

Ms Monica Gibson
Executive Director
Waterloo Estate (South)
Planning Proposal Authority

Our ref: IRF22/2287

Via email:
Monica.Gibson@planning.nsw.gov.au

Dear Ms Gibson

Planning proposal PP_2021_3265 – Alteration of Gateway Determination

I refer to your letter in relation to planning proposal for Waterloo Estate (South) seeking an extension of time to complete planning proposal and alterations to the conditions in Table 2 of the Gateway determination.

I have determined as the delegate of the Minister, in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 23 June 2021 for PP_2021_3265 (since altered). The Alteration of Gateway determination is enclosed.

If you have any questions in relation to this matter, I have arranged for Mary Su, Senior Planning Officer, Metro East and South (City) to assist you. Mary Su can be contacted on 9373 2807.

Yours sincerely



Aaron Nangle
Acing Director, Metro East and South (City)

Encl: Alteration of Gateway Determination

Alteration of Gateway Determination

Planning proposal (Department Ref: PP-2021-3265)

I, Acting Director, Metro East and South (City) at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 23 June 2021 (since altered) for the proposed amendment to the Sydney Local Environmental Plan 2012 as follows:

1. Delete:

“condition 7”

and replace with:

a new condition 7: “The time frame for completing the LEP is by 31 October 2022”

2. Delete:

condition Table 2 : LAHC Site Specific FSR Bonus Controls

<p>LAHC Site Specific FSR bonus controls</p>	<p>Modify the Site Specific control to prescribe an FSR bonus that is consistent with the Waterloo IAG’s financial feasibility assessment to achieve no cost to government, less the base FSR, or provide an alternative FSR scheme based on the additional investigations required by Table 1. This may take into account the results of the assumption testing recommended in Part 6.5 of the IAG report and any modifications to the Zoning map and Land Reservation and Acquisition map.</p> <p>Require at least 847 social housing units to replace the existing housing stock.</p> <p>Require 5 to 10% of net additional residential units be developed by a Community Housing Provider (CHP) and/or Aboriginal Community Housing Provider (ACHP) (exact percentage subject to the results of the efficiency analysis noted above).</p> <p>Amend the minimum non-residential development floorspace from 13,000m² to 12,000m².</p> <p>Remove the requirement for “the provision of publicly accessible open space has been made, to the satisfaction of Council” as this provides no finality. The planning mechanism to deliver public open space is to be by either zoning of the land RE1 or by a draft Voluntary Planning Agreement. The Planning Proposal Authority is encouraged to consult with Council and LAHC prior to public exhibition to provide certainty for the community.</p>
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and replace with:

a new condition Table 2: LAHC Site Specific FSR bonus controls

<p>LAHC Site Specific FSR bonus controls</p>	<p>Modify the Site Specific control to prescribe an FSR bonus that is consistent with the Waterloo IAG’s financial feasibility assessment to achieve no cost to government, less the base FSR, or provide an alternative FSR scheme based on the additional investigations required by Table 1. This may take into account the results of the assumption testing recommended in Part 6.5 of the IAG report and any modifications to the Zoning map.</p> <p>Require at least 847 social housing units to replace the existing housing stock.</p> <p>Require 5 to 10% of net additional residential units be developed by a Community Housing Provider (CHP) and/or Aboriginal Community Housing Provider (ACHP) (exact percentage subject to the results of the efficiency analysis noted above).</p> <p>Amend the minimum non-residential development floorspace from 13,000m² to 12,000m².</p> <p>Remove the requirement for “the provision of publicly accessible open space has been made, to the satisfaction of Council” as this provides no finality. The planning mechanism to deliver public open space is to be by either zoning of the land RE1 or by a draft Voluntary Planning Agreement. The Planning Proposal Authority is encouraged to consult with Council and LAHC prior to public exhibition to provide certainty for the community.</p>
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3. Delete:

condition Table 2 : Height of Building Map

<p>Height of Building Map</p>	<p>Use the Waterloo IAG storey height map as a guide and set simplified maximum heights above ground on the Height of Building Map, including an allowance for roof top communal facilities and flood levels.</p> <p>Maintain the maximum RL for the 3 proposed towers.</p> <p>Remove the 3m and/or 6m height control that depicts the location of private internal courtyards and apply the adjacent maximum heights.</p> <p>Remove the 3m and/or 6m height control on land to be dedicated for roads or laneways. Prepare a Land</p>
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	Reservation Acquisition Map and address road dedication through a Voluntary Planning Agreement.
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and replace with:

a new condition Table 2: Height of Building Map

Height of Building Map	<p>Use the Waterloo IAG storey height map as a guide and set simplified maximum heights above ground on the Height of Building Map, including an allowance for roof top communal facilities and flood levels.</p> <p>Maintain the maximum RL for the 3 proposed towers.</p> <p>Remove the 3m and/or 6m height control that depicts the location of private internal courtyards and apply the adjacent maximum heights.</p> <p>Remove the 3m and/or 6m height control on land to be dedicated for roads or laneways.</p>
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4. Delete:

condition Table 2 : Active Street Frontage Map

Active Street Frontage Map	This map is to be amended to remove land that does not front an existing or proposed public road depicted on the Land Reservation and Acquisition Map.
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and replace with:

a new condition Table 2: Active Street Frontage Map

Active Street Frontage Map	This map is to be amended to remove land that does not front an existing or proposed public road.
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5. Delete:

condition Table 2 : Land Reservation and Acquisition Map

Land Reservation and Acquisition Map	Land to be dedicated for public roads are required to be identified on a Land Reservation and Acquisition map.
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Dated 7th day of July 2022.



Aaron Nangle
Acting Director, Metro East and South (City)
Department of Planning and Environment

Delegate of the Minister for Planning and Homes