

Ms Debra Just
General Manager
Willoughby City Council
PO Box 57
Chatswood NSW 2057

Our ref: 16/15135
Your ref: PP2012/003

Attention: Jane Hosie, Strategic Planner

Dear Ms Just,

**Planning Proposal PP_2014_WILLO_002_00 – Alteration of Gateway
Determination**

I refer to Willoughby City Council's letter of 7 October 2016 and following email correspondence in relation to revisions to Planning Proposal PP_2014_WILLO_002_00 seeking an Alteration of Gateway for amendments to Willoughby Local Environmental Plan 2012 (WLEP 2012) to amend the zoning, maximum floor space ratio and building height for land at Gore Hill Technology Park, Artarmon.

I have determined as the delegate of the Greater Sydney Commission, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 8 May 2014 for PP_2014_WILLO_002_00. The Alteration of the Gateway Determination and amended written authorisation to Exercise Delegation are enclosed.

If you have any questions in relation to this matter, I have arranged for Ms Coby Tomlins to assist you. Ms Tomlins can be contacted on (02) 9274 6438.

Yours sincerely


Karen Armstrong
Director, Sydney Region East
Planning Services

Encl:
Alteration to Gateway Determination
Written Authorisation to Exercise Delegation

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2014_WILLO_002_00)

I, the Director, Sydney Region East at the Department of Planning and Environment as delegate of the Greater Sydney Commission for Planning, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 8 May 2014 for the proposed amendment to the Willoughby Local Environmental Plan 2012 as follows:

1. Delete condition 1 to 10 and insert the following conditions:
 1. Council is to update the name of the planning proposal to: planning proposal to amend the zoning and maximum floor space ratio for land at Gore Hill Technology Park, Artarmon – Lots 2-4 and Lot 6 DP 270714.
 2. Council is to update the description of the planning proposal to: the proposal seeks to amend Willoughby Local Environmental Plan 2012 (Willoughby LEP 2012) by rezoning Lot 6 from Light Industrial IN2 to Business Park B7, increase the maximum FSR permitted on Lot 6 from 1:1 to 4.5:1 subject to a maximum site cover of 60 per cent and minimum site area of 12,000 square metres, include a new local clause in Part 6 of Willoughby LEP2012 relating to office and business premises for Lot 6 and increase the maximum site cover for Lots 2, 3 and 4 from 45 per cent to 60 per cent at Gore Hill Technology Park, Artarmon.
 3. Prior to undertaking public exhibition, Council is to amend the planning proposal to reflect the explanation of provisions regarding the inclusion of Clause 4.4A – Exceptions to floor space ratio of Willoughby LEP 2012, outlining the requirements for “Area 19” and “Area 20” and removal of “Area 6”.
 4. Prior to undertaking public exhibition, Council is to amend the ‘explanation of provisions’ within the planning proposal relating to minimum size of floor plates. The term ‘floor plate’, used in the clause, is not defined and should be replaced with the term ‘Gross Floor Area’. Council should provide a plain English explanation of the intention of the proposed clause. The means to achieve Council’s desired outcome is to be further considered.
 5. Prior to undertaking public exhibition, Council is to update the planning proposal to remove any reference to Lot 5, amendment of Clause 4.6 – Exceptions of development standards and maximum building heights.
 6. Prior to undertaking public exhibition, Council is to update the planning proposal to include existing and proposed land zoning and maximum floor space ratio maps, which are at an appropriate scale and clearly identify the subject land.
 7. Prior to undertaking public exhibition, Council is to update the planning proposal to ensure that it correctly refers to the notified Willoughby LEP 2012.

8. Prior to undertaking public exhibition, Council is to update the planning proposal to reference the policies and actions outlined in the draft North District Plan that is relevant to this proposal.
9. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 28 days; and
 - (b) the relevant planning 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 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Environment 2013).
10. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act, or organisations:
 - Transport for NSW – Roads and Maritime Services
 - Adjoining LGAs

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.
11. A public hearing is not required to be held into the matter by any person or body under section 56(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).
12. The timeframe for completing the LEP is by **15 February 2018**.

Dated 30TH day of NOVEMBER 2016



Karen Armstrong
Director, Sydney Region East
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Willoughby City Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2014_WILLO_002_00	Planning proposal to amend the zoning and maximum floor space ratio for land at Gore Hill Technology Park, Artarmon – Lots 2-4 and Lot 6 DP 270714.

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 30TH NOVEMBER 2016

Karen Armstrong
Director, Sydney Region East
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission