

## Gateway Determination

**Planning proposal (Department Ref: PP-2023-2164):** Rezone land at School Road, Forbes, known as 'Forbesview' to R1 General Residential, RE1 Public Recreation, C3 Environmental Management, and E1 Local Centre zones.

I, the Director, Western 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 Forbes Local Environmental Plan 2013 to rezone land at School Road, Forbes, known as 'Forbesview' to R1 General Residential, RE1 Public Recreation, C3 Environmental Management, and E1 Local Centre zones 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 5 December 2024.


### Gateway Conditions

1. Prior to exhibition, the planning proposal is to be amended to address the following and forwarded to the Minister under s 3.34(6) of the Act:
  - a. identify whether the Urban Release Area provisions in the LEP will apply to the subject land and why,
  - b. amend the mapping of the proposed lot size changes to include an appropriate lot size for the proposed C3 Environmental Management zoned area,
  - c. amend the mapping of the proposed zone changes to include zone labels, and
  - d. reflect a new project timeline consistent with the Gateway determination.
2. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
  - Transport for NSW
  - NSW Department of Climate Change, Energy, the Environment and Water

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.

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 standard 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 the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
4. 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 28 March 2024



**Garry Hopkins**  
**Director, Western Region**  
**Local and Regional Planning**  
**Department of Planning, Housing and**  
**Infrastructure**

**Delegate of the Minister for Planning and**  
**Public Spaces**