

Gateway Determination

Planning proposal (Department Ref: PP_2018_RYDEC_002_00): to amend the Ryde Local Environmental Plan 2014 to rezone Dunbar Estate from R3 Medium Density Residential to R2 Low Density Residential.

I, the Executive Director, Regions at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Ryde Local Environmental Plan (LEP) 2014 to rezone Dunbar Estate from R3 Medium Density Residential to R2 Low Density Residential should proceed subject to the following conditions:

1. Prior to undertaking community consultation, the planning proposal is to be updated to:
 - (a) include a new savings transition clause to ensure the proposed zoning does not affect any current development applications or appeal processes; and
 - (b) address the Greater Sydney Region Plan and North District Plan.
2. Community consultation is required under section 3.34(2)(c) and schedule 1, clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 28 days;
 - (b) the planning proposal 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 2016);
 - (c) all landowners within the Dunbar Estate are to be given notice of the proposal and public exhibition.
3. No consultation is required with public authorities/organisations under section 3.34(2)(d) of the Act.
4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the 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).



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5. Following community consultation and prior to finalising the LEP, the agreement of the Secretary to the proposal's inconsistency with section 9.1 Direction 3.1 Residential Zones is to be obtained.
6. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
7. The time frame for completing the LEP is to be 12 months following the date of the Gateway determination.

Dated 13th day of April 2018.



Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission