

TABLE 1 - RYDE DLEP 2014 HOUSEKEEPING PLANNING PROPOSAL

Department – Department of
Planning and Environment

PP – planning proposal

LEP – local environmental plan

DLEP – draft local environmental plan

DCP – development control plan

LRA – land reservation acquisition map

Item No.	Proposed Change Location (where relevant)	Current wording/ mapping etc under DLEP 2014 (where relevant)	Instrument/ map change	Council justification/ Instigated by Council map/clause reference from PP (where applicable)	Department comment	Supported / Not supported/ Additional item
1	11-15 Farm St Gladesville Zoning: B4 FSR: 1.15:1 Height: 9.5m & 12m. 9.5m for land a distance of 19m from the front property boundary and a maximum 12m for the remainder of the site.	Deferred from DLEP 2014. LEP 2010 controls currently apply: Zone: R2 FSR: 0.5:1 Height: 9.5m	Maps – LZN, HOB & FSR	Community opposition to controls proposed under DLEP 2014, as exhibited (B4, 1.5:1 & 12m). A community workshop was held where new controls based on urban design and traffic studies were presented. See Council maps 1A, 1B & 1C of the PP.	The amendment is supported. It is understood the proposed controls will be more acceptable to the public than the controls proposed under DLEP 2014.	Supported
2	Ryde Civic Centre site Zone: SP2 Community Uses and Public Administration Building Height: RL91 FSR: 2.2:1, 4.37:1 & no FSR Ryde Town Centre Precincts Map: 01 Ryde Civic	Site deferred from DLEP 2014. LEP 2010 controls currently apply. Zone: B4 Mixed Use Height: 75m FSR: no FSR Ryde Town Centre Precincts Map: 01 Civic/Mixed Use	Map	Council resolution.	Not supported because there already exists a planning proposal to address these amendments that has gateway determination (PP_2013_RYDEC_002_00).	Not Supported
3	391 Blaxland Road Ryde Zone: R2 Low Density Residential FSR: 0.5:1	Zone: B1 Neighbourhood Centre FSR: 0.8:1	Maps – LZN & FSR	Submission by the owner to DLEP 2014. Owner wants R2 zoning reinstated because site is being used for residential purposes. See Council maps 3A & 3B of the PP.	The amendment is supported. The site is part of a small group of shops. The Local Planning Study adopted by Council 7 December 2010 recommended the group be zoned B1 in accordance with its use. This conclusion was more a visual assessment of the group of shops, not a strategic decision. The subject site is used for residential purposes and has been for many years. The Ryde LGA has approximately 30 small centres and the loss of one site from one centre would not impact the operation of this centre, considering the site has not been used for commercial purposes for many years.	Supported
4	2 Hughes St West Ryde Zone: SP2 Infrastructure (Educational Establishment & Place of Public Worship) FSR: No FSR control Height: No height control	Zone: part R2 Low Density Residential & part SP2 Infrastructure (Educational Establishment)	Maps – LZN, FSR & HOB	Submission by the owner DLEP 2014. The submission requested the SP2 zone be extended and reflect the church and school uses on the sites.	The amendment is supported. The description of Educational Establishment and Place of Public Worship is appropriate for 2 Hughes St but not for 47 Gaza Rd which is vacant land used for car	Supported

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		FSR: 0.5:1 Height: 9.5m		The submission requested 2 Hughes St (currently zoned R2) and 47 Gaza Rd (currently zoned SP2 Educational Establishment) both be zoned SP2 Educational Establishment and Place of Public Worship. 47 Gaza Road is vacant and used for car parking. Council support the changes except for 47 Gaza Rd having the description extended. Council has had a number of issues with adjoining residential properties and the use of the land at 47 Gaza Rd as a car park. It is considered that the zoning of the land at 47 Gaza Rd should remain unchanged. See Council maps 4A, 4B & 4C of the PP.	parking.	
5	North Ryde Common Zone: RE1 Public Recreation	Zone: SP2 Infrastructure (Health Services Facility)	Maps – LZN	Submission by NSW Health – Macquarie Hospital to DLEP 2014. North Ryde Common is a portion of land under a 99 year lease to Council (expires 2098) – land should be more appropriately zoned. Council support a RE1 Public Recreation zoning. See Council map 5A of the PP.	The amendment is supported.	Supported
6	Amendments to Land Zoning Map 37 First Ave, Eastwood - SP2 Classified Road - Victoria Rd, West Ryde (Northern Line overbridge) - SP2 Classified Road 80 Falconer St, West Ryde - SP2 Classified Road 92-102 & 108A Church St, Ryde - R2 Low Density Residential - Epping Rd, North Ryde - B3 Commercial Core, B7 Business Park & 8A Epping Road, North Ryde E2 Environmental Conservation - Talavera Rd, Macquarie Park - SP1 Educational Establishment 13B Christie Rd, Macquarie Park - E2 Environmental Conservation	- R2 - B4 - B6 - SP2 Classified Road - SP2 Classified Road - SP2 Classified Road - SP2 Classified Road - SP2 Classified Road - SP2 Classified Road - B4 - R2	Map	All requested by the RMS. - Correct a property boundary. Council map 6A - Correct a property boundary. Council map 6B - Correct a property boundary. Council map 6C - Correct a property boundary. Council map 6D - Correct a property boundary. Council map 6E - Correct a property boundary. Council map 6F - Correct a property boundary. Council map 6G - Correct a property boundary. Council map 6H - Correct a property boundary. Council map 6I - Correct a property boundary. Council map 6M - Correct a property boundary. Council map 6N	All the amendment are supported.	Supported

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	8. 209 Epping Rd, Marsfield - SP2 Educational Establishment 9. 126 Kent Road, Marsfield - SP2 Educational Establishment 10.Christie Rd overpass abutment – SP2 Classified Road 11. 215, 217, 227, 229, 233 and 235 Lane Cove Road and 40 Lorna Avenue - SP2 Classified Road					
7	1 Monash Road Gladesville FSR: Part of site with no FSR control	FSR: 2.3:1	Maps - FSR	Correct error. Under LEP (Gladesville Town Centre and Victoria Road Corridor) 2010, the site, which is a heritage item should have no FSR. An error occurred when controls were transferred to DLEP 2014. See Council map 7A of the PP.	The amendment is supported.	Supported
8	LEP 2013 Centres Maps Amendments to the LEP Centres Maps for Ryde, West Ryde & Gladesville are proposed to incorporate new areas which were not previously included in the centres maps.	Sites not included in centres maps.	Maps	Council state amendments to West Ryde and Gladesville town centres are required due to adjacent rezonings that occurred after the submission of the DLEP to the Department. One submission to DLEP 2014 requested the Hunter Holden site (589, 603 & 607 Victoria Rd Ryde) to be included in the Ryde Town Centre for consistency. See Council maps 8A, 8B & 8C of the PP.	The amendments are supported. The amendments relate to areas adjoining the centres or in close proximity to the centres and/or they are appropriately zoned to be included in the centres.	Supported
9	Ryde Town Centre Precincts Map Amendments/additions to existing precincts: _Change northern corner of Blaxland Rd & Devlin St from 03 Main Street to 02 Town Core _Change four blocks on northern side of Argyle Ave from 10 Low Density Fringe to 03 Main Street _Include new area 12 Commercial Edge South		Maps	Amendments instigated by Council to better represent areas. See Council map 9A of the PP.	The amendments are supported. The proposed amendments include new areas and more appropriately locate other areas.	Supported
10	Lot Size Map Deleting areas to which the minimum lot size controls do not apply. Thirteen areas affected.	Current zonings include: B1 B4 SP2 Classified Road	Maps	Amendments instigated by Council to correct errors. See Council maps 10A, 10B, 10C, 10D & 10E of the PP.	The amendments are supported. All the lots affected are proposed to be zoned such that the minimum lot size map does not apply.	Supported

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11	Flood Planning Map Addition of the Macquarie Park Catchment Area		Maps	Since the exhibition of the DLEP, Council has adopted the Macquarie Park Catchment Area which covers the areas of Marsfield, Macquarie Park, Ryde and North Ryde. The Flood Planning Map should be updated to reflect the land identified as flood affected in the Macquarie Park Catchment. See Council maps 11A, 11B, 11C, 11D, 11E & 11F of the PP.	The amendment is supported. A study supporting the amendments is available on Council's website: http://www.ryde.nsw.gov.au/Development/Planning+Controls/Other+Planning+Considerations/Flood+Prone+Areas/Macquarie+Park+Catchment	Supported
12	4.1A Dual occupancy (attached) strata subdivision Permit Torrens titling of dual occupancy (attached) developments 4.1A Dual occupancy (attached) subdivision – amended Clause (1) Despite Clause 4.1, development consent may be granted for the Torrens title subdivision of a lot where:- (a) a dual occupancy (attached) development has been constructed or an Occupation Certificate has been issued prior to the notification of this Local Environment Plan; and (i) the land has an area of at least 580 square metres; and (ii) one dwelling will be situated on each lot which has an area of not less than 290 square metres. (b) a dual occupancy (attached) development has been constructed; and (i) the land has an area of at least 580 square metres and a road frontage of 20 metres; and (ii) one dwelling will be situated on each lot which has an area	Torrens titling of dual occupancy (attached) developments is not permissible. Dual occupancy (attached) developments are permitted in R2, R3 & R4 zones and can be strata subdivided. CI4.1A currently reads: ‘4.1A Dual occupancy (attached) strata subdivision Development consent may only be granted to the subdivision of a dual occupancy (attached) on land in Zone R2 Low Density Residential if: (a) the subdivision is a strata subdivision, and (b) the land has an area of at least 580 square metres.’	Instrument	DLEP 2014 has introduced the strata subdivision of dual occupancy (attached) developments on lots with a minimum size of 580sqm and a 20m road frontage. The 20m road frontage control has been set to deliver better design outcomes, particularly with regard to compatibility with existing streetscapes. In response to submissions to DLEP 2014 Council now proposes Torrens titling of dual occupancy (attached) developments. Each lot created must have a minimum lot size of 290sqm (half of 580sqm) and a minimum road frontage of 10m (half of 20m). Council is also seeking to exclude the variation of the minimum lot size and road frontage width by including a relevant subclause in CI.4.6(8) – see Item 11. Council estimate there are approximately 3,000 lots in the LGA that could be developed for dual occupancy (attached) developments based on the minimum lot size and road frontage requirements. This will add a substantial number of dwellings to Council's housing target. See Council attachment 12A to the PP.	The amendment is supported. Due to substantial submissions to Council over the years and to DLEP 2014, Council proposes strata subdivision of dual occupancy (attached) developments in DLEP 2014 and Torrens titling of such developments as part of this PP. Council has determined the minimum lot size of 580sqm and a road frontage of 20m, when subdivided will result in the best design outcomes and maintain the subdivision integrity of the Ryde LGA. The permissibility of both types of subdivision could result in approximately 3,000 dual occupancy (attached) developments adding approximately 3,000 dwellings to Council's housing target (3,000 additional dwellings is assumed if each lot already has an existing dwelling on it).	Supported

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	of not less than 290 square metres and a road frontage of not less than 10m; and (iii) an Occupation Certificate has been issued for the Dual Occupancy Development. (2) Development consent may only be granted to the strata subdivision of a dual occupancy (attached) development on land in Zone R2 Low Density Residential if the land has an area of 580sqm or greater.					
13	131 & 133 Herring Road and 208 Epping Road Marsfield Include sites in Schedule 1 – Additional Permitted Uses to allow a medical centre with consent.	Proposed zoning under DLEP 2014 is R2 Low Density Residential which permits 'Health consulting rooms'.	Instrument	In response to a submission from the owner to DLEP 2014. 133 Herring Road was given approval in 1999 for 'professional consulting rooms'. The submission to DLEP 2014 detailed wanting to expand and intensify the current medical activities to adjoining land (land use would consider a 'medical centre'). Access to parking on the site is via Herring Road in close proximity to the intersection of Herring and Epping Roads. 131 Herring Rd and 208 Epping Rd contain dwelling houses. Council supports the change based on: _part of land is currently being used as consulting rooms, and _development of all three sites would result in better parking and traffic outcomes – access to the site could be relocated further away from the intersection of Herring/ Epping Rds. Council consider the use of Schedule 1 to enable the expansion of the current use of the land at 133 Herring Road to the two adjoining sites is preferable to rezoning the land B1 Neighbourhood Centre because that would allow an expansion of land uses on the site over and above that of a medical facility.	The amendment as proposed by Council, to amend Schedule 1 is not supported. An appropriate zoning for the site – eg B1 Neighbourhood Centre is supported. The suggested rezoning of the site has been discussed with Council and it has advised it does not wish to pursue the rezoning option for the reasons outlined above. The site is zoned R2 Low Density Residential which permits 'health consulting rooms', which are defined as 'premises comprising one or more rooms within (or within the curtilage of) a dwelling house used by not more than 3 health care professionals at any one time'. The use proposed by the landowner would fall under the definition of a 'medical centre' which is defined as 'premises that are used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals. It may include the ancillary provision of other health services'. Medical centres are not permissible in the R2 zone but are under the B1 zone. The draft Practice Note on Schedule 1 uses states it can	Not Supported

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				Council also states the development controls that apply to the B1 zone are also different to those that currently apply to the site. The subject site has an FSR of 0.5:1, under the B1 zone, the FSR would be increased to 0.8:1. The use of Schedule 1 Additional permitted uses to permit a medical centre on the site would result in: _the introduction of a land use which is line with the objectives of the R2 Low Density Residential zone, i.e. to enable other land uses that provide facilities or services to meet the day to day needs of residents, and _all development controls for the land being maintained i.e. FSR 0.5:1 and a maximum height of 9.5m. It is considered that the introduction of the B1 Neighbourhood Centre zone on the land would substantially impact on the overall character of the area by virtue of both the nature of the land uses permitted and the development controls that would apply. It is considered that a detailed strategic study of not only the subject site but other areas on the southern side of Epping Road is necessary prior to any change of zoning that would result in an expansion of land uses as permitted in the business zones under DLEP 2014, in that area. In particular, the impact on adjoining development which is largely zoned R2 Residential Low Density would have to be considered. The Local Planning Study adopted by Council on 7 December 2010 recommended that such a study be undertaken. Specifically, the recommendation states a study should be undertaken to investigate the sites fronting Epping Road for mixed land uses and higher densities of residential development to allow transitional fringe development to the Macquarie Park Corridor, Macquarie University and the low density residential area. The Study was planned for in the City of Ryde 4-year Delivery Plan 2013 – 2017 however, it is anticipated that the timing of the Study will be delayed due to financial issues faced by Council. Based on the above, Council requests that the	be used for additional permitted uses in exceptional circumstances where it has been demonstrated by Council that there is no other possible solution to permitting a use. For example, Council should not use Schedule 1 where a rezoning or adoption of a DCP could achieve the same outcome. It is not considered by P&I that Council has provided adequate justification for the use of Schedule 1. The rezoning of the site to B1 would not be inappropriate for the area. The site is located in an area in close proximity to the mixed use zone of Herring Road, Macquarie University, the Macquarie shopping centre - an area containing commercial and high density residential development. The area will increase in mixed use intensity in the future with the development of the Herring Road Urban Activation Precinct. Opposite the site (across Herring Road) is the Ranch Hotel which has recently been rezoned from R2 to B1 to accommodate a retail liquor store. An addition to Schedule 1 was also part of this amendment to permit the existing uses on site (hotel and motel accommodation) to continue. This use is not permitted in the B1 zone. Further north along Epping Road (corner with Balaclava Road), the corner lot is also zoned B1 and contains a supermarket. A planning proposal proposing a rezoning of the site, appropriate FSR and height controls, addressing the traffic impacts and impacts on adjoining residential development would be an appropriate way forward to consider additional uses on this site.	

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				amendment to DLEP 2014 Schedule 1 to permit a medical centre on the subject land, as resolved by Council and identified in the planning proposal be approved.		
14	IN2 Industrial Light zone land use table Include 'wholesale supplies', 'building identification signs' and 'recreation facilities (indoor)' as permissible with consent	Currently not permitted	Instrument	In response to submissions to DLEP 2014. Council's states that 'wholesale supplies' are defined as '...a building or place used for the display, sale or hire of goods or materials by wholesale only to businesses that have an Australian Business Number registered under the A New Tax System (Australian Business Number) Act 1999 of the Commonwealth' and are considered to be very similar in nature to a 'warehouse or distribution centre', which are permissible in the zone. Council consider the use to be suitable with consent in the zone. Council states that a number of indoor recreation facilities exist within the industrial areas of Ryde and are considered a use that should be permitted with council consent in the zone. See Council attachment 14A to the PP.	The addition of 'wholesale supplies' and 'recreation facilities (indoor)' as permissible uses is supported by the Department. Council advised at the February 2014 quarterly meeting with the Department that the industrially zoned land in Ryde needs more permissible uses to ensure the land remains viable and is not lost to mixed use (for example). The Department has supported additional uses in the IN2 zone in a number of comprehensive LEPs: _ Holroyd LEP 2013 permits 'wholesale supplies' and 'recreation facilities (indoor)' as innominate uses, _ Hornsby LEP 2013 permits 'recreation facilities (indoor)' as an innominate use, _ Leichhardt LEP 2013 permits 'bulky goods premises' as an innominate use, _ Penrith LEP 2010 permits with consent 'amusement centres' and 'recreation facilities (indoor)', _ Randwick LEP 2012 permits 'wholesale supplies' as an innominate use, and _ Sydney LEP 2013 permits 'recreation facilities (indoor)' as an innominate use. The addition of 'building identification signs' is not supported because 'building identification signs' are identified as exempt development in the Codes SEPP.	Partly Supported
15	R2 Low Density Residential, R3 Medium Density Residential and R4 High Density Residential land use tables Include Home business & Home Industries as permissible with consent.	Currently not permitted	Instrument	In response to submissions to DLEP. Council receives a lot of enquiries to make 'home businesses' and 'home industries' permissible in the R2, R3 and R4 zones to allow food manufacture.	Not supported because of amendments to the SEPP (Exempt and Complying Development Codes) 2008 (Codes SEPP). 'Home Businesses' to allow the manufacture of food are now included as complying development in the Codes SEPP (see Part 4A, Division 1, Subdivision 2). 'Home Industries' for food manufacture, while not covered by the Codes SEPP will not be included in the	Not Supported

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					residential zones as a permissible use because any food manufacture should be covered under the definition of 'home business'. Council has advised this is satisfactory.	
16	R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential and R4 High Density Residential land use tables Include Secondary dwellings as permissible with consent.	Currently not permitted	Instrument	Council request that 'secondary dwellings' be permissible in the R1, R2, R3 and R4 zones because SEPP (Affordable Rental Housing) 2009 permits them in all zones.	Not supported because the amendment is proposed as a post exhibition change DLEP 2014.	Not Supported
17	Amend Cl. 1.2 Aims of Plan subclause (2)e as follows: 'to improve access to the city, minimise vehicle kilometres travelled , facilitate the maximum use of public transport and encourage walking and cycling,'		Instrument	A submission to DLEP from Council's Environment Group. The proposed amendment relates to the use of car pooling and working from home and is considered appropriate and supported by Council. See Council attachment 17A to the PP.	The amendment is supported.	Supported
18	Amend Cl. 6.6 Environmental Sustainability subclause (f) as follows: 'transport initiatives to reduce car dependence such as providing bicycle and pedestrian facilities, car share/ car pool / small vehicle parking spaces, public transport information and the development of a workplace travel plan, '	Current subclause: 'transport initiatives to reduce car dependence such as providing cycle facilities, car share and small vehicle parking spaces,'	Instrument	A submission to DLEP 2014 from Council's Environment Group. The proposed amendment is considered reasonable and supported by Council. See Council attachment 18A to the PP. A submission to DLEP from Council's Environment Group. The proposed amendment is considered reasonable and supported by Council.	All amendments supported except for the addition of workplace travel plans. The requirement for a workplace travel plan is a DCP control. The Inclusion of workplace travel plans is not supported because it is better suited to a development control plan (DCP). The clause will apply to sites 1500sqm or greater. It is considered there should be flexibility around the provision of workplace travel plans, eg relating them to the number of employees would be more appropriate to site size. Having the control in a DCP would give Council the flexibility when and how to apply the provision.	Partly Supported
19	Amend Cl. 4.3A Exceptions to height of buildings subclause (2) as follows:		Instrument	In response to a submission from Council's Assessment group.	The amendment is supported. This is a new proposed addition to the clause, it was	Supported

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	‘Despite clause 4.3, the maximum height of dual occupancy (attached) development and multi dwelling housing in Zone R2 Low Density Residential is 5 metres for the dwellings in the development housing that do not have a street frontage.’			The clause currently applies to multi-dwelling housing developments and to ensure consistent controls exist governing the height of all rear dwellings the clause should include dual occupancy dwellings. See Council attachment 19A to the PP.	never included/removed at the drafting stage of DLEP 2014.	
20	Amend Cl.4.5A Density controls for zone R2 Low Density Residential subclause (b) as follows: ‘each dwelling will have its own contiguous private open space and separate access to that space from an unbuilt portion of the site. ’		Instrument	Council consider the deleted section more appropriately located in a DCP. See Council attachment 20A to the PP.	The amendment is supported and is considered to be a DCP not an LEP control.	Supported
21a	Amend the suburb name for the following items: _Item 78 - Putney _Item 125 – Denistone _Item 219 – Denistone _Item 220 – Denistone	Currently: _Ryde _West Ryde _West Ryde _West Ryde	Instrument	Council instigated to correct an error.	All the amendments are supported.	Supported
21b	Amend Item 130 to read: ‘Ryde Public School Buildings, B00A and B00C’ Amend Item 39 to read: ‘North Ryde Public School Buildings, B00J, B00M and B00N’	‘Buildings B00A and B00C, Ryde Public School’ ‘Buildings B00J, B00M and B00N North Ryde Public School’	Instrument	Council instigated - the description reads better if the name comes first.	The amendment is supported.	Supported
21c	Amend Item 204 to read: 32-36 Hillview Road Lot 4 in DP 546071 and Lots 46 and 47 in DP 8043 Amend map to show two additional lots.	36 Hillview Road Lot 4, DP 546071	Instrument/ map	Council instigated to correct an error. See Council map 21B of the PP.	The amendment is supported.	Supported
21d	Delete Item 11 – Bedlam Point Wharf	Listed as a heritage item	Instrument/ map	Council instigated to correct an error. The site is not in the Ryde LGA (in Hunters Hill LGA).	The amendment is supported.	Supported

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				See Council map 21C of the PP.		
21e	Add new item to Part 3 Archaeological sites Item A221 Bennelong's potential grave site, Watson St/ Hordern Ave plus map addition	Not listed	Instrument/ map	Council instigated - new addition. See Council map 21D of the PP.	The addition is supported. Council has provided a supporting study identifying the burial area which can be placed on public exhibition.	Supported
22	Amend Cl.4.5B Macquarie Park Corridor to add subclause (5): 'Serviced apartments in Zone B3 Commercial Core Despite any other provision of this Plan, the consent authority must not consent to the carrying out of development on land in Zone B3 Commercial Core in the Macquarie Park Corridor for the purpose of serviced apartments unless: (a) the development comprises at least 2 serviced apartments, and (b) all serviced apartments are on the same lot (that is, not on separate strata or other titles).'	A similar subclause was deleted prior to the exhibition of DLEP 2014.	Instrument	Currently, under LEP 2010, Clause 4.5E(5) prohibits the strata subdivision of serviced apartments in the B3 zone. At s65 certificate stage of DLEP 2014 P&I required that subclause 4.5B(5) be deleted because the control was better suited to a DCP (the subclause originally contained more detail). It was also thought a subzone could be created. Council wants to reinstate this subclause because the strata subdivision of serviced apartments in the B3 zone is considered undesirable for the following reasons: _by permitting the separate ownership of serviced apartments (which will inevitably be used as permanent residential accommodation), they will become a more desirable development type in the zone, and _an increase in the amount of residential accommodation in the B3 zone may result in undermining the Macquarie Park Corridor as a commercial precinct. Council resolved 27 September 2011 to make a formal submission to DLEP 2014 requesting the strata subdivision of serviced apartments in the B3 zone be prohibited. See Council attachment 22A to the PP.	The amendment is supported. Under DLEP 2014 Council will meet and substantially exceed its housing target (by approximately 5,000 dwellings). The Macquarie Park Corridor is zoned predominantly for commercial uses less the two Urban Activation Precincts (UAP) at Herring Road (proposed) and North Ryde Station (in place). These two UAPs will provide for mixed use development within the corridor (including residential apartments). Council is concerned that further extent of residential development that may occur in the Macquarie Park corridor and the conversion of serviced apartments (which are a permissible use) into residential dwellings. The original entire clause 4.5B (when the DLEP was being drafted) had more detail that the Department thought was better suited to a DCP, and to avoid creating a subzone. The clause was amended prior to the final draft of DLEP 2014. The proposed addition is not considered to be appropriately located in a DCP as it seeks to prohibit strata subdivision of serviced apartments. Council's concerns are valid regarding the possible conversion of serviced apartments to private residential dwellings and erosion of commercially zoned land. As Ryde will exceed its housing target and has a clear vision for the Macquarie Park Corridor, the request to amend Cl.4.5B is supported.	Supported
23	Cl.4.6 Exceptions to development standards Exclude varying the minimum lot size and road	New subclause	Instrument	Council are proposing the Torrens titling of dual occupancy (attached) developments – see Item 7.	The amendment is supported. Council's has considered and determined a minimum	Supported

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 LEP – local environmental plan
 DCP – development control plan

PP – planning proposal
 DLEP – draft local environmental plan
 LRA – land reservation acquisition map

Item No.	Proposed Change Location (where relevant)	Current wording/ mapping etc under DLEP 2014 (where relevant)	Instrument/ map change	Council justification/ Instigated by Council map/clause reference from PP (where applicable)	Department comment	Supported / Not supported/ Additional item
	frontage width requirements for Torrens titling of dual occupancies from Cl. 4.6(8) '(cb) clause 4.1A Dual occupancy (attached) subdivision, to the extent that it applies to the Torrens title subdivision of a dual occupancy (attached) development.'			Council also proposes to exclude the varying of the minimum lot size and road frontage width by including a relevant subclause in Cl. 4.6(8). Council's justification for this relates to the minimum lot size (580sqm) and road frontage width (20m) for a subdivision to be considered. This would result in each dual occupancy dwelling being on a lot size of 290sqm and having a road frontage width of 10m. Council has determined this lot size and road frontage width will result in the best design outcomes and maintain the subdivision integrity of the LGA. With the permissibility of strata subdivision of dual occupancy (attached) developments already proposed under DLEP 2014 and the proposed Torrens titling under this PP, there is a potential 3,000 lots in the LGA that could contain dual occupancy (attached) developments that could be subdivided. Council consider this additional contribution to its housing target to be substantial and do not want the issue of applicants applying for subdivision with less than the minimum controls, resulting in a lesser quality development for the site and area. See Council attachment 23A to the PP.	lot size and road frontage width for the subdivision of dual occupancy (attached) developments. These controls will result in quality design outcomes for the such developments and maintain the integrity of the subdivision pattern in the LGA. Under DLEP 2014 Council will meet and substantially exceed its housing target (by approximately 5,000 dwellings). Of the 5,000 additional dwellings, approximately 3,000 will come from the subdivision of dual occupancy (attached) developments. As Council is already exceeding its housing target, the inclusion of a subclause in Cl.4.6(8) so the minimum controls for subdivision of dual occupancy (attached) developments cannot be varied is supported. The Department has not previously included dual occupancy (attached) developments minimum lot size and frontage controls in Cl.4.6(8) but there are examples where specific exclusions have been made: <i>North Sydney LEP 2013</i> _doesn't allow variations to specific sites regarding net overshadowing (RE1 land and a heritage item) _doesn't allow a specific area (in St Leonards) to vary the height control. <i>Manly LEP 2013</i> _doesn't allow variations to Part 6 controls <i>Albury LEP 2010</i> _doesn't allow variations to strata subdivision minimum lot size for tourist accommodation in a range of zones	
Additional item	Undefer 14-20 Oxford St, Gladesville Zoning: R2 FSR: 0.5:1 Height: 9.5m	Deferred from DLEP 2014. LEP 2010 controls currently apply: Zone: R2 FSR: 0.5:1 Height: 9.5m		Council resolved not to include it in the PP because of earlier Department advice that it wouldn't be deferred from DLEP 2014. It was exhibited at B4, 12m & 1.5:1. See Council maps 24A, 24B and 24C of the PP.	Department direction to include in PP. As the land is deferred under DLEP 2014, it is appropriate to leave it deferred and undefer it through this PP. This will give the landowners and the community a	Additional item

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					chance to make submissions.	
Additional item	Sch. 1 Additional permitted uses Item 4 436–484 Victoria Road, Gladesville (2) Development for the purpose of business and office premises is permitted with development consent.	(2) Development for the purpose of <u>commercial premises</u> is permitted with development consent.	Instrument	Council requested the amendment after the Housekeeping PP was lodged. The site is zoned IN2 and when DLEP 2014 was exhibited, ‘commercial premises’ were not defined because ‘commercial’ was taken to mean ‘business and office premises’. However, ‘commercial premises’ now includes ‘retail uses’ and Council does not want ‘retail uses’ permissible in the IN2 zone.	The Department supports Council’s request to include the additional item.	Additional item
Additional item	2 Nile Cl, Marsfield Zoning: SP2 Classified Road	Zone: R4	Map	Adjoining and part of a larger Transport for NSW site the RMS want added to the Land Reservation Acquisition map and therefore the appropriate zoning is SP2 Classified Road. This site is privately owned. See Council map 6L of the PP.	The amendment is supported.	Additional Item 2 Nile Cl proposed by Council, greater Transport for NSW site mentioned by Council in covering letter to PP.
Additional item	Removal from Land Reservation Acquisition (LRA) map 1. 607-623 Victoria Rd, Ryde – strip along frontage 2. 157 Balaclava Rd, Macquarie Park – strip on corner	Features on LRA map	Map	Request of RMS – land has been acquired. See Council maps 6J & 6K of the PP.	The amendment is supported.	Additional item
Additional item	Addition to LRA map 283 Vimiera Rd Marsfield (<u>will also include 2 Nile Cl, Marsfield</u>) Lot 3 DP 881923 Transport for NSW & privately owned Indicate on LRA map as Classified Road.	Not shown on LRA map	Map	Council has proposed the rezoning and addition to the LRA map for 2 Nile Cl only . The RMS request 2 Nile Cl plus the greater, adjoining site added to the LRA map. Council states the Department has previously indicated to Council that the RMS land should not be indicated for acquisition. See Council map 6L of the PP.	Department direction to include in the PP. The Department advised Council in 2012 that as the land was already state agency owned land, it didn’t need to be shown on the LRA map. However, clarification with the RMS in March 2014 mean the whole site will be added to the LRA map. As the greater site is currently owned by Transport for NSW, it needs to be added to the LRA map and the RMS will become the acquiring body.	Additional item

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Additional item	Item 156 – 958 Victoria Rd, West Ryde Amend description to read: House (Former engineer’s residence)	Description: House	Instrument	Council want to update the description to ensure the significance is understood. Originally the building was not a dwelling.	The amendment is supported. It was included in the Council resolution but not planning proposal. Council has since confirmed it is to be included and has submitted a revised Heritage Schedule.	Additional item
Additional item	Schedule 2 Exempt development Signage (temporary) Additional condition: 4) must not be illuminated		Instrument	Submission to DLEP from Council’s Environment and Planning group. Council excluded from PP because majority of signage removed from DLEP by PC.	Not supported because most signage is now covered by the Codes SEPP.	Additional item