

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

Our ref: PP-2022-4142/IRF23/275

**Attention: Eliza Noakes, Manager Development and Planning**

Dear Mr Loane,

**Planning proposal PP-2022-4142 to amend Forbes Local Environmental Plan 2013-Lachley Estate, 1 Lachley Street, Forbes.**

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 27 March 2023 and 5 April 2023 in respect of the planning proposal to facilitate a mixed use precinct of part zone R5 Large Lot Residential, part zone C3 Environmental Management, part zone E3 Productivity Support and part zone SP2 Infrastructure at 1 Lachley Street, Forbes.

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 9.1 Rural Zones and 9.2 Rural Lands are justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable Directions of the Minister under section 9.1 of the Act including 1.1 Implementation of Regional Plans, 4.1 Flooding and 8.1 Mining, Petroleum Production and Extractive Industries. Council should ensure this occurs prior to the LEP being made.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised on or before 12 months from the Gateway determination date. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning and Environment.

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 58526828.

Yours sincerely

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

**18.04.2023**

**Garry Hopkins**  
**Director, Western Region**  
**Local and Regional Planning**

Encl: Gateway determination