

## Gateway Determination

**Planning proposal (Department Ref: PP-2024-2188):** to insert local provision clause 5.21A to manage development in flood prone areas consistent with the Stonequarry Creek Floodplain Risk Management Study and Plan (2022).

I, the Deputy Secretary, Planning Land Use, Housing and Infrastructure at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Wollondilly Local Environmental Plan 2011 to insert local provision clause 5.21A to manage development in flood prone areas consistent with the Stonequarry Creek Floodplain Risk Management Study and Plan (2022) should not proceed for the following reasons:

1. The planning proposal is inconsistent with the Department's Flood Prone Land Package as it seeks to create an additional flood planning clause that is inconsistent with the Department's streamlined approach including the removal of flood maps from Local Environmental Plans (LEPs) and the introduction of two standard LEP clauses replacing previous clauses that referred to flood maps.
2. The application of Council's proposed clause 5.21A Floodplain Risk Management can also be applied using the Standard Instrument optional clause 5.22 Special Flood Consideration. Any additional flood planning controls and flood planning mapping beyond that defined by the clause should be included in Council's Development Control Plan (DCP) as intended by the Department's Flood Prone Land Package.
3. The planning proposal does not sufficiently consider the outcomes of the final Department's Flood Prone Land Package and how the proposed Council clause interacts with this policy.

**Monica Gibson**  
**Deputy Secretary, Planning Land Use,**  
**Housing and Infrastructure**  
**Department of Planning, Housing and**  
**Infrastructure**

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