

Ms Leonie Brown  
Acting General Manager  
Bourke Shire Council  
PO Box 21  
BOURKE NSW 2840

**Attention: Dwayne Willoughby, Manager Environmental Services**

Dear Ms Brown,

**Planning proposal [PP-2021-12] to amend Bourke Local Environmental Plan 2011 – Reclassification of four (4) lots in Bourke from ‘community’ to ‘operational’ land - No’s 17-19 Darling Street, Bourke.**

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) in respect of the planning proposal to reclassify four (4) lots owned by Bourke Shire Council from ‘Community’ to ‘Operational’ land.

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 determined not to condition the Gateway Determination for Council to be the local plan-making authority. Further analysis is required to understand the impact of the reclassification on Council’s community land stock.

Council is reminded of its obligations for undertaking a public hearing following a 21 day notice period in relation to the proposed reclassification of land under the Local Government Act, 1993. Please also note the requirements of the Department’s Practice Note PN16-001 – Classification and reclassification of public land through a local environmental plan (copy enclosed) including the need for the Practice Note to be publicly exhibited with the planning proposal.

The amending Local Environmental Plan (LEP) is to be finalised within twelve (12) months of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council’s request to draft and finalise the LEP should be forwarded to the Department of Planning and Environment ([westernregion@planning.nsw.gov.au](mailto:westernregion@planning.nsw.gov.au)) eight (8) 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).

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.

Should you have any enquiries about this matter, I have arranged for Ms Rebecca Martin to assist you. Ms Martin can be contacted on 02 5852 6810.

Yours sincerely



**Haydon Murdoch**  
**Acting Director, Western Region**  
**Local and Regional Planning**

Encl: Gateway determination  
Practice Note PN16-001- Classification and reclassification of public land through a local environmental plan.