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Strategic City Department

**Planning Proposal
LEP (Car parking in
Macquarie Park) 2016**

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Introduction

A planning proposal is a document that explains the intended effect of a proposed local environmental plan (LEP) and sets out the justification for making that plan. This planning proposal has been prepared in accordance with the requirements of the Environmental Planning and Assessment Act 1979 (in particular section 55) and relevant guidelines produced by the Department of Planning and Environment, including “A Guide to preparing Planning Proposals”.

The Department of Planning and Environment requires a Planning Proposal to cover six main parts which form the basis of this document as follows:

- Part 1 – Statement of Objectives and Intended Outcomes of the proposed LEP
- Part 2 – Explanation of the Provisions to be included in the LEP
- Part 3 – Justification of objectives, outcomes and process for implementation
- Part 4 – Maps to identify intent and applicable area
- Part 5 – Community Consultation proposed to be undertaken on the Draft LEP
- Part 6 – Project timeline - anticipated timeframe for the making of the LEP

Background

At its meeting on the 22 September 2015 Council resolved (inter-alia):

- (a) *That Council prepare a Planning Proposal to amend Ryde Local Environmental Plan 2014, including amending Clause 4.5B Macquarie Park Corridor and the Macquarie Park Corridor Parking Restrictions Maps to change the commercial car parking rate in the B4, B3 and B7 zones to 1 space / 60m² GFA in Area A, and 1 space / 100m² GFA in both Areas B and C.*

Ryde Local Environmental Plan 2014 (RLEP2014) Clause 4.5B outlines objectives for car parking in the Macquarie Park Corridor. The car parking requirements for commercial and industrial development are specified on the RLEP2014 Macquarie Park Corridor Parking Restrictions Maps, and include three parking rates depending on site location:

- 1/46m² gross floor area*
- 1/ 70m² gross floor area*
- 1/ 80m² gross floor area*

1.0 Objectives or Intended Outcomes

This part of the planning proposal responds to Section 55(1) of the Environmental Planning and Assessment Act 1979 which requires an explanation of what is planned to be achieved by the proposed amendments to RLEP2014.

The intent of this Planning Proposal (PP) is to:

1. Remove the parking rates from RLEP2014 and insert them into Ryde Development Control Plan 2014 (RDCP2014). This PP involves the following amendments to RLEP2014:
 - a. Delete the Macquarie Park Corridor Parking Restrictions Maps;
 - b. Amend Clause 4.5B Macquarie Park Corridor to remove subclause (1) and (2); and
 - c. Remove the definition of the Macquarie Park Corridor Parking Requirements Map from the Dictionary.
2. Include properties at 14-58 Delhi Road and 3 Plassey Road, Macquarie Park on the RLEP2014 Centres Map; and
3. Remove Clause 4.5B subclause (4)(b) to correct a drafting error.

This is considered appropriate for the following reasons:

1. Including car parking requirements in a Local Environmental Plan is not consistent with the Standard Instrument LEP and is contrary to advice from the Department of Planning and Environment that car parking controls are a local matter which should be included in a Development Control Plan;
2. This will be consistent with the car parking requirements for all other development types/ in all other parts of City of Ryde which are within the RDCP2014;
3. The Bitzios study recommends a number of incremental changes to the parking requirements to be implemented over the next decade. Implementing these amendments would be more easily facilitated amendments to RDCP2014 than as individual PPs.
4. To correct some existing anomalies.

2.0 Explanation of Provisions

The proposed outcomes identified in the previous part of the PP of removing the car parking rates for the Macquarie Park Corridor from RLEP2014.

Schedule of amendments to RLEP2014

LEP part	Proposed change
Macquarie Park Corridor Parking Restrictions Maps	Delete maps MPP_004, MPP_005, MPP_008 and MPP_009
Centres Map	Amend map CEN_009 to include 14-58 Delhi Road and 3 Plassey Road, Macquarie Park in the Macquarie Park Corridor
Clause 4.5B Macquarie Park Corridor	Amend by deleting Clause 4.5B subclause (1), (2) and (4)(b) as shown below: 4.5B Macquarie Park Corridor (1) Off street car parking controls The objectives for off street parking controls in the Macquarie Park Corridor are as follows: (a) to encourage the use of alternative types of transport by providing for accessibility by pedestrian, cycling and public transport, (b) to ensure that local car parking is available. (2) The maximum number of off street parking spaces for commercial and industrial development in the Macquarie Park Corridor is the number identified on the <u>Macquarie Park Corridor Parking Restrictions Map</u>. (3) Land uses in Zone B7 The objectives for development on land in Zone B7 Business Park within the Macquarie Park Corridor are as follows: (a) to provide for the daily convenience needs of employees and visitors, (b) to ensure that development supports the needs of businesses and organisations in the area. (4) Despite any other provision of this Plan, development consent must not be granted for the erection of a building on land in Zone B7 Business Park in the Macquarie Park Corridor for the purposes of a function centre, neighbourhood shop, registered club or restaurant or cafe unless the total floor space of the building: (a) will not exceed 500 square metres for each individual land use or an area equivalent to 5% of the site area for each individual land use, whichever is the greater, in relation to that land, and

	(b) the building is a single storey building. (5) Despite any other provision of this Plan, development consent must not be granted for carrying out development on land in Zone B3 Commercial Core in the Macquarie Park Corridor for the purposes of a serviced apartment unless: (a) the development comprises at least 2 self-contained dwellings, and (b) all of the dwellings are on the same lot.
Dictionary	Delete the definition of Macquarie Park Corridor Parking Restrictions Map: <u>Macquarie Park Corridor Parking Restrictions Map</u> means the <u>Ryde Local Environmental Plan 2014 Macquarie Park Corridor Parking Restrictions Map</u>.

Properties in Delhi Road and Plassey Road

A number of existing commercial properties on the northern side of Delhi Road, Macquarie Park (as shown in Figure 1 below) are not currently identified as being part of the Macquarie Park Corridor on the RLEP2014 Centres Map. This was a drafting oversight.

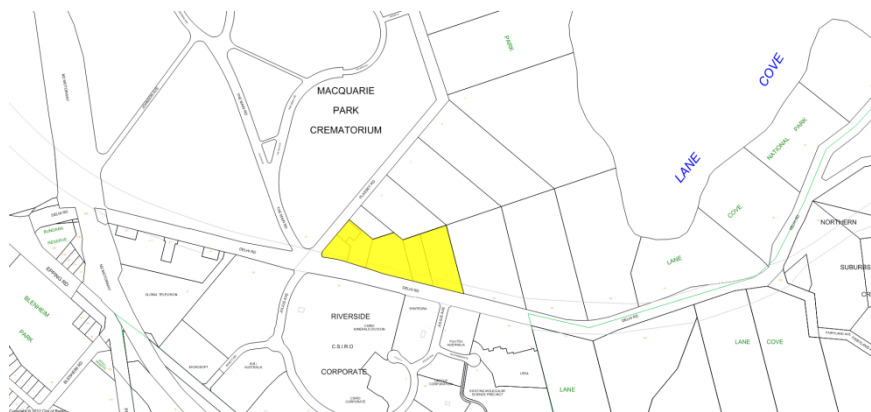


Figure 1: Location of 14-58 Delhi Road and 3 Plassey Road, Macquarie Park

These sites have historically been identified as part of the Macquarie Park Corridor. They are zoned B3 Commercial Core and B7 Business Park, and are identified on the RLEP2014 MPC Precinct Map, MPC Parking Restrictions Maps and MPC Incentive Floor Space Ratio map.

This Planning Proposal seeks to amend the RLEP2014 Centres Map to include the properties at 14-58 Delhi Road and 3 Plassey Road, Macquarie Park in the 'Macquarie Park Corridor'.

3.0 Justification

Section 55 (3) of the Environmental Planning and Assessment Act 1979 enables the Director-General to issue requirements with respect to the preparation of a PP. This section responds to all matters to be addressed in a PP – including Director-General's requirements for the justification of all PPs (other than those that solely reclassify public land).

3.1 Need for the Planning Proposal

3.1.1 Is the planning proposal a result of any strategic study or report?

The PP has been prepared in response to a study of the car parking rates in the Macquarie Park Corridor conducted by Bitzios Traffic Consulting. This study recommended amending Council's car parking controls to move toward achieving a 70% private vehicle modal split by 2031, by having a staged approach to the reduction of parking requirements. This PP implements the recommendation of that study by removing the parking controls from RLEP2014 and including new reduced parking rates in Ryde DCP2014.

The sites at 14-58 Delhi Road and 3 Plassey Road, Macquarie Park are zoned B3 Commercial Core and B7 Business Park, and are identified on the RLEP2014 MPC Precinct Map, MPC Parking Restrictions Maps and MPC Incentive Floor Space Ratio map. These sites are intended to be included in the Macquarie Park Corridor on the RLEP2014 Centres Map to correct an anomaly.

The amendments to Clause 4.5B subclause (4)(b) are also required to correct an anomaly.

3.1.2 Is the planning proposal the best means of achieving the objectives or intended outcomes?

A PP under the Environmental Planning and Assessment Act which proceeds as an amendment to RLEP2014 is the only means to achieve the removal of the car parking controls from RLEP2014 and the inclusion of additional sites on the Centres Map. Incorporating the car parking controls in RDCP2014 will allow future changes to the car parking rate to be implemented (as recommended in the Bitzios study) without the need for a PP.

3.2 Relationship to strategic planning framework

This section discusses relevant strategic planning documents and their relationship to the PP.

3.2.1 Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

In December 2014 the NSW Government released Sydney's Metropolitan Plan "A Plan for Growing Sydney". The PP is consistent with this Plan.

The proposed amendments to RDCP2014 to reduce the amount of parking provided is consistent with Action 1.6.2 "Invest to improve infrastructure and remove bottlenecks to grow economic activity".

3.2.2 Is the planning proposal consistent with the local council's local strategy, or other local strategic plan?

City of Ryde 2021 Community Strategic Plan

The Community Strategic Plan sets out the future vision for the City of Ryde. The plans set the desired outcomes and the aspirations of the community, and the goals and strategies on how they will be achieved. The outcomes relevant to this PP is A City of Connections, and the strategy "to encourage the use of environmentally friendly transport options".

Local Planning Study (LPS)

Council adopted *Local Planning Study (December 2010)*. This study informed the preparation of RLEP2014.

The PP supports the Action 8.4.3.6 "Planning for Parking" and in particular:

Principle: Improve parking management in centres.

Principle: Improve parking management to encourage greater use of public transport, walking and cycling, especially for commuter trips.

Direction: Review and update City of Ryde parking controls.

Action: Carry out a parking study which will inform sustainable transport and economic development and guide DCP controls.

The LPS Transport Study recommended that car dependence should be reduced through development that supports public transport, cycling and walking. The Study also recommended that a parking study be undertaken to inform sustainable transport and economic development, to facilitate a shift in modal split for the journey to work.

Macquarie Park Corridor Parking Study

The 'Macquarie Park Corridor Parking Study' (2009) outlined a number of short and medium term actions including a review of the commercial car parking rates within 5 years.

3.2.3 Is the planning proposal consistent with applicable state environmental planning policies?

A summary assessment of the PP in terms of State Environmental Planning Policies (SEPPs) is contained in the table below (Table 1).

This assessment indicates that the draft amendments to RLEP2014 contained in this PP is consistent with all relevant SEPPs.

Table 1 – Consistency with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistent		N/A	Comment
	YES	NO		
SEPP No 19 Bushland in Urban Areas			✓	Applies to the whole of the State. Not relevant to proposed amendment.
SEPP No 21 Caravan Parks			✓	Applies to the whole of the State. Not relevant to proposed amendment.
SEPP No 30 Intensive Agriculture			✓	Applies to the whole of the State. Not relevant to proposed amendment.
SEPP No 32 Urban Consolidation (Redevelopment of Urban Land)			✓	Applies to all urban land. Not relevant to the proposed amendment
SEPP No 33 Hazardous and Offensive Development			✓	Applies to the whole of the State. Not relevant to the proposed amendment
SEPP No 50 Canal Estate Development			✓	Applies to the whole of the State. Not relevant to proposed amendment.
SEPP No 55 Remediation of Land			✓	Applies to the whole of the State.
SEPP No.62 Sustainable Aquaculture			✓	Applies to the whole of the State. Not relevant to proposed amendment.
SEPP No 64 Advertising and signage			✓	Applies to the whole of the State. Not relevant to the proposed amendment
SEPP No 65 Design Quality of Residential Flat Development			✓	Applies to the whole of the State. Not relevant to the proposed amendment.
SEPP (Affordable Rental Housing) 2009			✓	Applies to the whole of the State. Not relevant to the proposed amendment.
SEPP(BASIX) 2004			✓	Applies to the whole of the State.
SEPP (Exempt and Complying Development Codes)			✓	Applies to the whole of the State.

State Environmental Planning Policies (SEPPs)	Consistent		N/A	Comment
	YES	NO		
2008				
SEPP(Housing for Seniors or People with a Disability) 2004			✓	Applies to the whole of the State.
SEPP (Infrastructure) 2007			✓	Applies to the whole of the State.
SEPP (Major Development) 2005			✓	Applies to the whole of the State.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007			✓	Applies to the whole of the State. Not relevant to proposed amendment
SEPP (State and Regional Development) 2011			✓	Not relevant to the proposed amendment
Deemed SEPPs				
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005			✓	The PP is not inconsistent with the relevant planning principles for the Sydney Harbour Catchment.
Draft State Environmental Planning Policies				
SEPP No 66 - Integration of Land Use and Transport 2001	✓			The PP results in car parking being included in RDCP2014. The reduced rates proposed in RDCP2014 aim to reduce car dependency and support efficient public transport use.
SEPP (Competition) 2010			✓	Applies to the whole of the State

3.2.4 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

A summary assessment of the PP in terms of the Directions issued by the Minister for Planning under Section 117 of the *EP&A Act* (last update 1 February 2011) is contained in the Table 2).

The following is a list of Directions issued by the Minister for Planning to relevant planning authorities under section 117(2) of the *Environmental Planning and Assessment Act 1979*.

These directions apply to PPs lodged with the Department of Planning and Environment on or after the date the particular direction was issued:

Consideration of Relevant Section 117 Directions applying to PPs

Ministerial Directions under Section 117 of the Environmental Planning and Assessment Act 1979	Consistent		N/A	Comment
	YES	NO		
1. Employment and Resources				
1.1 Business and Industrial Zones Objectives are:- - Encourage employment growth in suitable locations - Protect employment land in business and industrial zones and - Support the viability of identified strategic centres.	✓			The PP does not propose any change to the amount of employment generating land.
3. Housing, Infrastructure and Urban Development				
3.4 Integrating Land Use and Transport	✓			The DCP amendments associated with this PP are consistent with the objectives of the Direction which aims to reduce travel demand.
7. Metropolitan Planning				
7.1 Implementation of the Metropolitan Plan for Sydney 2036.	✓			See adjacent comment

3.3 – Environmental, social and economic impact

3.3.1 Impact on Critical Habitat, Threatened Species and Ecological Communities

The PP will not affect any critical habitat or threatened species, populations or ecological communities, or their habitats nor is it expected to have any adverse environmental effects.

4.3.2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The PP intends to contribute positively to traffic congestion by moving towards a target of 70% private vehicle mode share by 2031 for Macquarie Park which will be a positive environmental benefit. The likely traffic impacts have been addressed in the Macquarie Park Parking Rates Study.

4.3.3 Has the planning proposal adequately addressed any social and economic effects?

The PP will not result in any social or economic impacts.

3.4 State and Commonwealth interests

3.4.1 Is there adequate public infrastructure for the planning proposal?

The planning proposal will not place additional demands on public infrastructure.

3.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

The RMS will be consulted with as part of the consultation process associated with the exhibition of the PP.

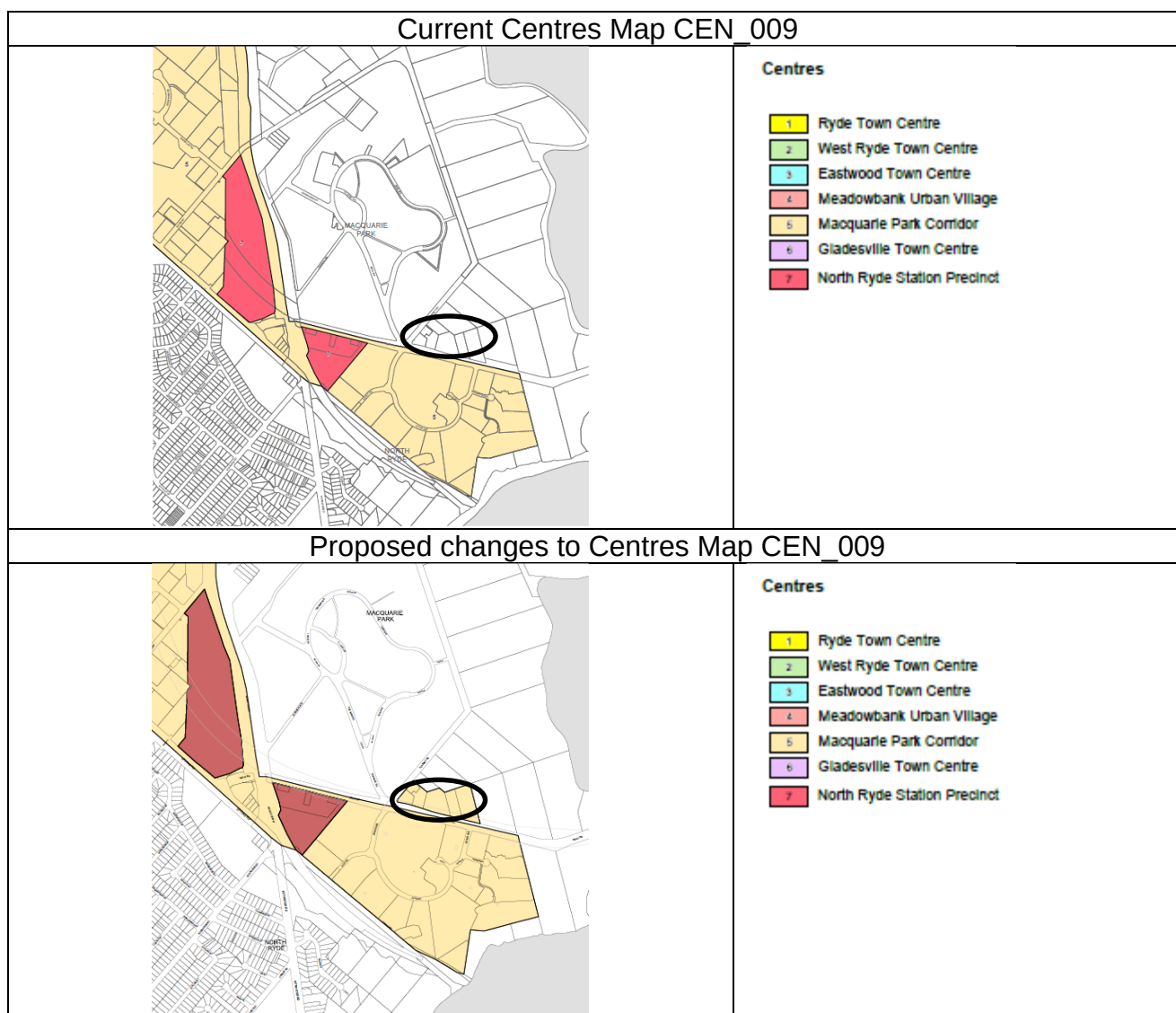
The PP does not raise any issues that are expected to be of concern to any other State or Commonwealth public authority.

Any State or Commonwealth authority that is identified in the gateway determination will be consulted following that determination.

4.0 Mapping

Maps identifying the intent of the PP are provided below.

Map	Proposed amendment
Macquarie Park Corridor Parking Restrictions Maps	Delete maps MPP_004, MPP_005, MPP_008 and MPP_009 (copy at Attachment 1)
Centres Map	Amend map CEN_009 to include 14-58 Delhi Road and 3 Plassey Road, Macquarie Park in the Macquarie Park Corridor (full version at Attachment 2)



5.0 Community Consultation

This section provides details of the community consultation that is to be undertaken on the planning proposal:

The community consultation process to be undertaken for this PP is expected to be undertaken in the following manner for a period of 4 weeks:

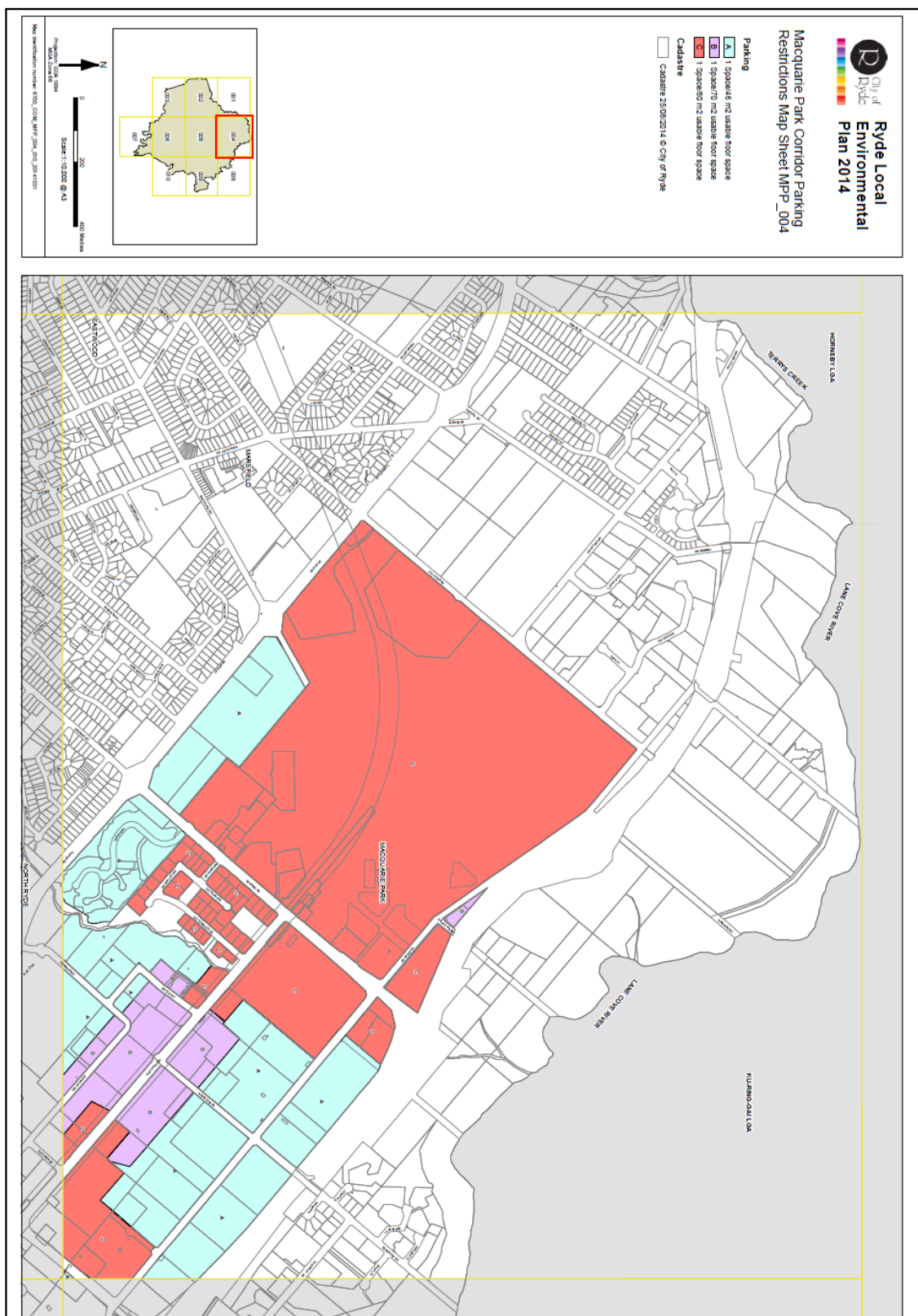
- written notice given:
 - in the local newspaper circulating in the area;
 - on Council's webpage;
 - to subject landowners and key stakeholders;
 - to local state government representatives; and
 - consultations considered necessary by the Department of Planning and Environment with relevant State and Commonwealth authorities.
- the written notice will:
 - provide a brief description of the objectives and intended outcomes;
 - indicate the land affected;
 - state where the planning proposal can be inspected;
 - indicate the last date for submissions; and
 - confirm whether the Minister has chosen to delegate the making of the LEP.
- The following materials will be placed on exhibition:
 - the PP;
 - the Gateway determination; and
 - the associated draft amendments to RDCP2014.

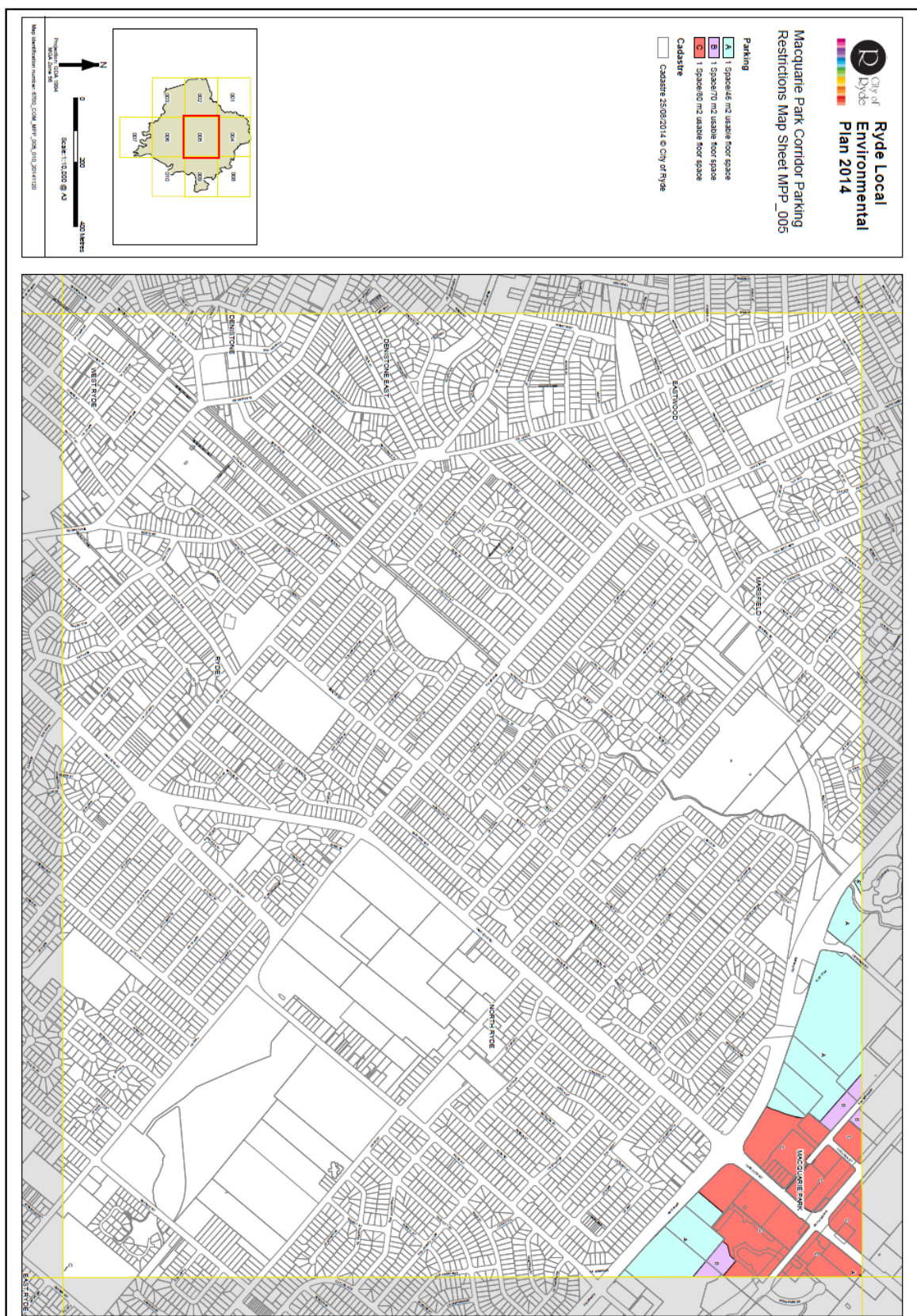
One community drop-in session will be held during the exhibition period.

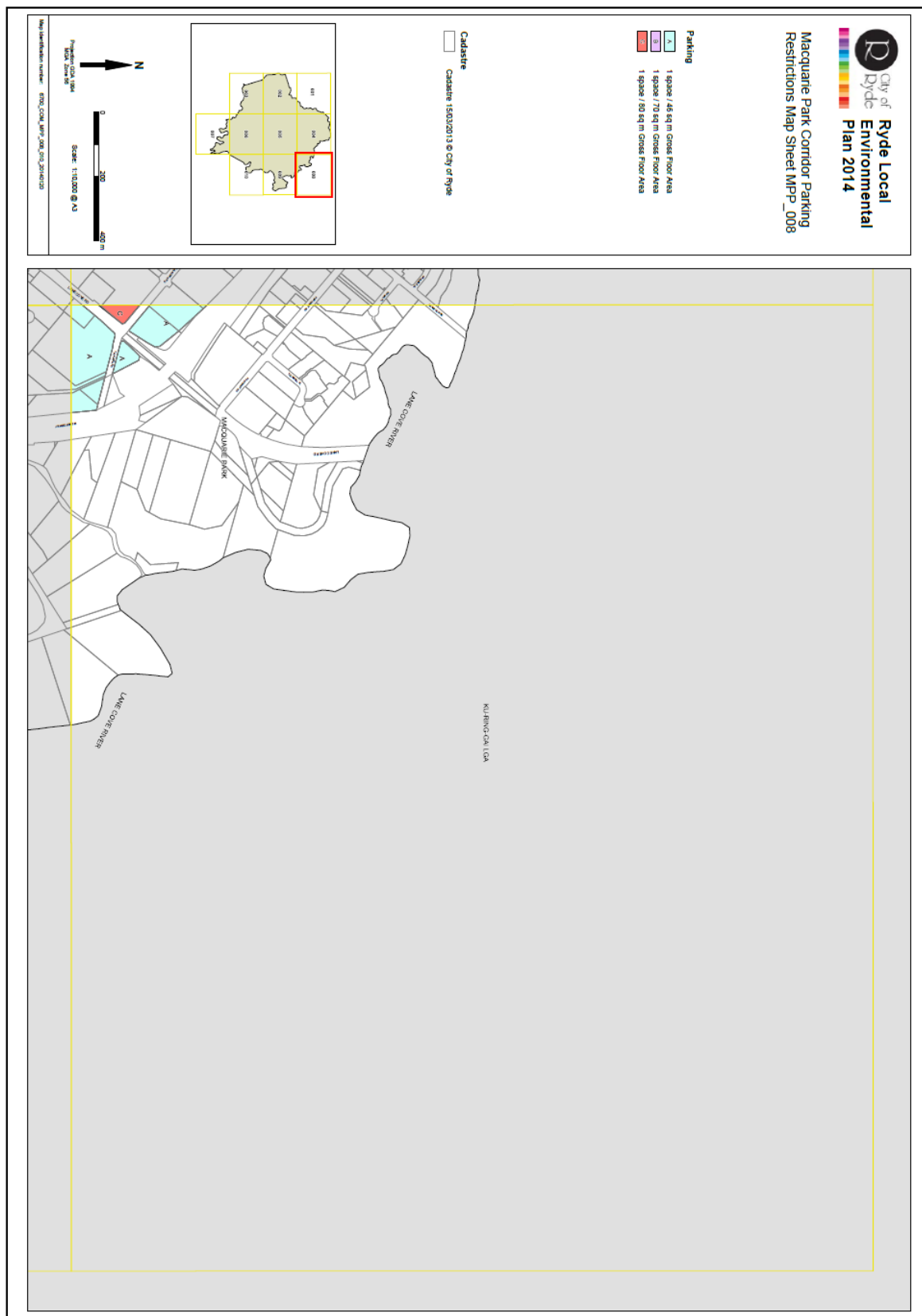
6.0 Project Timeline

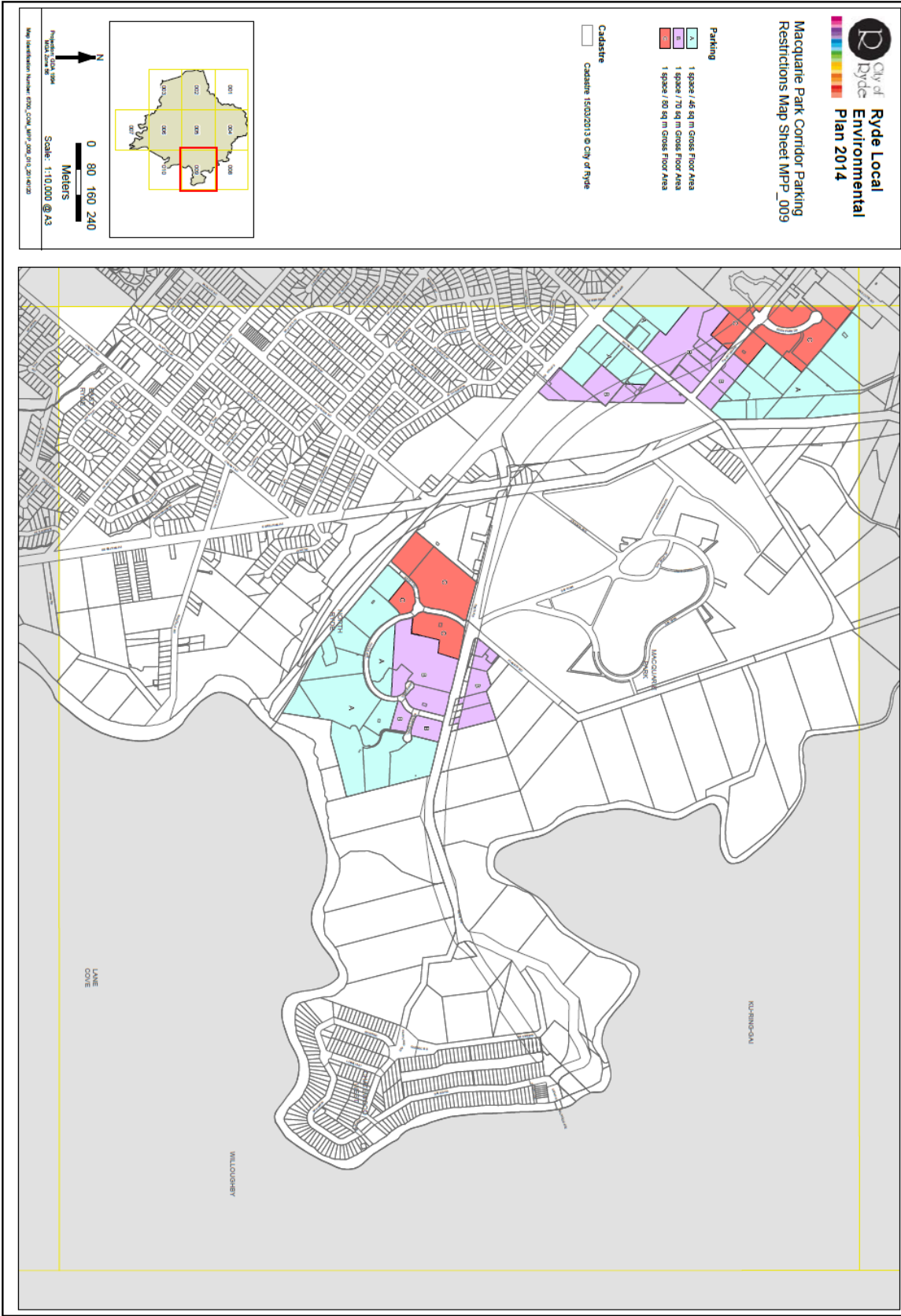
1. Planning Proposal submitted to Gateway	June 2016
2. Gateway determination received by Council	August 2016
3. Community consultation (4 weeks)	Sep/ Oct 2016
4. Outcomes of Community consultation Presented to Council	December 2016
6. PP submitted to DoPE requesting notification on Government website	February 2017

Attachment 1- Current RLEP2014 Macquarie Park Corridor Parking Restrictions Maps



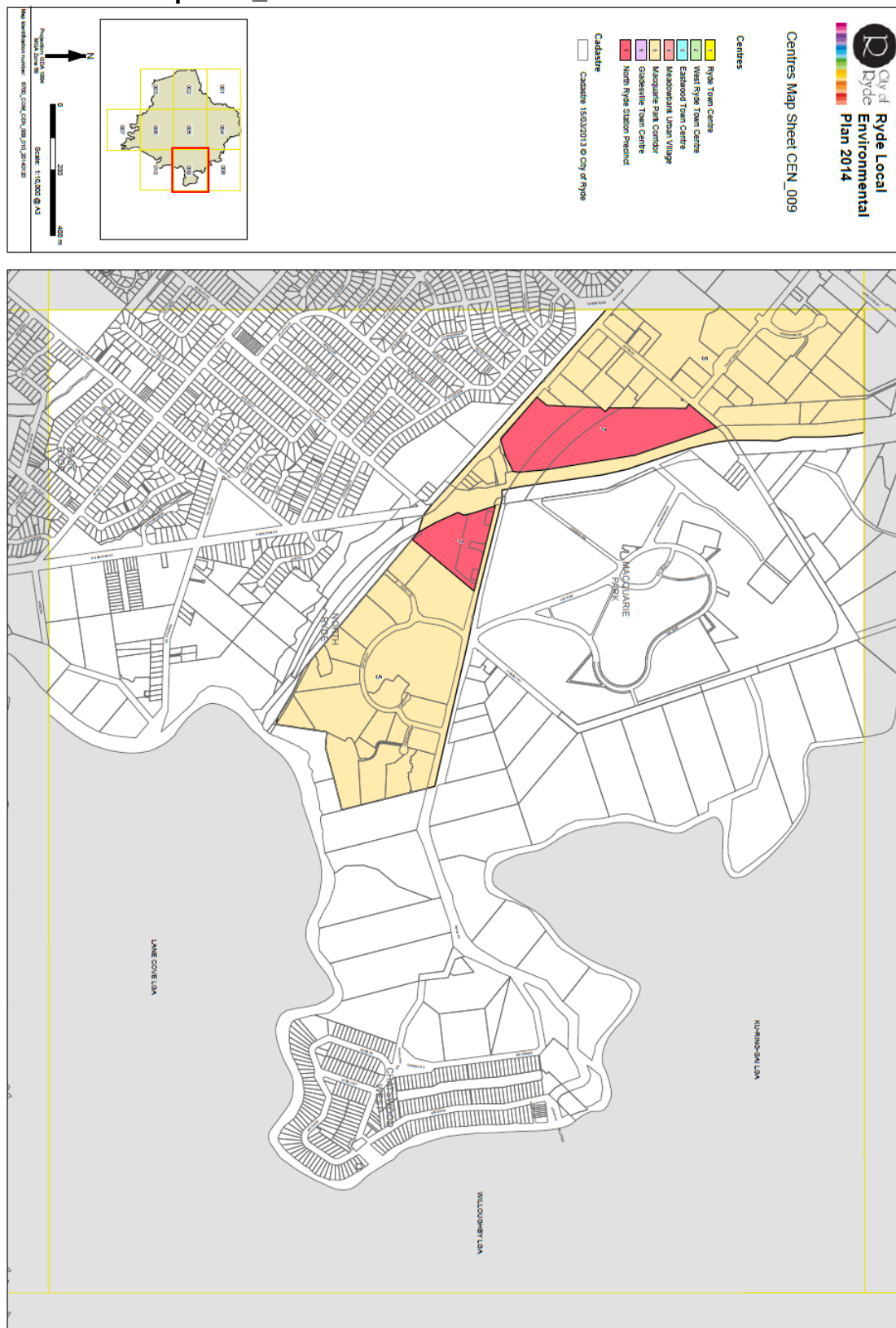






Attachment 2- Current and Proposed RLEP2014 Centres Map CEN_009

Current Centres Map CEN_009



Proposed Centres Map CEN_009

