

# **Attachment D**

## **Gateway Determination**

## Gateway Determination

**Planning proposal (Department Ref: PP-2023-724):** to amend the Sydney LEP 2012 to by inserting 'hotel or motel accommodation' as a permissible use at 90 and 100-104 Brougham Street, Potts Point, under Schedule 1.

I, the Director, Eastern District City of Sydney, 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 Sydney Local Environmental Plan 2012 to insert 'hotel or motel accommodation' as a permissible use at 90 and 100-104 Brougham Street Potts Point, through a site specific clause under Schedule 1 should proceed subject to the following conditions should proceed subject to the following conditions:

1. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of **20 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, 2021).
2. 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).
3. Given the nature of the planning proposal, Council is authorised to be the local plan-making authority to make this plan.
4. The LEP should be completed on or before 23 December 2023.

Dated 23 day of June 2023.



**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**