



Ms Debra Just
CEO
Willoughby City Council
PO Box 57
CHATSWOOD NSW 2057

Via email: email@willoughby.nsw.gov.au

Attention: Norma Shankie-Williams

Dear Ms Just

Planning proposal PP-2021-4170 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) for the planning proposal to increase the maximum height of buildings from 34m to 44m, increase the maximum floor space ratio from 1.7:1 to 4.5:1 and amend various clauses in the Willoughby LEP 2012 for land at 3 Ellis Street, Chatswood.

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 2.6 Remediation of Contaminated Land and 3.5 Development Near Licensed Aerodromes, as these will need to be addressed prior to exhibition. A revised planning proposal will be required to be submitted to the Department addressing the conditions outlined in the attached Gateway determination for endorsement prior to public exhibition.

It is requested that prior to the submission of future planning proposals, that any updates to the planning proposals made by way of the Council resolution, are incorporated into the planning proposal before it is submitted to the Department on the NSW Planning Portal.

Council has requested to be the local plan-making authority. Given the nature of the planning proposal the Gateway has been conditioned for Council to be the local plan-making authority as the site.

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, Industry and Environment to draft and finalise the LEP should be made eight 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 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 to assist you. Ms Brooks can be contacted on 9274 6045.

Yours sincerely



Brendan Metcalfe
Director, North District
Eastern Harbour City
26 October 2021

Encl: Gateway determination
Plan-making template