



Ms Debra Just  
Chief Executive Officer  
Willoughby City Council  
PO Box 57  
CHATSWOOD NSW 2057

Via email: [email@willoughby.nsw.gov.au](mailto:email@willoughby.nsw.gov.au)

Attention: Norma Shankie-Williams, Strategic Team Leader

Dear Ms Just

### **Planning proposal 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 that seeks to facilitate a mixed use development at 753 Pacific Highway and 15 Ellis Street, Chatswood. Specifically, the proposal seeks to make the following changes to the Willoughby LEP 2012:

- rezone the site from R4 High Density Residential to B4 Mixed Use;
- increase the maximum permitted building height from 34m to 90m;
- increase the maximum FSR from 1.7:1 to 6:1; and
- introduce a minimum commercial FSR of 1:1.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

Council must still obtain the agreement of the Secretary to comply with the requirements of section 9.1 Direction 6.2 Reserving Land for Public Purposes. Council should ensure this occurs prior to public exhibition as outlined in the conditions of the Gateway determination.

I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority given its consistency with the Chatswood CBD Strategy.

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 to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office, six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry and Environment.

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 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr Bailey Williams to assist you. Mr Williams can be contacted on 8275 1306.

Yours sincerely

A handwritten signature in blue ink that reads "Brendan Metcalfe". The signature is written in a cursive style.

**15 February 2021**  
**Brendan Metcalfe**  
**Director, North District**  
**Eastern Harbour City**

Encl: Gateway determination  
Authorised plan-making reporting template