



COPY

Dr Deborah Dearing
Chair, Sydney North Planning Panel
c/o Panel Secretariat
GPO Box 39
Sydney NSW 2001

Our ref: PP_2016_RYDEC_008_00 (16/15685)

Dear Dr Dearing *Deborah*

I am writing further to the Secretary of the Department of Planning and Environment's appointment of the Sydney North Planning Panel as relevant planning authority on 1 December 2016 and the subsequent request for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal to amend the zone, increase the building height and increase the floor space ratio for 366-372 Lane Cove Road, 124A and 126 Epping Road and 1 Paul Street, North Ryde.

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 amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway determination. The Panel should aim to commence the exhibition of the planning proposal as soon as possible. The request to draft and finalise the LEP should be made 10 weeks prior to the projected publication date.

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) 9274 6585.

Yours sincerely

Marcus Ray
Deputy Secretary
Planning Services

21/12/2016
Encl
Gateway Determination



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Our ref: PP_2016_RYDEC_008_00 (16/15685)

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

Dear Mr Newsome

I am writing with regard to the request for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* by Sydney North Planning Panel (Panel) as the Relevant Planning Authority in respect of the planning proposal to amend the zone, increase the building height and increase the floor space ratio for 366-372 Lane Cove Road, 124A and 126 Epping Road and 1 Paul Street, North Ryde.

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

I note Council is concerned about the current bulk and scale of the proposal and that reductions to the maximum building height and floor space ratio were required before Council would accept the RPA role.

While I appreciate Council's concerns, your request to vary the controls is considered to be pre-determining the plan making process. However, due to Council's ongoing concerns, I have included a Gateway determination condition that requires the Relevant Planning Authority to update their proposal to provide a further two alternative density options. This will provide the community with the opportunity to comment on what they believe is an appropriate density for the site and allow the Panel to consider the alternative options being put forward by Ryde City Council and the proponent with a suitable evidence based analysis to support the final assessment of the proposal following exhibition.

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) 9274 6585.

Yours sincerely

Marcus Ray
Deputy Secretary
Planning Services

21/12/2016
Encl: Attachment 1 - Gateway determination



COPY

Our ref: PP_2016_RYDEC_008_00 (16/15685)

Ms Elaine Roff
Urbis Pty Ltd
Darling Park Tower 2
201 Sussex Street
Sydney NSW 2000

Dear Ms Roff

I am writing with regard to the request for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* by Sydney North Planning Panel (Panel) as the Relevant Planning Authority in respect of the planning proposal to amend the zone, increase the building height and increase the floor space ratio for 366-372 Lane Cove Road, 124A and 126 Epping Road and 1 Paul Street, North Ryde.

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.

As you are aware, Ryde City Council is concerned about the current bulk and scale of the proposal and that reductions to the maximum building height and floor space ratio were required before Council would accept the RPA role.

While I appreciate Council's concerns, their request to vary the controls is considered to be pre-determining the plan making process. However, due to Council's ongoing concerns, I have included a Gateway determination condition that requires the Relevant Planning Authority to update their proposal to provide a further two alternative density options. This will provide the community with the opportunity to comment on what they believe is an appropriate density for the site and allow the Panel to consider the alternative options being put forward by Ryde City Council and the proponent with a suitable evidence based analysis to support the final assessment of the proposal following exhibition.

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) 9274 6585.

Yours sincerely

Marcus Ray
Deputy Secretary
Planning Services

2/12/2016

Encl: Attachment 1 – Gateway determination

Gateway Determination

Planning proposal (Department Ref: PP_2016_RYDEC_008_00): to amend the zone, increase the building height and increase the floor space ratio (FSR) for 366-372 Lane Cove Road, 124A and 126 Epping Road and 1 Paul Street, North Ryde.

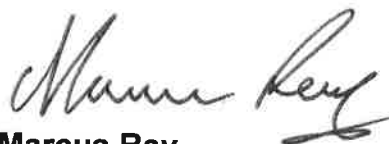
I, the Deputy Secretary, Planning Services at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Ryde Local Environmental Plan (LEP) 2014 should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
 - (a) provide at least two alternative density options, including a maximum building height of 5 storeys and FSR of 1.2:1 and a maximum building height of 7 storeys and FSR of 1.35:1. These density options are in addition to the maximum building height of 10 storeys and FSR of 1.5:1 presented in the revised planning proposal dated 17 February 2016;
 - (b) the planning proposal should clearly communicate the proponent's preferred option. Alternative density options must be clearly explained using images of building envelopes and a short discussion of how the density option addresses the context of the site and surrounds; and
 - (c) the planning proposal is to be revised to demonstrate consistency with the draft North District Plan, released on 21 November 2016.
2. Prior to community consultation, the revised planning proposal is to be provided to the Department for review and approval.
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 Infrastructure 2016).
4. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:
 - Department of Education
 - Transport for NSW
 - Roads and Maritime Services
 - Ryde City Council

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 December 2016



Marcus Ray
Deputy Secretary
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission