

## Planning Services

### Plan Finalisation Report

**Local Government Area:** Ryde

**File Number:** IRF18/1055

#### 1. NAME OF DRAFT LEP

Ryde Local Environmental Plan 2014 Amendment No 17.

#### 2. SITE DESCRIPTION

The planning proposal applies to land at 3-5 Vincentia Street, Marsfield as shown in Figure 1. The site has a total area of 3496m<sup>2</sup> and contains four detached dwellings and an attached dual occupancy. The dwellings provide parishioner accommodation and were built as self-contained dwellings.



Figure 1: Subject site and surrounding development.

#### 3. PURPOSE OF PLAN

The draft LEP seeks to:

- amend zoning from SP2 Place of Public Worship to R2 Low Density Residential;
- introduce a maximum building height of 9.5m;
- introduce a floor space ratio of 0.5:1; and
- introduce a minimum lot size of 580m<sup>2</sup>.

The trustees of the accommodation, the Vincentia Brothers, foresee that the dwellings may become surplus to the accommodation requirements of the Parish due to the ageing of

members. The objective of the proposal is to rezone the land to enable the subdivision of part of the site and the future sale of existing dwelling houses.

A concept subdivision plan provided as part of the planning proposal reflects the Torrens Title subdivision of the land for one multi-dwelling lot, three residential lots and one vacant lot. The proposal states that a subsequent strata subdivision will occur for the multi-dwelling lot to provide four strata lots.

#### **4. STATE ELECTORATE AND LOCAL MEMBER**

The site falls within the Ryde State Electorate. The Hon Victor Dominello MP is the State Member for Ryde.

The site falls within the Bennelong Federal Electorate. Mr John Alexander OAM MP is the Federal Member for Bennelong.

To the regional planning team's knowledge, neither MP has made any written representations regarding the proposal.

**NSW Government Lobbyist Code of Conduct:** There have been no meetings or communications with registered lobbyists with respect to this proposal.

**NSW Government reportable political donation:** There are no donations or gifts to disclose and a political donation disclosure is not required.

#### **5. GATEWAY DETERMINATION**

The Gateway determination issued on 12 September 2017 (**Attachment C**) determined that the proposal should proceed subject to conditions.

The proposal is due for finalisation on 12 June 2018.

#### **6. PUBLIC EXHIBITION**

In accordance with the Gateway determination, community consultation was undertaken by Council from 25 October to 24 November 2017. No submissions were received.

#### **7. ADVICE FROM PUBLIC AUTHORITIES**

No consultation with public authorities was required.

#### **8. ASSESSMENT**

The Department recommends the draft LEP be supported for the following reasons:

- the proposal will provide for the orderly development and use of the land;
- the proposal will introduce planning controls consistent with the surrounding area in terms of zone, floor space ratio, building height and minimum lot size;
- the proposal is consistent with the Greater Sydney Region Plan as it will assist in achieving the objectives to increase the supply and mix of housing opportunities within the Ryde local government area; and
- the proposal is consistent with the North District Plan as it will enable the release of additional housing for private purchase, contributing to the liveability priorities and actions of the plan.

#### **9. MAPPING**

There are four maps and a map cover sheet (**Attachments Maps and MCS**) associated with this amendment.

Council submitted the maps via the Department's e-Planning Portal and these have been checked by the e-planning data and information team and sent to Parliamentary Counsel.

#### **10. CONSULTATION WITH COUNCIL**

Council was consulted on the terms of the draft instrument under clause 3.36(1) of the *Environmental Planning and Assessment Act 1979*. Council confirmed on 22 March 2018 that it agreed with the draft and that the plan should be made (**Attachment F**).

#### **11. PARLIAMENTARY COUNSEL OPINION**

On 27 March 2018, Parliamentary Counsel provided the final Opinion that the draft LEP could legally be made. This Opinion is provided at **Attachment PC**.

#### **12. RECOMMENDATION**

It is recommended that the Greater Sydney Commission's delegate determine to make the draft LEP.



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