

Gateway Determination

Planning proposal (Department Ref: PP-2023-1396): to create a local heritage listing for 3 Macarthur Parade, Dulwich Hill; and a local heritage group listing for 7, 9, 11 and 13 Macarthur Parade, Dulwich Hill.

I, the Director, City of Sydney and Eastern District at the Department of Planning 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 Inner West Local Environmental Plan 2022 to create a local heritage listing for 3 Macarthur Parade, Dulwich Hill; and a local heritage group listing for 7, 9, 11 and 13 Macarthur Parade, Dulwich Hill should proceed subject to the following conditions:

1. 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 basic as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 10 working 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022).

Exhibition must commence within 2 months following the date of the Gateway determination.

2. Consultation is required with Heritage NSW (Department of Planning and Environment) under section 3.34(2)(d) of the EP&A Act. Heritage NSW (Department of Planning and Environment) is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 30 working days to comment on the proposal.
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 EP&A 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).
4. 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 EP&A 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 EP&A Act or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.

5. The planning proposal should be reported to Council for a final recommendation no later than 4 months from the date of the Gateway determination.
6. The LEP should be completed on or before 3 February 2024.

Dated 3rd day of August 2023.

A handwritten signature in blue ink, consisting of several overlapping loops and a long, sweeping tail, set against a light beige rectangular background.

Katie Joyner
Director, City of Sydney and Eastern
District
Planning and Land Use Strategy
Department of Planning and Environment

Delegate of the Minister for Planning and
Public Spaces