



## Gateway Determination

**Planning proposal (Department Ref: PP-2021-115):** to amend Schedule 1 Additional permitted uses in Ryde LEP 2014 to introduce site-specific development standards for the site for seniors housing and include a new site-specific clause in Part 6 Additional Local Provisions to increase the maximum height of buildings to RL5s (four storeys) and increase the maximum FSR to 1.20:1

I, the Director at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Ryde Local Environmental Plan (LEP) 2014 to amend Schedule 1 Additional permitted uses in Ryde LEP 2014 to introduce site-specific development standards for the site for seniors housing and include a new site-specific clause in Part 6 Additional Local Provisions to increase the maximum height of buildings to RL5s (four storeys) and increase the maximum FSR to 1.20:1 should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
  - (a) replace reference to reference to s.117 directions with 9.1 Ministerial Directions;
  - (b) address the relevant Ministerial Directions;
    - i. 2.6 Remediation of contaminated land; and
    - ii. 6.3 Site specific provisions.
  - (c) remove reference to revoked 9.1 Ministerial Directions:
    - i. 3.3 Home occupations; and
    - ii. 7.1 Implementation of A Plan for Growing Sydney.
  - (d) correct the wording of the Ministerial Direction 3.5 Development Near Licenced Aerodromes to Development Regulated Airports and Defence Airfields;
  - (e) address the consistency with the draft Local Housing Strategy;
  - (f) provide the following reports referred to in the planning proposal;
    - i. a traffic impact report; and
    - ii. shadow diagrams of the proposed development;
  - (g) include maps clearly indicating the Stage 1 and Stage 2 boundaries for the application of an FSR of 1.1 in stage 1 and 1.6:1 stage 2 in lieu of a blanket FSR of 1.20:1;
  - (h) include mapping for the site to indicate the proposed maximum height and FSR in lieu of amending Part 6 Additional Local Provisions;
  - (i) clearly explain the maximum number of storeys possible across the site that the RL height limit facilitates rather than relying on the concept that accompanied the proposal;
  - (j) provide employment numbers for the aged care facility in Stage 1.

2. Prior to community consultation, the planning proposal is to be revised to address condition 1 and forwarded to the Department for review and approval.
3. The site-specific development control plan (DCP) is to be finalised and exhibited with the planning proposal to indicate the proposed development controls for the site.
4. Public exhibition is required under section 3.34(2)(c) and Schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
  - (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
5. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
  - Ausgrid;
  - Sydney Water;
  - NSW Department of Health; and
  - Transport for NSW.

Each public authority/organisation 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.

6. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act.
7. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 10<sup>th</sup> day of March 2021.



**Brendan Metcalfe**  
**Director, North District**  
**Eastern Harbour City**  
**Department of Planning, Industry and Environment**

**Delegate of the Minister for Planning and Public Spaces**