



Gateway Determination

Planning proposal (Department Ref: PP_2021_297): to rezone the rear of 88 Bower Street, Manly from RE1 Public Recreation to E4 Environmental Living and apply associated map amendments

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 Manly Local Environmental Plan (LEP) 2013 to rezone the rear of 88 Bower Street, Manly from RE1 Public Recreation to E4 Environmental Living and apply associated map amendments should proceed subject to the following conditions:

1. Prior to public exhibition the planning proposal is to be updated to:
 - a) Delete reference to Section 9.1 Direction 3.3 Home Occupations and Direction 7.1 Implementation of A plan for Growing Sydney, which have been repealed;
 - b) Update labels on Maps 1 and 2 (Page 16) to clearly show the developments standards;
 - c) Update Map 3 Proposed Maximum Building Height (Page 17) to remove the dark square; and
 - d) Provide evidence that the site has been consolidated with 88 Bower Street.
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 14 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. 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).
4. Council 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) Council 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.
5. The timeframe for completing the LEP is to be 6 months from the date of the Gateway determination.

Dated 1 day of June 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