



Mr Jeff Sowiak  
General Manager  
Brewarrina Shire Council  
PO Box 125  
BREWARRINA NSW 2839

Dear Mr Sowiak

**Planning proposal [PP\_2020\_BREWA\_001\_00] to amend Brewarrina Local Environmental Plan 2012 - Rezoning and reduction of minimum lot size at Bourke and Wilson Streets, Brewarrina**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 21 August 2020 in respect of the planning proposal for rezoning and reduction of minimum lot size of land at Bourke and Wilson Streets, Brewarrina.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions (1.2 Rural Zones, 1.3 Mining, Petroleum Production and Extractive Industries and 1.5 Rural Lands) are justified in accordance with the terms of the Directions. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Direction [2.6 Remediation of Contaminated Land]. Council should ensure this occurs prior to public exhibition.

I have considered Council's request to not be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority given Council's interests in the land.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

All related files for LEP Amendment, including PDF maps, Map Cover Sheet, planning proposal document and GIS data, if available, must be submitted to the Department via the Planning Portal website at [www.planningportal.nsw.gov.au](http://www.planningportal.nsw.gov.au). To submit the data, Council is requested to create an account and log in.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

If you have any further questions, I have arranged for Ms Jenna McNabb, Planning Officer, from the Department of Planning, Industry and Environment, Western Region office, to assist you. Ms McNabb can be contacted on 5852 6811.

Yours sincerely



28.8.20

**Damien Pfeiffer**  
**Director, Western Region**  
**Local and Regional Planning**

Encl: Gateway determination  
Reporting Template