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Strategic City Department

**Planning Proposal
87 Bowden Street Ryde
(Lot 17 DP 663261)**

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	ATTACHMENTS	
1	Ryde Local Environmental Plan 2014 - Amendment No. 8: Site Identification Map	
2	Interim Heritage Order No.2 (IHO) published in Government Gazette 19 dated 11 March 2016.	
3	Council Minutes 23 February 2016	
4	Heritage Study – to be attached	
5	Schedule 5 Environmental heritage and Draft	

	Heritage Map	
6	Communication/Consultation Program – to be attached	

1.0 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 Infrastructure.

The Department of Planning and Infrastructure 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 (refer 2.0)

Part 2 – Explanation of the Provisions to be included in the LEP (refer 3.0)

Part 3 – Justification of objectives, outcomes and process for implementation (refer 4.0)

Part 4 – Maps to identify intent and applicable area (refer 5.0)

Part 5 – Community Consultation proposed to be undertaken on the Draft LEP (refer 6.0)

Part 6 – Project timeline - anticipated timeframe for the making of the LEP (refer 7.0)

Planning Proposal

This planning proposal aims to amend the existing planning controls to:-

- o to conserve and protect the heritage of the built environment of the property to which this plan applies,
- o to ensure that any new development on the land does not adversely affect the heritage significance of the building(s) or their setting and
- o Include the property 87 Bowden Street Ryde in LEP 2014 as a Heritage Item in *Schedule 5 Environmental heritage*

1.1 Site Description and Context

This planning proposal applies to land known as the 87 Bowden Street Ryde (Lot 17 in DP 663261) identified on the map titled “Ryde Local Environmental Plan 2014 - Amendment No. 8: Site Identification Map” contained in Attachment 1.

The subject site which is approximately 975m² (1.65ha) contains an intact Federation style dwelling and associated garden is identified in **Figure 1**.



Figure 1

A site location plan of the site is shown at **Figure 2** and an aerial photo of the site is shown at **Figure 3**.

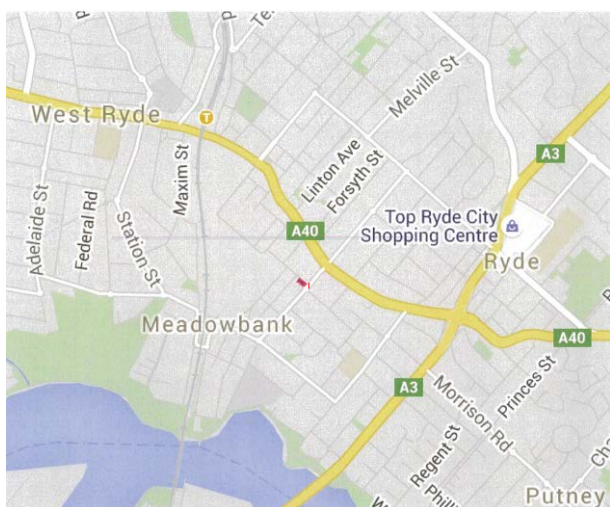


Figure 2 (The site in red)



Figure 3 – Aerial photograph of the site

Photographs of the existing buildings on the site are shown at **Figure 4**.



87 Bowden St.

Figure 4

Context

The site is located at the corner of Bowden and Macpherson Streets in the suburb of Ryde.

Northern Sydney Institute of TAFE is located to the west of the site whilst Ryde Town Centre is located to the east, Meadowbank Urban Village and the Parramatta River to the south. Victoria Road is to the north of the site and directly opposite the site is the Ryde Presbyterian Church which itself is identified as a heritage item under Ryde LEP 2014.

The site is in the vicinity of a number of local heritage items listed under RLEP 2014, the closest being :

- Church (Item 2)) - 74A Bowden Street Ryde (Ryde Presbyterian Church)
- House (Item 21) – 95 Bowden Street Ryde
- Church (Item 64) – 7-9 McPherson Street West Ryde
- Fountain (Item 115) – Corner See and Angas Streets Meadowbank
- Attached dwellings (Item 116) – 1A Angus and 34 See Street Meadowbank

Location of local heritage items in the vicinity of the site are shown in **Fig 5**

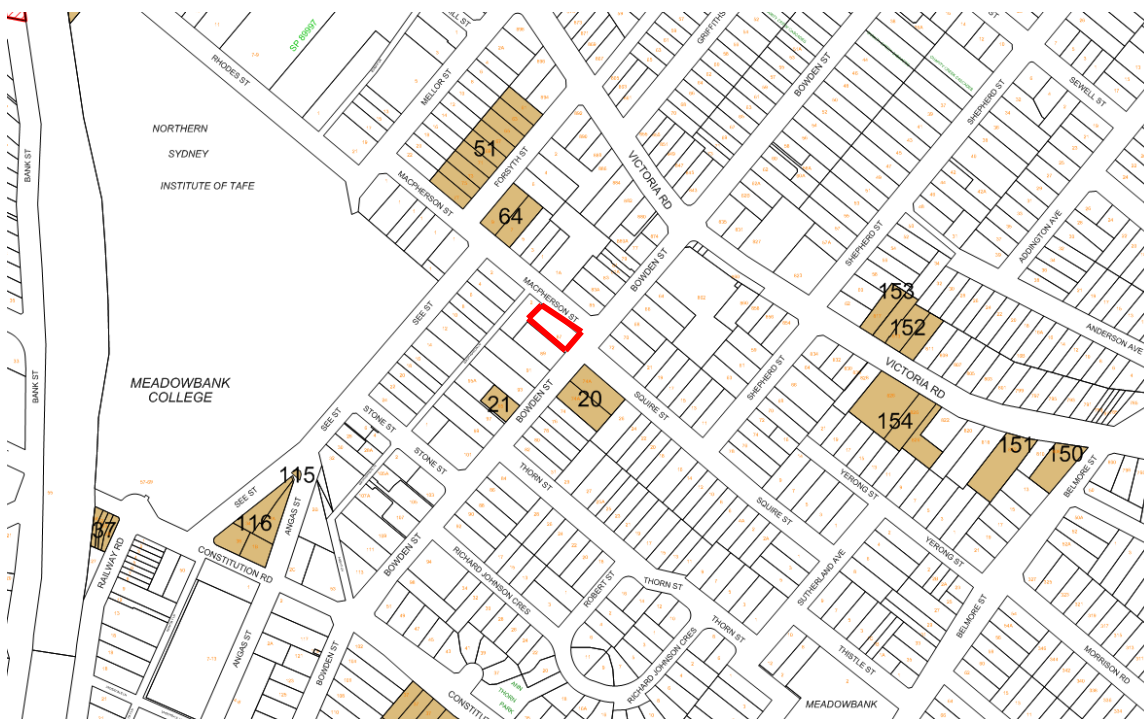


Fig 5

1.2 Current Planning Controls

Environmental Planning Instruments

Ryde LEP 2014 is the principle planning instrument applying to the site.

Zoning

The site is currently zoned R2 Residential Low Density under RLEP 2014. The R2 zone provides for a broad range of residential uses.

Under the zone the following uses are permitted:-

Bed and breakfast accommodation; Boarding houses; Business identification signs; Child care centres; Community facilities; Dual occupancies (attached); Dwelling houses; Environmental protection works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Home occupations; Hospitals; Multi dwelling housing; Places of public worship; Recreation areas; Residential care facilities; Respite day care centres; Roads; Secondary dwellings (see **Figure 6** below)

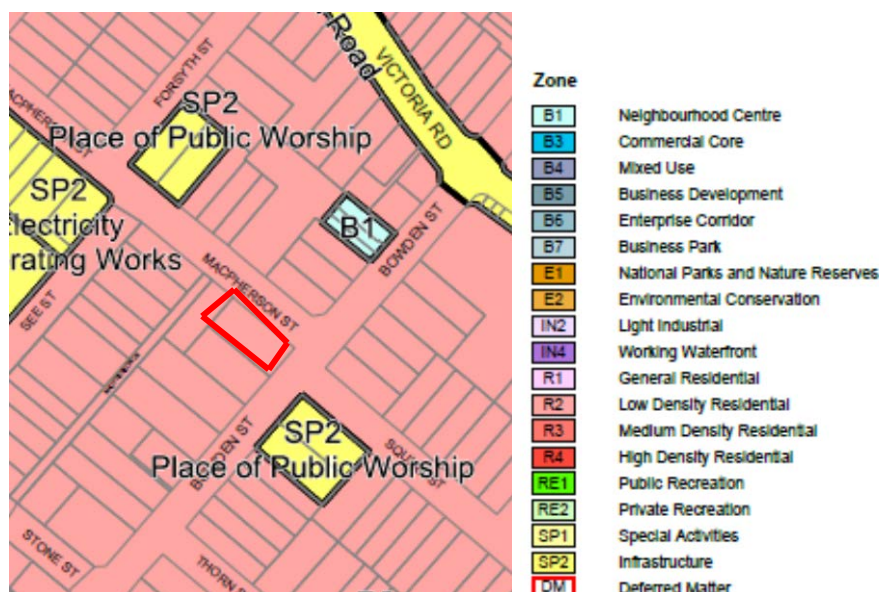


Figure 6

Building Height

The maximum building height relating to the site, is 9.5m as per Ryde LEP 2014 Height of Buildings Map . (see **Figure 7** below)



Figure 7

Floor Space Ratio

The maximum floor space ratio relating to the site, is 0.5m:1 as per Ryde LEP 2014 Floor Space Ratio Map . (see **Figure 8 below**)



Figure 8



1.3 Background

- Ryde Heritage Study 2010 was commenced in 2003 and approximately 71 properties were identified and recommended for heritage listing, together with amendments to existing heritage listings. The site 87 Bowden Street Ryde was identified in the Heritage Study 2010 as follows:-

An intact Federation style dwelling in excellent condition, representative of better class of dwelling in Meadowbank at the turn of the twentieth century. Dwelling is located on a prominent corner site with local landmark qualities and is one of a number of houses of similar age and scale in Bowden St.

Recommendation: To be included as a heritage item in the Comprehensive LEP

- Council on 17 August 2010 resolved when considering the Draft Ryde Heritage Study 2010, not to pursue the heritage listing of any property unless the land owner specifically applied for a heritage listing of that property. As a result the subject property was not listed in LEP 2014 Schedule 5 Heritage Items.
- A development application was submitted in June 2015 for 87 Bowden Street Ryde to demolish the existing structures on the site and to construct a new two storey building with basement level parking for nineteen (19) car parking spaces to be used as a childcare centre for 90 children.

The development application was refused on the 23 February 2016 on a number of grounds including traffic and amenity issues, non-compliance with Development Control Plan 2014 and insufficient information being submitted.

- Council on the 23 February 2016 resolved in part to:-
 - impose an Interim Heritage Order over the property and
 - list the property 87 Bowden Street Ryde as an item of local heritage significant within Schedule 5 Environmental Heritage of Ryde Local Environmental Plan 2014. (Attachment 3)

An IHO is a temporary heritage protection measure against the demolition of a potential heritage item. It also provides time to assess the heritage significance of a potential item and take the appropriate steps to list the item if warranted.

Interim Heritage Order No.2 (IHO) which relates to the subject property was published in Government Gazette No.19 dated 11 March 2016. (Attachment 2)

- To evaluate the heritage significance of the property in more detail a consultant was engaged by Council to undertake an assessment of the property.

Details of consultant and (Attachment 4) :- to be included

2.0 Objectives and 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 Ryde LEP 2010.

The Planning Proposal seeks to amend RLEP 2014 by including the property 87 Bowden Street Ryde as a Heritage item *in Schedule 5 Environmental heritage* and including the property in *Ryde LEP 2014 Heritage Map*.

The intended outcome of the Planning Proposal is :-

- to ensure the protection of the dwelling and its curtilage at 87 Bowden Street Ryde from development that would adversely affect the heritage significance of the property and
- to conserve the contribution the site makes to the environmental heritage of Ryde.
- To permit future use of the building (including adaptive re-use) that is consistent with the cultural significance of the item.

3.0 Explanation of Provisions

The planning proposal seeks to:

- amend *Ryde LEP 2014 Schedule 5 Environmental heritage* to include the property 87 Bowden Street Ryde (Lot 17 in DP 663261) (see Fig 9)
- amend *Ryde LEP 2014 Heritage Map* – to include 87 Bowden Street Ryde (Lot 17 in DP 663261) (see Fig 10)

Figure 9 – Amendment to Ryde LEP 2014 Schedule 5 Environmental heritage

(Amendment in **Red**)

Schedule 5 Environmental heritage

(Clause 5.10)

Part 1 Heritage items

Suburb	Item name	Address	Property description	Significance	Item no
Ryde	Hattons Cottage	158 Blaxland Road	Lot P, DP 443304	Local	17
Ryde	Church	74A Bowden Street	Lots 23 and 24, DP 8677	Local	20
Ryde	House and garden	87 Bowden Street Ryde	Lot 17 DP 663261		222
Ryde	House	95 Bowden Street	Lot 101, DP 1055980	Local	21

Figure 10 - Amendment to Ryde LEP 2014 Heritage Map
(Amendment Item No 222)



Proposed Heritage Map
Sheet HER_003



A draft Schedule 5 Environmental heritage and Draft Heritage Map are included at **Attachment 5**.

4.0 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 planning proposal. This section responds to all matters to be addressed in a planning proposal – including Director-General's requirements for the justification of all planning proposals (other than those that solely reclassify public land).

4.1 Need for the Planning Proposal

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

The property was originally recognised in City of Ryde Heritage Study 2010 and was identified as an intact Federation style dwelling in excellent condition, representative of better class of dwelling in Ryde at the turn of the twentieth century.

The recommendation of the study was that the property be included as a heritage item in LEP 2014.

A draft Heritage Inventory Sheet was updated and revised to reflect the additional heritage assessment undertaken by Council's Heritage Advisor in March 2016.

A consultant was engaged by Council to provide a detailed heritage assessment of the site (Attachment 4).

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

The Planning Proposal represents the only means of ensuring the heritage significance of the site is recognised and protected from development that may adversely affect the significance of the site and its contribution to the environmental heritage of the City of Ryde.

4.2 Relationship to strategic planning framework

4.2.1 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)?

The strategic planning context for the consideration of this Planning Proposal includes:

- *A Plan for Growing Sydney* - December 2014.
- the draft *Inner North Draft Subregional Strategy* (draft *Subregional Strategy*) exhibited between 18 July to 17 September 2007.

- *A Plan for Growing Sydney*

A Plan for Growing Sydney is the NSW's State Governments plan for the future growth and prosperity of the Greater Sydney Region. The Plan includes 4 main goals which are underpinned by several key actions. Goal 3 – *A great place to live with communities that are strong, healthy and well connected* reflects the Plans desire to build on Sydney's reputation of a vibrant cosmopolitan culture by requiring quality public spaces, green spaces, sports facilities and precincts that engage people and reflect the city's heritage and history. (*A Plan for Growing Sydney* Pge 9) Goal 3 is supported by a number of Directions.

Direction 3.4: *Promote Sydney's heritage, areas and culture* of the Plan builds on Sydney's reputation of being a vibrant cosmopolitan culture by requiring quality public spaces, green spaces, sports facilities and precincts that engage people and reflect the city's heritage and history our sense of place and identity and help us to understand and learn about our past,

Community life is often centred around significant places such as heritage buildings. These buildings provide a connection to our past and collectively tell our city's story. Heritage buildings and sites contribute to our sense of place and identity and help us to understand and learn about our past,(Plan for Growing Sydney Pge 90)

- Subregional Plan

A Key Direction of the draft Subregional Strategy is the protection of the cultural and heritage elements of the subregion. (pge 84). The Strategy identifies the need to consider the conservation of places and streetscapes of heritage value that contribute to the subregion. (page 89)

The recognition and protection of 87 Bowden St Ryde as containing a building and grounds which are representative of dwellings at the turn of the twentieth century and are a contributing item to the heritage of the City of Ryde supports the Goals and Directions of A Plan for Growing Sydney and the Subregional Plan.

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

City of Ryde Strategic Plans:

1. The City of Ryde 2025 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 seven outcomes for the City of Ryde are:

- A City of Liveable Neighbourhoods
- A City of Wellbeing
- A City of Prosperity
- A City of Environmental Sensitivity
- A City of Connections
- A City of Harmony and Culture
- A City of Progressive Leadership

The Planning Proposal is in line with goals and strategies of the Community Strategic Plan in that it is responding to the community's sense of identity to their neighbourhood and a desire for liveable neighbourhoods by protecting local heritage. (see below extract)

"A City Of Harmony and Culture

"Goal One

Our residents are proud of their diverse community ,celebrating their similarities and differences.

STRATEGIES

.....

To bring people together in their local neighbourhoods to encourage connection and belonging.

To create a distinct local identity built on our city's character and cultural heritage." (Pge 23 City of Ryde 2025 Community Strategic Plan)"

2. Local Planning Study (LPS)

Council adopted *Local Planning Study (December 2010)* in response to the NSW Government's *Metropolitan Strategy* and draft *Inner North Draft Subregional Strategy* to outline a vision for development of Ryde over the next 20 years. The Local Planning Study was the basis for the development of Ryde LEP 2014. One of the aims of Ryde LEP that was derived from the Local Planning Study is:-

(d) to identify, conserve and promote Ryde's natural and cultural heritage as the framework for its identity, prosperity, liveability and social development, (RLEP 2014 Clause 1.2 (d))

The Planning Proposal is consistent with both the Study and Ryde LEP 2014.

4.2.3 Is there a net community benefit?

The Planning Proposal will facilitate the retention of the an item of local heritage significance that contributes to the overall character of the City of Ryde

The amendments under this Planning Proposal will enable the Council to ensure:

- The protection of an item of local heritage significance to the City of Ryde from any development that would adversely impact on the heritage value of the buildings and grounds.

The above outcome of the proposal is considered to be in the public interest.

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

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

This assessment indicates that the draft LEP contained in this Planning Proposal is consistent with all relevant State environmental planning policies.

Table 1 – Consistency with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistent		N/A	Comment
	YES	NO		
EPP 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 proposed amendment.
SEPP No 33 Hazardous and Offensive Development			✓	Applies to all urban land. . Not relevant to 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 all land. . Not relevant to proposed amendment.
SEPP No.62 Sustainable Aquaculture			✓	Applies to the whole of the State. Not relevant to proposed amendment .
SEPP No 64 Advertising and signage			✓	Applies land. . Not relevant to proposed amendment.
SEPP No 65 Design Quality of Residential Flat Development			✓	Applies to the whole of the State Not relevant to proposed amendment
SEPP (Affordable Rental Housing) 2009			✓	Applies to all land. Not relevant to proposed amendment.
SEPP(BASIX) 2004			✓	Applies to all land. Not relevant to proposed amendment.

State Environmental Planning Policies (SEPPs)	Consistent		N/A	Comment
	YES	NO		
SEPP (Exempt and Complying Development Codes) 2008			✓	Applies to all urban land. . Not relevant to proposed amendment.
SEPP(Housing for Seniors or People with a Disability) 2004			✓	Applies to all residential land. . Not relevant to proposed amendment.
SEPP (Infrastructure) 2007			✓	Applies to all urban land. . Not relevant to proposed amendment.
SEPP (Major Development) 2005			✓	Applies to all urban land. . Not relevant to proposed amendment.
SEPP (Temporary Structures) 2007			✓	Applies to all urban land. . Not relevant to proposed amendment.
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			✓	Applies to all land. .Not relevant to proposed amendment.
Deemed SEPPs				
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005			✓	Applies to all urban land. . Not relevant to proposed amendment.

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

A summary assessment of the Planning Proposal 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 planning proposals lodged with the Department of Planning and Infrastructure on or after the date the particular direction was issued:

Consideration of Relevant Section 117 Directions applying to planning proposals

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:- - o Encourage employment growth in suitable locations - o Protect employment land in business and industrial zones and - o Support the viability of identified strategic centres.			X	
1.2 Rural Zones Objective: To protect the agricultural production value of rural land.			X	
1.3 Mining, Petroleum Production and Extractive Industries Objective: To ensure that the future extraction of significant materials is not compromised by inappropriate development.			X	
1.4 Oyster Aquaculture Objective: To protect oyster aquaculture from development that may result in adverse impact on water quality.			X	
1.5 Rural Lands Objective: To protect and facilitate economic development of rural lands.			X	
2. Environment and Heritage				
2.1 Environment Protection Zones Objective: To protect and conserve			X	

Ministerial Directions under Section 117 of the Environmental Planning and Assessment Act 1979	Consistent		N/A	Comment
	YES	NO		
environmentally sensitive areas.				
2.2 Coastal Protection Objective: To implement the principles in the NSW Coastal Policy.			x	Ryde is not a coastal zone under the Coastal Protection Act 1979.
2.3 Heritage Conservation Objective: To conserve items ,areas, objects and places of environmental heritage significance and indigenous heritage significance.	x			The PP aims to heritage list a property of heritage significance.
2.4 Recreation Vehicle Areas Objective: To protect sensitive land from adverse impacts from recreation vehicles.			x	Not relevant to PP
3. Housing, Infrastructure and Urban Development				
3.1 Residential Zones Objectives are: - o To encourage a variety and choice of housing types to provide for existing and future housing needs - o To make efficient use of existing infrastructure and services and endure that new housing has appropriate access to infrastructure and services and - o To minimise the impact of residential development on the environment and resource lands. Comment The subject land is currently zoned <i>R2 Residential Low Density</i> residential development is permitted in the zone with Council consent. The land subject of the PP is currently used as a dwelling house. The intent of the PP is to identify the land as a heritage item in Schedule 5 of Ryde LEP 2014.	x			See adjacent comment

Ministerial Directions under Section 117 of the Environmental Planning and Assessment Act 1979	Consistent		N/A	Comment
	YES	NO		
3.2 Caravan Parks and Manufactured Home Estates Objective: To provide a variety of housing types.			X	
3.3 Home Occupations Objective: To encourage the carrying out of low impact small businesses in dwelling houses.			X	
3.4 Integrating Land Use and Transport Objectives are: - Improving access to housing , jobs and services by walking, cycling and public transport - Support of public transport services and reduce travel demand.			X	
3.5 Development Near Licensed Aerodromes Objective: To ensure safe and effective operation of aerodromes.			X	
3.6 Shooting Ranges Objective: To reduce land use conflict, maintain appropriate levels of public safety and amenity.			X	
4. Hazard and Risk				
4.1 Acid Sulfate Soils Objective: To avoid significant adverse impacts from use of land that contains acid sulfate soils.	X			
4.2 Mine Subsidence and Unstable Land Objective: To prevent damage to life, property and the environment on land identified as subject to mine subsidence.			X	
4.3 Flood Prone Land Objective: To ensure an LEP includes consideration of appropriate flood impacts.			X	
4.4 Planning for Bushfire Protection Objective: To encourage sound management of bush fire prone areas.			X	
5. Regional Planning				
5.1 Implementation of Regional Strategies Objective: To give legal affect to the regional strategies.			X	
5.2 Sydney Drinking Water Catchments Objective: To protect water quality in the Sydney drinking water catchment.			X	

Ministerial Directions under Section 117 of the Environmental Planning and Assessment Act 1979	Consistent		N/A	Comment
	YES	NO		
5.3 Farmland of State and Regional Significance on the NSW Far North Coast Objective: To ensure the best agricultural land will be available for current and future generations.			X	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast Objective: To manage commercial and retail development along the Pacific Hwy.			X	
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)				
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)				
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)				
5.8 Second Sydney Airport: Badgerys Creek Objective: To avoid incompatible development in the vicinity of any future second Sydney airport.			X	
6. Local Plan Making				
6.1 Approval and Referral Requirements Objective: To ensure that LEP provisions encourage the efficient and appropriate assessment of development.	X			
6.2 Reserving Land for Public Purposes Objective: To facilitate the provision of public services and facilities.	X			
6.3 Site Specific Provisions Objective: To discourage unnecessary restrictive site specific planning controls.			X	
7. Metropolitan Planning				
7.1 Implementation of the Metropolitan Plan for Sydney 2036. Objective: To give legal affect to the vision contained in the A Plan for Growing Sydney (December 2014) Comment The recognition and protection of 87 Bowden St Ryde as containing a building and grounds which	X			See adjacent comment

Ministerial Directions under Section 117 of the Environmental Planning and Assessment Act 1979	Consistent		N/A	Comment
	YES	NO		
are representative of dwellings at the turn of the twentieth century and are a contributing item to the heritage of the City of Ryde supports the Goals and Directions of A Plan for Growing.				

4.3 – Environment, social and economic impact

4.3.1 Impact on Critical Habitat, Threatened Species and Ecological Communities

The land is situated in a suburban context and is currently used for a dwelling house and the wider area has historically been developed for urban purposes.

The Planning Proposal 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?

Environmental effects

The subject site is not subject to flooding, bushfire hazard, noise impact, or soil instability and does not contain critical habitat or threatened species populations or ecological communities, or their habitats

As such the Planning Proposal will not affect any nor is it expected to have any adverse environmental effects.

Heritage

The Planning Proposal aims to list the property 87 Bowden Street Ryde as a heritage item within Ryde LEP 2014 and as such the property will be protected through *Clause 5.10 Heritage conservation* of LEP 2014 from any work that would adversely affect the heritage significance of the site.

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

The Planning Proposal provides an opportunity for the site to be protected from any development that would adversely impact on the significance of the site to the heritage of the City of Ryde.

4.4 State and Commonwealth interests

4.4.1 Is there adequate public infrastructure for the planning proposal?

There is extensive public utility service infrastructure available in this area which supports the existing residential use of the site and the surrounding development.

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

Any State or Commonwealth authority who is identified in the gateway determination as needing to be consulted, will be consulted following that determination being.

5.0 Mapping

Proposed Draft Ryde LEP 2014 Heritage Map- Amendment 8, indicating the proposed amendment being sought is provided in Attachment 3.

6.0 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 Planning Proposal is expected to be undertaken in the following manner for a 28 day period :-

- o written notice given
 - in the local newspaper circulating in the area,
 - on Council's webpage and
 - to adjoining landowners (where this involves strata's a letter will be sent to the body corporate)
 - to local state government representatives
 - consultations considered necessary by the Department of Planning and Infrastructure with relevant State and Commonwealth authorities
- o 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.
- o The following materials will be placed on exhibition: -
 - the planning proposal
 - the gateway determination

A communication/consultation program for the planning proposal is found at **Attachment 6** (to be attached).

7.0 Project Timeline

1. Planning Proposal presented to Council	12 April 2016
2. Planning Proposal submitted to Gateway	
3. Gateway determination received by Council	6 May 2016
4. Community consultation (28days)	18 May 2016 – 17 June 2016
5. Outcomes of Community consultation Presented to Council	26 July 2016
6. Planning Proposal submitted to DoPE requesting notification on Government website	1 August 2016



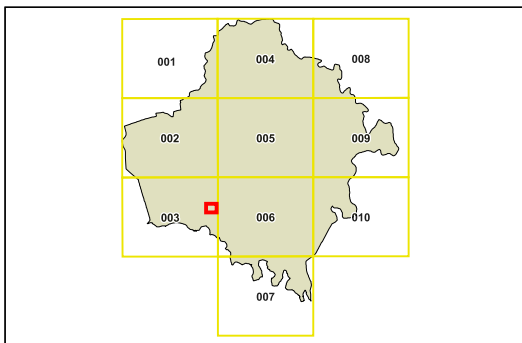
**Ryde Local
Environmental
Plan 2014
(87 Bowden St.)
Amendment No.8**

Site Identification Map
Part of Map Tile:
6700_COM_HER_003_010_11032016

Proposed Additional Permitted Use

 Subject Land

Cadastre Base data 01/01/1999
@ Land and Property Information
(LPI) Amendment date
11/03/2016 © City of Ryde

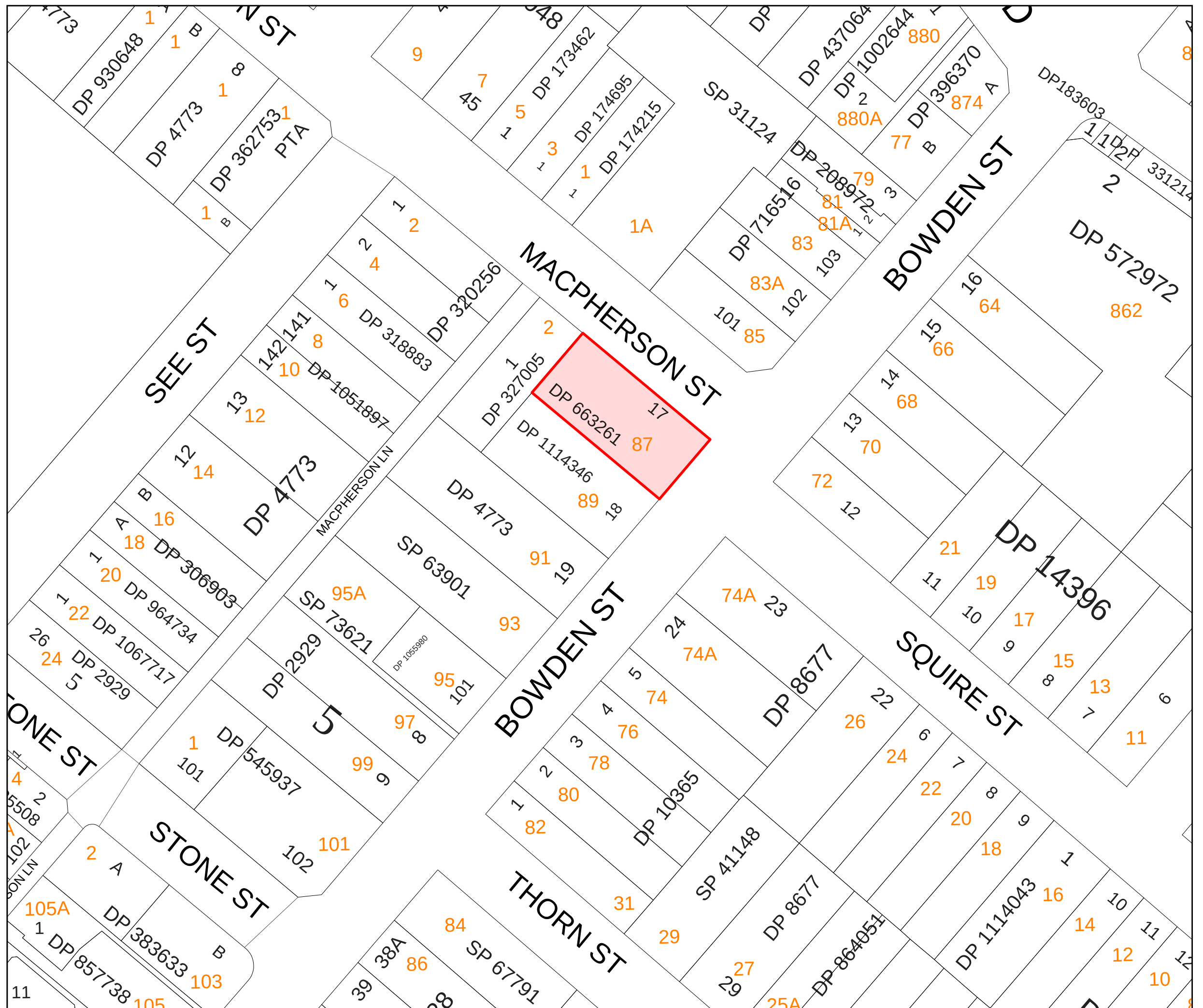


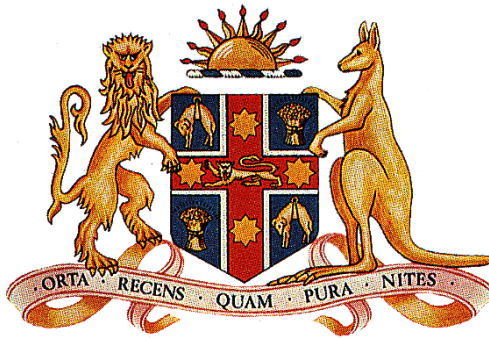
0 40 80 m

Scale: 1 : 2,000 @ A3

Projection: MGA Zone 56
Datum: GDA 94

Map Identification Number
6700_COM_HER_003_010_11032016





Government Gazette

of the State of
New South Wales

Number 19
Friday, 11 March 2016

The *New South Wales Government Gazette* is the permanent public record of official notices issued by the New South Wales Government. It also contains local council and other notices and private advertisements.

The Gazette is compiled by the Parliamentary Counsel's Office and published on the NSW legislation website (www.legislation.nsw.gov.au) under the authority of the NSW Government. The website contains a permanent archive of past Gazettes.

To submit a notice for gazettal – see [Gazette Information](#).

Council Notices

COUNCIL OF THE CITY OF RYDE

HERITAGE ACT 1977

Revocation of Interim Heritage Order No 1

Lot 17 DP 663261
(87 Bowden Street, Ryde)

Under section 29 of the *Heritage Act 1977*, the Council of the City of Ryde does by this order:

- i. revoke Interim Heritage Order number 1 affecting lot 17 in DP 663261 and made 25 February 2016 and published in the *New South Wales Government Gazette* No 14 dated 26 February 2016 (page 246)

Executed this 11th day of March 2016 at Ryde in the State of New South Wales, for The Council of the City of Ryde, by GAIL CONNOLLY, General Manager, in accordance with the resolution passed by Council on 23 February 2016.

[8465]

COUNCIL OF THE CITY OF RYDE

HERITAGE ACT 1977

Interim Heritage Order No 2

Lot 17 DP 663261
(87 Bowden Street, Ryde)

Under section 25 of the *Heritage Act 1977*, the Council of the City of Ryde does by this order:

- (1) make an interim heritage order to cover the items of the environmental heritage specified or described in Schedule 'A'; and
- (2) declares that the Interim Heritage Order shall also apply to the curtilage and site of such items, being the land described in Schedule 'B'.

This Interim Heritage Order will lapse after six months from the date it is made unless the local council has passed a resolution before that date; and

- (i) in the case of an item which, in the council's opinion, is of local significance, the resolution seeks to place the item on the heritage schedule of a local environmental plan with appropriate provisions for protecting and managing the item; or
- (ii) in the case of an item which in the Council's opinion, is of State heritage significance, the resolution requests the Heritage Council to make a recommendation to the Minister for Heritage under section 32 (2) of the Heritage Act to include the item on the State Heritage Register.

Executed this 11th day of March 2016 at Ryde in the State of New South Wales, for the Council of the City of Ryde, by GAIL CONNOLLY, General Manager, in accordance with the resolution passed by Council on 23 February 2016.

Schedule 'A'

All landscaping, works, relics and buildings that are attached to, located upon or form part of the land described in Schedule 'B'.

Schedule 'B'

All that parcel of land known as Lot 17 in DP 663261 (also known as 87 Bowden Street, Ryde) shown edged heavy black on the plan catalogued Interim Heritage Order No 2 in the office of the Council of the City of Ryde.

[8466]

By Authority

Government Printer

Note: The Council closed the meeting at 10.55pm. The public and media left the chamber.

MAYORAL MINUTES

2/16 URGENT REVIEW OF ITEMS OF LOCAL HERITAGE SIGNIFICANCE NOT LISTED UNDER THE RYDE LOCAL ENVIRONMENTAL PLAN - The Mayor, Councillor Jerome Laxale

Note: Justin Ng, Alan Holroyd, Kevin Shaw (representing Ryde District Historical Society), Suellen Hazell, Louise Haynes, Derek Styles and Doriana Donnelly addressed the meeting in relation to this Item.

Note: A document regarding the City of Ryde 2010 Heritage Study / Properties of Significance was tabled in relation to this Item and a copy is ON FILE.

Note: Correspondence from Planning Ingenuity Pty Ltd dated 22 June 2015 was tabled by Justin Ng in relation to this Item and a copy is ON FILE.

Note: A petition containing approximately 400 signatures was tabled by Councillor Chung in relation to this Item and a copy is ON FILE.

MOTION: (Moved by The Mayor, Councillor Laxale and Councillor Simon)

- (a) That Council reverse its 2010 resolution that prevents consideration of previously identified properties for listing and also requires owners consent prior to the listing of any heritage item, and directs/delegates to the General Manager to take immediate action to place an Interim Heritage Order over 87 Bowden Street, Meadowbank and resolve to list the property as an item of local heritage significance within Schedule 5 Environmental Heritage of Ryde Local Environmental Plan 2014.
- (b) That Council as part of its obligations to protect and conserve the heritage of this City review the properties identified in the 2010 Heritage Study that have heritage significance and all related heritage policies and procedures that have been adopted since that time.
- (c) That the General Manager prepare a report to Council before August 2016 that investigates the heritage significance of the properties identified in the 2010 Heritage Study and recommends the listing of heritage items within Ryde Local Environmental Plan 2014.

AMENDMENT: (Moved by Councillors Chung and Salvestro-Martin)

- (a) That Council delegate authority to the General Manager to take all necessary action to place an Interim Heritage Order over 87 Bowden Street, Meadowbank.

- (b) That Council resolve to list the property at 87 Bowden Street, Meadowbank as an item of local heritage significance within Schedule 5 Environmental Heritage of Ryde Local Environmental Plan 2014, notwithstanding that owners consent has not been received and that Council had previously resolved to not revisit the heritage significance of the property.
- (c) That Council as part of its obligations to protect and conserve the heritage of this City review the properties identified in the 2010 Heritage Study that have heritage significance, inclusive of a review of its previous 2010 resolution that prevents consideration of previously identified properties for listing, requires owners consent prior to the listing of any heritage item and reviews all related heritage policies and procedures that have been adopted since that time.
- (d) That the General Manager prepare a workshop to Council before August 2016 that investigates the heritage significance of the properties identified in the 2010 Heritage Study and recommends the listing of heritage items within Ryde Local Environmental Plan 2014.

On being put to the Meeting, the voting on the Amendment was seven (7) For and five (5) Against. The Amendment was **CARRIED** and then became the Motion.

Record of Voting:

For the Amendment: Councillors Chung, Etmekdjian, Perram, Pickering, Salvestro-Martin, Stott, Yedelian OAM

Against the Amendment: The Mayor, Councillor Laxale and Councillors Li, Maggio, Pendleton and Simon

RESOLUTION: (Moved by Councillors Chung and Salvestro-Martin)

That the Motion be dealt with in seriatim.

Record of Voting:

For the Motion: Councillors Chung, Etmekdjian, Li, Perram, Pickering, Salvestro-Martin and Yedelian OAM

Against the Motion: The Mayor, Councillor Laxale and Councillors Maggio, Pendleton, Simon and Stott

Note: The Item was then dealt with in Seriatim.

RECOMMENDATION: (Moved by Councillors Chung and Salvestro-Martin)

- (a) That Council delegate authority to the General Manager to take all necessary action to place an Interim Heritage Order over 87 Bowden Street, Meadowbank.

For the Motion: The Mayor, Councillor Laxale and Councillors Chung, Etmekdjian, Perram, Pendleton, Salvestro-Martin and Simon

Against the Motion: Councillors Li, Maggio, Pickering, Stott and Yedelian
OAM

RECOMMENDATION: (Moved by Councillors Chung and Salvestro-Martin)

- (b) That Council resolve to list the property at 87 Bowden Street, Meadowbank as an item of local heritage significance within Schedule 5 Environmental Heritage of Ryde Local Environmental Plan 2014, notwithstanding that owners consent has not been received and that Council had previously resolved to not revisit the heritage significance of the property.

For the Motion: The Mayor, Councillor Laxale and Councillors Chung, Etmekdjian, Perram, Pendleton, Salvestro-Martin and Simon

Against the Motion: Councillors Li, Maggio, Pickering, Stott and Yedelian
OAM

MOTION: (Moved by Councillors Chung and Salvestro-Martin)

- (c) That Council as part of its obligations to protect and conserve the heritage of this City review the properties identified in the 2010 Heritage Study that have heritage significance, inclusive of a review of its previous 2010 resolution that prevents consideration of previously identified properties for listing, requires owners consent prior to the listing of any heritage item and reviews all related heritage policies and procedures that have been adopted since that time.

On being put to the Meeting, the voting on the Motion was three (3) For and nine (9) Against. The Motion was **LOST**.

For the Motion: The Mayor, Councillor Laxale and Councillors Pendleton and Simon

Against the Motion: Councillors Chung, Etmekdjian, Li, Maggio, Perram, Pickering, Salvestro-Martin, Stott and Yedelian OAM

MOTION: (Moved by Councillors Chung and Salvestro-Martin)

- (d) That the General Manager prepare a workshop to Council before August 2016 that investigates the heritage significance of the properties identified in the 2010 Heritage Study and recommends the listing of heritage items within Ryde Local Environmental Plan 2014.

On being put to the Meeting, the voting on the Motion was three (3) For and nine (9) Against. The Motion was **LOST**.

Record of Voting:

For the Motion: The Mayor, Councillor Laxale and Councillors Pendleton and Simon

Against the Motion: Councillors Chung, Etmekdjian, Li, Maggio, Perram, Pickering, Salvestro-Martin, Stott and Yedellian OAM

RECOMMENDATION: (Moved by Councillors Chung and Salvestro-Martin)

- (a) That Council delegate authority to the General Manager to take all necessary action to place an Interim Heritage Order over 87 Bowden Street, Meadowbank.
- (b) That Council resolve to list the property at 87 Bowden Street, Meadowbank as an item of local heritage significance within Schedule 5 Environmental Heritage of Ryde Local Environmental Plan 2014, notwithstanding that owners consent has not been received and that Council had previously resolved to not revisit the heritage significance of the property.

COUNCIL REPORTS

3 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 1/16 held on 9 February 2016

- 3 87 BOWDEN STREET & 2 MACPHERSON STREET, RYDE - LOT 17 DP663261 AND LOT 1 DP 327005. Development Application for demolition, and construction of a new part three/part-two storey child care centre with basement car park. LDA2015/0283.**

Note: Councillor Simon disclosed a Less than Significant Non-Pecuniary Interest in this Item, for the reason that he plays soccer with one of the objectors.

Note: A petition containing approximately 400 signatures was tabled by Councillor Chung in relation to this Item and a copy is ON FILE.

RECOMMENDATION: (Moved by Councillors Simon and Chung)

- (a) That LDA2015/283 at 87 Bowden Street and 2 MacPherson Street, Ryde being LOT 17 DP663261 and LOT 1 DP 327005 be refused for the following reasons:
1. Insufficient information has been submitted to enable Council to make a full and proper assessment of the application. Specifically, a Heritage Impact Statement has not been submitted with the application, and therefore Council is unable to make a proper assessment of the impact on nearby heritage items, or on the possible heritage significance of the existing dwelling on the subject site.
 2. The development is unacceptable in terms of non-compliance with Ryde Development Control Plan 2014. Specifically:
 - (a) Signed undertaking regarding compliance with the Childrens Services Regulation 2004 or the requirements of DOCS;
 - (b) Preferred locations for larger centres in residential areas;
 - (c) Crime Prevention through Environmental Design (CPTED) principles;
 - (d) Height requirements in for child care centres in low density residential areas;
 - (e) Built form controls in residential areas:
 - Height
 - Setbacks
 - Acoustic privacy (elevated play areas)
 - Underground parking;
 - (f) Play areas within the front setback;
 - (g) Centre facilities (cot rooms);
 - (h) Waste Management Plan and waste storage arrangements;
 3. The proposal is unacceptable in terms of traffic issues, specifically, traffic generated from the proposed development and also impacts of vehicle movements on the local road network during peak periods.
 4. The proposal is unacceptable in terms of the amount and extent of excavation proposed, specifically regarding the basement level carpark.

5. The proposal is unacceptable in terms of the number of children proposed in the centre, specifically which will lead to unacceptable amenity impacts on neighbouring properties (in particular noise), as well as excessive traffic generation and vehicle movements during peak periods.
- (b) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: The Mayor, Councillor Laxale and Councillors Chung, Etmekdjian, Li, Pendleton, Perram, Pickering, Salvestro-Martin, Simon, Stott, Yedelian OAM

Against the Motion: Councillor Maggio

**6 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE MEETING
1/16 held on 16 February 2016**

**8 COR-EOI-05/15 FOR THE ESTABLISHMENT OF A PANEL OF
CONTRACTORS TO PROVIDE PROFESSIONAL SERVICES**

RECOMMENDATION: (Moved by Councillors Perram and Pickering)

- (a) That the report for the Establishment of a Panel of Contractors to Provide Professional Services be received and noted.
- (b) That the Panel of Contractors to Provide Professional Services from the contractors outlined in the **Confidential ATTACHMENT** to the report be accepted on an 'as required' basis to undertake minor projects'.
- (c) That the preferred contractors be advised that work will be allocated to them on as on 'as required' basis, following consideration at the time of the type of work, price, availability, relevant areas of expertise.
- (d) That the preferred contractors provide details of the required insurances (i.e. Public Liability, Workers Compensation and Professional Indemnity), and other conforming documents for approval within 14 days from the date of acceptance of the Expression of Interest.
- (e) That Council delegate to the Appropriate Officer, based on level of financial delegation, the authority to enter into a contract with the preferred contractors on the terms contained within the Expression of Interest and for minor amendments to be made to the contract documents that are not of a material nature.
- (f) That Council advise all the respondents of Council's decision.

Attachment 5

Ryde LEP 2014

[1] Schedule 5

Insert in correct alphabetical order the item name of 222

Ryde House and garden 87 Bowden Street Lot 17 DP663261 Local 222

Schedule 5 Environmental heritage

(Clause 5.10)

Part 1 Heritage items

Suburb	Item name	Address	Property description	Significance	Item no
Ryde	Hattons Cottage	158 Blaxland Road	Lot P, DP 443304	Local	17
Ryde	Church	74A Bowden Street	Lots 23 and 24, DP 8677	Local	20
Ryde	House and garden	87 Bowden Street Ryde	Lot 17 DP 663261	Local	222
Ryde	House	95 Bowden Street	Lot 101, DP 1055980	Local	21

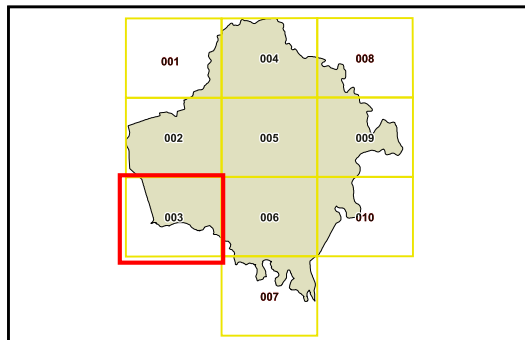
Proposed Heritage Map
Sheet HER_003

Heritage

-  Conservation Area - General
-  Item - General
-  Item - Archaeological

Cadastre

 Cadastre 24/03/2016 © City of Ryde



0 200 400 m

Scale: 1 : 10,000 @ A3

Projection: MGA Zone 56
 Datum: GDA 94

