



IRF25/2311

# Gateway determination report – PP-2024-1465

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146 Vimiera Road, Marsfield (TG Millner Field)

November 25



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# Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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**Table 1 Reports and plans supporting the proposal**

Relevant reports and plans
Planning Proposal (26 September 2025), Ethos Urban
Rezoning Review RR-2025-2 Record of Decision (10 June 2025), Strategic Planning Panel of the Sydney North Planning Panel
Combined Correspondence with NSW Government
Urban Design Report and Concept Master Plan (24 June 2024), DKO Architecture
Landscape Concept Plan and Design Report (9 May 2022), Landform Studios
Public Benefit Offer (3 July 2024)
Draft LEP maps
Draft site-specific development control plan
Preliminary Site Investigation and Geotechnical Investigation (March 2022) Douglas Partners, and Peer Review Letter (20 June 2025), Douglas Partners
Aboricultural Impact Assessment (5 May 2022), Truth about Trees, and Peer Review Letter (25 June 2025), Truth about Trees
Traffic Report (May 2022), Colston Budd Rogers & Kafes Pty Ltd
Traffic Report Update (July 2025), Colston Budd Rogers & Kafes Pty Ltd
Stormwater Servicing Report (10 May 2022), Northrop Consulting Engineers Pty Ltd
Stormwater Servicing Report Update (25 July 2025), Northrop Consulting Engineers Pty Ltd
Flood Impact and Risk Assessment (2 September 2025), Northrop Consulting Engineers Pty Ltd
Economic Benefits Report (8 July 2022), Deep End Services Pty Ltd, and Peer Review Letter (19 June 2025), Deep End Services Pty Ltd
Open Space and Recreation Needs Assessment (6 May 2022), Ethos Urban, and Peer Review Letter (23 May 2025), Urbis Ltd
Supplementary Report – Submission on Open Space within Ryde LGA and Macquarie Park Corridor (17 September 2024), Ethos Urban
Hydraulic, Electrical and Civil Services Due Diligence Report (12 January 2018), Wood & Grieve Engineers, and Infrastructure Services Report (30 September 2021), Stantec Australia Pty Ltd
Civil, Electrical, Hydraulics, Site Infrastructure Report (4 July 2025), Stantec Australia Pty Ltd
Alternative Site Layout including Playing Field, DKO Architecture (NSW) Pty Ltd

## Relevant reports and plans

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Response to Council Request for Additional Information (25 August 2022), Ethos Urban

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Community Engagement Report (26 August 2022), Polis Partners

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Rezoning Review RR-2022-23 Record of Decision (6 December 2022), Strategic Planning Panel of the Sydney North Planning Panel

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Planning Secretary's Environmental Assessment Requirements (SEARs) – Seniors Housing (3 May 2023), NSW Department of Planning and Environment

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Combined post-lodgement correspondence

# 1 Planning proposal

## 1.1 Overview

**Table 2 Planning proposal details**

<b>LGA</b>	Ryde local government area (LGA)
<b>PPA</b>	Sydney North Planning Panel
<b>NAME</b>	Planning proposal for 146 Vimiera Road, Marsfield (TG Millner Field)
<b>NUMBER</b>	PP-2024-1465
<b>LEP TO BE AMENDED</b>	Ryde Local Environmental Plan 2014
<b>ADDRESS</b>	146 Vimiera Road, Marsfield
<b>DESCRIPTION</b>	Lot 7 in DP1046532
<b>RECEIVED</b>	26/09/2025
<b>FILE NO.</b>	IRF25/2311
<b>POLITICAL DONATIONS</b>	A political donation disclosure statement has been provided
<b>LOBBYIST CODE OF CONDUCT</b>	There have been no meetings or communications with registered lobbyists with respect to this proposal

## 1.2 Objectives of planning proposal

The planning proposal seeks to facilitate the redevelopment of land at 146 Vimiera Road, Marsfield, for low-rise diverse housing and public open space.

The objectives of the planning proposal are to:

- Facilitate the rezoning, development and sale of the existing private landholding to allow for the investment in new facilities and sporting infrastructure by NRRSL and Eastwood Rugby.
- Increase the diversity of low-rise housing stock within the Ryde LGA by permitting semi-detached and attached (terrace) housing to be delivered on the Site.
- Contribute to the amenity of the existing and future community by delivering a new high-quality public open space within the Vimiera Road frontage of the Site.
- Apply a maximum building height limit that is that same as that which applies to adjoining residential areas.
- Provide for a significant net increase in urban tree canopy within the Site.
- Facilitate the integration of ‘smart cities’ principles into the design and use of the future site.
- Manage urban stormwater and improve water quality within and around the Site.

The proposal estimates it will provide capacity for up to 132 new homes and approximately 10,000m<sup>2</sup> of new public parkland on the site.

The objectives of this planning proposal are adequate.

### 1.2.1 Indicative development concept

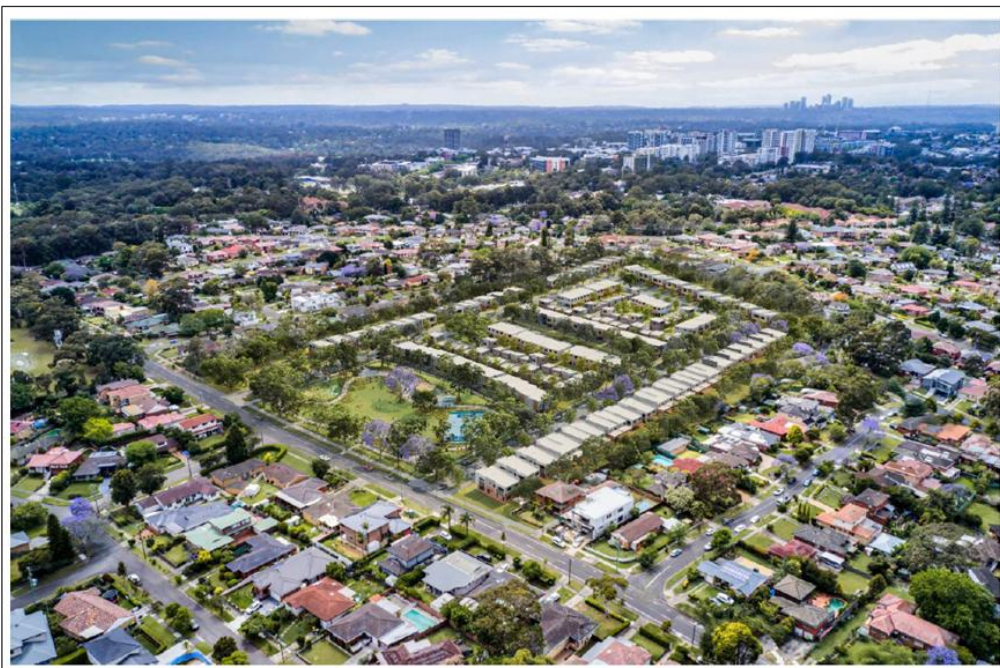
An indicative Master Plan has been prepared to illustrate a potential development outcome for the site under the proposed LEP provisions comprising:

- up to 132 new homes, including semi-detached and attached (terrace) housing types
- a new 10,000m<sup>2</sup> public park with active and passive spaces
- stormwater management and water-sensitive urban design infrastructure, including infrastructure to manage overland flows from surrounding properties
- up to 570 new trees
- new internal public roads and pedestrian paths.

An alternate layout showing a sports field in place of the park was also prepared.



**Figure 1 Indicative master plan (source: Planning proposal, September 2025, p.34)**



**Figure 2 Photomontage of proposed concept (source: Planning proposal, September 2025, p.35)**

## 1.3 Explanation of provisions

The planning proposal seeks to facilitate redevelopment of land at 146 Vimiera Road, Marsfield, for residential and open space purposes. To achieve this the planning proposal seeks to amend the Ryde LEP 2014 per the changes summarised in **Table 3**.

The proposed amendments are estimated to provide capacity for up to 132 new low-rise homes and approximately 1ha of new public open space on the site.

The planning proposal contains an explanation of provisions that, subject to the changes required by the Gateway conditions, adequately explains how the objectives of the proposal will be achieved.

**Table 3 Current and proposed controls**

Control	Current	Proposed
Zone	RE2 Private Recreation	Part R2 Low Density Residential Part RE1 Public Recreation (see section 1.3.1)
Height of the buildings	N/A	9.5m on the proposed residential part of the site
Floor space ratio	N/A	N/A
Minimum lot size	N/A	N/A
Additional permitted use	N/A	Permit 'semi-detached dwellings' and 'attached dwellings' on the proposed residential land for no more than 132 homes (see section 1.3.2)

### 1.3.1 Proposed RE1 Public Recreation zone

The proposal seeks to rezone approximately 10,000m<sup>2</sup> of the site from RE2 Private Recreation to RE1 Public Recreation to facilitate a new public open space area.

Section 3.37(e) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and section 8 of the *Environmental Planning and Assessment Regulation 2021*, require the concurrence of the relevant authority in relation to the proposed reservation of land for the purposes of open space or public reserve prior to an LEP being made. LEP Practice Note PN 11-0002 'Preparing LEPs using the Standard Instrument: standard zones' also stipulates that:

*"Where land is to be reserved for public recreation purposes (e.g. local or regional open space), the land is to be outlined and annotated on the Land Reservation Acquisition Map, and the relevant acquisition authority identified in the table in clause 5.1" (p.7).*

A Gateway condition is recommended that the agreement of the City of Ryde Council, as the relevant public authority, be obtained and that the proposal is updated to list the site for land acquisition.

Whilst an RE1 zoning is the best means for identifying public open space in an LEP, it is not the only approach capable of achieving this. Given the concurrence of Council has not yet been given, it is recommended that the planning proposal is updated to outline potential alternate mechanisms

to achieve the intended open space outcomes on the site. A Gateway condition is recommended to this effect.

### 1.3.2 Proposed additional permitted uses and maximum number of dwellings

The proposed additional permitted uses seek to permit ‘attached dwellings’ and ‘semi-detached dwellings’ (with consent) on the part of the site proposed to be rezoned R2 Low Density Residential. These land uses are not permissible in the zone under the Ryde LEP 2014.

LEP Practice Note PN11-001 ‘Preparing LEPs using the Standard Instrument: standard clauses’ provides that councils can include local clauses that address specific local circumstances, where justified.

The proposed approach to permitting these housing types seeks to provide for a greater diversity of low-rise housing on the site, by enabling typologies that are compatible with the neighbouring low density residential uses. The proposed height is consistent with the surrounding area, and the proposed uses are generally compatible with the zone objectives.

The planning proposal provides adequate justification for the proposed additional permitted uses.

With regard to the proposed dwelling cap of no more than 132 dwellings on the site, it is noted that the Strategic Planning Panel of the Sydney North Planning Panels’ recommendation in its determination of the rezoning review of the proposal (RR-2025-2) in June 2025, stated that it:

*“...supports the outcomes of 132 dwellings being limited on the site and notes that this can be achieved either by a local clause or an FSR control, however and appropriate mechanism can be determined as part of the gateway assessment”* (p.3).

LEP Practice Note PN 08-001 ‘Height and floor space ratio’ identifies development standards for heights and floor space ratios (FSRs) as valuable planning tools for implementing strategic planning objectives and providing certainty to the community and landowners about the acceptable bulk and scale of development. In general, it is best practise to apply building height development standards with an FSR development standard.

Ministerial Direction 1.4 Site Specific Provisions also seeks to discourage unnecessarily restrictive site-specific planning controls (see Section 3.4 of this report).

Having regard to the above, the proposal to introduce a dwelling cap as part of the proposed additional permitted use clause has not been sufficiently justified and is not supported by the Department. An FSR standard to complement the proposed height development standards is considered a more appropriate mechanism for managing the bulk and scale of any future development on the site. This is also consistent with the approach to the development standards applied to the surrounding R2 zoned land.

A Gateway condition is recommended that the proposal be updated prior to consultation, to omit all references to the proposed dwelling cap and include a proposed FSR that best reflects the scale of the proposed built form outcome for the site, to ensure orderly and transparent development outcomes on the site.

### 1.3.3 Site-specific development control plan

A draft site-specific amendment to the Ryde Development Control Plan 2014 (DCP) has been prepared by the proponent which includes controls for built form, design, access and circulation, open space, landscaping, sustainability and stormwater management to guide future development on the site.

DCPs are a matter for Council and are separate to the planning proposal process which amends the LEP. The Department does not have a role in the assessment of local DCPs.

### 1.3.4 Public benefit offer

A public benefit offer was made to City of Ryde Council offering to enter into a Planning Agreement to provide for the delivery and dedication of the proposed new public park at no cost to Council.

The Department has no role in local planning agreements. The public benefit offer is a matter for Council's consideration and is separate to the planning proposal process.

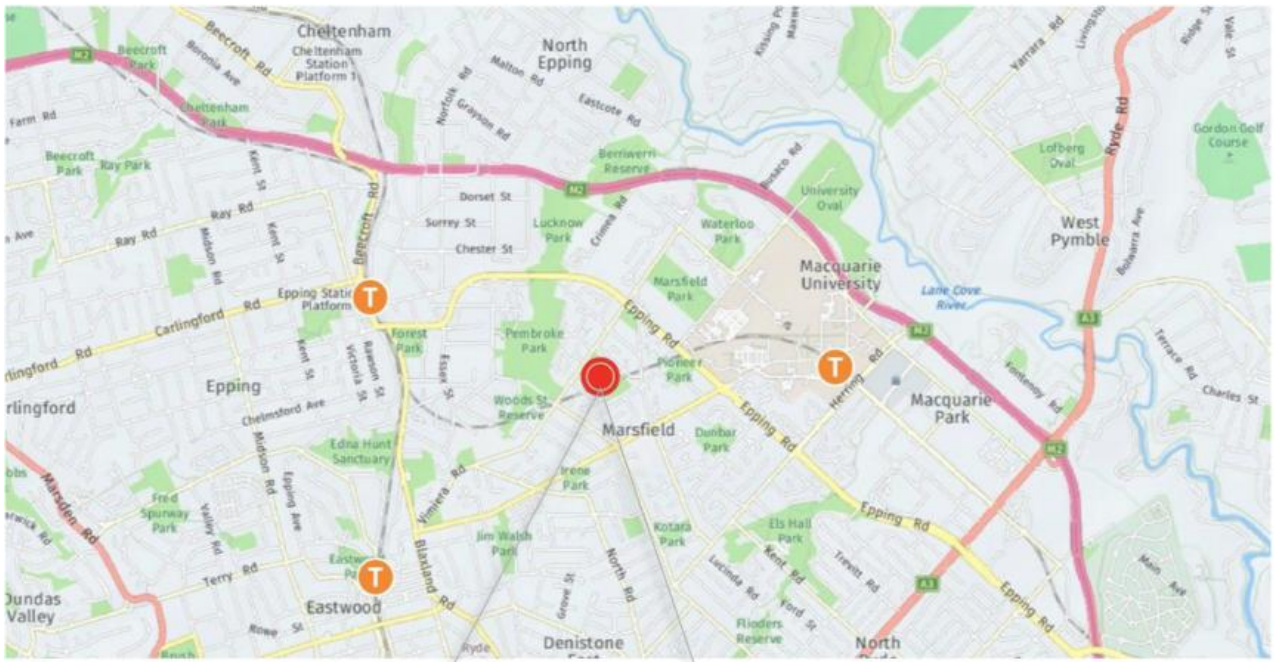
## 1.4 Site description and surrounding area

The planning proposal applies to land at 146 Vimiera Road, Marsfield, which is legally described as Lot 7 in DP1046532) (see **Figures 3 and 4**). The site is approximately 6.17ha in area with street frontages to Vimiera Road and Thelma Street, and access to Culloden Road via an access handle.

The site is occupied by a district-grade playing field used by Eastwood Rugby, the North Ryde RSL Sports Club, and a childcare centre.

This site is approximately 13km north-east of the Parramatta CBD, approximately 3km from the Epping metro/train station, Macquarie University metro and Eastwood train stations, and around 4km west of the Macquarie Park metro.

Existing development immediately surrounding the site is generally characterised by low density residential uses. The Commonwealth owned CSIRO Marsfield Campus is nearby to the north.



 The Site



 Subject site

Figures 3 and 4 Site context and subject site

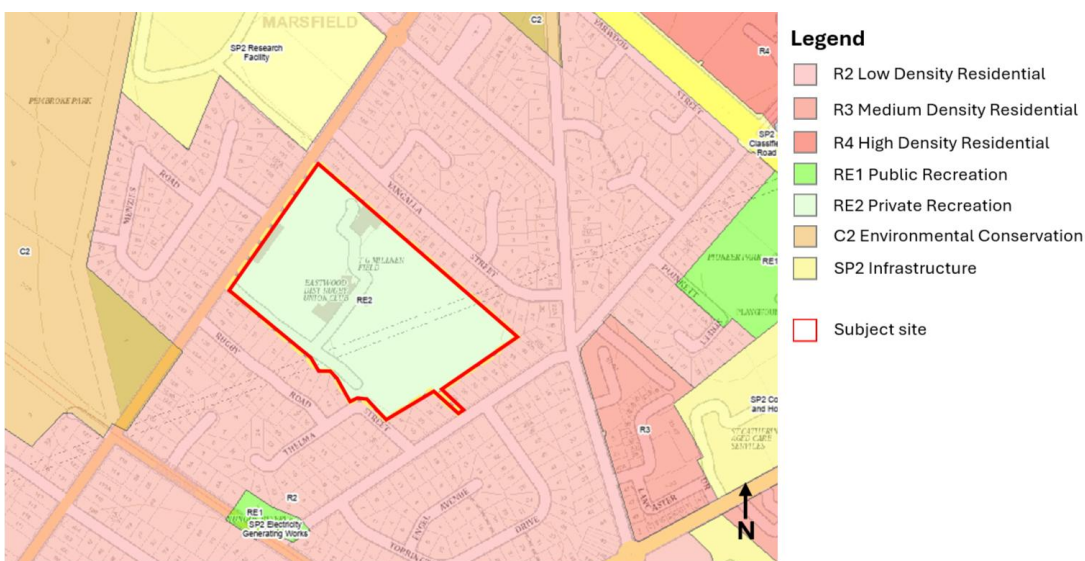
(sources: Planning Proposal, September 2025, p. 20, and NSW SDT Explorer, October 2025)

## 1.5 Mapping

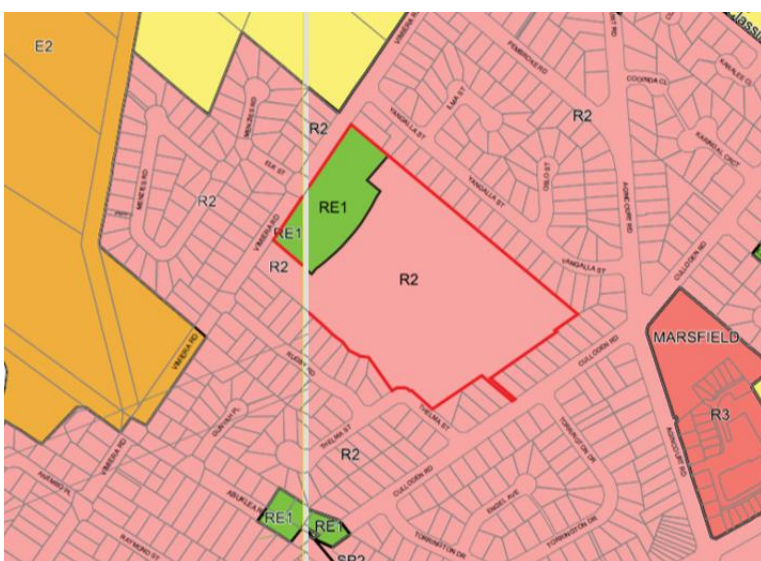
The planning proposal includes mapping showing the proposed changes to the Ryde LEP 2014 Land Zoning and Height of Building maps. Extracts of the existing and proposed maps are shown in **Figures 5 to 8**.

The Department notes the subject site is not clearly identified on the supporting maps, and that the proposed zoning maps still reference the former employment and environmental zones. A Gateway condition is recommended that the proposal maps are updated prior to consultation, to clearly identify the subject site and reflect the updates to the employment and environmental zones introduced by the *Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021*.

Subject to the recommended Gateway conditions, the planning proposal maps are considered suitable for community consultation.



**Figure 5 Existing zoning map (source: NSW Spatial viewer, October 2025)**



**Figure 6 Proposed zoning map (source: Planning proposal, September 2025)**



Figure 7 Existing height of building map (source: NSW Spatial viewer, October 2025)



Figure 8 Proposed height of building map (source: Planning proposal, September 2025)

## 1.6 Background

**Table 4** below provides a summary of background information of relevance to the current planning proposal (PP-2024-1465) for the site.

**Table 4 Background relating to the planning proposal**

Date	Event
3 July 2024	Request for a planning proposal (PP-2024-1465) for the site lodged with Council.
21 March 2025	Rezoning Review requested.
2 June 2025	Rezoning review (RR-2025-2) considered by the Strategic Planning Panel of the Sydney North Planning Panel.
10 June 2025	Strategic Planning Panel of the Sydney North Planning Panel determined the proposal should be submitted for Gateway determination because it has demonstrated strategic and site-specific merit, subject to the recommended changes.
26 September 2025	Planning proposal lodged for Gateway assessment.

### 1.6.1 Previous planning proposal and land acquisition request for the site

The Department notes the site has been subject to a previous proponent-initiated proposal (PP-2022-1822). At a rezoning review (RR-2022-23) for this proposal the Sydney North District Planning Panel determined on 6 December 2022, it should not proceed on the grounds that it had not demonstrated strategic merit.

Separate to the proponent-initiated proposals for the site, the Department is aware that in April 2024, the Minister for Local Government declined Council's request to issue a pre-acquisition notice for TG Millner Fields as Council was unable to identify a funding source.

Whilst this background to the site is noted, these matters are outside of the required matters for consideration for the Gateway assessment of the current planning proposal.

## 1.7 Rezoning review

On 2 June 2025 the Strategic Planning Panel of the Sydney North Planning Panel (the Panel) considered a rezoning review request (RR-2025-2) for the site.

On 10 June 2025 the Panel determined that the proposal should be submitted for a Gateway determination because the proposal has demonstrated strategic and subject to changes, site specific merit.

In its determination, the Panel included several recommendations for updates to technical studies and a mechanism to provided certainty on the number of dwellings on the site. The Panel also encouraged the proponent to continue to work with Council in relation to a DCP and the proposed public open space (potentially via a VPA).

The Panel also determined to appoint itself as the Planning Proposal Authority for this proposal.

## 2 Need for the planning proposal

The planning proposal is not the result of an endorsed strategy or report. The planning proposal was initiated by the proponent to facilitate the redevelopment of the site for residential and open space uses.

The proposal will contribute towards the NSW Government obligations under the National Housing Accord by facilitating the rezoning of land for new homes in an area serviced by infrastructure.

On 2 June 2025 the Panel considered a rezoning review for the site and on 10 June 2025 determined that the proposal had sufficient strategic and site-specific merit to proceed to Gateway.

As previously outlined, the site is currently zoned for Private Recreation uses. To facilitate the intended outcome, the proposal seeks to rezone the subject land to part R2 Low Density Residential and part RE1 Public Recreation, and permit (with consent) 'attached dwellings' and 'semi-detached dwellings' and apply a 9.5m maximum height of building control to the proposed residential zoned land.

Rezoning and amending development standards require an amendment to the LEP. A planning proposal is the best means of amending the LEP to achieve the objectives and intended outcomes of the proposal.

## 3 Strategic assessment

### 3.1 Regional Plan

The 'Greater Sydney Region Plan – A Metropolis of Three Cities' (the Region Plan), released by the NSW Government in 2018, integrates land use, transport and infrastructure planning and sets a 40-year vision for Greater Sydney as a metropolis of three cities. The Region Plan contains objectives, strategies and actions which provide the strategic direction to manage growth and change across Greater Sydney over the next 20 years.

Under section 3.8 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) a planning proposal is to give effect to the relevant District Plan. By giving effect to the District Plan, the proposal is also consistent with the Regional Plan. Consistency with the District Plan is assessed in Section 3.2 below.

### 3.2 District Plan

The site is located within the North District. The North District Plan (the District Plan), released by the former Greater Sydney Commission in March 2018, applies to the site.

The District Plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental assets.

**Table 5** includes an assessment of the planning proposal against relevant directions and actions of the District Plan. The Department is satisfied the planning proposal gives effect to the District Plan in accordance with section 3.8 of the EP&A Act.

**Table 5 District Plan assessment**

District Plan Priorities	Justification
Planning Priority N1 Planning for a city supported by infrastructure	The planning proposal will facilitate efficient land use by increasing residential density close to existing bus, metro and rail transport, as well as jobs and services in the nearby Macquarie Park strategic centre and health and education precinct.  The proposal is consistent with this planning priority.
Planning Priority N5 Providing housing supply, choice and affordability with access to jobs, services and public transport	The proposed LEP amendments will provide for additional capacity of up to 132 new homes, in proximity to existing public transport and a range of jobs, services and infrastructure.  This proposal will contribute to the housing targets for the Ryde LGA by facilitating local infill development that is compatible with the surrounding low density residential neighbourhood.  The proposal is consistent with this planning priority.
Planning Priority N19 Increasing urban tree canopy cover and delivering Green Grid connections	The proposal is supported by a Landscape Architectural and Public Domain Design Report (May 2022) prepared by Landform Studios, and Arboricultural Impact Assessment report (May 2022) and Peer Review Letter (2025) prepared by Truth About Trees Pty Ltd, which demonstrates that landscaping and increased tree canopy cover across the site is achievable.  The proposal is consistent with this planning priority.
Planning Priority N20 Delivering high quality open space	The planning proposal will facilitate the delivery of around 1ha of new public open space within the site, through the proposed rezoning of a portion of land towards the northern/western site boundary along Vimiera Road, to RE1 Public Recreation.  The proposal is consistent with this planning priority.

### 3.3 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

**Table 6 Local strategic planning assessment**

Local Strategies	Justification
Planning Ryde Local Strategic Planning Statement 2020	The Ryde LSPS was endorsed by the former Greater Sydney Commission in 2020. The LSPS provides a strategic land use vision for the LGA and aligns local planning with the objectives and priorities of the Region and District Plans.  The proposal is generally consistent with the LSPS, including the following priorities: <ul style="list-style-type: none"> <li>• <i>H1 Housing supply to satisfy needs to 2039</i></li> <li>• <i>H2 Maintain the City of Ryde’s current strategic planning direction to focus the majority of residential growth within town centres</i></li> <li>• <i>H5 Provide high levels of residential amenity</i></li> <li>• <i>OS1 Provide accessible open space to service population needs.</i></li> </ul>

Local Strategies	Justification
	<ul style="list-style-type: none"> <li>OS2 Ensure open space can be shared and enjoyed by all</li> </ul> <p>The LSPS' Open Space Structure Plan (p.20) identifies the site as an 'investigate/new/expanded public recreation and open space opportunity'. The site is currently zoned for private recreation use. The proposal will rezone the land for low density housing and 1ha of public open space.</p>
Ryde Local Housing Strategy (February 2020)	<p>The Ryde Local Housing Strategy (LHS) provides a framework to guide the future of housing in Ryde over the next 10 to 20 years.</p> <p>The proposal is generally consistent with the LHS, including the following LHS objectives:</p> <ul style="list-style-type: none"> <li>To plan for housing growth to meet the needs of a growing population with between 20,000 and 22,000 dwellings needed to 2036</li> <li>To ensure housing is inclusive by providing a mix of dwelling sizes, types and price points, allowing the current population to remain in the local area through different stages of life</li> <li>To encourage housing that is suited to the local character and respects local environmental constraints</li> </ul> <p>The proposal will increase the supply of diverse housing choices in the Ryde LGA.</p>

### 3.4 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

**Table 7 9.1 Ministerial Direction assessment**

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.4 Site Specific Provisions	Inconsistent	<p>This direction seeks to discourage unnecessarily restrictive site-specific planning controls.</p> <p>The proposal is considered inconsistent with this direction as it seeks to apply split land use zoning and height controls across the site and introduce 'attached dwellings' and 'semi-detached dwellings' as additional permitted uses on the part of the site.</p> <p>LEP Practice Note PN 11-002 'Preparing LEPs using the Standard Instrument: standard zones' states that "<i>split zoning on a single lot may be acceptable to acknowledge the different development potential of the land due to topography, different environmental values, certain land constraints or different designated future land uses</i>" (p.2).</p> <p>The proposed rezoning provides transparency and orderly outcomes for the community regarding the intended redevelopment of the site for residential and open space purposes.</p> <p>The proposed additional permitted uses allow for a greater diversity of low-density residential development on the site that is compatible with the proposed R2 zoning and existing character of the surrounding area.</p> <p>The inconsistency with the Direction is minor and justified.</p>

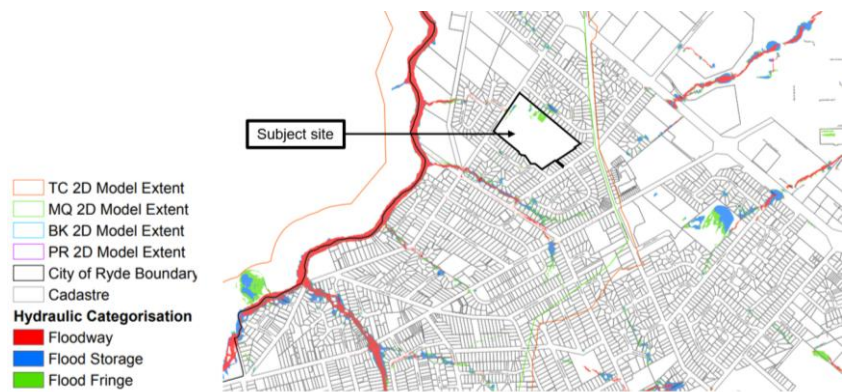
4.1 Flooding

Inconsistent

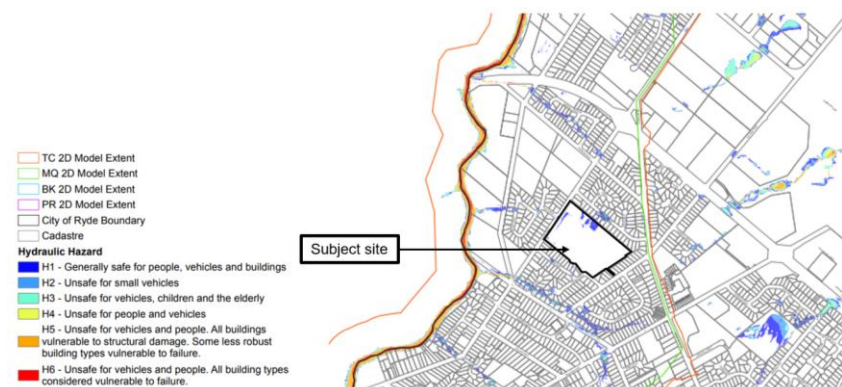
This Direction seeks to ensure that development of flood prone land is consistent with the NSW Government’s Flood Planning Framework and ensure LEP provisions are commensurate with the flood behaviour and consider the potential impacts on and off the land.

A planning proposal must not contain provisions that permit development in floodway areas, development for the purposes of residential accommodation in high hazard areas, nor significantly intensify development in a flood planning area.

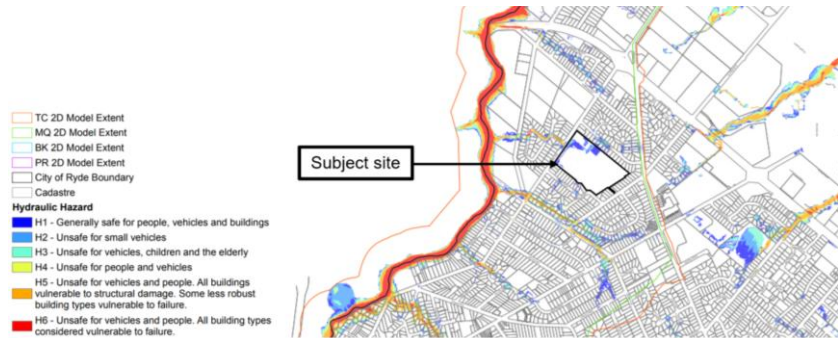
The City of Ryde Council’s ‘Flood Harmonisation Study – Flood Study Update’ (2025) identifies the site as flood prone, with flood fringe and flood storage identified on the site in the 1% AEP, flood hazard categorisation of H1 in the 1% AEP, and H1 and H2 in the PMF event (Figures 9 to 11). This direction applies as the proposal seeks to alter the development standards that apply to land identified as flood prone.



**Figure 9 Hydraulic Categorisation in 1% AEP Event (source: City of Ryde Council Flood Harmonisation Study – Flood Study Update, Appendix F – Design Flood Event Mapping, Figure F22, 2025)**



**Figure 10 Flood Hazard Categories in 1% AEP Event (source: City of Ryde Council Flood Harmonisation Study – Flood Study Update, Appendix F – Design Flood Event Mapping, Figure F20, 2025)**



**Figure 11 Flood Hazard Categories in PMF Event (source: City of Ryde Council Flood Harmonisation Study – Flood Study Update, Appendix F – Design Flood Event Mapping, Figure F21, 2025)**

The proposal is supported by a Stormwater Servicing Report (July 2025) and a Flood Impact Risk Assessment (FIRA) (September 2025) prepared by Northrop Consulting Engineers Pty Ltd which consider flood impacts, including the requirements of the Direction and the NSW Floodplain Risk Management Manual (2023), including evacuation. The FIRA shows that the subject land and surrounding area are affected in the 1% AEP and PMF flood events (**See Figures 12 and 13**).

The proposal does not seek to permit dwellings in a floodway; it also provides an opportunity to improve the stormwater outcome across the site. The FIRA notes that the proposed detention basin has the potential to limit site runoff, so as to avoid adverse flood impacts off-site.

The Department does note that the FIRA's PMF modelling shows an increase impact post development on nearby sites to the west which is categorised on the map as mostly H1. This doesn't increase the risk to life. The Department also notes that the details are likely to be subject to change when the detailed design is undertaken for a future DA in accordance with the relevant planning controls and engineering standards.

Flood mitigation measures are expected to continue to be developed through future design phases, with any adverse impacts mitigated as part of the development. This matter does not prevent the planning proposal from proceeding.

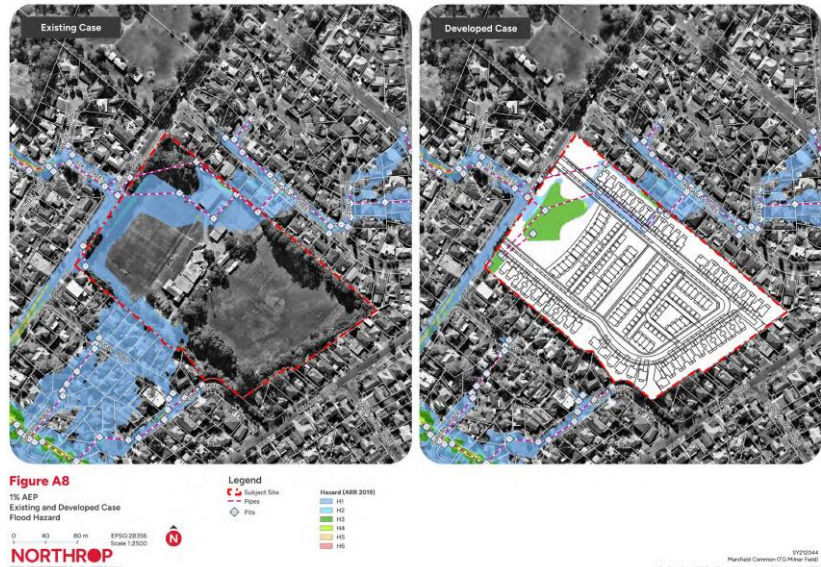
The proposal is inconsistent with parts (2) and (3)(d) of this Direction as it seeks to rezone part of the site from recreation to residential and increase the permissible development density on the site. The inconsistency is justified in accordance with the terms of the direction for the following reasons:

- It is supported by a flood impact assessment that demonstrates that proposed development can occur that addresses the NSW Flood Planning Framework.
- The proposed development envelopes are not located in a floodway.
- Residential uses in the form of seniors housing are permissible on the site and there is an existing childcare centre.

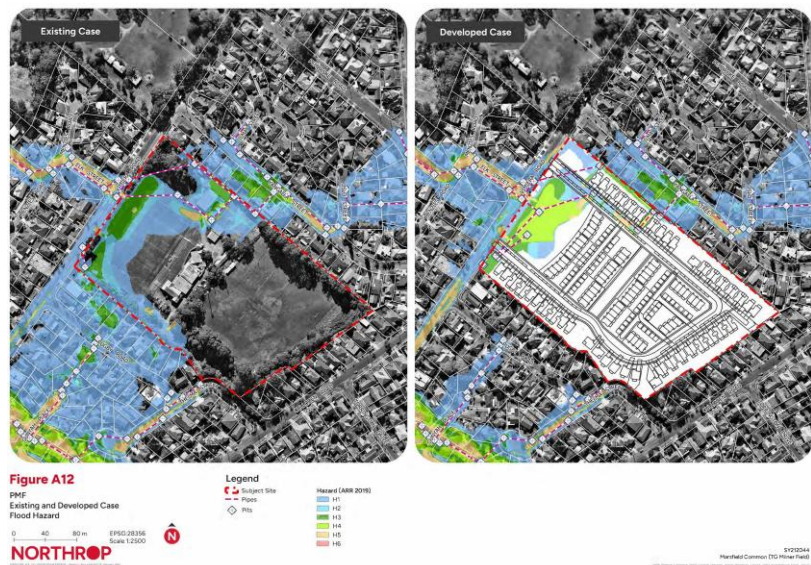
- The site is located in an existing urban area and the proposed density is generally consistent with the surrounding area.
- The proposal is unlikely to significantly change flood behaviour adversely on the site or surrounding sites in the 1% AEP. The FIRA states that while some impact is modelled in the PMF, detailed design at the DA stage provides an opportunity to further reduce on and off-site flood effects through stormwater design.
- Improved stormwater design at the development application stage can improve outcomes on the site.
- DPHI's 'Shelter in place guideline for flash flooding' states that a shelter-in-place emergency response is appropriate where internal occupants can easily move to a floor level in a structural sound building above the PMF. DPHI is satisfied that shelter-in-place is a suitable flood emergency response in flash flooding as the duration is less than 2 hours, building envelopes are not in the floodway, and evacuation management can be suitably addressed at the development application stage.
- The proposal is unlikely to generate a significant increase in demand for emergency services.
- The requirements under the Ryde LEP 2014 will apply to any future development application on the site to ensure comprehensive assessment when detailed design is undertaken in the preparation of a development application.
- Whilst the proposal will result in an intensification of development on site, risks associated with flooding are manageable and can be adequately addressed at the development application stage.

DPHI is satisfied that the direction has been addressed sufficiently for the proposal to proceed to consultation.

Notwithstanding the above, a Gateway condition is recommended that the NSW State Emergency Services be consulted on the proposal.



**Figure 12 Flood hazard in 1% AEP event under existing and developed case (source: Flood Impact Risk Assessment, Northrop Consulting Engineers Pty Ltd, September 2025, Figure A8)**



**Figure 13 Flood hazard in PMF event under existing and developed case (source: Flood Impact Risk Assessment, Northrop Consulting Engineers Pty Ltd, September 2025, Figure A12)**

<p>4.4 Remediation of Contaminated Land</p>	<p>Consistent</p>	<p>This direction seeks to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.</p> <p>The Direction applies as the proposal seeks to rezone land from private recreation to low density residential and public recreation uses.</p> <p>The planning proposal is supported by a Preliminary Site Investigation and Geotechnical Investigation (March 2022) and Peer Review Letter</p>
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		<p>(20 June 2025) prepared by Douglas Partners. It concludes that the site can be made suitable for future development, subject to the completion of further assessments at the appropriate planning and development stages.</p> <p>Chapter 4 of <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> (the Resilience and Hazards SEPP) contains provisions that will ensure that this is suitably addressed prior to development occurring.</p> <p>The proposal is consistent with this Direction.</p>
5.2 Reserving land for public purposes	Unresolved	<p>This direction aims to facilitate the provision of public services and facilities by reserving land for public purposes and removing reservations which are no longer required.</p> <p>This direction applies as proposal as it proposes to rezone part of the site to RE1 Public Recreation.</p> <p>The direction requires approval of the relevant public authority, which in this instance is the City of Ryde Council, and the identification of the site for land acquisition in the LEP. This is discussed in Section 1.3.1 of this report.</p> <p>Consistency with this direction is unresolved until the agreement of Council is obtained, or an alternate mechanism to achieve the intended open space outcomes is proposed by the PPA.</p>
6.1 Residential Zones	Consistent	<p>This Direction seeks to encourage both a supply and diversity of housing for the State, make efficient use of existing infrastructure and services, and minimise the impact of residential development on the environment.</p> <p>The proposal seeks to deliver a variety of low-density housing types on the site. The proposed rezoning will permit (with consent) a range of residential development types on part of the site, including dual occupancies (attached), dwelling houses, and secondary dwellings. The proposal will also enable a greater diversity of low-density residential typologies, including ‘attached dwellings’ and ‘semi-detached dwellings’ as additional permitted on the site, which are compatible with the predominant uses in the surrounding area.</p> <p>The site is located within an established urban area which is serviced by infrastructure and utilities.</p> <p>The proposal is consistent with this direction.</p>

### 3.5 State environmental planning policies (SEPPs)

The planning proposal is generally consistent with all relevant SEPPs and does not hinder the application of any SEPPs.

## 4 Site-specific assessment

### 4.1 Environmental

The following table provides an assessment of the potential environmental impacts associated with the proposal.

**Table 8 Environmental impact assessment**

Environmental Impact	Assessment
Bulk and scale	<p>The proposal is supported by an Urban Design Report and Concept Master plan (24 June 2024) prepared by DKO Architecture, which sets out the indicative development concept envisaged for the site.</p> <p>The proposal seeks to rezone the land for residential and public recreation purposes. The proposed low-rise dwelling types, additional permitted uses and 9.5m height of buildings is generally consistent with the scale of the surrounding area, whilst providing an increase in housing. As outlined earlier in this report, the proposal intends to facilitate up to 132 homes, and a Gateway condition is recommended that the proposal be updated to include a proposed FSR that reflects this proposed scale, to ensure orderly and transparent development outcomes (See discussion in Section 1.3.2).</p> <p>There are suitable existing planning controls to ensure urban design, built form outcomes, and impacts of the future development are considered in the preparation and assessment of any future development application.</p> <p>The Department is of the view that the bulk and scale impacts of the proposal are generally in keeping with the objectives of the proposed zone and will support housing diversity in the area.</p>
Urban and natural hazards	<p>An assessment against the provisions of Section 9.1 Directions 4.1 Flooding and 4.4 Remediation of Contaminated Land can be found in Section 3.4 of this report.</p>
Biodiversity and tree retention	<p>The site is located within an established urban area and is not known to contain any critical habitat or threatened species, populations or ecological communities.</p> <p>The proposal is supported by an Arboricultural Impact Assessment report (5 May 2022) and Peer Review Letter (25 June 2025) prepared by Truth About Trees Pty Ltd confirming that the key findings of the existing study continue to be relevant and applicable to the proposal.</p> <p>It is noted that while the proposed development scheme for the site will require removal of trees (approx. 208) or groups of trees, it demonstrates that landscaping and retention of 112 trees / groups of trees and planting of up to 570 new trees is achievable.</p> <p>The Department is satisfied that there are adequate existing planning controls to ensure impacts on the natural environment, including tree retention, will be considered at a future development application.</p>

## 4.2 Social and economic

The provision of a land zoned for residential and open space is anticipated to result in generally positive social and economic impacts in the form of additional housing choices to help meet the housing crisis and the delivery of new public open space.

The planning proposal is supported by the following studies and documentation:

- Supplementary Report – Submission on Open Space within Ryde LGA and Macquarie Park Corridor (17 September 2024), Ethos Urban
- Community Engagement Report (26 August 2022), Polis Partners
- Alternative Site Layout including Playing Field, DKO Architecture (NSW) Pty Ltd
- Economic Benefits Report (8 July 2022), Deep End Services Pty Ltd, and Peer Review Letter (19 June 2025), Deep End Services Pty Ltd
- Open Space and Recreation Needs Assessment (6 May 2022), Ethos Urban, and Peer Review Letter (23 May 2025), Urbis Ltd.

Whilst it is noted the Ryde LSPS identifies the site for investigation for ‘new/expanded public recreation and open space opportunity’, and the City of Ryde Council’s ‘Sports Field Action Plan – Towards 2036’ (June 2023) identifies that site as a potential opportunity for two future playing fields, the Sports Field Action Plan includes a disclaimer that that “*Council has limited control over the timing and scope of the..TG Millner..land opportunities as they are subject to private commercial decisions*” (p.28). It is also noted that the proposed works in the Plan do not have funding allocated.

The site is currently zoned for private recreation uses. Whilst the proposal will deliver public open space, it will reduce sports fields (although private) which were formerly used by the rugby club. This loss is considered justified given that:

- The site is privately owned and zoned for private recreational uses and that residential development (Seniors Housing) is already permissible
- The proposal will facilitate a public open space outcome on the site
- The proposal will provide housing choices to help address the housing crisis
- Zoning of the entire site for public purposes cannot be supported by the Department unless there is a proposal submitted which is supported by a suitable acquisition pathway and funding commitment.

The Department is satisfied that social and economic impacts have been adequately considered.

## 4.3 Infrastructure

The site is located within an established area which is serviced by water, sewer services, electricity, gas and telecommunications.

The planning proposal is supported by the following studies and documentation:

- Hydraulic, Electrical and Civil Services Due Diligence Report (12 January 2018), Wood & Grieve Engineers, and Infrastructure Services Report (30 September 2021), Stantec Australia Pty Ltd
- Civil, Electrical, Hydraulics, Site Infrastructure Report (4 July 2025), Stantec Australia Pty Ltd
- Traffic Report (May 2022) and Update (July 2024), Colston Budd Rogers & Kafes Pty Ltd

The Infrastructure Services Report finds that there is sufficient infrastructure within the locality and the updated Traffic Report notes that the proposal will increase densities close to existing public

transport services, and that the road network will be able to accommodate the additional traffic from the proposed development of the site.

However, as the planning proposal will result in an intensification of development on the subject site, the Department recommends that the relevant utility providers be consulted. This forms a condition of the Gateway.

## 5 Consultation

### 5.1 Community

The planning proposal is categorised as standard under the Department's Local Environmental Plan (LEP) Making Guidelines (August 2023).

Accordingly, a community consultation period of 20 working days is recommended and has been included in the Gateway conditions.

### 5.2 Agencies

Given the nature of the proposal, it is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- City of Ryde Council
- Relevant utility providers, including Ausgrid, Telstra, Jemena and Sydney Water
- NSW State Emergency Services.

## 6 Timeframe

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a standard.

The Department recommends an LEP completion date of 4 October 2026 in line with its commitment to reducing processing times and with regard to the benchmark timeframes.

A condition to the above effect is recommended in the Gateway determination.

## 7 Local plan-making authority

As the planning proposal is the subject of a rezoning review and the Sydney North Planning Panel is the Planning Proposal Authority, it is recommended that the Minister retains the local plan making authority role for this planning proposal.

## 8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- It will facilitate the delivery of new diverse housing choices and public open space in the Ryde local government area.
- It is generally consistent with the relevant overarching strategic planning framework, state and local strategic plans and policies and ministerial directions, and inconsistencies have been adequately justified.
- It is generally consistent with the relevant section 9.1 Directions, noting that that consistency with 5.2 Reserving land for public purposes remains unresolved until the

agreement of the City of Ryde Council is obtained, or an alternate mechanism to achieve the intended open space outcomes is proposed by the PPA.

- It has given consideration to the likely environmental, social and economic, and infrastructure impacts.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

## 9 Recommendation

It is recommended the delegate of the Secretary:

1. Agree that the inconsistencies with section 9.1 Directions 1.4 Site Specific Provisions and 4.1 Flooding are justified in accordance with the terms of the Directions.
2. Note that the consistency with section 9.1 Directions 5.2 Reserving land for public purposes remains unresolved until the agreement of the City of Ryde Council is obtained, or an alternate mechanism to achieve the intended open space outcomes is proposed by the PPA.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

The following conditions are recommended to be included on the Gateway determination:

1. Prior to community consultation, the planning proposal is to be updated to:
  - (a) Omit all references to the proposed dwelling cap and include a proposed FSR control that best reflects the scale of the proposed built form outcome for the site.
  - (b) Ensure the supporting maps clearly identify the subject site and reflect the updates to the employment and environmental zones introduced by the *Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021*.
  - (c) Include several alternate mechanisms to achieve the intended open space outcomes is achieved on the site in addition to the proposed option of zoning part of the site RE1 Public Recreation.
  - (d) Update the explanation of provisions to note that should the site be zoned RE1 Public Recreation it will also be identified for land acquisition, subject to the concurrence of Council.
2. Prior to finalisation, the Planning Proposal Authority is to provide written evidence of the City of Ryde Councils response to the proposed dedication of the public open space land reservation. Should agreement of Council be obtained, the planning proposal is to be updated to identify the site for land acquisition in the Ryde LEP 2014.
3. Consultation is required with the following public authorities:
  - City of Ryde Council
  - Relevant utility providers, including Ausgrid, Telstra, Jemena and Sydney Water
  - NSW State Emergency Services.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.
4. The planning proposal should be made available for community consultation for a minimum of 20 working days

An LEP completion date of 4 October 2026 is recommended to be included on the Gateway determination.



Kelly McKellar

Manager, Local Planning and Council Support (North, East and Central Coast)



27 November 2025

Jazmin van Veen

Director, Local Planning (North, East and Central Coast)

Assessment officer

Claire Mirow

Senior Planning Officer

Local Planning and Council Support (North, East and Central Coast)