

Gateway Determination

Planning proposal (Department Ref: PP-2022-3766): Reclassification of Community Land

I, the Director, Western Region at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Forbes Local Environmental Plan 2013 to reclassify 'community' to 'operational' land in the Forbes Shire should proceed subject to the following conditions:

1. Prior to commencing community consultation, the planning proposal is to be updated to:
 - (a) Amend the Project Timeline to reflect Gateway determination of the proposal and subsequent milestones for finalisation in nine (9) months;
 - (b) Address the details required in Attachment 1 of LEP practice note PN 16-001, including criteria for the Governor's approval;
 - (c) Confirm that the public reserve status and interests of the subject sites are being changed, and is reflected on the correct part of the proposed Schedule 4 provisions of FLEP 2013;
 - (d) Ensure the information relating to the retention of Alma Sharp Park for Council operational purposes is consistent throughout the planning proposal;
 - (e) Clarify Council's future intentions of the laneways adjoining Paul Wenz Park; and
 - (f) Reflect the final provisions of the Central West and Orana Regional Plan 2041 finalised on 2 December 2022.

Council is to seek approval from the Department of Planning and Environment - Western Region office prior to undertaking community consultation.

2. 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 basic as described in the Local Environmental Plan Making Guideline (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 28 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, 2022).
3. No consultation is required with public authorities or government agencies under section 3.34(2)(d) of the Act
4. A public hearing is required to be held into the matter under section 3.34(2)(e) of the Act.

5. The LEP should be completed 9 months from the date of the Gateway determination.

Dated 22nd day of December 2022.

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
Department of Planning and Environment

Delegate of the Minister for Planning