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Department Generated Correspondence (Y)

**DEPARTMENT OF PLANNING**

Development Assessment and Systems Performance

For decision

**SUBDIVISION OF 20 GOULDING ROAD RYDE (LDA2010/0079)****PURPOSE**

- To seek the Minister's decision on a Crown Development Application (DA) under Part 4, Division 4 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

**RECOMMENDATION**

That the Minister **notes** the information in the assessment report at **TAB A** and supporting documentation provided, and:


- **Directs** Ryde Council, in accordance with section 89A(1) of the EP&A Act to approve the DA, subject to the conditions specified in **TAB B**.
- **Sign** the attached letters at **TAB C** and **TAB D**, notifying the Council (and Chair of the Sydney East Joint Regional Planning Panel) and Sydney Water of the Minister's decision.

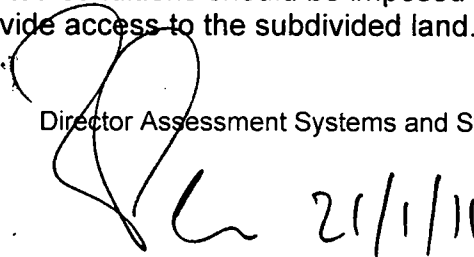
**ISSUE**

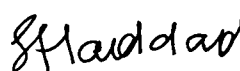
- On 1 October 2010, Sydney Water referred the DA (**TAB E**) to the Sydney East Joint Regional Planning Panel (the Panel) as Ryde City Council (Council) had not determined the DA within the statutory time period. The Panel Secretariat assessed the DA recommending approval subject to conditions (**TAB F**).
- On 3 November 2010, the Panel resolved unanimously not to accept the recommendation to approve the application in its present form and requested further information from Sydney Water (within 6 weeks). As the information was not received within this time, the Panel wrote to the Minister seeking approval to refuse the DA (**TAB G**).
- On 2 December 2010, Sydney Water referred the DA to the Minister for determination as the Panel had not determined the DA within the statutory time period (**TAB H**).

**CURRENT POSITION**

- The Department has considered assessment reports from Council staff (**TAB I**) and the Panel Secretariat, and the reasons for the Panel's intended refusal. The Department considers that the DA should be approved subject to conditions.
- Sydney Water does not agree to several proposed conditions on the development. Apart from a condition regarding a covenant for the maintenance of the on-site detention system, the Department generally agrees with Council that several disputed conditions should be imposed as these relate to the construction of a driveway necessary to provide access to the subdivided land.

  
Executive Director  
Assessment Systems, General Counsel  
21/01/11

  
Shayne Watson  
Director Assessment Systems and Strategies T: 9228 6302  
21/1/11  
Deputy Director General  
Development Assessment and Systems Performance

  
Director General  
21/1/2011

  
Minister Kelly



Hon Tony Kelly MLC  
Minister for Planning  
Minister for Infrastructure  
Minister for Lands  
Deputy Leader of the Government in the Legislative Council  
Leader of the House in the Legislative Council

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Mr John Neish  
General Manager  
Ryde City Council  
Locked Bag 2069  
NORTH RYDE NSW 1670

Dear Mr Neish

I refer to the Crown development application (DA) for the subdivision of 20 Goulding Road Ryde, LDA2010/0079.

This DA was referred by Sydney Water on 2 December 2010 for determination in accordance with section 89(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Following a review of information relating to the Crown DA, under section 89A(1) of the EP&A Act, I direct Ryde City Council to approve the DA within 21 days of the date of this letter, subject to the conditions specified in Attachment A. The reasons for this decision are outlined in Attachment B.

Should you have any further enquiries about this matter, I have arranged for Mr Shayne Watson to assist you. Mr Watson can be contacted on either (02) 9228 6302 or [shayne.watson@planning.nsw.gov.au](mailto:shayne.watson@planning.nsw.gov.au).

Yours sincerely

Tony Kelly MLC  
**Minister for Planning**

CC: Dr John Roseth  
Chair Sydney East Joint Regional Planning Panel

24 JAN 2011



Hon Tony Kelly MLC  
Minister for Planning  
Minister for Infrastructure  
Minister for Lands  
Deputy Leader of the Government in the Legislative Council  
Leader of the House in the Legislative Council

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Ms Kerry Schott  
Managing Director  
Sydney Water Corporation  
PO Box 399  
PARRAMATTA NSW 2124

Dear Ms Schott

I refer to the Crown development application (DA) for the subdivision of 20 Goulding Road Ryde, LDA2010/0079.

This DA was referred by Sydney Water on 2 December 2010 for determination in accordance with section 89(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Following a review of information relating to the Crown DA, under section 89A(1) of the EP&A Act, I have directed Ryde City Council to approve the DA subject to the conditions specified in Attachment A.

Should you have any further enquiries about this matter, I have arranged for Mr Shayne Watson to assist you. Mr Watson can be contacted on either (02) 9228 6302 or [shayne.watson@planning.nsw.gov.au](mailto:shayne.watson@planning.nsw.gov.au).

Yours sincerely

Tony Kelly MLC  
**Minister for Planning**

24 JAN 2011