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Our ref: PP_2015_WILLO_001_00
Your ref:

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

Attention : Jeff Ellis, A/Environmental Services Director

Dear Ms Just

Planning Proposal to amend Willoughby Local Environmental Plan 2012

I am writing in response to Council's letter dated 22 April 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) in respect of the planning proposal to permit hospital uses and amend the floor space ratio control for 10 Herbert Street, St Leonards

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I understand Willoughby City Council is currently undertaking an economic development study of the local government area, including the business and industrial zoned lands. It would be beneficial to consider the area around Royal North Shore Hospital precinct in a strategic manner, paying particular attention to supporting uses and thus appropriate zones.

The Minister delegated plan making powers to councils in October 2012. It is noted that Council has now accepted this delegation. I have considered the nature of the planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the Local Environmental Plan should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A

copy of the request should be forwarded to the Department of Planning and Environment for administrative purposes.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

If you have any queries in regard to this matter, please contact Ms Belinda Morrow of the Department's regional office on (02) 8575 4124.

Yours sincerely,


Lee Mulvey
Director, Metropolitan Delivery (CBD)
Planning Services

27/5/15

Encl:

Gateway Determination

Written Authorisation to Exercise Delegation

Attachment 5 – Delegated Plan Making Reporting Template

Gateway Determination

Planning proposal (Department Ref: PP_2015_WILLO_001_00): to permit hospital uses and amend the floor space ratio control for part 10 Herbert Street, St Leonards

I, the Director, Metropolitan Delivery (CBD) at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) that an amendment to the Willoughby Local Environmental Plan (LEP) 2012 to permit hospital uses and amend the floor space ratio control to 2.5:1 for part of 10 Herbert Street, St Leonards (known as Part Lot C, DP 401303), should proceed subject to the following conditions:

1. Prior to public exhibition, the applicant is to undertake a targeted contamination investigation to demonstrate the site can be made suitable for the proposed use in accordance with State Environmental Planning Policy No. 55 – Remediation of Land. This should be placed on public exhibition with the planning proposal.
2. Prior to undertaking public exhibition, the planning proposal is to be updated to:
 - (a) update the Floor Space Ratio Map/s to clearly show both the existing and proposed controls for the site; and
 - (b) update the Height of Building Map/s to include an appropriate height limit for the site, to accommodate the proposed design of the future hospital and respond to the surrounding urban form.

Note: Maps should be prepared to the standards identified in Standard Technical Requirements for LEP Maps (Department of Planning & Infrastructure 2013).

3. The draft Willoughby Development Control Plan with Site Specific Requirements is to be placed on public exhibition along with the planning proposal documents.
4. Community consultation is required under sections 56(2)(c) and 57 of the 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).
5. Consultation is required with the following public authorities under section 56(2)(d) of the Environmental Planning and Assessment Act and/or to comply with the requirements of relevant S117 Directions:
 - NSW Health
 - Medical Council of NSW
 - Transport for NSW – Sydney Trains
 - Transport for NSW – Roads and Maritime Services
 - Adjoining LGA's

Each public authority 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.

6. 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).
7. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.
8. A written authorisation to exercise delegation under section 59 of the Environmental Planning and Assessment Act, 1979 is issued to Council in relation to the planning proposal.

Dated 27th day of May 2015.


Lee Mulvey
Director, Metropolitan Delivery (CBD)
Planning Services
Department of Planning and Environment
Delegate of the Minister for Planning



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_2015_WILLO_001_00	Planning proposal to permit hospital uses and amend the floor space ratio control to 2.5:1 for part of 10 Herbert Street, St Leonards (known as Part Lot C, DP 401303).

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

Dated 27 May 2015



Lee Mulvey
Director, Metropolitan Delivery (CBD)
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning