

## Gateway Determination

***Planning proposal (Department Ref: PP-2021-2467): to amend the Willoughby LEP 2012 to facilitate a mixed use development at 54-56 Anderson Street, Chatswood.***

I, the Director, North District at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Willoughby Local Environmental Plan (LEP) 2012 to rezone and increase the development standards for land at 54-56 Anderson Street, Chatswood should proceed subject to the following conditions:

1. Prior to public exhibition the planning proposal is to be revised to address the following requirements and forwarded to the Department for review and approval:
  - a. Include a statement of consistency with section 9.1 Direction 1.1 Business and Industrial Zones, noting that the direction is applicable to the proposal.
  - b. The explanation of provisions is to be updated to ensure that the amendments requested are consistent between all documentation forwarded to the Department. It is recommended that this update match the information contained in the accompanying resubmission letter.
  - c. Include extracts of the proposed LEP Mapping amendments. All proposed LEP maps are to meet the requirements of Standard Instrument mapping.
  - d. Include a project timeline as required by the Department's publication '*A guide to preparing planning proposals*'.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:

- Transport for NSW
- Ausgrid
- Sydney Water Corporation
- NSW Department of Education
- NSW Department of Health
- Sydney Airport Corporation

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
  - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
  - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.
  - a. The public exhibition of the proposal is to occur within 6 months of the receipt of the Gateway determination.
  - b. The proposal must be reported back to Council within 9 months of the receipt of the Gateway determination.

Dated 6<sup>th</sup> day of July 2021.



**Eva Stanbury**  
**Acting Director, North District**  
**Greater Sydney, Place and**  
**Infrastructure**  
**Department of Planning, Industry and**  
**Environment**

**Delegate of the Minister for Planning**  
**and Public Spaces**