

Steve Loane
General Manager
Forbes Shire Council
PO Box 333
FORBES NSW 2871

Our ref: PP-2022-3766/IRF22/3870

Attention: Eliza Noakes, Manager Development and Planning

Dear Mr Loane,

**Planning proposal (PP-2022-3766) to amend Forbes Local Environmental Plan 2013 –
Reclassification of Community to Operational Land.**

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) and additional information received on 6 December 2022 in respect of the planning proposal to reclassify four (4) Council sites in the Forbes Shire.

As delegate of the Minister for Planning, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

I have determined not to authorise Council to be the local plan-making authority as Council is the owner of the subject land and the approval of the Governor is required.

In relation to Direction 5.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes on the basis that Council justified the proposed change through the Recreation and Open Space Strategy.

Council is reminded to follow the reclassification and public hearing procedure as outlined in *LEP Practice Note PN 16-001 - Classification and reclassification of public land through a local environmental plan* and the requirements of the *Local Government Act 1993*. To assist you with the reclassification process I have enclosed the practice note for your consideration.

The amending local environmental plan (LEP) is to be finalised within nine (9) months. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment, Western Region Office (westernregion@planning.nsw.gov.au) to draft and finalise the LEP should be made 8 weeks in advance of the date the LEP is projected to be made.

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, 2022) 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 John Martinez to assist you. Mr Martinez can be contacted on 5852 6800.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. Hopkins', written in a cursive style.

22 December 2022

Garry Hopkins
Director, Western Region
Local and Regional Planning

Encl:
Gateway determination
LEP Practice Note PN 16-001