



Ms 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

Dear Ms Just

**Planning proposal PP-2021-2923 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 rezone the site from B5 Business Development to B4 Mixed Use, increase the maximum height of buildings from 20m to 90m, increase the maximum FSR from 2.5:1 to 6:1 and amend various LEP clauses.

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 may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Direction 3.5 Development Near Regulated Airports and Defence Airfields, which have not been addressed in the planning proposal. Council should ensure this occurs prior to public exhibition as outlined in the conditions of the Gateway determination.

I have considered the nature of the planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The Department requests that prior to submitting future planning proposals any updates to a proposal Council resolved to make are incorporated before uploading it to the NSW Planning Portal for Gateway determination.

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 within 3 months of the Gateway determination being issued. 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. Ms Brooks can be contacted on 9274 6045.

Yours sincerely



**8 October 2021**  
**Brendan Metcalfe**  
**Director, North District**  
**Eastern Harbour City**

Encl: Gateway determination  
Authorised plan-making reporting template