

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

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

Attention: Mitchell Noble, Head of Planning

Dear Ms Just

Planning proposal PP-2021-6560 to amend Willoughby Local Environmental Plan 2012

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect to 849, 853 and 859 Pacific Highway, 2 and 8 Wilson Street, Chatswood. The planning proposal seeks to rezone the site, increase the maximum height of buildings and increase the maximum FSR. The proposal will also rezone part of the site for 8 Wilson Street, introduce a maximum height of buildings, introduce a maximum FSR and to amend various clauses for the entire amalgamated site.

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

Council will still need to obtain the agreement of the Minister to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the EP&A Act including 3.2 Heritage Conservation, 4.4 Remediation of Contaminated Land, 5.3 Development Near Regulated Airports and Defence Airfields and 7.1 Business and Industrial Zones. Council should ensure this occurs prior to the LEP being made.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised within **10 months** of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning and Environment.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2021) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency

referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

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



28 July 2022
Brendan Metcalfe
Director, North District
Metro Central and North
Planning and Land Use Strategy

Encl: Gateway determination