

Gateway Determination

Planning proposal (Department Ref: PP_2016_RYDEC_005_00): to amend the zone, building height and floor space ratio controls at 66-82 Talavera Road, Macquarie Park.

I, the Executive Director, Regions 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 (LEP) 2014 to amend the zone, building height and floor space ratio control should proceed subject to the following conditions:

1. Prior to undertaking community consultation the planning proposal is to be updated to:
 - a. apply a maximum floor space ratio of 3.7:1 across the whole site;
 - b. include an additional gross floor area of 11,400 square metres for affordable housing and a recreation centre be permitted across the whole site; and
 - c. include a satisfactory arrangements provision for contributions to designated State public infrastructure identified as part of a draft or final strategic investigation for Macquarie Park.
2. Prior to finalisation, the planning proposal is to be updated if required to demonstrate consistency with any available findings of the Macquarie park strategic investigation being undertaken by the Department in consultation with Ryde council.
3. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal 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 Environment 2016)*.
4. Consultation is required with the following public authorities under section 56(2)(d) of the Act:
 - Transport for NSW;
 - Roads and Maritime Services;
 - Department of Education and Communities;
 - 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 September 2016


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

Delegate of the Greater Sydney Commission

Mr Roy Newsome
Acting General Manager
Ryde City Council
Locked Bag 2069
North Ryde NSW 1670

Our ref: PP_2016_RYDEC_005_00 (16/10961)

Dear Mr Newsome

Planning proposal to amend Ryde Local Environmental Plan 2014

I am writing in response to your Council's letter dated 9 August 2016 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 (the Act) in respect of the planning proposal to amend the zone, building height and floor space ratio controls at 66-82 Talavera Road, Macquarie Park.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

The subject site is located within the area subject to the Macquarie Park strategic investigation area being undertaken by the Department in consultation with Ryde council. Prior to public exhibition, the planning proposal is to be updated to include a new satisfactory arrangements clause in regard to contributions to the provision of designated State public infrastructure identified as part of a draft or final strategy for this precinct. The Department is available to assist Council in the wording of such a clause.

Council should also demonstrate that the proposal is consistent with any available findings of the Macquarie Park strategic investigation prior to finalisation.

Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has now accepted this delegation. I have considered the nature of Council's planning proposal and have decided not to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Mr Wayne Williamson of the Department's regional office to assist you. Mr Williamson can be contacted on (02) 9228 6585.

Yours sincerely

 21 September 2016
Stephen Murray
Executive Director, Regions
Planning Services

Encl:
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