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Mr Roy Newsome
Acting General Manager
Ryde City Council
Locked Bag 2069
NORTH RYDE NSW 1670

Our ref: PP_2014_RYDEC_001_00 (14/04723)
Your ref: LEP 2013/12/4

Dear Mr Newsome,

Planning proposal to amend draft Ryde Local Environmental Plan 2014

I am writing in response to your Council's request for a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 in respect of the planning proposal to make various housekeeping amendments, including: amending various clauses in the written instrument; altering the description, adding and removing heritage items; rezoning and amending the development standards applicable to various sites; amending the land use table for various zones; mapping amendments; and including additional permitted uses on certain land.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the variations outlined in the conditions in the attached Gateway determination.

While the planning proposal is supported, Council is to make the below changes to the planning proposal prior to placing it on public exhibition:

- remove the proposal to permit 'secondary dwellings' in various residential zones, because this change has already been made to the draft Ryde Local Environmental Plan 2014, by the Department post public exhibition;
- remove the proposed requirement for a workplace travel plan from Clause 6.6 'Environmental Sustainability,' because such a requirement is more appropriately placed in a development control plan;
- zone land at 14-20 Oxford Street, Gladesville to R2 Low Density Residential, with a maximum building height of 9.5m and maximum floor space ratio of 0.5:1. This will bring the deferred site into Council's draft Local Environmental Plan and zone the land consistent with adjoining land;
- permit 'business premises' and 'office premises' as additional permitted uses on land at 436-484 Victoria Road, Gladesville and remove the reference to 'commercial premises' from the Schedule 1 item;
- rezone land at 2 Nile Close, Marsfield to SP2 Infrastructure (Classified Road) and add this site and land at 283 Vimiera Road, Marsfield to the Land Reservation Acquisition Map. I note that Roads and Maritime Services is the acquisition authority for this land;
- remove land at 607-623 Victoria Road, Ryde and 157 Balaclava Road, Macquarie Park from the Land Reservation Acquisition Map, as this land has now been acquired;
- amend the description of heritage item 156 for land at 958 Victoria Road, West Ryde to 'House (Former engineer's residence),' within Schedule 5 Environmental Heritage of Council's draft Local Environmental Plan; and

- remove the proposal to rezone the 'Ryde Civic Precinct' to SP2 Infrastructure and amend applicable development standards, because the proposal is subject to a separate planning proposal PP_2013_RYDEC_002_00, which was already issued with a Gateway determination of support in November 2013.

While the proposal to permit a 'medical centre' as an additional permitted use on land at 131 and 133 Herring Road and 208 Epping Road, Marsfield is supported, Council is encouraged to zone the site appropriately to reflect the intended land uses. Council should consider zoning the site to an appropriate business zone such as a B1 Neighbourhood Centre, where medical centres are permitted. If a suitable alternative zone is identified, Council is to amend the planning proposal, prior to proceeding to public exhibition.

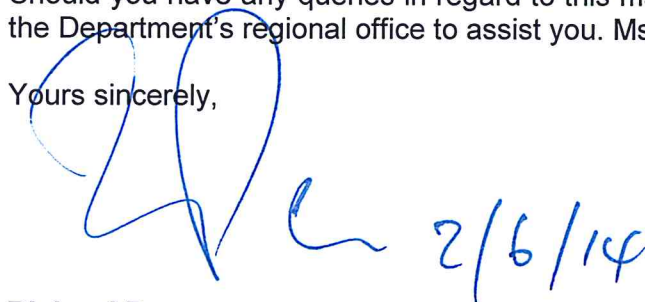
Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the Local Environmental Plan should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment for administrative purposes.

The State Government is committed to reducing the time taken to complete Local Environmental Plans 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 Minister may take action under section 54(2)(d) of the Environmental Planning and Assessment Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ms Sandy Shewell of the Department's regional office to assist you. Ms Shewell can be contacted on (02) 8575 4115.

Yours sincerely,

A handwritten signature in blue ink, which appears to be 'Richard Pearson', followed by the date '2/6/14' written in a similar style.

Richard Pearson
Deputy Secretary
Growth Planning and Delivery

Encl:

Gateway Determination

Written Authorisation to Exercise Delegation

Attachment 5 – Delegated Plan Making Reporting Template

Gateway Determination

Planning proposal (Department Ref: PP_2014_RYDEC_001_00): to make various housekeeping amendments to draft Ryde Local Environmental Plan 2014.

I, the Deputy Secretary, Growth Planning and Delivery at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the Environmental Planning and Assessment Act that an amendment to the draft Ryde Local Environmental Plan 2014 to make various housekeeping amendments, including: amending various clauses in the written instrument; altering the description, adding and removing heritage items; rezoning and amending the development standards applicable to various sites; amending the land use table for various zones; mapping amendments; and including additional permitted uses on certain land should proceed subject to the variations as outlined in the following conditions:

1. Prior to undertaking public exhibition, Council is to amend the planning proposal consistent with the below:
 - remove the proposal to permit 'secondary dwellings' in various residential zones;
 - remove the proposed requirement for workplace travel plans from Clause 6.6 'Environmental Sustainability';
 - zone land at 14-20 Oxford Street, Gladesville to R2 Low Density Residential, with a maximum building height of 9.5m and maximum floor space ratio of 0.5:1;
 - permit 'business premises' and 'office premises' as an additional permitted use on land at 436-484 Victoria Road, Gladesville and remove the reference to 'commercial premises' from the Schedule 1 item;
 - rezone land at 2 Nile Close, Marsfield to SP2 Infrastructure (Classified Road) and add this site and land at 283 Vimiera Road, Marsfield to the Land Reservation Acquisition Map;
 - remove land at 607-623 Victoria Road, Ryde and 157 Balacclava Road, Macquarie Park from the Land Reservation Acquisition Map;
 - amend the description of heritage item 156 for land at 958 Victoria Road, West Ryde to 'House (Former engineer's residence),' within Schedule 5 Environmental Heritage of Council's draft Local Environmental Plan; and
 - remove the proposal to rezone the 'Ryde Civic Precinct' to SP2 Infrastructure and amend applicable development standards.
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning 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 section 5.5.2 of *A Guide to Preparing Local Environmental Plans (Department of Planning and Environment 2013)*.

3. Consultation is required with the following public authorities under section 56(2)(d) of the Environmental Planning and Assessment Act:

- Office of Environment and Heritage
- Transport for NSW
- NSW Health
- Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 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 56(2)(e) of the Environmental Planning and Assessment 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 timeframe for completing the Local Environmental Plan is to be **12 months** from the week following the date of the Gateway determination.

Dated

2

day of

June

2014.



Richard Pearson
Deputy Secretary
Growth Planning and Delivery

Delegate of the Minister for Planning



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Ryde City Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2014_RYDE_001_00	Planning proposal to make various housekeeping amendments to draft Ryde Local Environmental Plan 2014.

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated

2 June

2014

Richard Pearson
Deputy Secretary
Growth Planning and Delivery

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal
- The Department of Planning and Environment will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the Department of Planning and Environment with the RPA's request to have the LEP notified

Table 1 – To be completed by Department of Planning and Environment

Stage	Date/Details
Planning Proposal Number	PP_2014_RYDE_001_00
Date Sent to DoP&E under s56	6 January 2014
Date considered at LEP Review Panel	8 May 2014
Gateway determination date	2 June 2014

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DoP&E requesting notification		

Table 3 – To be completed by Department of Planning and Environment

Stage	Date/Details
Notification Date and details	

Additional relevant information: