



Mr Debra Just  
CEO  
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, Team Leader, Strategic Planning

Dear Mr Just

**Planning proposal [PP-2021-2473] 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 amend the Willoughby LEP 2012 as it applies to land at 815 Pacific Highway and 15 Help Street, Chatswood to:

- increase the maximum permitted building height from 60m at 815 Pacific Highway to 142.8m (RL246.8m) and from 90m at 15 Help Street to 142.8m (RL246.8m),
- increase the maximum FSR from 5.0:1 to no maximum FSR, delete Clause 6.12 Size of shops in Zone B3 and Zone B4 in Chatswood,
- amend the Lot Size Map to apply a maximum of 1,800m<sup>2</sup>,
- amend the Special Provisions Map, amend the Active Street Frontages Map,
- add Clause 4.1D Minimum subdivision of lot size for Zone B3 Commercial Core,
- amend Clause 5.6 Architectural roof features,
- amend Clause 6.23 Design excellence and
- amend the Land Use Table to prohibit serviced apartments in the B3 Commercial Core.

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.

It is noted that Council has requested to be authorised as the local plan-making authority. 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.

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 Ms Christina Brooks, Planning Officer to assist you. Ms Brooks can be contacted on 9274 6045.

Yours sincerely



**30 April 2021**  
**Brendan Metcalfe**  
**Director, North District**  
**Eastern Harbour City**

Encl: Gateway determination  
Authorised plan-making reporting template