



Department of Planning, Housing and Infrastructure

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

Our ref: PP-2023-2528/IRF24/498

Attention: Anthony Daintith, Manager Development and Planning

Planning proposal PP-2023-2528 to amend Forbes Local Environmental Plan 2013

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) to rezone and amend minimum lot size provisions at Bogan Gate Road, 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.

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 3.1 Conservation zones and 4.1 Flooding. Council should ensure this occurs prior to the LEP being made. No further approval is required in relation to the Directions.

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.

Parliamentary Counsel's Office is not responsible for the drafting of map-only amendments to LEPs. Requests for legal drafting for map-only amendments must instead be sent to mapinstrument.drafting@dpie.nsw.gov.au. The request must include the drafting instruction template, planning proposal and gateway determination. A copy of the request should be forwarded to the Department of Planning, Housing and Infrastructure at westernregion@planning.nsw.gov.au.

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, August 2023) 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 Rebecca Martin to assist you. Ms Martin can be contacted on 02 5852 6810.

Yours sincerely



24/4/24

Graham Towers
A/Director, Western and Southern
Local Planning and Council Support

Encl: Gateway determination