



Mr John Neish
General Manager
Ryde Council
Locked Bag 2069
North Ryde NSW 1670

Our ref: 11/18706
Your ref:

Dear Mr ~~Neish~~ ^{John}

Planning Proposal PP_2011_RYDEC_002_00– Gateway Determination alternation and extension

I refer to your letter dated 19 October 2011 and the revised Planning Proposal ('PP') for 1 Devlin Street, Ryde seeking a variation and an extension to complete the PP.

I note that Council has made a modification to the PP following an independent review of the submissions received during community consultation, to reduce the proposed height on the western part of the site from an RL 130 (75 metres/24 storeys) to 21.5 metres (6 storeys).

It is understood that this reduction in height will also reduce the maximum employment floorspace capacity on the site from 100,000sqm to 60,000sqm, making the PP inconsistent with section 117 Direction 1.1 Business and Industrial zones. For this reason, Council is expected to carefully assess the inconsistency with this Direction prior to exhibiting the PP. Full details of Council's assessment of the inconsistency with Direction 1.1 are to be submitted to the Department together with the PP for the Director General's approval when Council requests the Draft LEP to be made.

As delegate of the Minister for Planning and Infrastructure, I am pleased to advise that I agree to the proposed modifications and I have revised my determination dated 25 November 2010 for PP_2011_RYDEC_002_00, attached.

I have also revised the timeframe required to complete the LEP to **6 months** from the week following the date of the revised determination to enable Council to undertake additional consultation on the proposed modifications. However, I strongly urge Council to finalise the PP as quickly as possible.

If you have any questions in relation to this matter, please contact Ms Danijela Karac-Cooke, of the Department of Planning and Infrastructure's Sydney Region East Team, on (02) 9228 6207.

Yours sincerely


Tom Gellibrand ^{21/10/11}
Deputy Director General
Plan Making and Urban Renewal



Revised Gateway Determination

Revised Planning Proposal (Department ref: PP_2011_RYDEC_002_00): to amend the height controls relating to 1 Devlin Street, Ryde.

I, the Deputy Director General, Plan Making and Urban Renewal, as delegate of the Minister for Planning and Infrastructure, have now revised my determination dated 25 November 2010 for planning proposal (PP_2011_RYDEC_002_00) to vary the height at 1 Devlin Street, Ryde, as follows:

- a) The revised planning proposal, dated 19 October 2011, may proceed;
- b) The revised planning proposal is not required to be resubmitted for purposes of section 56(2);
- c) The revised planning proposal must be made publicly available for a further **28 days**.
The relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be publicly available along with planning proposals as identified in section 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
- d) A public hearing is not required to be held into the matter by any person or body; and
- e) Prior to exhibiting the PP, assessment of the PP against section 117 Direction 1.1 – Business and Industrial zones must be completed and submitted to the Department.
The Director General's approval of the inconsistency is required before the PP is finalised.
- f) The timeframe for completing the LEP is to be **6 months** from the date of this determination.

Dated 21st day of October 2011

**Tom Gellibrand
Deputy Director General
Plan Making and Urban Renewal
Delegate of the Minister for Planning and Infrastructure**