

**Attachment P - Gateway Determination Conditions – Willoughby Comprehensive review –  
Department Summary**

Condition	Requirement		Comment
1(a)	Include an advisory note referencing the Department's Employment Reform Framework		Planning proposal was updated to include the advisory note.
1(b)	9.1 Directions	2.1 Environmental protection zones	The planning proposal is consistent with this Direction. The planning proposal was updated to address 3.1 Conservation Zones (previously 2.1 Environmental protection zones).
		2.2 Coastal management	The planning proposal is consistent with this Direction. The planning proposal was updated to address 4.2 Coastal Management (previously 2.2).
		3.1 Residential zones	The planning proposal is consistent with this Direction. The planning proposal was updated to address 6.1 Residential Zones (previously 3.1).
		3.4 Integrating land use and transport	The planning proposal is consistent with this Direction. The planning proposal was updated to address 5.1 Integrating land use and transport (previously 3.4).
		3.5 Development Near Regulated Airports and Defence Airfields	The planning proposal is consistent with this Direction. The planning proposal was updated to address 5.3 Development Near Regulated Airports and Defence Airfields (previously 3.5).
		2.6 Remediation of contaminated land	Planning proposal is partially consistent with this Direction. The planning proposal was updated to addresses 4.4 Remediation of contaminated land (previously 2.6). The adequacy of the response to this Direction is assessed in the Department's finalisation of the proposal.
		7.11 implementation of St Leonards and Crows Nest 2036 Plan	The planning proposal is consistent with this Direction.

			The planning proposal was updated to address 1.13 Implementation of St Leonards and Crows Nest 2036 Plan (previously 7.11). The adequacy of the response to this Direction will be assessed in the Department's finalisation of the proposal.
		Remove reference to revoked Directions and include any new Directions	The planning proposal is consistent with this Direction. The planning proposal was updated to address the new numbering of the Directions, to remove revoked Directions and include new Directions.
1(c)	SEPPs	<ul style="list-style-type: none"> <li>SEPP 19 Bushland in Urban Areas</li> <li>SREP (Sydney Harbour Catchment) 2005</li> </ul>	The planning proposal is consistent with these SEPPs. The planning proposal was updated to address the new SEPP (Biodiversity and Conservation) 2021 which now incorporates the previous SEPP 19 and SREP.
		SEPP (Exempt and Complying Development Codes) 2008	The planning proposal was updated to address this SEPP. The adequacy of the response to this Direction will be assessed in the Department's finalisation of the proposal.
		SEPP (Housing) 2021	The planning proposal was updated to address this SEPP. The proposal is consistent with this SEPP.
		Draft SEPP (Design and Place) 2021	The planning proposal was updated to address this SEPP. The proposal is consistent with this SEPP. The adequacy of the response to this Direction will be assessed in the Department's finalisation of the proposal.
		Provide an advisory note on the consolidated SEPPs	The planning proposal was updated to provide an advisory note on the new consolidated SEPPs.
		Remove Reference to repealed SEPPs	The planning proposal was updated to remove the repealed SEPPs.
1(d)	Provide an assessment against the Willoughby Local Housing Strategy (LHS)		The condition has been met. The planning proposal was

		updated to provide an assessment against the LHS.
1(e)	Update the planning proposal to align with the areas of change under the SLCN 2036 Plan	The condition has been met. The planning proposal was updated to provide detail on the areas of change under the SLCN 2036 Plan.
1(f)	Update the objectives and intended outcomes of the planning proposal to include a concise summary of the proposal upfront	The condition has been met. The planning proposal was updated as requested.
1(g)	Clarify whether the increase to FSR from 1.5:1 to 2:1 in IN2 Light Industrial zone for sites greater than 1,000m <sup>2</sup> will apply to land in Lane Cove North, as well as Artarmon and East Chatswood	The condition has been met. The planning proposal was updated as requested.
1(h)	Provide discussion on the impacts of the proposal on the capacity of the local road network and how it will be managed for the proposed uplift in FSR of 1.5:1 to 2:1 for land zoned IN2 Light Industrial	The condition has been met. The planning proposal was updated as requested.
1(i)	Include an advisory note that the draft clauses are indicative only and will be subject to drafting by Parliamentary Counsel as part of the drafting of the final LEP	The condition has been met. The planning proposal was updated as requested.
1(j)	Include all strategies and studies as attachments upfront in the planning proposal for public exhibition	The condition has been met. The planning proposal was updated as requested.
1(k)	Include a list of planning proposals that are running concurrently to this planning proposal	The condition has been met. The planning proposal was updated as requested.
1(l)	Update the proposed affordable housing provision rates for the areas it applies to align with the feasibility findings of the Affordable Housing Feasibility Report	Planning proposal updated to reflect the table in the feasibility. The adequacy of the response to this Direction will be assessed in the Department's finalisation of the proposal.
1(m)	Align the proposed clause for Urban Heat provisions with Clause 6.12 Urban Heat in the Cumberland LEP 2021 and provide a plain English explanation. Remove references to the proposed definitions of 'urban heat' and 'urban heat island effect'.	The condition has been met. The planning proposal was updated as requested.
1(n)	Consider alternative mechanisms in implementing the proposed GFA map provisions for R2 zones outside of heritage conservation areas.	The planning proposal was updated as requested. The adequacy of the response to this Direction will be assessed in the Department's finalisation of the proposal.
1(o)	Remove 'pet day care' as a stand-alone permitted use and include as 'animal boarding or training establishment'	The condition has been met. However, in the post-exhibition written changes, 'pet day care' has been restored.

		The adequacy of the response to this Direction will be assessed in the Department's finalisation of the proposal.
1(p)	For the reclassification of land from 'community' to 'operational' at Eastern Valley Way, Northbridge	The reclassification and rezoning of the land at Northbridge have been withdrawn from the planning proposal.
1(q)	update the planning proposal to reflect the changes to the LEP as a result of the planning proposal for 1A-29 Bowen Street and 6-18 Moriarty Road, Chatswood	The condition has been met. The exhibition maps show the planning provisions approved 19 November 2021.
1(r)	include an updated project timeline based on the issuing of this Gateway determination	Planning proposal has been updated to provide a timeline.
2	Council is to submit the digital mapping for the Comprehensive LEP planning proposal in the spatial viewer for approval/agreement of the Department prior to the public exhibition	Digital mapping was submitted prior to exhibition. However, some of maps including the Affordable Housing maps and the Sun Access maps were submitted and updated post-exhibition which met the Department's technical requirements.
3	Prior to public exhibition, consultation is required with the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications (DTIRDC)	The condition has been met.
4	Consultation with public authorities	The condition has been met.
5	Prior to finalisation, Council should undertake an assessment of any land proposed to be rezoned from non-residential to residential uses in accordance with the requirements of Section 9.1 Direction 2.6 – Remediation of Contaminated Land	<p>This condition has been partially met. The finalisation report requires the removal of two sites to allow further information to be provided in a site specific planning proposal to adequately address the direction. These sites are:</p> <ul style="list-style-type: none"> <li>Land at 879 Pacific Highway is to be rezoned from B5 to MU1. The rezoning of this site proposes sensitive land uses and has incomplete knowledge of the conditions.</li> <li>168-170 Epping Road, Lane Cove North is to be rezoned from IN2 to C2 with incomplete knowledge of the conditions.</li> </ul>

		Both sites are to be withdrawn to be considered at a later date with further investigation.
6	Council must conduct a public hearing for the proposed reclassification of land under the Local Government Act 1993. Council must provide the community with an additional opportunity to present to an independent person after Council's planning proposal report has gone on exhibition	The reclassification and rezoning of Council land at Northbridge has been withdrawn from the planning proposal to be considered at a later date. A public hearing will be conducted at that time.
7	The planning proposal should be made available for community consultation for a minimum of 28 days	The condition has been met.
8	The planning proposal must be exhibited 3 months from the date of the Gateway determination	The condition has been met.
9	The planning proposal must be reported to council for a final recommendation 12 months from the date of the Gateway determination	The condition has been met.
10	The time frame for completing the LEP is to be 18 months from the date of the Gateway determination	Condition to be met. The Department is the Local Plan-making Authority
11	Given the planning proposal is a comprehensive LEP Council should not be authorised to be the local plan-making authority to make this plan.	The condition has been met. The Department is the local plan-making authority