

## Gateway Determination

**Planning proposal (Department Ref: PP-2022-731):** to introduce site-specific provisions for land at 488 – 492 Old South Head Road and 30 Albemarle Avenue, Rose Bay.

I, the Executive Director, Metro East and South at the Department of Planning, Housing and Infrastructure, 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 Woollahra Local Environmental Plan (LEP) 2014 to introduce site-specific provisions for land at 488 – 492 Old South Head Road and 30 Albemarle Avenue, Rose Bay should proceed subject to the following conditions:

1. The planning proposal is to be revised prior to exhibition to address the matters set out below:
  - a) remove the requirement for a Site-Specific Development Control Plan
  - b) remove proposed local provisions relating to setbacks, deep soil landscaped areas and a publicly accessible area (pocket park)
  - c) update the planning proposal timeframes.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 20 working 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 *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:
  - Transport for NSW
  - Environment and Heritage Group (Department of Climate Change, Energy, the Environment and Water)
  - State Emergency Service
  - Ausgrid
  - Sydney Water
  - Waverley Council

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 20 working 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 EP&A 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 time frame for completing the LEP is to be 8 months following the date of the Gateway determination.

Dated 23rd day of February 2024



**Amanda Harvey**  
**Executive Director, Metro East and South**  
**Department of Planning, Housing and**  
**Infrastructure**

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