



IRF25/2346

Gateway determination report – PP-2025-1841

Orange LEP 2011 Housekeeping amendment

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Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

Contents

1	Planning proposal.....	3
1.1	Overview	3
1.2	Objectives of planning proposal.....	3
1.3	Explanation, Mapping and Assessment of provisions	3
2	Need for the planning proposal	25
3	Strategic assessment	25
3.1	Regional Plan	25
3.2	Local.....	26
3.3	Section 9.1 Ministerial Directions.....	27
3.4	State environmental planning policies (SEPPs)	30
4	Site-specific assessment	31
4.1	Environmental.....	31
4.2	Social and economic.....	31
4.3	Infrastructure	31
5	Consultation.....	31
5.1	Community	31
5.2	Agencies.....	31
6	Timeframe.....	31
7	Local plan-making authority	32
8	Assessment summary	32
9	Recommendation.....	33

Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Planning Proposal PP-2025-1841
Council Report, 5 August 2025
Council Meeting Resolution, 11 August 2025
Supplementary Council Report, 2 September 2025
Council Meeting Resolution, 5 September 2025

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Orange City
PPA	Orange City Council
NAME	Housekeeping amendment – Orange LEP 2011
NUMBER	PP-2025-1841
LEP TO BE AMENDED	Orange Local Environmental Plan 2011
ADDRESS	Various locations throughout the LGA
DESCRIPTION	Various housekeeping amendments throughout the LGA
RECEIVED	22/09/2025
FILE NO.	IRF25/2346

1.2 Objectives of planning proposal

The objectives of the planning proposal are to:

- facilitate compatible economic development opportunities for creative industries, community events and business premises.
- implement various administrative changes to the LEP to facilitate and manage suitable housing opportunities,
- correct mapping to reflect purpose, use and existing cadastral boundaries,
- correct Schedule 5 Heritage listings.

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

1.3 Explanation, Mapping and Assessment of provisions

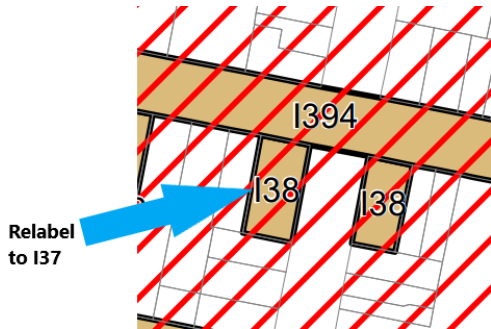
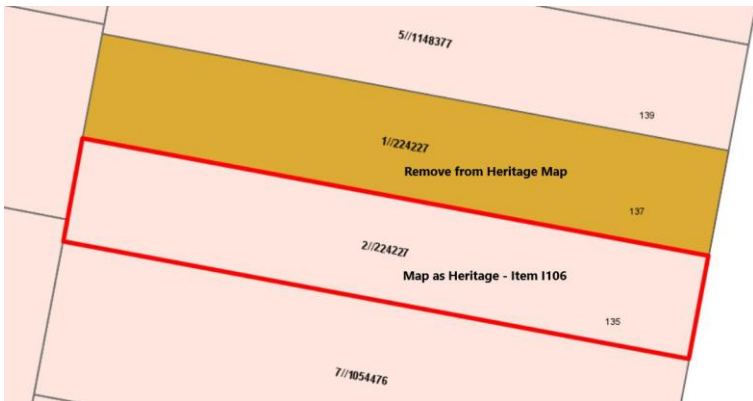
The planning proposal (Attachment A) seeks to amend the Orange LEP 2011 per the items identified in **Table 3**. The planning proposal has been presented by Council as 23 amendment items.

The planning proposal includes mapping showing the proposed changes to the Land Zoning, Heritage and Additional Permitted Uses maps, which are suitable for community consultation.

The planning proposal notes the 11 heritage corrections result from either discovery of errors or updates following registration of approved subdivisions. No further details were provided by Council in relation to these errors or changes.

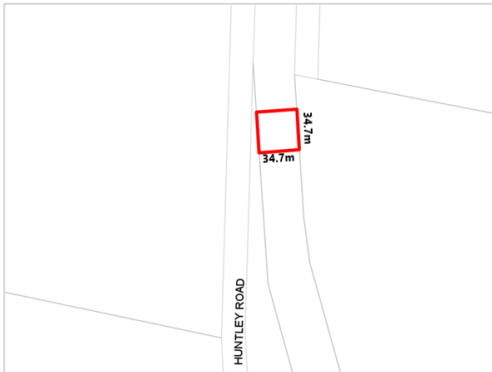
Table 3 Proposed LEP changes, Mapping and Assessment of Amendment Items.

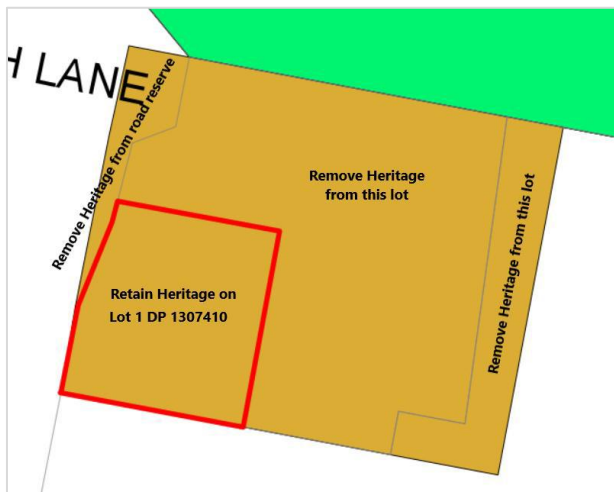
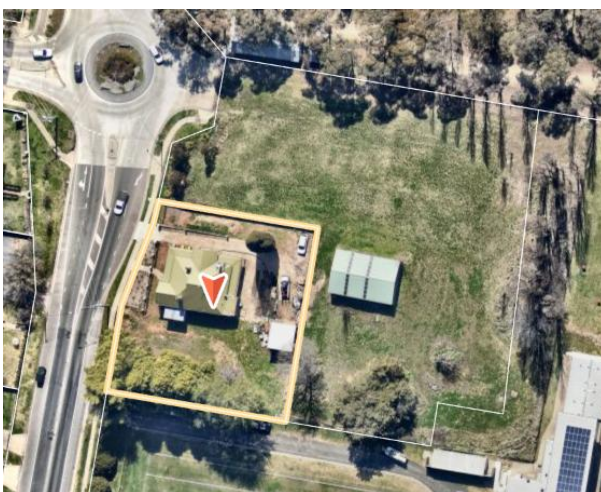
Item	Location	Existing	Proposed LEP change	Justification	Department Assessment
Heritage – Corrections to Schedule 5 Environmental heritage – Part 1 Heritage Items					
1.	1 Bathurst Road, Bowen (corner of Summer Street) Lots 1 and 2, DP 975158	Item I53 – the Schedule entry is inaccurately labelled “I153”.	Amend Item No. “I153” to “I53”.	Correct error.	The amendment item has merit.
2.	33–45 Glenroi Street, Glenroi Lots 17–21, Section 7, DP 13315; Lot 1, DP 436291	Item I273 – the address inaccurately states “Glenroi Street”.	Amend “Glenroi Street” to “Glenroi Avenue” for Item I273.	Correct street name error.	The amendment item has merit.
3.	101–105 Burrendong Way, Bletchington Lot 93, DP 1120242	Item I318 – the Schedule entry is listed twice but with different lots.	Remove listing I318 associated with address Lot 93 DP 1120242. The correct description remains and is Lot 3 DP 1233201.	Remove duplicate listing.	The amendment item has merit.
Heritage – Map corrections to Heritage Map sheets (various)					
4.	Item I37 82 Byng Street, Orange Lot 1, DP 719380	Mapping: Heritage Map – Sheet HER_008C The site of “Brownholm” house is marked by the blue arrow in Figure 1 and mislabelled as I38.	Rename label “I38” at Lot 1 DP 719380 to “I37”.	Correcting a labelling error in the heritage mapping.	The amendment item has merit.

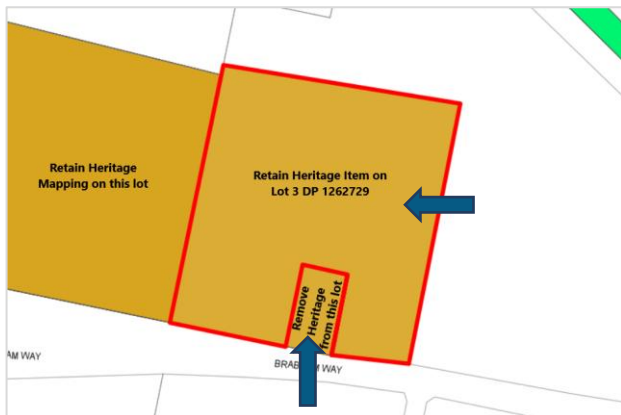
Item	Location	Existing	Proposed LEP change	Justification	Department Assessment
		 Figure 1: Heritage Item I37 (source: Planning Proposal PP-2025-1841, p.25)			
5.	Item I106 135 Edward Street, Glenroi Lot 2, DP 224227	Mapping: Heritage Map – Sheet HER_008C The site is outlined in red in Figure 2 but the heritage item mapping is over the adjacent Lot 1 DP 224227.	Apply heritage item mapping over Lot 2 DP 224227 and remove it from Lot 1 DP 224227, as shown in Figure 2 .	Correct a mapping error by moving the heritage overlay to the correct lot listed in Schedule 5.	The amendment item has merit.
		 Figure 2: Heritage Item I106 (source: Planning Proposal PP-2025-1841, p.25)			

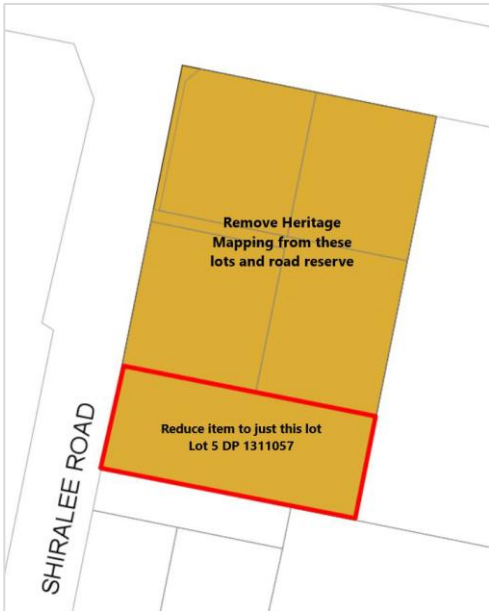
Item	Location	Existing	Proposed LEP change	Justification	Department Assessment
6	Item I247 350 Peisley Street, Bletchington Lot 1, DP 354656	Mapping: Heritage Map – Sheet HER_007D The heritage mapping covers Lot 1 DP 354656 as shown by the orange mapping in Figure 3 .	Amend the heritage item mapping to cover the eastern portions of: - Lot 1 DP 224227 (350 Peisley Street, Bletchington), and - Lot 2 DP 354656 (350 Peisley Street, Bletchington), as shown by the red outline in Figure 3 .	This amendment refines the heritage mapping to the immediate curtilage of the building, situated in the eastern portion of both lots.	The proposal to remove the heritage status from parts of Lot 1 DP354656 does not include an explanation as to why it should be removed. Therefore, additional information is required to provide site context and justification. In addition to the mapping changes, the Department recommends revising the associated Schedule 5 entry to include an updated property description of “Part Lot 1 & Part Lot 2, DP 354656”. A <u>Gateway condition</u> is therefore recommended requiring the planning proposal be updated prior to public exhibition to provide additional information justifying the heritage item mapping changes and update the property description of the heritage item.
		 Figure 3: Heritage Item I247 (source: Planning Proposal PP-2025-1841, p.26)		 Figure 4: Aerial showing the building footprint over 2 lots (source: SDT Explorer 2025)	
7.	Item I346 13 Warburton Lane, Spring Hill Lot 1, DP 1121921; Lot 7300 DP 114472	Mapping: Heritage Map – Sheet HER_015 The mapped heritage item mapping covers Lot 1 DP 1121921 as shown by the	Amend the heritage item mapping to extend into an adjacent portion in the neighbouring Lot 7300 DP 114472 as shown by the red outline in Figure 5 .	The amendment expands the heritage mapping to include a portion of the adjoining lot that is already used as part of the Spring Hill Cemetery. This change ensures the heritage curtilage in the adjoining lot	In addition to the mapping changes, the Department recommends revising the associated Schedule 5 entry to include a refined property description of Lot 1, DP 1121921; “Part” Lot 7300, DP 114472.

Item	Location	Existing	Proposed LEP change	Justification	Department Assessment
		orange mapping in Figure 5 .		aligns with the fenced boundary of the cemetery. The adjoining lot is also already listed in the property description of the Schedule entry item, but currently not mapped.	A <u>Gateway condition</u> is therefore recommended requiring a minor update to the property description of the heritage item.
		 Figure 5: Heritage Item I346 (source: Planning Proposal, p.26)	 Figure 6: Aerial showing the cemetery boundary extending into the neighbouring Lot 7300 DP 114472 (source: SDT Explorer 2025)		
8.	Item I353 Huntley Road and Kinghorne Lane, Spring Hill Railway reserve adjacent to Lot 341, DP 1176618; Lot 1,	Mapping: Heritage Map – Sheet HER_008D & Sheet HER_009 For Item I353, no lots are mapped. The property description does not directly list the lots	Heritage item mapping is added to the following 4 sites shown in Figures 7-10 . The sites match the Schedule entry's property description of being	The amendment seeks to introduce mapping to an existing Schedule entry that covers various lots containing railway infrastructure, including bridges and culverts.	The amendment item has merit.

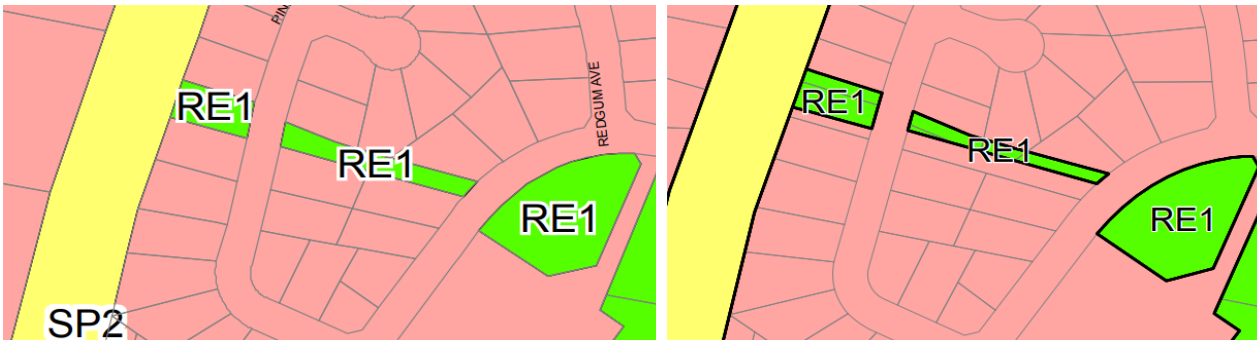
Item	Location	Existing	Proposed LEP change	Justification	Department Assessment
	DP 152629; Lot 1, DP 195413; Lot 1, DP 828893	covered by the Schedule entry.	adjacent to four particular lots.		
					
	Figure 7: Heritage Item I353 - Part A (source: Planning Proposal, p.27)				
					
	Figure 8: Heritage Item I353 - Part B (source: Planning Proposal, p.27)				
					
	Figure 9: Heritage Item I353 - Part C (source: Planning Proposal, p.28)				
					
	Figure 10: Heritage Item I353 - Part D (source: Planning Proposal, p.28)				

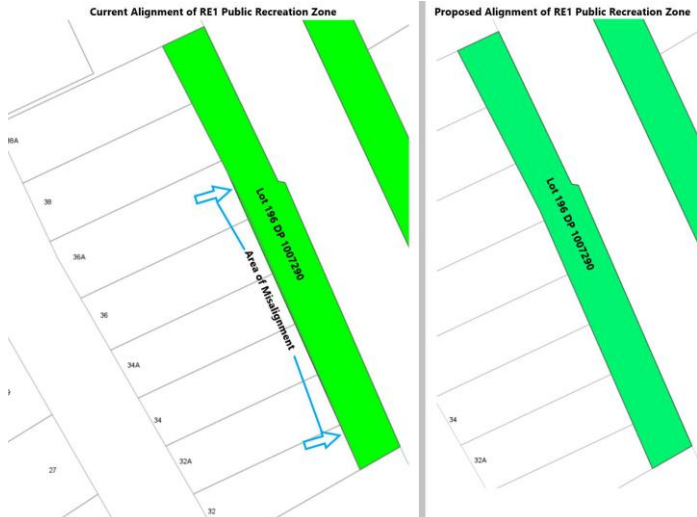
Item	Location	Existing	Proposed LEP change	Justification	Department Assessment
Heritage – Map and Schedule corrections to Heritage Maps (various) and Schedule 5 Environmental heritage – Part 1 Heritage Items					
9.	Item I71 94 Woodward Street, Warrendine Lots 1–4, DP 6662	Schedule 5: Item I71 has a superseded address and property description. Mapping: Heritage Map – Sheet HER_008A The heritage item mapping covers multiple lots as shown by the orange mapping in Figure 11 .	Schedule 5: For Item I71, update the address to “92 Woodward Street” and property description to “Lot 1, DP 1307410”. Mapping: Reduce heritage item mapping to cover only Lot 1 DP 1307410 as outlined in red in Figure 11 .	The amendment seeks to refine the Schedule entry and mapping to include only the subdivided lot the heritage house is situated in.	The proposal to remove the heritage status from Lots 2 and 3, DP 1307410 does not include an explanation as to why it should be removed. Therefore, additional information is required to provide site context and justification. Mapping should clearly differentiate the existing and proposed heritage mapping for Item I71 A <u>Gateway condition</u> is therefore recommended requiring the planning proposal be updated prior to public exhibition to provide additional information justifying the heritage item mapping changes and revise the mapping.
 Figure 11: Heritage Item I71 (source: Planning Proposal, p.29)  Figure 12: Aerial showing the dwelling located in Lot 1 DP 714681 (source: Nearmap 2025)					

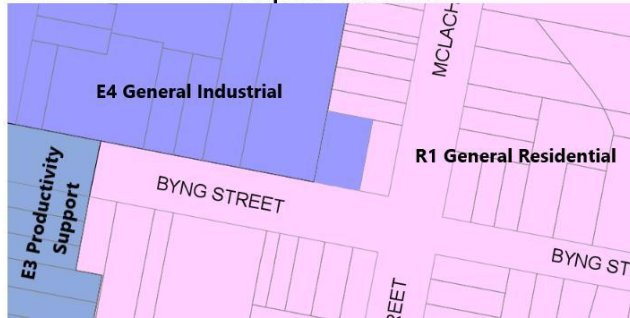
Item	Location	Existing	Proposed LEP change	Justification	Department Assessment
10.	Item I113 Dairy Creek Road, Glenroi Lot 26, DP 1087281	Schedule 5: Item I113 is identified as “Orchard and ruins” on Lot 26, DP 1087281. . Mapping: Heritage Map – Sheet HER_008D Lot 3 DP 126729 and Lot 1 DP 539043 are mapped under Item I113 and denoted by the blue arrows in Figure 13 .	Schedule 5: For Item I113, update the property description to “Lot 3, DP 1262729”. Mapping: Reduce heritage item mapping to cover only Lot 3 DP 1262729 as outlined in red in Figure 13 .	The property address of Lot 26, DP 1087281has been superseded. The amendment seeks to update the listing and mapping to include only Lot 3 DP 1262729 where the orchard and ruins are located. Heritage mapping over Lot 1 DP 15399043, where a dwelling is situated, is proposed to be removed, although explanation as to why has not been provided..	The proposal to remove the heritage status from Lot 1 DP539043 does not include an explanation as to why it should be removed. Therefore, additional information is required to provide site context and justification. Mapping should clearly differentiate the existing and proposed heritage mapping for Item I113 A <u>Gateway condition</u> is recommended requiring that the planning proposal be updated prior to public exhibition to provide additional information justifying the heritage item mapping changes and revise the mapping.
 Figure 13: Heritage Item I113 (source: Planning Proposal, p.29)  Figure 14: Aerial over the various lots (source: SDT Explorer 2025)					
11.	Item I286 168 Shiralee Road, Canobolas	Schedule 5: Item I286 contains an address for a lot outside the existing heritage curtilage and a property	Schedule 5: For Item I286, update the address to “170 Shiralee Road” and property	The amendment seeks to update the listing and mapping to include only Part Lot 5 DP 1311057 where the former house and packing shed,	The proposal to remove the heritage status from Lots 1-4 DP51311057 does not include an explanation as to why it should be removed. Therefore, additional

Item	Location	Existing	Proposed LEP change	Justification	Department Assessment
	Lot 100, DP 750401	description that has been superseded. Mapping: Heritage Map – Sheet HER_008B The heritage item mapping covers multiple lots as shown by the orange mapping in Figure 15.	description to “Lot 5, DP 1311057”. Mapping: Reduce heritage item mapping to cover only Part Lot 5, DP 1311057 as outlined in red in Figure 15.	which the Schedule entry intends to conserve, is located.	information is required to provide site context and justification. Mapping should clearly differentiate the existing and proposed heritage mapping for Item I286 A <u>Gateway condition</u> is recommended requiring that the planning proposal be updated prior to public exhibition to provide additional information justifying the heritage item mapping changes, revise the mapping and to update the property description to “Part” Lot 5, DP 1311057 as the proposed heritage curtilage does not cover the entire lot.
 Figure 15: Heritage Item I286 (source: Planning Proposal, p.30)  Figure 16: Aerial with Lot 5 DP 1311057 highlighted (source: SDT Explorer 2025)					

Item	Location	Existing	Proposed LEP change	Justification	Department Assessment
Zoning Amendments					
12.	(i) 8 Glendale Crescent, Orange (Lot 38 DP 841430) (ii) 24 Pine Ridge Drive, Orange (Lot 39 DP 841430) (iii) 7 Glendale Crescent, Orange (Lot 37 DP 841430) (iv) 5 Westhaven Place, Orange (Lot 22 DP 829469) (v) 15 Pineridge Drive, Orange (Lot 23 DP 829469) (vi) 22 Pineridge Drive, Orange (Lot 25 DP 829469)	Mapping: Land Zoning All 6 lots are currently split zoned with R2 Low Density Residential and RE1 Public Recreation zoned land as shown in Figure 17 (right image) .	Revert back to the original Pre-Amendment No. 24 land zoning by rezoning: - locations (i) and (ii) to be fully zoned RE1 Public Recreation, and - locations (iii) – (vi) to be fully zoned R2 Low Density Residential, as shown in Figure 17 (left image) .	The amendment seeks to correct a minor zoning error made during the gazettal of the <i>Orange Local Environmental Plan 2011 (Amendment No 24)</i> on 05/03/2021. Zone mapping for the 6 sites in 'Land Zoning Map Sheet LZN_007B' was mistakenly altered then retained during the April 2023 transfer of PDF Land Zoning mapping to digital zoning maps. The amendment seeks to realign RE1 zoned land away from established residential lots [(iii) – (vi)] and ensure the RE1 zoning is correctly applied to Council owned parks and reserves [(i) and (ii)]. This amendment will not require the reclassification of any land as public reserve status is listed on the land titles of the Council owned Lots (i) and (ii) and not the privately owned Lots (iii) – (vi). Therefore, rezoning (iii) – (vi) from RE1 to R2 will not require reclassification.	The amendment item has merit.

Item	Location	Existing	Proposed LEP change	Justification	Department Assessment
		 Figure 17: Original zoning (left) and current zoning (right) (source: Planning Proposal, p.16)  Figure 18: Original (left) and proposed (right) alignment of RE1 Public Recreation zone with property descriptions (source: Planning Proposal, p.31)			
13.	(i) 32 Turner Crescent (Lot 208 DP 1279673) (ii) 32A Turner Crescent (Lot	Mapping: Land Zoning The 6 lots are mostly zoned R2 Low Density Residential but have a small intrusion of RE1 Public Recreation zoning on their eastern	Rezone the 6 sites to be fully zoned R2, thus removing the minor RE1 encroachment. See Figure 19 (right image).	The amendment seeks to correct the alignment of RE1 land away from established residential houses to ensure that the RE1 zone is correctly applied to Council owned parks and reserves.	The amendment item is supported by the Department with a minor revision required. A <u>Gateway condition</u> is recommended requiring that the planning proposal be updated prior

Item	Location	Existing	Proposed LEP change	Justification	Department Assessment
	207 DP 1279673) (iii) 34 Turner Crescent (Lot 206 DP 1279673) (iv) 34A Turner Crescent (Lot 205 DP 1279673) (v) 36 Turner Crescent (Lot 204 DP 1279673) (vi) 36A Turner Crescent (Lot 203 DP 1279673)	boundaries as shown in Figure 19 (left image). These sites adjoin a RE1 zoned public reserve towards the east.			to public exhibition to correct a site address. On page 17, Lot 205 DP 1279673 is mistakenly associated with “32A Turner Crescent” instead of “34A Turner Crescent”.
 Figure 19: Original (left) and proposed (right) alignment of RE1 Public Recreation zone with property descriptions (source: Planning Proposal, p.32)					

Item	Location	Existing	Proposed LEP change	Justification	Department Assessment
14.	205–207 Byng Street, Orange Lot A DP 151915	Mapping: Land Zoning The 936m ² lot is currently zoned R1 General Residential as marked by the blue arrows in Figure 20 (top image) .	Rezone the site from R1 General Residential to E4 General Industrial as shown in Figure 20 (bottom image) .	The proposed spot rezoning seeks to better reflect the existing approved industrial use of the site and the streetscape character of this part of the Byng Street being predominantly of a commercial and industrial nature as shown in Figure 21 .	The amendment item has merit. An assessment of the amendment item has been conducted in Chapter 3.3 (Section 9.1 Ministerial Directions) of this report. In particular, the proposal addresses the matters identified in Directions 6.1 Residential Zones and 7.1 Employment Zones and demonstrates the proposal to be inconsistent as a matter of minor significance.
Current Zone Pattern  Proposed Zone Pattern  Figure 20: Original (top) and proposed (bottom) zoning of 205-207 Byng Street, Orange (source: Planning Proposal, p.33)  Figure 21: Axonometric Aerial of the site and surroundings (source: Nearmap 2025)					

Item	Location	Existing	Proposed LEP change	Justification	Department Assessment
Land Use Table Amendments					
15.	LGA wide	Zone E2 Commercial Centre <i>'Creative industry'</i> is not included in the land use table as the term was established by the Department in December 2023.	Zone E2 Commercial Centre Add <i>'Creative industry'</i> as permitted with consent.	The amendment item seeks to broaden the range of viable creative enterprises by enabling their establishment in well-frequented central business district locations.	The amendment item has merit. The heading of Amendment Item 15 in Chapter 2.3 of the Planning Proposal (page 6) incorrectly refers to adding “creative industry” as “an additional permitted land use” rather than “as permitted with consent” in Zone E2. A <u>Gateway condition</u> is recommended requiring that the planning proposal be updated prior to public exhibition to update the heading of Amendment Item 15.
16.	LGA wide	Zone R5 Large Lot Residential <i>'Secondary dwellings'</i> are prohibited in Zone R5.	Zone R5 Large Lot Residential Add <i>'Secondary dwellings'</i> as permitted with consent.	This amendment item seeks to address an unintended restriction under the Housing SEPP that limits secondary dwellings to 60m ² in R5 zones. By making the use permissible, larger secondary dwellings of up to 50% of the principal dwelling's floor area can be considered under clause 5.4 of the Orange LEP 2011, aligning with outcomes in other zones and better reflecting the typically larger lot sizes in R5 areas.	The amendment item is supported by the Department with a minor revision required. The heading of Amendment Item 16 in Chapter 2.3 of the Planning Proposal (page 6) incorrectly refers to adding “Secondary dwellings” as “an additional permitted land use” rather than as “permitted with consent” in Zone R5. A <u>Gateway condition</u> is recommended requiring that the planning proposal be updated prior to public exhibition to update the heading of Amendment Item 16.

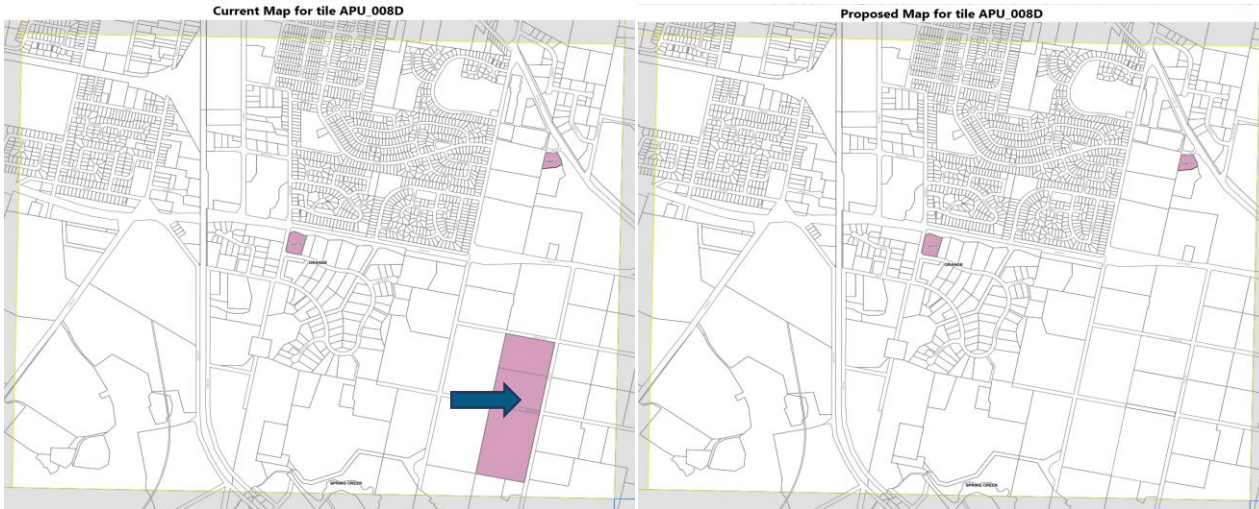
Item	Location	Existing	Proposed LEP change	Justification	Department Assessment
Clause Amendments					
17.	LGA wide	Cl. 4.1AA Minimum subdivision lot size for community title schemes <i>(2) This clause applies to a subdivision (being a subdivision that requires development consent) under the Community Land Development Act 2021 of land in any of the following zones—</i> <i>(a) RU1 Primary Production,</i> <i>(b) C2 Environmental Conservation,</i> <i>(c) C3 Environmental Management,</i> <i>(d) C4 Environmental Living,</i> <i>but does not apply to a subdivision by the registration of a strata plan.</i>	Cl. 4.1AA Minimum subdivision lot size for community title schemes Add to subsection 4.1AA(2): “ <i>(e) R1 General Residential,</i> <i>(f) R2 Low Density Residential,</i> <i>(g) R5 Large Lot Residential,</i> <i>(h) RU5 Village,”</i>	The amendment item seeks to apply the clause to four additional zones thereby extending minimum lot size controls and closing a strata / community title loophole. The clause states that the size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land. The amendment aligns with the strategic intent of the clause to allow residential flat buildings, medium density housing and other developments to be strata or community titled. It is not intended to enable unrestricted greenfield subdivision, including the creation of smaller lots than anticipated, as this could increase dwelling yields and adversely impact the planned provision of infrastructure and services.	The amendment item has merit.
18.	LGA wide	Cl. 4.1B Minimum lot sizes for dual occupancy, multi	Cl. 4.1B Minimum lot sizes for dual	The amendment item seeks to remove reference to “Residential flat buildings” as	The amendment item has merit.

Item	Location	Existing	Proposed LEP change	Justification	Department Assessment
		dwelling housing and residential flat buildings	occupancy and multi dwelling housing Reword clause heading to remove “its applicability to residential flat buildings.	the land use is not mentioned in the body of the clause.	
19.	LGA wide	Cl. 5.5 Controls relating to secondary dwellings on land in a rural zone <i>If development for the purposes of a secondary dwelling is permitted under this Plan on land in a rural zone—</i> (a) <i>the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—</i> (i) <i>0 square metres,</i> (ii) <i>50% of the total floor area of the principal dwelling, and</i> (b) <i>the distance between the secondary dwelling and the principal dwelling must not exceed 60 metres.</i>	Cl. 5.5 Controls relating to secondary dwellings on land in a rural zone Amend subclause 5.5(a)(i) to “60 square metres,”	The amendment item seeks to correct an error in the minimum area specified for secondary dwellings in rural zones. Clause 5.5 specifies “0m²” as the minimum floor area of the secondary dwelling, which is not a Council policy decision and presumably introduced by the Department in 2021. This correction aligns with clause 52 of <i>SEPP (Housing) 2021</i> and subclause 5.4(9) of the Orange LEP 2011 which both specify 60m² or 50% of the principal of the principal dwelling as the established standard.	The amendment item has merit.

Item	Location	Existing	Proposed LEP change	Justification	Department Assessment
20.	(i) Shiralee Hilltop Park Buffer Area (ii) Redmond Place Precinct.	Cl. 7.15 Development in Shiralee Hilltop Park Buffer Area See below for black and strike through text	Cl. 7.15 Development in Shiralee Hilltop Park Buffer Area See below for red text.	The amendment item seeks to replace specific reference to “Shiralee Hilltop Park Buffer” with the general term “Development in Buffer Areas” to capture the Redmond Place precinct. This would provide a temporary exemption to <i>SEPP (Exempt and Complying Development Codes) 2008</i> thereby enabling urban design outcomes to be determined solely by the site-specific DCP rather than allowing CDC style development. This is a preferable aesthetic outcome for this gateway location to Orange.	In 2025, part of the Redmond Place precinct was included on the LEP Buffer Zone Map. At that time, legal advice was that clause 7.15 was unnecessary and a similar clause for the new buffer area was not supported. The Codes SEPP doesn't apply to identified buffer areas, and the EP&A Act requires DCPs to be considered when determining a development application. Therefore, it is unlikely the Parliamentary Counsel would support Council's proposed changes when finalising the LEP amendment. Council have concerns that by not including the Redmond Place buffer area in a local clause, private certifiers may miss or misconstrue the intent of the current mapped buffer area. The Department is comfortable with the existing mechanism in place where relevant land within the Redmond Place Precinct is identified on the Orange LEP Buffer Zone Map. Council has also noted that the proposed sunset provision would allow for future minor CDCs to be considered on the site. The Council's concern around the buffer area's permanency can be reviewed as
7.15 Development in Shiralee Hilltop Park Buffer Area Buffer Areas (1) The objective of this clause is to ensure high quality urban design outcomes in the Shiralee Hilltop Park Area key urban areas . (2) This clause applies to land identified as “Public Park Buffer Area” or “Redmond Place Precinct Buffer Area” on the <i>Buffer Zone Map</i> . Note— <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> , clause 1.19(1)(e)(i) provides that complying development must not be carried out on land identified by an environmental planning instrument as being within a buffer area. (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered the following— (a) the urban design outcomes arising from the siting, design and orientation of the development, (b) the opportunities for passive surveillance of the public park, (c) interfaces between the development and the public park,					

Item	Location	Existing	Proposed LEP change	Justification	Department Assessment
		(d) fencing and borders between the development and the public park, (e) whether the development is likely to adversely affect the design, visual character, operation or maintenance of the public park. (4) This clause ceases to have effect on 1 August 2034 the land identified in Column 1 of the Table to this clause on the corresponding date shown in Column 2 of the Table. Column 1 Shiralee Hill Top Park Redmond Place Precinct Column 2 1 August 2034 1 July 2035			part of a future SEPP amendment, as the need arises. A <u>Gateway condition</u> is recommended requiring the planning proposal be updated prior to public exhibition to remove the proposed changes to clause 7.15.
21.	LGA wide	-	Add Clause 7.18 Events permitted without development consent as shown below.	The amendment item seeks to introduce a new clause enabling community based events, meetings and exhibitions to occur without requiring formal development consent. This responds to frequent last-minute requests from community groups for events that contribute positively to Orange's social and economic life. As Council is the landowner of public reserves and local roads, these events can instead be managed through a streamlined permit process and Roads Act approvals, ensuring impacts are controlled without lengthy assessments as currently required under clause 2.8.	The amendment item has merit.

Item	Location	Existing	Proposed LEP change	Justification	Department Assessment
	7.18 Events permitted without development consent (1) The objective of this clause is to provide for the temporary use of public reserves and public roads for exhibitions, meetings, concerts or events. (2) Despite any other provision of this Plan, development (including any associated temporary structures) for the purpose of a temporary event may be carried out on a public reserve or public road without development consent. Note— Other approvals may be required, and must be obtained, under other Acts, including the Local Government Act 1993, the Roads Act 1993 and the Crown Land Management Act 2016. Planning Proposal (Administrative Amendment) 9 (3) In this clause— public reserve has the same meaning as in the Local Government Act 1993. temporary event means an exhibition, meeting, concert or other event that is open to the public for which land is used for a period of not more than 52 days (whether or not consecutive) in any period of 12 months.				
Schedule Amendments					
22.	(i) 120 Carlton Road, Orange (Lot 41, DP 979808) (ii) Part of 88 Malabar Road, Orange (Lots 1 and 2, DP 1085790).	Schedule 1 Additional permitted uses Schedule entry 4 permits development for the purpose of 1 single dwelling house on all the land which the clause applies, with development consent. Mapping: APU_008D Schedule entry 4 corresponds to item 3 in the mapping which is marked by the blue arrow in Figure 22 (left image).	Schedule 1 Additional permitted uses Remove entry ‘4 Use of certain land at 120 Calton Road, Orange’. Mapping: Remove APU mapping for item 3 as shown in in Figure 22 (right image).	The amendment item seeks to repeal Schedule entry 4 and its corresponding mapping as the entry’s 2-year sunset provision has now expired and a dwelling is no longer permitted on the site. No dwelling currently exists on the site.	The amendment item has merit as it will have no material effect – it is an administrative change, rather than a policy change. No development applications have been lodged or determined for this site since inclusion of the APU in the Orange LEP.

Item	Location	Existing	Proposed LEP change	Justification	Department Assessment
		 Figure 22: Original (left) and proposed (right) map for APU_008D (source: Planning Proposal, p.34)			
23.	LGA wide	Zone E4 General Industrial <i>Animal boarding or training establishments and Commercial premises</i> are prohibited. <i>Business premises</i> is a land use term within the <i>Commercial premises</i> group term and thus also prohibited.	Schedule 1 Additional permitted uses Add new entry outlined below (from Table 2 of 'Supplementary Council Report, 2 September 2025').	See Section 0 of the Report. The amendment seeks to permit 'Companion animal care centres' in Zone E4 General Industrial by adding 'Business premises' as an additional permitted use and requires that the built form how development functions fit the stipulated requirements of an 'Companion animal care centre'.	See Section 0 of the Report. The amendment item is supported by the Department with revisions required. <u>Gateway conditions</u> are recommended requiring the planning proposal be updated prior to public exhibition – see Section 0 of this report.
9 Business Premises (Companion Animal Care Centres) in Zone E4 General Industrial (1) This clause applies to the land in Zone E4 General Industrial.					

Item	Location	Existing	Proposed LEP change	Justification	Department Assessment
		(2) Development for the purposes of a Business Premises is permitted with development consent if it is in the form of a Companion Animal Care Centre, and: (a) the gross floor area of the building on the premises is not greater than 300m², and (i) supported by an acoustic impact assessment, demonstrating that dog barking can be appropriately managed, and (ii) impervious floor surfaces to facilitate cleaning and hosed out daily for hygiene, and (iii) adequately ventilated to manage temperature and odour, and (b) any outdoor play area is located behind the front building line, and (i) securely fenced to keep all companion animals within the site, and (ii) landscape screening is applied to the perimeter of the play area to prevent companion animals from viewing into neighbouring sites or the public realm so as to reduce incidents of excessive barking, and (c) Animal welfare throughout the centre is to be demonstrated in the plans, including (i) provision of clean water, adequate shade and exercise space, and (ii) ability to separate animals into groups based on size, age and temperament, and (iii) ability to isolate injured or dangerous animals from other animals, and (d) Waste generated from the development is to be appropriately managed including: (i) waste water from any grooming or animal wash facilities are contained within the facility and appropriately disposed of through a trade waste agreement, and (ii) All solid animal waste is to be collected, stored and removed off site to an approved waste facility, with all pen areas to be cleaned out daily, and (e) the companion animal care centre operates only between 7am and 7pm daily with no overnight boarding or accommodation. (3) Any ancillary retail sale of pet care products are to be limited to an area of no more than 50m². (4) Staff office space is to be limited to no more than 50m², excluding bathrooms and kitchen amenities. (5) In this clause— Companion Animal Care Centre means a building or place used for the day-time supervised care of animals such as dogs, cats and other companion animals, and may include ancillary grooming and retail sales of pet care products, but does not include animal boarding or training establishments, veterinary hospitals, or any facility providing overnight accommodation.			

Amendment Item 23

Council Justification

The amendment seeks to permit with consent a new, undefined land use *Companion animal care centre* in the E4 General Industrial Zone. Council has had applications for “doggy day care” facilities and it believes the use does not fit neatly into existing land uses. As the new land use is not defined in the Standard Instrument, it cannot be added to a land use table or as a Schedule 1 Additional Permitted Use.

Council has legal advice that affirms the proposed development cannot be characterised as an *Animal boarding or training establishment* defined below as it lacks the provision of overnight accommodation for the animals and does not involve any element of training:

animal boarding or training establishment means a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than for the agistment of horses), and includes any associated riding school or ancillary veterinary hospital.

Council believes the land use would default to being covered under ‘*Business premises*’ as defined below:

business premises means a building or place at or on which—

- (a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or
 - (b) a service is provided directly to members of the public on a regular basis,
- and includes funeral homes, goods repair and reuse premises and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.

Note. Business premises are a type of ***commercial premises***—see the definition of that term in this Dictionary.

Both an *animal boarding or training establishment* and *business premises* are prohibited in the E4 General Industrial Zone.

Amendment item 23 seeks to establish permissibility for the land use through a new Schedule 1 Additional Permitted Use entry, as shown in **Table 3**. Under this approach, *Business premises* are added as an APU but narrowly defined to include only a *Companion animal care centre*, supported by further development standards conducive to its operation. This restricted approach enables the land use to be established on more affordable sites outside the CBD, where noise, odour and waste impacts can be better managed, whilst reducing the risk of other businesses relocating away from the commercial core.

Department Assessment

The Department supports Council’s intent to enable “companion animal care centres” in the E4 Zone. The Department is of the view that the development type fits within the existing *animal boarding or training establishment* or *business premises* land use definitions. Therefore, the introduction of a new land use term into the LEP solely for “companion animal care centres” is not supported. The Department recommends that inserting a standard instrument land use definition as an APU for the E4 zone would be most appropriate as this would ensure that it is clearly defined and not open the zone to unintended services under that land use.

Much of the justification for the proposed change is provided in a supplementary report to Council on 2 September 2025. This will need to be included in the planning proposal to support the proposed amendment.

It is recommended the Gateway include a condition that the planning proposal be updated prior to public exhibition, to amend the discussion about Amendment 23 as follows:

- remove the intent to introduce “Companion Animal Care Centres” as a new land use
- recognise there are several drafting options available to achieve the proposed policy intent, including permitting “animal boarding or training establishment” or “business premises” as an additional permitted use with the “companion animal care centres” as a permissible use under one of these land use.
- remove the proposed clauses and include more detailed analysis and justification for the proposed policy intent (noting this information is currently contained in the Supplementary Council Report of 2 September 2025)

Prior to exhibition, the planning proposal is to be updated to reflect these requirements and to clarify the drafting options available as outline above.

2 Need for the planning proposal

The planning proposal seeks to implement amendments identified by Council as anomalies, errors, or minor positive planning outcomes relating to housing, economy, heritage, environment, and land use. The planning proposal is not a direct result of any strategic study or report and is cited by Council as minor in nature. Given the nature of the amendments sought, a planning proposal to amend the Orange LEP 2011 is the most appropriate means to achieve the intended outcomes and objectives.

3 Strategic assessment

3.1 Regional Plan

The following table provides an assessment of the planning proposal against relevant aspects of the Central West and Orana Regional Plan 2041.

A Gateway condition is recommended requiring the planning proposal be updated prior to public exhibition to update the Regional Plan assessment as it has been incorrectly assessed against the *Central West and Orana Regional Plan 2036*, instead of the 2041 version. The 2036 Regional Plan was superseded by the *Central West and Orana Regional Plan 2041* in 2022.

Table 4 - Central West and Orana Regional Plan 2041 assessment

Regional Plan Objectives	Justification
Objective 6: Support connected and health communities	Consistent. The proposal is consistent with Objective 6 by ensuring, through amendment items 12 and 13, that land classified as public reserves are appropriately zoned. The community classification of the public reserve is accurately reflected through these minor rezonings to correct the current misalignment of RE1 Public Recreation and R2 Low Density Residential zoned land.
Objective 9: Ensure site selection and design embraces and respects the region’s landscapes,	Consistent. The proposal is consistent with Objective 9 as it seeks, through <u>amendment items 1-11</u>, to update heritage schedules, correct mapping and labels, and

character and cultural heritage	refine curtilage boundaries of to improve the accuracy and protection of historic items.
Objective 11: Strength Bathurst, Dubbo and Orange as innovative and progressive regional cities Objective 12: Sustain a network of healthy and prosperous centres	Consistent. The proposal is consistent with Objectives 11 and 12, Strategy 12.2 and strategic directions that support Orange's established and emerging network of mixed-use activity centres, specialist industry nodes and its growing visitor and experience economies. <u>Amendment Items 15 and 18</u> seek to promote creative industries and events in commercial and public areas respectively.
Objective 14: Plan for diverse, affordable, resilient and inclusive housing Objective 15: Manage rural residential development	Consistent. The proposal is consistent with Objectives 14 and 15 in supporting strategies allowing a diversity of housing types and lots in residential and rural surroundings. To this effect, <u>amendment items 16, 17 and 19</u> seek to provide housing flexibility by permitting secondary dwellings in the R5 Large Lot Residential Zone, applying appropriate minimum lot size control clauses expanding the permissibility and sizes of secondary dwellings in rural zones.
Objective 19: Protect agricultural production values and promote agricultural innovation, sustainability and value-add opportunities	Consistent. The proposal is consistent with Objective 19 and Strategy 19.1, which aim to consolidate Orange's agricultural endowments by encouraging innovation and protecting agricultural land and industries from land use conflicts and fragmentation. <u>Amendment item 22</u> seeks to remove a lapsed Additional Permitted Use entry for a dwelling entitlement on biophysical Strategic Agricultural Land at 120 Calton Road, Orange, thereby supporting the protection of productive rural land.

3.2 Local

The planning proposal states it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in **Table 5**.

A Gateway condition is recommended requiring a minor update to the planning proposal prior to public exhibition to correctly number the planning priorities of the *Orange LSPS 2020* in the assessment.

Table 5 Local strategic planning assessment

Local Strategies	Justification
Orange Local Strategic Planning Statement (LSPS) 2020	Consistent. The proposal is broadly aligned with the Orange Local Strategic Planning Statement 2020, which aims to provide a 20-year vision for land use planning to manage housing growth, economic trends and environmental amenity. Policy alignment is acknowledged in supporting expanded land uses in town centres, enabling greater flexibility in residential and rural housing typologies and strata lot sizes and refining the listing of heritage items. In particular, the proposal is generally consistent with the following priorities:

	• <i>Planning Priority 1, Action 2 – Review the Local Environmental Plan on a regular basis to update the heritage listings.</i> • <i>Planning Priority 2 – Support the delivery of new homes in residential release areas, including North Orange and Shiralee, and increase the range of housing options in existing urban areas.</i> • <i>Planning Priority 3 – Provide a range of facilities and services to meet community needs, and foster a culturally rich, creative and socially connected Orange community.</i> • <i>Planning Priority 4 – Provide diverse housing choices and opportunities to meet changing demographics and population needs, with housing growth in the right locations.</i> • <i>Planning Priority 9 – Enhance local and neighbourhood centres as great, connected places, whilst maintaining the regional town atmosphere.</i> • <i>Planning Priority 11 – Provide for opportunities for local employment.</i> • <i>Planning Priority 12 – Protect and conserve the natural, built and Aboriginal cultural heritage of Orange.</i> • <i>Planning Priority 17 – Plan for industrial land and protect industrial areas from incompatible land uses</i>
Orange Local Housing Strategy 2022	Consistent. The proposal is consistent with housing priorities identified in the Orange Local Housing Strategy 2022 which seeks to identify, diversify and balance housing growth and supply for the next 20 years in Orange. The applicable priorities including: 2. <i>Increasing housing supply diversity and choice to meet population needs,</i> 3. <i>Facilitate infill opportunities for housing near jobs and services,</i> 4. <i>Support the supply of affordable housing,</i> 5. <i>Facilitate and guide housing design, creativity and innovation, and</i> 7. <i>Protect the local environment and scenic landscapes.</i>
OC FutureCity Planning & Design Framework	Consistent. The proposal is broadly consistent with the vision for OC FutureCity, a masterplan envisioning the Orange CBD as a lively hub with a large array of services, open spaces, retail offerings, cultural and recreational facilities, which celebrating the heritage character of Orange. Opportunities and sites identified for commercial spaces may benefit from proposed amendments in the planning proposal to introduce creative industries as a permitted use in the commercial core and facilitate events without requiring formal development approval.

3.3 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 6 - s9.1 Ministerial Direction assessment

Directions	Consistent	Reasons for Consistency or Inconsistency
1.1 Implementation of Regional Plans	Consistent	The planning proposal is largely consistent with the relevant directions and objectives of the <i>Central West and Orana Regional Plan 2041</i> , as discussed in Section 3.1 of this report, however it will need to be updated prior to public exhibition to reflect assessment of the current regional plan.
1.4 Site Specific Provisions	Inconsistency to be further justified	The objective of this direction seeks to discourage unnecessarily restrictive site-specific controls. <u>Amendment item 23</u> seeks to introduce an Additional Permitted Use (APU) in Zone E4 General Industrial. The amendment seeks to permit a new land use of <i>Companion animal care centres</i>. It is noted a Gateway condition has been included to amend the intent of this APU however until Council decides how it will proceed in relation to this proposed amendment then the Department is unable to determine consistency under this Direction.
3.1 Conservation Zones	Consistent	The direction seeks to protect and conserve environmentally sensitive areas. <u>Amendment item 22</u> would remove a lapsed APU entry for a dwelling entitlement at 120 Calton Road, Orange which is situated in the C3 Environmental Management Zone. The amendment is consistent with the direction as it does not reduce the conservation standard applying to the land.
3.2 Heritage Conservation	Consistent	The direction's objective is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. The planning proposal is consistent with this direction as it seeks, through <u>amendment items 1-11</u>, to update heritage schedules, correct mapping and labels, and refine curtilage boundaries of to improve the accuracy and protection of historic items. The existing provisions within the Orange LEP 2014 (Clause 5.10) for heritage conservation will remain unchanged.
5.1 Integrating Land Use and Transport	Consistent	The direction aims to achieve objectives encompassing improves to active and public transport uptake and reduce car travel demand through business and service aggregation in one area. <u>Amendment item 14</u> aims to rezone 205-207 Byng Street, Orange which is situated adjacent to existing industrial land and within reasonable walking, cycling and frequent public bus service catchments of existing residential areas. The rezoning from R1 General Residential to E4 General Industrial Zone would reflect the existing industrial use of the site and is unlikely to generate additional transport demand or traffic.

Directions	Consistent	Reasons for Consistency or Inconsistency
		<u>Amendment item 15</u> is consistent with the direction and seeks to facilitate the establishment of 'creative industries' in well-located CBD areas, leveraging high foot traffic and accessibility.
6.1 Residential Zones	Inconsistent, of minor significance	The direction aims to encourage a variety of housing types, make efficient use of infrastructure and services, and minimise the impacts of residential development on the environment and resource lands. <u>Amendment items 12 and 13</u> are consistent by ensuring existing residential and public open space land is appropriately zoned. <u>Amendment items 16 and 18</u> are consistent with this direction as it aims to encourage housing diversity, correct clause references to residential typologies and facilitate the implementation of residential urban design outcomes in the existing site-specific DCP. <u>Amendment Item 14</u> is inconsistent with the direction as it seeks to rezone 205-207 Byng Street, Orange from R1 to E4, thereby reducing the permissible residential density. The proposal addresses the matters identified in the direction and demonstrates the amendment item is inconsistent as a matter of minor significance. Previous clauses in the Orange LEP 2000 pertaining to development near zone boundaries formed the basis for past DA approvals for commercial warehouse uses on the site. Rezoning will formalise the site's existing industrial use and enable a more orderly use of the land consistent with the site's built form and context. This change will result in only a negligible reduction in residential land and potential housing supply. <u>Amendment item 17</u> is inconsistent with the direction as it may reduce the permissible residential density of the land in Zones R1, R2 and R5. However, the inconsistency is of minor significance as the amendment closes a loophole on community and strata subdivisions to preserve minimum lot size intentions and maintain urban residential character. This change prevents greenfield subdivision developments with lots significantly smaller than intended and ensures new housing supply aligns with infrastructure provision.
7.1 Employment Zones	Inconsistent, of minor significance	The direction aims to encourage employment growth in suitable locations, support the viability of existing centres, and protect industrial and employment lands. <u>Amendment item 14</u> is inconsistent with this direction as it seeks to create a new employment area that is not identified by a regional or local strategy endorsed by the Planning Secretary. However, the inconsistency is of minor significance as the amendment seeks to encourage employment growth in a suitable location adjoining existing industrial land, thereby avoiding fragmentation, as outlined in Table 3 and direction 6.1 Residential Zones of this report.

Directions	Consistent	Reasons for Consistency or Inconsistency
		<u>Amendment item 15</u> is consistent with this direction and its objectives to encourage employment growth in suitable locations and support the viability of identified centres. <u>Amendment item 23</u> is consistent with this direction as it seeks to encourage employment growth in suitable locations and support the viability of identified centres. The amendment seeks to permit 'doggie daycare' in E4 General Industrial Zone, which is considered a suitable location due to its offerings of larger floorspaces at affordable prices relative to the commercial core.
9.2 Rural Lands	Consistent	Relevant to the planning proposal, the direction seeks to ensure the proper management, development and protection of rural lands to support the State's social, economic and environmental welfare whilst minimising fragmentation and reducing land use conflicts in rural areas. <u>Amendment item 17</u> is consistent with this direction in reinforcing minimum lot size controls for strata and community plan subdivisions to ensure that rural land is not prematurely or unnecessarily fragmented in ways that could compromise its long-term value or constrain future land use flexibility. <u>Amendment item 19</u> is consistent with this direction as it corrects an error in Clause 5.5 by allowing modest secondary dwellings in rural zones, providing flexibility for rural households while maintaining the primary purpose of rural land for agriculture.

3.4 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs as discussed in the table below.

Table 7 Assessment of planning proposal against relevant SEPPs

SEPPs	Consistent	Reasons for Consistency or Inconsistency
SEPP (Exempt and Complying Development Codes) 2008	Consistent	The Department is satisfied the proposal is consistent with this SEPP.
SEPP (Primary Production and Rural Development) 2021	Consistent	Through amendment item 22, the planning proposal seeks to remove a lapsed dwelling entitlement hence ensuring rural boundary changes do not unintentionally increase development potential or diminish the capacity of the land to support agricultural uses. The Department is satisfied the proposal is consistent with this SEPP.

4 Site-specific assessment

4.1 Environmental

Based on the nature and outcomes sought by the proposed amendment items, the proposal is considered to generate a positive or neutral environmental impact. The amendments are largely administrative in nature and in particular, Amendments items 12, 13 and 14 seek a more appropriate zone/outcome based on site characteristics and sensitivities.

4.2 Social and economic

Extending the existing clause for minimum subdivision lot size for strata and community title schemes to the R1 General Residential, R2 Low Density Residential, R5 Large Lot Residential and RU5 Village zones (amendment item 17) seeks to prevent the cumulative fragmentation of land in these zones and is considered a positive outcome. The minor rezoning of RE1 zoned land (amendment items 12 and 13), the rezoning of residential zoned land (amendment item 14) and the marginal increase in housing provision in R5 and rural zoned lands (amendment item 19) are not considered to pose a negative social or economic impact to the community, LGA or region. The amendments are considered to present a positive social and economic opportunity.

4.3 Infrastructure

The proposal poses minimal impact with respect to infrastructure provision. The proposal does not seek an unreasonable intensification of infrastructure requirements within Council's servicing catchment.

5 Consultation

5.1 Community

The planning proposal is categorised as principal under the LEP Making Guidelines (August 2023). Accordingly, a community consultation period of 20 working days is recommended and this forms part of the conditions to the Gateway determination. Council has proposed a community consultation period of a minimum of 28 days.

5.2 Agencies

The proposal does not specifically raise which agencies will be consulted.

The Department does not require any agencies be consulted on this planning proposal.

6 Timeframe

Council proposes a five month time frame to complete the LEP.

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a principal.

The Department's benchmark timeframes identify eighteen-months for a principal LEP to be completed. However, given the minor nature of the proposed amendments, it is recommended a standard category benchmark timeframe be applied. Therefore, it is recommended the LEP completion date is 29 October 2026 in line with its commitment to reducing processing times and

consistent with the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan-making authority.

It is recommended that Council be authorised to be the LPMA given the nature of the planning proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- Improve the accuracy and operation of the Orange LEP 2011 by removing administrative anomalies and errors.
- Facilitate and manage suitable housing opportunities to better respond to infrastructure capacity and zone character.
- Support the economic development and value adding opportunities for certain businesses in areas of the Orange LGA.
- Improve the conservation of items of heritage significance.

The planning proposal is generally consistent with the relevant provisions of the Region Plan, relevant SEPPs, Council's Local Strategic Planning Statement and local strategies. The proposal poses neutral or positive environmental and social impact.

Based on the assessment outlined in this report, it is recommended the planning proposal is updated prior to the commencement of community consultation to address the matters identified in **Table 8** below:

Table 8 Updates required prior to public exhibition

Amendment Item / Issue	Correction / amendment
6 – Heritage Item I247	• Provide justification for the heritage item mapping amendments. • Propose updating the property description in the Schedule entry.
7 – Heritage Item I346	• Propose updating the property description in the Schedule entry.
9 – Heritage Item I71	• Provide justification for the heritage item mapping amendments. • Revise mapping to show the current and proposed heritage curtilage mapping for the item. • Revise the proposed property description in the Schedule entry.
10 – Heritage Item I113	• Provide justification for the heritage item mapping amendments. • Revise mapping to show the current and proposed heritage curtilage mapping for the item. • Propose updating the address in the Schedule entry to Lot 3 DP 126729.
11 – Heritage Item I286	• Provide justification for the heritage item mapping amendments. • Revise mapping to show the current and proposed heritage curtilage mapping for the item. • Revise the proposed property description in the Schedule entry.
13 – Correct RE1 zone alignment	• Correct a site address for 34A Turner Crescent.
15 – Land Use Table amendment for Zone E2	• Update section heading in the Planning Proposal to reflect the amendment item's intent.
16 – Land Use Table amendment for Zone R5	• Update section heading in the Planning Proposal to reflect the amendment item's intent.
20 – Clause amendment	• Remove proposed changes to clause 7.15.

23 – APU for Business Premises (Companion animal care centre)	• Revise the proposed amendment as outlined in the APU. • Include additional justification for the proposed change.
Central West and Orana Regional Plan 2041	• Update the Regional Plan assessment to assess the Planning Proposal against the current <i>Central West and Orana Regional Plan 2041</i>. • Update the numbering and labelling of the Objectives accordingly.
Orange Local Strategic Planning Statement (LSPS) 2020	• Update the numbering and labelling of the Planning Priorities accordingly to the latest LSPS.

9 Recommendation

It is recommended the delegate of the Secretary:

- Agree that any inconsistencies with section 9.1 Directions *6.1 Residential Zones and 7.1 Employment Zones* are of minor significance.
- Note that the consistency with section 9.1 Direction 1.4 Site Specific Provisions is unresolved and will require justification.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

The following conditions are recommended to be included on the Gateway determination:

1. The planning proposal is to be updated to:
 - provide justification for the mapping amendments to Heritage Items I247, I71, I286 and I113
 - revise or propose updating the property description in the Schedule entries for Heritage Items I247, I346 and I286
 - propose updating the address in the Schedule entry for Heritage Item I113 and I286
 - revise the mapping to show the current and proposed heritage curtilage mapping for Heritage Item I71, I286 and I113
 - correct typographical and phrasing errors in the planning proposal for amendment items 13, 15, 16 and 23
 - remove proposed changes to clause 7.15
 - in relation to amendment item 23:
 - remove the proposed clauses and include more detailed analysis and justification for the proposed policy intent (noting this information is currently contained in the Supplementary Council Report of 2 September 2025)
 - provide commentary around achieving the intent of this amendment by relying on standard instrument LEP land use definitions such as “animal boarding or training establishment” or “business premises” as an additional permitted use with the “companion animal care centres” as a permissible service under this land use
 - Ensure all assessments against the regional plans and local plans are conducted against the current versions with the correct numbering and labelling included for relevant objectives and planning priorities.
2. The planning proposal should be made available for community consultation for a minimum of 20 working days.
3. It is recommended that Council be authorised to be the local plan-making authority given the nature of the planning proposal.
4. The recommended completion date for the LEP is on or 29 October 2026



12/01/2026

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