

Gateway Determination

Planning proposal (Department Ref: PP_2017_WILLO_001_00): amend the building height at 12-14 Malvern Avenue, 5-7 Havilah Street and 345 Victoria Avenue, Chatswood and floor space ratio at 12-14 Malvern Avenue, 5-7 Havilah Street, Chatswood and amend Clause 1.8A - Savings provision relating to development applications.

I, the Director, Sydney Region East, at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Willoughby Local Environmental Plan 2013* (LEP) to amend the height and floor space ratio controls over the sites and amend Clause 1.8A - Savings provision relating to development applications should proceed subject to the following conditions:

The planning proposal should proceed subject to the following conditions:

1. Prior to community consultation the planning proposal is to be updated to:
 - (a) Amend the traffic impact assessment report to have regard to current traffic flows and sensitivity modelling as suggested by GTA Consultants and recommend mitigation options to ameliorate the traffic impacts of the proposal on the local road network;
 - (b) Undertake an urban design report that considers the impact of the proposed height, scale and façade treatments on adjoining residential land at Malvern Avenue and Havilah Street and any privacy impact that may result;
 - (c) Provide detailed shadow diagrams for each hour between 9am and 3pm on 22 June; and
 - (d) Reference Council's draft Chatswood CBD Planning and Urban Design Strategy and its relevance to this proposal.
2. Community consultation is required under sections 56(2)(c) and 57 of the 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 2016).
3. Consultation is required with the following public authorities under section 56(2)(d) of the Act:
 - Transport for NSW - Roads and Maritime Services
 - Transport for NSW – Sydney Trains
 - Office of Environment and Heritage
 - Adjoining Local Government Areas

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.

4. A public hearing is not required to be held into the matter by any person or body under section 56(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. The timeframe for completing the LEP is 12 months from the week following the date of the Gateway determination.

Dated 9th day of FEBRUARY 2017



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

Delegate of the Greater Sydney
Commission