



Department of Planning, Housing and Infrastructure

Our ref: PP-2023-934/IRF24/1506

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

Dear Mr Waddell

Planning proposal (PP-2023-934) 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) in respect of the planning proposal to rezone land, reduce the minimum lot size, and amend mapping at 277 Cargo 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 (3.1 Conservation Zones, 9.1 Rural Zones and 9.2 Rural Lands) is justified in accordance with the terms of the Directions. No further approval is required in relation to the Directions.

I have determined not to authorise Council to be the local plan-making authority for this proposal as it seeks to identify the site as a URA which requires arrangements for designated State public infrastructure. It is also recommended that Council seek comment from Transport for NSW on any designated State public infrastructure that may be required to support the proposal.

The amending local environmental plan (LEP) is to be finalised on or before 30 April 2025. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Housing and Infrastructure to draft and finalise the LEP should be made eight weeks 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. The relevant Department of Planning, Housing and Infrastructure team contact should be copied into the request. The request must include the 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 Llyan Smith to assist you. Ms Smith can be contacted on 02 9274 6347.

Yours sincerely

1/8/2024

Chantelle Chow
Acting Director, Southern, Western and Macarthur Region
Local Planning and Council Support

Encl: Gateway determination