

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

Our ref: PP-2023-868/IRF23/1163

Attention: Eliza Noakes, Manager Development and Planning

Dear Mr Loane,

Planning proposal PP-2023-868 to amend Forbes Local Environmental Plan 2013-deferred matter.

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) in respect of the planning proposal to resolve the defer matter and repeal the Forbes LEP 1986.

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 is to ensure that all landowners in the deferred matter area are notified of the proposed changes to Forbes LEP 1986 and Forbes LEP 2013.

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.

It is noted that the relevant flood planning map will be updated for the deferred area to reflect the findings in the latest flood study as a part of this Planning Proposal, and Council intends updating the flood planning maps for the rest of LGA as part of a future planning proposal.

The proposed local environmental plan (LEP) is to be finalised on or before 6 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 Shili Wang to assist you. Ms Wang can be contacted on 02 5852 6800.

Yours sincerely

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

6/07/2023

Garry Hopkins
Director, Western Region
Local and Regional Planning

Encl: Gateway determination