025. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made well in advance of the date the LEP is projected to be made.

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](mailto:mapinstrument.drafting@dpie.nsw.gov.au). The relevant Department of Planning, Housing and Infrastructure 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, Housing and Infrastructure, 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 Llyan Smith to assist you. Ms Smith can be contacted via [llyan.smith@dpie.nsw.gov.au](mailto:llyan.smith@dpie.nsw.gov.au)

Yours sincerely

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

**Jessica Holland**  
**Manager, Southern, Western and Macarthur Region**  
**Local Planning and Council Support**  
**Department of Planning, Housing and Infrastructure**

Encl: Gateway determination