

Gateway Determination

Planning proposal (Department Ref: PP-2025-1841): To make policy and housekeeping amendments to the Orange Local Environmental Plan 2011.

I, the Director, Southern, Western and Macarthur Region, at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Orange Local Environmental Plan 2011 to implement multiple policy and housekeeping amendments across the Orange LGA should proceed subject to the following:

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 29 October 2026.

Gateway Conditions

1. Prior to public exhibition, the planning proposal is to be amended as follows:
 - a) Provide justification for the mapping amendments to Heritage Items I71, I247, I286 and I113.
 - b) Revise or propose updating the property description in the Schedule entries for Heritage Items I247, I346 and I286.
 - c) Propose updating the address in the Schedule entry for Heritage Item I113 and I286.
 - d) Revise the mapping to show the current and proposed heritage curtilage mapping for Heritage Item I71, I286 and I113.
 - e) Correct typographical and phrasing errors in the planning proposal for amendment items 13, 15, 16 and 23.
 - f) Remove proposed changes to clause 7.15.
 - g) Revise amendment item 23 to:
 - i. remove the proposed clauses and the intent to introduce "Companion Animal Care Centres" as a new land use
 - ii. 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

- iii. include additional context and justification for the proposed change (noting this information is currently contained in the Supplementary Council Report of 2 September 2025).
 - h) 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. Prior to public exhibition, the updated planning proposal is to be forwarded to the Minister under s 3.34(6) of the Act for review and approval.
 3. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as principal as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
 4. No consultation is required with public authorities or government agencies under section 3.34(2)(d) of the Act
 5. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 23 January 2026



Chantelle Chow
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Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces