

## Gateway Determination

***Planning proposal (Department Ref: PP-2021-2172): to permit 'seniors housing' with development consent as an additional permitted use on land at 2 and 4 Nooal Street and 66 Bardo Road (being Lot 1 DP 540092, Lot 1 DP 315279 and Lot 2 DP 540092), Newport.***

I, the Director, North District 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 Pittwater Local Environmental Plan (LEP) 2014 to permit 'seniors housing' with development consent as an additional permitted use on land at 2 and 4 Nooal Street and 66 Bardo Road, Newport should proceed subject to the following conditions:

1. Prior to exhibition, the planning proposal is to be updated to include extracts showing all existing development standards that apply to the site.
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 the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
  - Sydney Water
  - NSW Crown Lands

Each 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, in response to a submission or if reclassifying land).

5. Given the nature of this planning proposal, Council is not be authorised to be the local plan-making authority to make this plan.
6. The time frame for completing the LEP is to be 6 months following the date of the Gateway determination.

Dated 23 day of March 2021.



**Brendan Metcalfe**  
**Director, North District, Eastern Harbour City Places,**  
**Design and Public Spaces Department of Planning,**  
**Industry and Environment**

**Delegate of the Minister for Planning and Public Spaces**