



14/11515

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

Attention: Meryl Bishop

Dear Mr Newsome

Planning proposal to allow “hardware and building supplies” and “garden centre” as additional permitted uses for 144 Wicks Road, Macquarie Park

I am writing in response to your Council's letter dated 1 July 2014, requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of a planning proposal to amend Ryde Local Environmental Plan 2014.

The planning proposal at 144 Wicks Road, Macquarie Park is to allow “hardware and building supplies” and “garden centre” as additional permitted uses for the site.

As delegate of the Minister for Planning, I have determined that this planning proposal should proceed subject to the conditions in the attached Gateway determination.

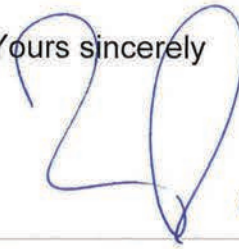
The Minister delegated plan making powers to councils in October 2012. It is noted that Council has now accepted this delegation. I have considered the nature of the planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan is to be finalised within **9 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 to draft and finalise the Local Environmental Plan should be made directly to Parliamentary Counsel's Office **6 weeks** prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment for administrative purposes.

The State Government is committed to reducing the time taken to complete Local Environmental Plans 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 Ms Sandy Shewell of the Department's Metropolitan Delivery (CBD) branch to assist you. Ms Shewell can be contacted on 02 8575 4115.

Yours sincerely



7/8/14

Richard Pearson
Deputy Secretary
Housing, Growth and Economics

Gateway Determination

Planning proposal (Department Ref: PP_2014_RYDEC_002_00): to allow “hardware and building supplies” and “garden centre” as additional permitted uses for 144 Wicks Road, Macquarie Park.

I, the Deputy Secretary, Housing, Growth and Economics at the Department of Planning and Environment as delegate of the Minister for Planning, 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 to allow “hardware and building supplies” and “garden centre” on the site, located at 144 Wicks Road (Lot 21 DP 1101233) should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to clearly annotate the exhibition material to indicate the land to which the planning proposal relates and will be affected by the proposed local environmental plan, being 144 Wicks Road (Lot 21 DP 1101233). References to the previous street address (16-18 Waterloo Road) are only to be used when providing relevant background to the site’s history.
2. Prior to undertaking public exhibition, Council is to update the planning proposal to include a Site Identification Map, and Height of Buildings, Floor Space Ratio, and Special Provisions Area maps which clearly show both the existing and proposed controls for the site.

These maps should be prepared to the standards identified in *Standard Technical Requirements for LEP Maps (Department of Planning & Infrastructure 2013)*.

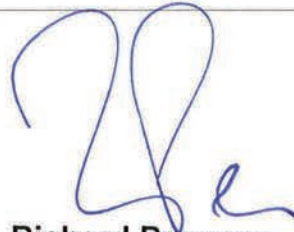
3. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning 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 & Infrastructure 2013)*.
4. Consultation is required with the following public authorities under section 56(2)(d) of the Act:
 - Roads and Maritime Services
 - UrbanGrowth NSW
 - Ausgrid
 - 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, or to indicate that they will require additional time to comment.

Public authorities may request additional information or additional matters to be addressed in the planning proposal. The planning proposal is to be revised to address submissions from these public authorities, copies of all submissions must be included with the revised 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 Local Environmental Plan is to be **9 months** from the week following the date of the Gateway determination.

Dated 7 day of August 2014.



Richard Pearson
Deputy Secretary
Housing, Growth and Economics

Delegate of the Minister for Planning



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Ryde City Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2014_RYDEC_002_00	Planning proposal to allow hardware and building supplies and garden centre as additional permitted uses for 144 Wicks Road, Macquarie Park.

In exercising the Minister's functions under section 59, the Council must comply with the Department's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 7 August 2014

A handwritten signature in blue ink, appearing to read "R Pearson".

Richard Pearson
Deputy Secretary
Housing, Growth and Economics

Delegate of the Minister for Planning