

Gateway Determination

Planning proposal (Department Ref: PP-2021-12): to reclassify four (4) lots in Bourke from 'community' to 'operational' land – No. 17-19 Darling Street Bourke.

I, the Acting 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 Bourke Local Environmental Plan (LEP) 2011 to reclassify four (4) lots from 'community' to 'operational' land being Lot 1 DP 1145233, Lot 2 Section 11 DP 758144, Lot 3 Section 11 DP 758114 and Lot 2 DP 227656, No 17-19 Darling Street Bourke should proceed subject to the following conditions:

1. Prior to community consultation, an analysis of the impact of the removal of Lot 2 Sec 11 DP 758144 (2057m²) and Lot 1 DP 1145233 (1131m²) from Council's community land stock within Bourke township. This analysis is to be provided to the Department for approval prior to community consultation.
2. Community consultation 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).
3. Consultation is required with the Office of Local Government (OLG) under section 3.34(2)(d) of the Act. The OLG 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.
4. Bourke Shire Council is to conduct a public hearing in accordance with the requirements of section 29 of the Local Government Act, 1993 as the proposal involves the reclassification of public land from 'community' land to 'operational' land. Further information regarding the reclassification and public hearing process this can be found in Practice Note 16-001- Classification and reclassification of public land through a local environmental plan.
5. The time frame for completing the LEP is to be **6 months** following the date of the Gateway determination.

Dated 4 day of February 2021.

A handwritten signature in blue ink, appearing to read 'H Murdoch', with a long horizontal flourish extending to the right.

**Haydon Murdoch
Acting Director, Western Region
Local and Regional Planning
Department of Planning, Industry and
Environment**

**Delegate of the Minister for Planning
and Public Spaces**