

Gateway Determination

Planning proposal (Department Ref: PP_2014_RYDEC_003_00): to amend Ryde Local Environmental Plan 2014 to enable additional permitted uses and introduce new height controls for the site.

I, the Acting Deputy Secretary, Planning Services, 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 1979* (the Act) that an amendment to the Ryde Local Environmental Plan 2014 which amends Ryde Local Environmental Plan 2014 to enable additional permitted uses and introduce new height controls for the site should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be amended to include a detailed explanation as to why the maximum height for residential flat buildings should be retained at 12.5 meters.
2. A remedial action plan to guide site remediation and validation procedures, and to manage wastes for offsite disposal, is to be prepared prior to public exhibition of the planning proposal.
3. Prior to public exhibition, the planning proposal and associated studies are to be revised and updated in response to issues raised by the Heritage Council of New South Wales in its letter dated 19 November 2014 (attached).
4. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning and Environment 2013)* and must be made publicly available for a minimum of **28 days**; and
 - 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 LEPs (Department of Planning and Environment 2013)*.
5. Consultation is required with the following public authorities under section 56(2)(d) of the Act:-
 - Sydney Catchment Authority
 - Office of Environment and Heritage
 - Transport for NSW - Roads and Maritime Services
 - Sydney Harbour Foreshore Authority
 - adjoining Councils.

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, or to indicate that they will require additional time to comment.

Public authorities may request additional information or additional matters to be addressed in the planning proposal. The planning proposal is to be revised to address submissions from these public authorities and copies of all submissions must be included with the revised proposal placed on public exhibition.

6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Panel from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
7. The timeframe for completing the LEP is to be **18 months** from the week following the date of the Gateway determination.

Dated 15th day of December 2014.



Marcus Ray
Acting Deputy Secretary
Planning Services

Delegate of the Minister for Planning



Dr John Roseth
Chair
Sydney East Joint Regional Planning Panel
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Our ref: PP_2014_RYDEC_003_00 (14/17594)

Dear Dr Roseth

Planning Proposal to amend Ryde Local Environmental Plan 2014

I am writing in response to a request for a Gateway determination, under section 56 of the *Environmental Planning and Assessment Act 1979*, for a planning proposal to amend Ryde Local Environmental Plan 2014 to enable additional permitted uses, including residential and retail, and introduce new height controls at 20 Waterview Street, Putney.

The proposal was the subject of a pre-Gateway review and was considered at a Joint Regional Planning Panel meeting on 23 April 2014. At this meeting, the Panel unanimously resolved that the proposed instrument should be submitted for a Gateway determination, subject to a number of recommendations.

As delegate of the Minister for Planning, I have determined that this planning proposal should proceed subject to the conditions in the attached Gateway determination. I have determined that the planning proposal's inconsistencies with section 117 Directions 1.1 Business and Industrial Zones and 4.3 Flood Prone Lane are of minor significance. No further approval is required in relation to these Directions.

The amending local environmental plan is to be finalised within **18 months** of the week following the date of the Gateway determination. The Panel should aim to commence the exhibition of the planning proposal as soon as possible. The Panel's request for the Department to draft and finalise the LEP should be made **6 weeks** prior to the projected publication date.

If you have any queries in regard to this matter, please contact Ms Sandy Shewell in the Department's Metropolitan (CBD) office, on (02) 8575 4115.

Yours sincerely

Marcus Ray
Acting Deputy Secretary
Planning Services

15/12/14

Enclosed: Gateway Determination; letter from NSW Heritage Council dated 19 November 2014



Mr Dominic Johnson
Acting General Manager
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Our ref: PP_2014_RYDEC_003_00 (14/17594)

Dear Mr Johnson

Planning Proposal to amend Ryde Local Environmental Plan 2014

I am writing in response to a request for a Gateway determination, under section 56 of the *Environmental Planning and Assessment Act 1979*, for a planning proposal to amend Ryde Local Environmental Plan 2014 to enable additional permitted uses, including residential and retail, and introduce new height controls at 20 Waterview Street, Putney.

The proposal was the subject of a pre-Gateway review and was considered at a Joint Regional Planning Panel meeting on 23 April 2014. At this meeting, the Panel unanimously resolved that the proposed instrument should be submitted for a Gateway determination, subject to a number of recommendations.

As Ryde Council has declined to act as relevant planning authority for the planning proposal, the Minister has appointed the Joint Regional Planning Panel as relevant planning authority.

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

If you have any queries in regard to this matter, please contact Ms Sandy Shewell in the Department's Metropolitan (CBD) office, on (02) 8575 4115.

Yours sincerely

Marcus Ray
Acting Deputy Secretary
Planning Services

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