

Gateway Determination

Planning proposal (Department Ref: PP-2025-842): include an Additional Permitted Use to permit a centre based childcare facility at 9A Gorrell Street Bourke.

I, the Manager, Southern, Western and Macarthur Region at the Department of Planning, Housing and Infrastructure, 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 2012 to : include as an Additional Permitted Use to permit a *centre based childcare facility* at 9A Gorrell Street Bourke should proceed subject to the following.

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and

The LEP should be completed on or before 4 May 2026.

Gateway Conditions

1. Prior to public exhibition, the planning proposal is to be amended to reflect “part Lot 3 DP1136910” and the proposed Additional Permitted Uses Map show the extent of the part of the lot to be developed.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and
 - (b) Council as 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 *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
3. 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).

Dated 1 July 2025

A handwritten signature in black ink, appearing to be 'Tim Collins', with a stylized, cursive script.

Tim Collins
Manager
Southern, Western and Macarthur Region
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces