



Gateway Determination

Planning proposal (Department Ref: PP_2020_WOOLL_002_00): amend Woollahra Local Environmental Plan (LEP) 2014 by adding selected properties identified in the Paddington Floodplain Risk Management Study and Plan 2019 (Paddington FRMSP) to the Flood Planning Maps.

I, the Acting Director 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 Woollahra LEP 2014 that adds selected properties identified in the Paddington FRMSP to the Flood Planning Maps should proceed subject to the following conditions:

1. The planning proposal is to be amended to address the following matters and submitted to the Department for review and endorsement prior to public exhibition:
 - (a) update the planning proposal to address the social impacts in more detail. The proposal should inform the community about its intended outcomes to reduce the risk of harm to human life and property;
 - (b) update the planning proposal to address the economic impacts in more detail. The proposal should inform the community about the potential costs and benefits of requiring future development applications on flood controlled lots to address the provisions of Clause 6.3 *Flood planning* of the Woollahra Local Environmental Plan 2014;
 - (c) update the planning proposal to provide an explanation of the requirements and restrictions on exempt and complying development on flood control lots under the SEPP (Exempt and Complying Development Codes) 2008;
 - (d) update the planning proposal to remove reference to repealed SEPPs:
 - SEPP No 1 – Development Standards;
 - SEPP No 44 – Koala Habitat Protection; and
 - SEPP (Miscellaneous Consent Provisions) 2007;
 - (e) update the planning proposal to refer to the current SEPP (Koala Habitat Protection) 2019;
 - (f) correct a misdescription by replacing reference to ‘SEPP (Concurrences) 2018’ with ‘SEPP (Concurrences and Consents) 2018’;
 - (g) correct a misdescription by replacing reference to ‘SEPP No 70’ with ‘SEPP (Affordable Rental Housing) 2008’;

- (h) include the existing Flood Planning Maps FLP_001 and FLP_003;
 - (i) include the proposed Flood Planning Maps FLP_001 and FLP_003 to show the additional properties subject to Clause 6.3 *Flood planning* of the Woollahra LEP 2014;
 - (j) update the project timeline in part 9 of the planning proposal to reflect the current progress and the timeframe allowed to complete the LEP, where relevant; and
 - (k) review and confirm that the lot and DP numbers and addresses of all properties to be included in the Flood Planning Maps are correctly identified and referenced in the schedule to the planning proposal.
2. The planning proposal should be made available for community consultation for a minimum of **28 days**.
 3. Consultation is required with the following public authorities:
 - NSW Environment, Energy and Science (former Office of Environment and Heritage);
 - Heritage NSW, Department of Premier and Cabinet (former Office of Environment and Heritage);
 - Sydney Water;
 - Ausgrid;
 - State Emergency Services (SES);
 - NSW Ambulance;
 - NSW Police;
 - NSW Fire and Rescue;
 - Department of Health; and
 - Department of Education – School Infrastructure NSW (SINSW).
 4. The time frame for completing the LEP is to be **9 months** from the date of the Gateway determination.
 5. Given the nature of the planning proposal, Council should be the local plan-making authority to make this plan.

Dated 30 day of March 2020.



Brendan Metcalfe
A/Director, Eastern and South Districts
Greater Sydney, Place and Infrastructure

Delegate of the Minister for Planning and
Public Spaces