

### **Section 1: What is a Planning Proposal?**

The Forbes Local Environmental Plan 2013 (FLEP) provides the main statutory framework for planning and development in Forbes Shire. The FLEP identifies land for specific purposes through land use zones, and the extent that a parcel of land can be developed via development standards. It also contains provisions to conserve Forbes Shire's heritage and protect sensitive land, such as minimum lot sizes.

A Planning Proposal proposes to change the LEP, usually a change to the zone or minimum lot size of a parcel of land for the purpose for the construction of a dwelling. A Planning Proposal can increase or decrease the range of permissible uses for a site or change the development standards that are applicable. Land can only be rezoned through a formal amendment to the FLEP.

### **Section 2: Can I submit a Planning Proposal?**

Applications to rezone or change development standards for individual parcels of land are assessed on a case by case basis. In order for your application to be considered, the following criteria need to be met:

- The proposal is consistent with State and Local Government planning directions and has positive benefits to the community.
- The subject land cannot be reasonably developed or used under the existing zoning.
- Development of the land under the current zone would not be in the public interest.

All planning proposals are assessed on merit having regard to the matters identified above and the individual circumstances of the particular site or location.

### **Section 3: What is required for lodging an application?**

Prior to lodging a planning proposal, proponents should discuss their proposal with Council's Town Planner.

Your application should contain a minimum:

- Cover letter and 4 copies of the Planning Report (See Section 3)
- Four copies of concept plans
- Owners consent
- Property description (Lot and DP number and identified on a map)
- Survey or certificate of title
- Required fees
- Political Donations and Gifts Disclosure Statement if relevant (available on Council's website); and
- Electronic copy of the entire application

#### **Section 4: What should be addressed in the Planning Report?**

The Planning Report should be prepared by someone with experience and expertise in the field of planning and development such as a qualified planning consultant. The following Department of Planning and Environment guidelines must be considered:

- A Guide to Preparing Local Environmental Plans
- A guide to Preparing Planning Proposals

These documents are available on the Department of Planning and Environment website [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au).

To enable Council to properly consider your rezoning request, the Planning Proposal must address the following matters at a minimum:

- A statement of objectives and intended outcomes of the proposal.
- An explanation of the provisions that are to be included in the proposal.
- A justification of the objectives and outcomes, including the process of how these are to be implemented.
- Maps containing the appropriate details, including land use zones, development standards, heritage areas and flood prone areas.
- Details of the community consultation that will be undertaken.
- A brief description of the land to which the application applies including existing zoning, existing/previous land uses, built form and character.
- A brief description of the locational and regional context including zoning, land uses, built form, proximity to transport, centres, social infrastructure and open space.
- Mapping information and photographs (including aerial photographs) to describe the land, its locality and the relationship with surrounding land uses.
- A concise outline of the rezoning proposal, including changes required to the existing zoning and/development controls (e.g. minimum lot size, floor space ratio etc.)
- Adequate justification for the proposal including:
  - Consistency with State, Regional and Local planning and policy framework, public interest and studies.
  - Compliance with 9.1 Minister Directions.
  - Compatibility with surrounding zoning, land use patterns, built form and character.
  - Implications for not proceeding with the rezoning.
  - Justification of the proposal in line with Parts 1, 2 and 3 of *A Guide to Preparing Planning Proposals*.

- An identification of the key environmental issues of the land such as:
  - Soils and geological capability
  - Biophysical environment, including natural vegetation and threatened species
  - Water cycle of the land and in the locality
  - Natural hazards that may exist on the land
  - Cultural environment, including information on Aboriginal and European heritage; and
  - Social and community issues including housing, employment and economic environment.

### **Section 5: How is an amendment to the Forbes Local Environmental Plan made?**

The following summary outlines the steps involved in making an amendment to the FLEP.

1. Rezoning application lodged.
2. Preliminary review of application by Council Officers.
3. The Council resolves to prepare a Planning Report.
4. Planning Proposal referred to the Department of Planning and Infrastructure requesting Minister's Gateway Determination to proceed to exhibition.
5. Planning Proposal and any studies are prepared and exhibited.
6. Submissions assessed/reported to Council.
7. The Council resolves to submit the Planning Proposal to the Minister to make the amendment to the FLEP.
8. The minister determines whether to make an amendment to the FLEP in accordance with the Planning Proposal.
9. Once approved, the amendment to the FLEP is formally made upon gazettal.