

Gateway Determination

Planning proposal (Department Ref: PP_2020_BREWA_001_00): for rezoning and reduction of minimum lot size at Bourke and Wilson Streets, Brewarrina

I, the Director, Western Region at the Department of Planning, Industry and Environment, 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 Brewarrina Local Environmental Plan (LEP) 2012 to rezone from RU1 Primary Production to RU5 Village and reduction of minimum lot size from 200ha to 800m² at Lots 1-2 and 9-16 Sec 27 DP 758161, Bourke and Wilson Streets, Brewarrina should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to update the planning proposal to show proposed changes to zoning and minimum lot size through appropriate maps.
2. Prior to public exhibition, Council is to satisfy the requirements of section 9.1 Ministerial Direction 2.6 Remediation of Contaminated Land. An initial site contamination investigation report is to be prepared in accordance with the contaminated land planning guidelines. This document is to be placed on public exhibition with the amended planning proposal.
3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 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 section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
4. Consultation is required with Transport for NSW under section 3.34(2)(d) of the Act. name of public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
5. 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).

6. Prior to submission of the planning proposal under section 3.36 of the Act, the final LEP maps must be prepared and be compliant with the Department's 'Standard Technical Requirements for Spatial Data sets and Maps' 2017.
7. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 28th day of August 2020.



Damien Pfeiffer
Director, Western Region
Local and Regional Planning
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces