



Gateway determination report – PP-2025-842

Additional Permitted Use 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, 4 April 2025

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Bourke Shire Council
PPA	Bourke Shire Council
NAME	Additional Permitted Use – 9A Gorrell Avenue for a <i>Centre-based Childcare Facility</i>
NUMBER	PP-2025-842
LEP TO BE AMENDED	Bourke LEP 2012
ADDRESS	9A Gorrell Avenue, 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 objective of the planning proposal is to permit the expansion of an existing childcare facility with consent at Lot 3 DP 1136910. This is clear and adequate.

1.3 Explanation of provisions

The planning proposal seeks to amend the Bourke LEP 2012 per the changes below:

- Amend Schedule 1 Additional Permitted Uses to permit *centre-based childcare facility* with development consent on Lot 3 DP1136910.
- Create an Additional Permitted Uses Map - Sheet APU_008B to identify the applicable land.

Lot 3 is 42ha in size, however the site for the child care facility will be limited to the north east corner. Therefore, it is recommended that the planning proposal 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.

1.4 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 features the Darling River Bourke Golf Club, 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)

1.5 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 an Additional Permitted Uses Map - Sheet APU_008B. These are to be amended prior to public exhibition to reflect the portion of the lot that will be subject to the proposed child care development.



Figure 2 Current zoning map (Source: Premise Planning)

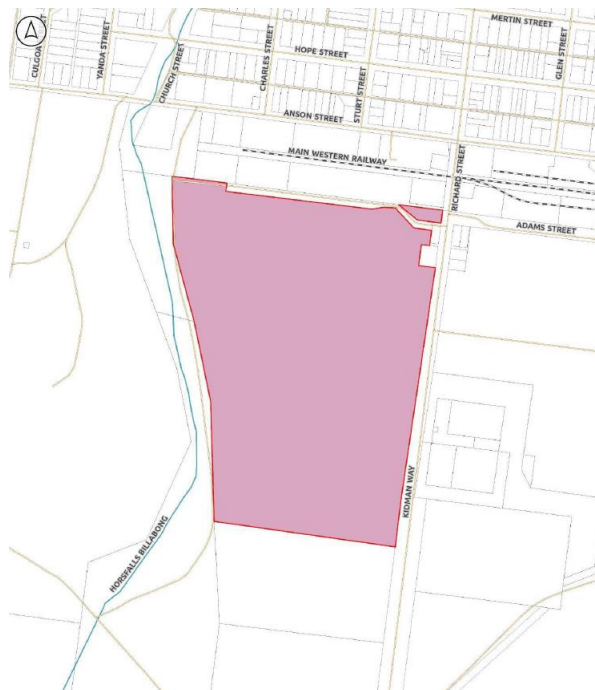


Figure 4 Proposed Additional Permitted Uses Map (Source: Premise Planning)

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 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 LEP needs to be amended to allow the proposed development on the subject land. Amending Schedule 1 of the LEP ensures there is no conflict between the proposed use and current community and sporting facilities on the 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 and Far West Regional Plan 2036.

Table 4 Regional Plan assessment

Regional Plan Objectives	Justification
Draft Far West Regional Plan 2041 Objective 16	Objective 16 seeks to ensure the adequate provision of government and community services. The existing child care facility does not adequately address the current and future needs of the community. The planning proposal is consistent with this objective as it will allow for increased childcare services.
Far West Regional Plan 2036 Direction 20 – Manage change in settlements Direction 24 – Enhance access to education and training	The planning proposal is consistent with these objectives as it will provide appropriate early education and childcare facilities for children and their families and carers 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 Strategic Planning Statement	The planning proposal does not address the directions and objectives of the Bourke Local Strategic Planning Statement (LSPS). Notwithstanding, the proposal is consistent with the LSPS as it will ensure child-care facilities are provided in Bourke to support young children and employment outcomes of young professionals in the community.
Local Community Strategic Plan 2022	The planning proposal is consistent with objectives 2 and 3 as it will provide appropriate childcare and children's services to families and carers in Bourke.

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
1.1 Implementation of Regional Plans	Yes	See discussion in section 3.1.
1.4 Site Specific Provisions	Yes	<p>Direction 1.4 aims to discourage unnecessarily restrictive site-specific planning controls.</p> <p>The planning proposal seeks to establish centre-based child care facilities as an additional permitted use on the site.</p> <p>The proposal is consistent as it will allow the land use to be carried out without imposing any additional requirements to the site.</p>
4.3 Planning for Bushfire Protection	Yes	The land is not mapped as bushfire prone, nor is it in close proximity to mapped land.

3.4 State environmental planning policies (SEPPs)

The planning proposal is consistent with the aims of SEPP (Transport and Infrastructure) 2021 – Chapter 3 Educational establishments and childcare facilities, as it will improve regulatory certainty and efficiency for the future expansion of the existing community facility to a centre-based child-care facility.

The site is not located in a zone prescribed under section 3.34 of the SEPP and is not subject to the provisions of the SEPP.

4 Site-specific assessment

4.1 Environmental

The planning proposal seeks to permit child care facilities on a site that includes existing community and recreation facilities. The proposed APU is consistent with the current use of the land. The site has not been identified as having any biodiversity attributes.

4.2 Social and economic

The provision of additional and upgraded child care facilities will provide essential services to parents and carers and support workforce participation. This has flow on effects to local retail and service sectors, which will increase the attractiveness of the Bourke area to younger families.

5 Consultation

5.1 Community

Council proposes a community consultation period of 20 days.

The exhibition period proposed is considered appropriate and forms a condition on the Gateway determination.

5.2 Agencies

The proposal does not specifically raise which agencies will be consulted. This assessment has not identified the need for consultation with any agencies.

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 standard proposal.

The Department recommends an LEP completion date of 4 May 2026 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.

7 Local plan-making authority

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

As the site/planning proposal is categorised as standard the Department recommends that Council be authorised to be the local plan-making authority for this proposal.

8 Recommendation

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. 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.
1. The planning proposal should be made available for community consultation for a minimum of 20 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 an LEP completion date of 4 May 2026 be included on the Gateway.



1/7/2025

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