

Gateway Determination

Planning proposal (Department Ref: PP_2020_WOOLL_005_00): to list seven pubs/hotels in the suburb of Paddington as local heritage items.

I, the Acting Director, Eastern and South Districts, 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 Woollahra Local Environmental Plan (LEP) 2014 to list seven pubs/hotels in the suburb of Paddington, namely;

- The Bellevue Hotel and interiors, 157-159 Hargrave Street, Paddington;
- The Grand National Hotel and interiors, 33 Elizabeth Street, Paddington;
- The Imperial Hotel and interiors, 252 Oxford Street, Paddington;
- The London Tavern Hotel and interiors, 85 Underwood Street, Paddington;
- The Paddington Hotel and interiors, 384 Oxford Street, Paddington;
- The Paddington Inn Hotel and interiors, 338 Oxford Street, Paddington; and
- The Unicorn Hotel and interiors, 102-106 Oxford Street, Paddington;

as local heritage items should proceed subject to the following conditions:

1. The planning proposal is to be amended to address the following matters prior to public exhibition:
 - (a) Improve the resolution of the existing and proposed mapping in the planning proposal to ensure legibility and clarity;
 - (b) Include a note to clarify that the heritage item numbers in the proposed mapping are indicative only and will be confirmed upon the finalisation of the proposal;
 - (c) Address an error regarding the location of the London Tavern Hotel in the first paragraph of Part 2.4 of the planning proposal;
 - (d) In Part 6.2 of the planning proposal, include a commentary explaining the proposal's consistency with Priority E6 and E13, Objective 13 and 24, and Action 20 and 54 of the Eastern City District Plan; rectify the typographical error in the second dot point under "Eastern City District Plan";
 - (e) Remove reference to the *Draft Woollahra Local Strategic Planning Statement* and replace with the *Woollahra Local Strategic Planning Statement*, which has been adopted by Council;
 - (f) Remove reference to the repealed SEPPs, including SEPP No. 1 – Development Standards, SEPP No. 44 - Koala Habitat Protection, SEPP (Concurrences) 2018 and SEPP (Miscellaneous Consent Provisions)

- 2007; make reference to the SEPPs currently in force, being SEPP (Koala Habitat Protection) 2019 and SEPP (Concurrences and Consents) 2018;
- (g) Include information to address section 9.1 Direction – 2.6 Remediation of Contaminated Land;
 - (h) Update the proposed community consultation requirements to align with current exhibition and notification arrangements during the COVID-19 pandemic; and
 - (i) An updated project timeline.
2. Public exhibition 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 NSW Heritage, Department of Premier and Cabinet under section 3.34(2)(d) of the Act.
- The public authority / organisation 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. 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, if reclassifying land).
5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions 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 section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.

6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 4th day of August 2020.



Brendan Metcalfe
A/Director, Eastern and South Districts
Greater Sydney, Place and Infrastructure
Department of Planning, Industry and Environment

Delegate of the Minister for Planning and Public Spaces