13 Environmental Services & Development Department

13.1 Reclassification of Land - 17-29 Darling Street Bourke

**File Number: T5.1**

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**Attachments: 1. Planning Proposal - Reclassification of Land - 17-29 Darling Street Bourke**

**Background**

Council resolved at its ordinary meeting on 25 May 2020 to *proceed to take the necessary action to prepare a local environmental plan that seeks to reclassify community land located at 17-19 Darling Street, Bourke as operational land.*

The land is owned by Bourke Shire Council and is classified as Community Land under the Local Government Act 1993. It is Council’s intention to dispose of the allotments to The Frank Whiddon Masonic Homes Group once the land has been reclassified to Operational land for the continued use of the land as an aged care facility.

**Current Situation**

A planning proposal is now required to be submitted to the Department of Planning, Industry and Environment (DPIE), seeking gateway determination to amend Council’s Local Environmental Plan 2012 (LEP) to reclassify lots 1/1145233, 2/11/758144, 3/11/758144 and 2/227656, being 17-29 Darling Street Bourke, from community to operational land. See certificates of titles attached.

A draft planning proposal has been prepared having regard to DPIE’s *Practice Note PN 16-001-Classification of public land through a local environmental plan* and is attached to this report.

**Financial Implications**

The cost of the preparation of the planning proposal will be met by existing budgetary allocations.

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| **Resolution** **2020/416**  **Moved: Cr Robert Stutsel**  **Seconded: Cr Sam Rice**  **That Council prepare a planning proposal seeking gateway determination to amend Bourke Local Environmental Plan 2012 (LEP) to reclassify lots 1/1145233, 2/11/758144, 3/11/758144 and 2/227656, being 17-29 Darling Street, Bourke, from community to operational land and submit the supported Planning Proposal to the Department of Planning, Industry and Environment for consideration for a Gateway Determination in accordance with section 3.34 of the Environmental Planning and Assessment Act, 1979.**  **Carried** |