

Briefing: Director
FOR APPROVAL

Alteration of Gateway determination for planning proposal PP_2016_RYDEC_002_00

Purpose: To recommend that the Director Regions, Sydney Region East, as delegate of the Greater Sydney Commission, agree to alter the Gateway determination for planning proposal no. PP_2016_RYDEC_002_00.

Analysis: A Gateway determination was issued on 21 April 2016 for the planning proposal, which seeks to amend Ryde Local Environmental Plan (LEP) 2014 to increase floor space ratio (FSR), introduce building height controls and rezone land from IN2 light industrial zoning, to B4 mixed use zoning at the site of 2-12 and 14 Tennyson Road, Gladesville. An alteration to the Gateway determination has been requested to extend the completion time of the LEP by 6 months. The request is considered to have merit and an alteration to the Gateway determination has been prepared.

Recommendation

That the Director, Sydney Region East, as delegate of the Greater Sydney Commission:

1. **agree** under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination for planning proposal no. PP_2016_RYDEC_002_00 in accordance with the Alteration of Gateway determination document (**Attachment A**), which involves the extension of the timeframe for completion by 6 months.
2. **agree** under Schedule 1, Clause 4 of the Act that no additional community consultation is required
3. **sign** the Alteration of Gateway determination (**Attachment A**); and
4. **sign** the letter to City of Ryde Council (**Attachment B**).

Approval

Amanda Harvey
Director Regions,
Sydney Region
East



Date: 28/4/18

Key reasons

Planning proposal

Council has prepared a planning proposal to amend Ryde LEP 2014 to increase floor space ratio, introduce height controls and rezone IN2 light industrial land to B4 mixed use at 2-12 and 14 Tennyson Road, Gladesville.

The Gateway determination issued on 21 April 2016 (**Attachment C**) determined that the proposal should proceed subject to conditions. The Gateway determination was previously altered on 11 May 2017 to allow for a revised planning proposal which amended the proposed FSR and building height controls and the timeframe for completion (**Attachment D**).

Council requests an extension of time to complete the planning proposal

The Gateway determination required that the Local Environmental Plan (LEP) be finalised in 12 months from the week following the date of the Gateway determination expiring on 21 April 2017. As noted above, an extension of time was granted on 11 May 2017 and the current deadline for completion is 28 April 2018.

Council has requested that the period to complete the LEP be extended until 29 October 2018 for a further 6 months.

The delay in meeting this Gateway determination time frame has arisen due to a large number of submissions that were received during the public exhibition of the proposal. This has led to a delay in finalising the report on the outcomes from the public exhibition.

It is considered that the date be extended to 29 October 2018 to allow Council sufficient time to prepare a submissions report to be considered by the elected Council and finalise the proposal.

Community consultation

Community consultation occurred between 26 July 2017 and 29 September 2017. It is considered that the revised planning proposal does not require further community consultation as the request is only for an extension of time.

Background

- The original proposal sought to:
 - rezone the site from IN2 Light Industrial to B4 Mixed Use;
 - increase the FSR from 1:1 to part 1.5:1 and part 2.5:1; and
 - introduce various building heights ranging from 12.5 (3-4 storeys) to 37 metres (10-11 storeys).
- On 25 February 2014, Council resolved not to support the proposal.
- On 11 September 2014, the Sydney East Joint Regional Planning Panel (Panel) considered the proposal at a pre-Gateway Review. The Panel recommended the proposal proceed to Gateway, with a maximum FSR of 2:1 and minimum 20% gross floor area for commercial/retail uses.
- After further built form and feasibility analysis, commissioned by the Department, Council resolved to accept the role as the Relevant Planning Authority on 16 January 2016.
- On 11 May 2017, a Gateway alteration was issued at the request of Council to amend the planning proposal as follows:
 - apply a maximum FSR of 1.85:1 at 2-12 Tennyson Road and 1:1 at 14 Tennyson Road (adjacent to the low density residential to the south); and
 - apply a maximum building height of RL66.6 (6-7 stories) at 2-12 Tennyson Road and RL 50.04 (3 storeys) at 14 Tennyson Road.

This was in response to detailed design by the proponent which ensures better amenity to lower level apartments, while maintaining the same dwelling yield and suitable transition to the low density surrounding areas:

Attachments

Attachment	Title
A	Alteration of Gateway determination
B	Letter to Council
C	Gateway determination
D	Previous Gateway determination alteration
E	Council request for extension

Alteration of Gateway Determination

Planning proposal Department Ref: PP_2016_RYDEC_002_00

I, Director Regions, Sydney Region East at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 21 April 2016 (as since altered 11 May 2017) for the proposed amendment to the City of Ryde Local Environmental Plan 2014 as follows:

1. Delete:

“condition [6]”


and replace with:

a new condition [6] “The time frame for completing the LEP is by 29 October 2018”

Dated

23rd day of April

2018.



Amanda Harvey
Director Regions, Sydney Region East
Planning Services
Department of Planning and
Environment

Delegate of the Greater Sydney
Commission



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

Dear Mr Dedes

Planning proposal PP_2016_RYDEC_002_00 – Alteration of Gateway determination

I refer to your letter in relation to seeking an extension of time to complete planning proposal PP_2016_RYDEC_002_00 to amend the City of Ryde Local Environmental Plan 2014 which seeks to increase floor space ratio, introduce building height controls and rezone land at 2-12 and 14 Tennyson Road, Gladesville.

I have determined as the delegate of the Greater Sydney Commission, in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 21 April 2016 for PP_2016_RYDEC_002_00 (as altered on 11 May 2017). The Alteration of Gateway Determination is enclosed.

In making this determination I have agreed to extend the time frame for completion of the proposal by 6 months, to 29 October 2018. This is considered sufficient time to complete and review and the report detailing the outcomes of last year's public exhibition and finalise the planning proposal.

If you have any questions in relation to this matter, I have arranged for Ms Carina Lucchinelli to assist you. Ms Lucchinelli can be contacted on 9274 6563.

Yours sincerely

Amanda Harvey 23/4/18
Director Regions, Sydney Region East
Planning Services

Encl: Alteration of Gateway determination



Gateway Determination

Planning proposal (Department Ref: PP_2016_RYDEC_002_00): to amend the Ryde Local Environmental Plan 2014 for 2-12 and 14 Tennyson Road, Gladesville by rezoning the site from IN2 Light Industrial to B4 Mixed Use and increasing the maximum floor space ratio and maximum building height.

I, the Deputy Secretary, Planning Services at the Department of Planning and Environment as delegate of the Greater Sydney Commission, 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* should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be updated to:
 - (a) apply a maximum floor space ratio of 1.5:1 across the whole site;
 - (b) amend the maximum building heights in metres to be consistent with 5-6 storeys and 2-3 storeys adjoining low density residential areas;
 - (c) address the inconsistency with Section 117 Direction 1.1 Business and Industrial Zones;
 - (d) demonstrate consistency with *A Plan for Growing Sydney*; and
 - (e) include maps prepared to the standards identified in *Standard Technical Requirements for Spatial Datasets and Maps* (Department of Planning and Environment 2015).
2. Prior to public exhibition, the updated planning proposal must be provided to the Department of Planning and Environment for review and approval.
3. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal is classified as routine and 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 LEPs* (Department of Planning and Infrastructure 2013).
4. Consultation is required with the following public authorities under section 56(2)(d) of the Act:
 - Department of Education and Communities;
 - Transport for NSW;
 - Roads and Maritime Services;
 - Office of Environment and Heritage;

- Ausgrid; and
- Sydney Water.

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.

5. 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 Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
6. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated *21st* day of *April* 2016



Marcus Ray
Deputy Secretary
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2016_RYDEC_002_00)

I, the Deputy Secretary, Planning Services at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 21 April 2016 for the proposed amendment to the Ryde Local Environmental Plan 2014 as follows:

1. Delete condition 1 and replace with a new condition 1:
 1. Prior to community consultation, the planning proposal is to be updated to:
 - (a) apply a maximum floor space ratio of 1.85:1 at 2-12 Tennyson Road and 1:1 at 14 Tennyson Road;
 - (b) apply a maximum building height of RL 66.60 at 2-12 Tennyson Road and RL 50.04 at 14 Tennyson Road;
 - (c) address the inconsistency with Section 117 Direction 1.1 Business and Industrial Zones;
 - (d) demonstrate consistency with *A Plan for Growing Sydney* and the draft North District Plan; and
 - (e) include maps prepared to the standards identified in *Standard Technical Requirements for Spatial Datasets and Maps* (Department of Planning and Environment 2015).
2. Delete condition 6 and replace with a new condition 6:
 6. The LEP is to be completed by 28 April 2018.

Dated 14th day of May 2017



Marcus Ray
Deputy Secretary
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

Bailey Williams

From: Carina Lucchinelli
Sent: Tuesday, 10 April 2018 2:16 PM
To: Bailey Williams
Subject: FW: 2-14 Tennyson Road, Gladesville - PP_2016_RYDEC_002_00

FYI...

From: Dyalan Govender [mailto:DGovender@ryde.nsw.gov.au]
Sent: Monday, 9 April 2018 5:10 PM
To: Carina Lucchinelli <Carina.Lucchinelli@planning.nsw.gov.au>
Cc: Wayne Williamson <Wayne.Williamson@planning.nsw.gov.au>; Terry Agar <TAgar@ryde.nsw.gov.au>
Subject: 2-14 Tennyson Road, Gladesville - PP_2016_RYDEC_002_00

Hi Carina,

As you will recall, a Gateway Determination for the subject property was issued on 21 April 2016. This was followed by an Alteration of Gateway Determination that was issued on 11 May 2017 that replaced Condition 6 and required the LEP to be completed by 28 April 2018.

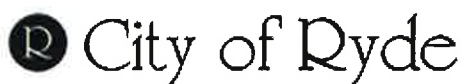
The Planning Proposal was exhibited by Council in accordance the Conditions of the Gateway determination during August and September 2017. A large number of submissions were received and have been reviewed; we anticipate that a report to Council on the outcomes of the public exhibition is currently being drafted and that it will be put to Council in the coming months (most likely either the May or June meeting, however this cannot be confirmed until the report is completed and the agenda finalised).

An extension to the time period for the completion of the LEP of 6 months until 29 October 2017 is requested.

If you require further information about this request, please contact me or Terry Agar on 9952 8226.

Regards,
Dyalan

Dyalan Govender
Manager City Planning
OFFICE OF THE DIRECTOR CITY PLANNING & DEVELOPMENT
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Customer Service Centre 1 Pope Street, Ryde (Within Top Ryde City shopping centre)
North Ryde Office Binary Centre, Building 0, Level 1, 3 Richardson Place, North Ryde

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