

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

Dear Ms Just

**Planning proposal [PP\_2018\_WILLO\_002\_00] to amend Willoughby Local Environmental Plan 2012**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to list a new heritage item.

As delegate of the Greater Sydney Commission, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with section 9.1 Direction 3.1 Residential Zones is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

While the planning proposal is supported by a heritage assessment, which includes an assessment of significance, it has not addressed the significance of the proposed listing in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item. The planning proposal should be updated to address these categories to allow the community to have a clear understanding of the heritage significance of the item.

I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority given that a related Interim Heritage Order is currently subject to a court appeal.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 8 weeks prior to the projected publication date.

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 Greater Sydney Commission may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Ms Carina Lucchinelli to assist you. Ms Lucchinelli can be contacted on 9274 6563.

Yours sincerely

**Amanda Harvey**  
**Director, Sydney Region East**  
**Planning Services**

Encl: Gateway determination