

Department of Planning, Housing and Infrastructure

Our ref: EF/13063

Mr Hugh Phemister
General Manager
Willoughby City Council
PO Box 57
CHATSWOOD NSW 2057

Attention: Craig O'Brien, A/Strategic Planning Team Leader

7 July 2025

Subject: Planning proposal PP-2024-1886 to amend Willoughby Local Environmental Plan 2012

Dear Mr Phemister

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 the Willoughby Council Heritage Review. The planning proposal seeks to list 14 new heritage items, amend an existing heritage conservation area, and introduce a new heritage conservation area.

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

As outlined in the Gateway Assessment report, parts of Council's proposal to introduce new and extended heritage conservation areas (HCAs) are not supported by the Department. This relates to properties on the edge of the HCAs as they are not supported by adequate justification demonstrating how they contribute to the heritage significance of the area. A Gateway condition requires that these properties are removed from the planning proposal prior to consultation.

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 on or before 26 March 2026. 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, Housing and Infrastructure.

Department of Planning, Housing and Infrastructure

The NSW Government has committed to reduce the time taken to complete LEPs. The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning, Housing and Infrastructure, August 2023) 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 Claire Ferguson to assist you. Ms Ferguson can be contacted on 9995 5844.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Jazmin van Veen".

Jazmin van Veen

Director, Local Planning (North, East and Central Coast)
Planning, Land Use Strategy, Housing and Infrastructure