



Mr George Dedes
Acting General Manager
City of Ryde Council
Locked Bag 2069
NORTH RYDE NSW 1670

Dear Mr Dedes

Planning proposal PP_2018_RYDEC_001_00 to amend Ryde Local Environmental Plan 2014

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to increase the permitted building height and floor space ratio at 112 Talavera Road, Macquarie Park.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with section 9.1 Direction 4.3 Flood Prone Land is of minor significance.

Council will still need to obtain the agreement of the Department of Planning and Environment's Secretary to comply with the requirements of relevant section 9.1 Directions 3.5 Development Near Licensed Aerodromes and 4.4 Bushfire Prone Land.

As the proposal seeks a considerable increase to the recently introduced planning controls, I am requiring that a number of actions be undertaken prior to community consultation and the revised planning proposal be returned to the Department for endorsement.

Additional information is required in relation to the intended outcomes of the proposed design excellence clause. Rather than only applying to buildings over 150 metres in height, it is considered that the clause should be site-specific, apply to all development on the site and clearly explain the intended design outcomes.

In response to current strategic planning and development applications in the Macquarie Park corridor, Roads and Maritime Services (RMS) has been in discussions with Transport for NSW and the Department on an update to the Macquarie Park Aimsun model to identify the cumulative traffic impacts of current proposals. Prior to community consultation, the planning proposal should be updated to demonstrate consistency with the revised Aimsun traffic model. The proposal should also be updated to include a new satisfactory arrangements clause for contributions to the provision of designated state public infrastructure.

Further explanation is also required to justify how an increase in the development capacity on the site would provide a better outcome than the increased density provided by the 2015 LEP amendments afforded by the Herring Road Precinct strategic study. The proposal should also be updated to demonstrate consistency with the Revised Draft District Plan and the Draft Greater Sydney Region Plan.

Given that further investigation into the site's aviation navigation constraints and traffic impacts may result in changes to the current proposal, it is considered prudent that consultation with relevant aviation agencies and RMS occurs prior to community consultation. This will also provide the community with sufficient information to consider the proposal and assurance that these authorities have reviewed the proposal.

Council should also demonstrate that the proposal is consistent with any available findings of the Macquarie Park strategic investigation prior to finalisation.


Plan-making powers were delegated to councils by the Minister in October 2012. It is noted that Council has requested to be authorised to be the local plan-making authority for this planning proposal. I have considered the nature of Council's planning proposal and have decided not to issue an authorisation for Council to be the local plan-making authority due to the current strategic planning work being undertaken by the Department within the Macquarie Park corridor.

The amending local environmental plan (LEP) is to be finalised within 18 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Greater Sydney Commission may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Ms Carina Lucchinelli to assist you. Ms Lucchinelli can be contacted on 9274 6563.

Yours sincerely

 7 March 2018
Stephen Murray
Executive Director, Regions
Planning Services

Encl: Gateway Determination