



Gateway determination report – PP -2025-842

Introduce Centre Based Childcare Facility as an
Additional Permitted Use in the RE1 Public Recreation
zone, at 9A Gorrell Street, Bourke.

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Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans

[Planning Proposal Amendment to the Bourke LEP 2012](#)

1. Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Bourke Shire Council
PPA	Bourke Shire Council
NAME	Insert as an Additional Permitted Use in the Bourke LEP 2012 a <i>centre based childcare facility</i> .
NUMBER	PP-2025- 842
LEP TO BE AMENDED	Bourke LEP 2012
ADDRESS	9A Gorrell Street, Bourke
DESCRIPTION	Lot 3 DP 1136910
RECEIVED	28/05/2025
FILE NO.	IRF25/1061
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to:

- To amend Bourke LEP 2012 Schedule 1 to include *centre based childcare facility* as an Additional Permitted Use in the RE1 Public Recreation zone at Lot 3 DP1136910, 9A Gorrell Street Bourke.

The objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions

The planning proposal seeks to amend the Bourke LEP 2012 by including as an Additional Permitted Use in the RE1 Public Recreation Zone at 9A Gorrell Street Bourke , a *centre based childcare facility*.

It is anticipated that the additional permitted use would result in an amendment to Schedule 1 of the Bourke LEP 2012, and creation of an Additional Permitted uses map- sheet APU_008B.

Table 3 Current and proposed controls

Control	Current	Proposed
Insert as an Additional Permitted Use	RE1 Public Recreation	RE1 Public Recreation - <i>Centre based childcare facility</i>

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

1.3 Site description and surrounding area

The site - Lot 3 DP 1136910, 9A Gorrell Avenue, Bourke, has a total site area of approximately 42 hectares. As indicated in Figure 1, the site is currently used for a range of community services, recreation uses and currently features the Darling River Bourke Golf Club, and the Bourke and District Children's Services, (Preschool and Childcare) and the Old Bourke Railway Station and is adjacent to housing on the southern boundary of Bourke.



Figure 1 Subject site (source: Premise Planning)

1.4 Mapping

The planning proposal includes mapping showing the proposed changes to the Bourke LEP 2012 maps, which are suitable for community consultation. It is anticipated that the additional permitted use would require the creation of a Land Zoning Map Additional Permitted Uses Map- sheet APU_008B.



Figure 2-Subject site zones



Figure 3- Site in context with Bourke and current childcare facilities. Source- Nearthmaps

2. Need for the planning proposal

The subject site currently includes a preschool and childcare centre. However, Bourke has some of the highest gaps in childcare services statewide, and the planning proposal is the only means to build and expand the current childcare services through providing a *centre based childcare facility* on the site, which is currently a prohibited use in the zone.

To enable the expansion of the current facility, the planning proposal seeks to amend *Schedule 1 additional permitted uses* of the Bourke LEP 2022 to include the use – *centre-based childcare facility* at the site.

The use of the APU Zone ensures that there is no conflict between the proposed use and current community and sporting facilities on the RE1 zoned site.

3. Strategic assessment

3.1 Regional Plan

The following table provides an assessment of the planning proposal against relevant aspects of the Draft Far West Regional Plan 2041.

The Planning Proposal specifically identifies the Far West Regional Plan 2036.

Table 4 Regional Plan assessment-

Regional Plan Objectives 2041 Draft Plan and the Far West Regional Plan 2036	Justification
Draft 2041 plan Part 3 Ongoing Prosperity – Objective 16	Objective 16 of the current Regional Plan seeks to ensure government and community service provision. The current childcare facilities do not adequately address the current and future needs. The Planning Proposal is consistent with this objective as it provides for increased childcare services.
Far West Regional Plan 2036 Goal 3- Strong and Connected Communities	Direction 20- Manage Change in settlements, and Direction 24- Enhance access to education and training. The planning proposal is consistent with these objectives as it provides for the need for adequate childcare facilities, while providing for appropriate early education for children in Bourke.

3.2 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 6 Local strategic planning assessment

Local Strategies	Justification
Local Community Strategic Plan 2022	<p>The planning proposal is consistent with the Objective 2- Vibrant and Liveable community, and 3. Economic Prosperity.</p> <p>The planning proposal is consistent with the Community Strategic Plan which will ensure that appropriate and quality childcare and childrens' services are available to families and carers in the Bourke area.</p>

3.3 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 7 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
Click or tap here to enter text.	Choose an item.	Click or tap here to enter text.
Click or tap here to enter text.	Choose an item.	Click or tap here to enter text.

3.4 State environmental planning policies (SEPPs)

[With exception of <name of SEPP>], the planning proposal is consistent with all relevant SEPPs as discussed in the table below.

Table 8 Assessment of planning proposal against relevant SEPPs

SEPPs	Requirement	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
<Number/ Name>	Click or tap here to enter text.	Choose an item.	Click or tap here to enter text.
<Number/ Name>	Click or tap here to enter text.	Choose an item.	Click or tap here to enter text.

4. Site-specific assessment

4.1 Environmental

The planning proposal seeks to add a permissible additional use in the subject site and location that includes existing community and recreation facilities. The proposed additional use is consistent with the current use of the land. The site has not been identified as having any biodiversity attributes, and neither will the additional use have any adverse impacts on the current environmental, ecological communities or their habitats.

The site is not bushfire prone, however it is included in the Bourke Floodplain Risk Management Study and Plan. The site is protected from flood waters with a flood water levy.

4.2 Social and economic

The provision of additional and upgraded childcare facilities will provide quality childcare services to parents and carers, enabling them to enter, re-enter or increase their levels of participation in the workforce due to the availability of expanded childcare services. This has flow on effects to local retail and service sectors, and increases the attractiveness of the Bourke area to young families.

5. Consultation

5.1 Community

Council proposes a community consultation period of 10 days.

The exhibition period proposed is considered appropriate , and forms to the conditions of the Gateway determination.

5.2 Agencies

The proposal does not specifically raise which agencies will be consulted, and given there are no changes to the underlying zone itself , and the amendment is site specific, no agency consultation is considered to be required.

6. Timeframe

Council proposes a 7 month time frame to complete the LEP.

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a basic

The Department recommends an LEP completion date of 5 December 2025 in line with its commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

It is recommended that if the gateway is supported it is accompanied by guidance for Council in relation to meeting key milestone dates to ensure the LEP is completed within the benchmark timeframes.

7. Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan-making authority.

As the planning proposal is consistent with the Draft Far West Regional Plan 2041 and Council's Community Strategic Plan, the Department recommends that Council be authorised to be the local plan-making authority for this proposal.

8. Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- Bourke has a significant under supply of appropriate childcare facilities, and the subject site is currently in use for a preschool and childcare centre but cannot provide adequate childcare to address the gaps in current childcare and the availability of early childhood education and related childrens' services.
- The addition of improved childcare services will help attract and retain young families to the area, improving the provision of a local workforce and supporting local schools, businesses and community services.

9. Recommendation

It is recommended the delegate of the Secretary:

- Agree that any inconsistencies with section 9.1 Directions <list applicable 9.1 Directions> are minor or justified] and / or
- Note that the consistency with section 9.1 Directions <list applicable 9.1 Directions> is unresolved and will require justification.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

The following conditions are recommended to be included on the Gateway determination:

1. The planning proposal should be made available for community consultation for a minimum of 10 working days.

Given the nature of the planning proposal, it is recommended that the Gateway authorise Council to be the local plan-making authority and that a LEP completion date of 5 December 2025 be included on the Gateway.

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