



27 April 2016

Department of Planning & Environment
GPO Box 39
Sydney NSW 2001

Dear Sir / Madam,

Re: Request for Pre-Gateway Review

LGA: Ryde City Council

Address: 86 Blenheim Road and 12-14 Epping Road NORTH RYDE

The purpose of this letter, and attachments, is to request a Pre-Gateway Review of a Planning Proposal recently refused by Ryde City Council for land at 86 Blenheim Road and 12-14 Epping Road North Ryde.

The Planning Proposal was lodged in June 2015, and comprised:

- Written document, addressing the relevant criteria for the making of a PP;
- An urban design report; and
- Traffic Report.

It is noted that a Planning Proposal for high density on the site was invited by unanimous Council resolution on the 12th March 2013.

The Planning Proposal seeks amendments to –

- Zone map (proposing a single R4 – High Density Residential zone to the subject land). This zone accords with land across Epping Road and along Epping Road;
- Floor Space Ratio map (proposing an FSR of 4.3:1 to the subject land). This FSR accords with land across Epping Road and along Epping Road; and
- Height of Building map (proposing 45m to the subject land). This accords with land across Epping Road and along Epping Road.

Background

During the assessment of the application the following actions took place –

1. An initial assessment was undertaken by the Council staff and two meetings were held with Council staff, including the Director of Planning. The meetings confirmed that Council staff believe the site is better suited to 2 storey + room in the roof townhouses.
2. In November 2015, an amended PP was submitted to Council that reduced the proposed FSR to 2.5:1 and Height of Building to 22m.
3. Council advised on 25 November 2015 that the reporting of the Planning Proposal could not be achieved in 2015 and would be reported to Council in 2016.
4. On 18 January 2016, Think Planners Pty Ltd advised Ryde Council that the amended PP was to be withdrawn and that the original PP submitted in June 2015 was to be reported to Council.
5. On 5 February 2016 a Voluntary Planning Agreement Offer was submitted to Council.
6. On 8 March 2016 the Planning Proposal was reported to Council's Planning and Environment Committee.
7. On 22 March 2016 the Planning Proposal was considered by Council, which resolved to not support the Planning Proposal proceeding to a Gateway determination.

Concerns

While it is recognized that the assessment to be undertaken by the Department of Planning and Environment is independent, we wish to make the following observations in relation to the assessment undertaken by Ryde City Council –

- Council staff advised that they would be unlikely to recommend support of the Planning Proposal before any internal referrals had been received and before receiving and reviewing additional information that was requested by Council.
- A number of errors were contained in the reporting to Council, which have since been acknowledged by Council, but nevertheless concerned my client that the report poorly represented the proposal to the Councillors and prejudiced the consideration.

- The Report to Council in 2016 recommends that the low density zone be retained and that Council also consider the purchase of the land. We are concerned that the decision of Council to not progress with the rezoning is self serving as it has a direct impact on the value of the land.

Information

Please find attached –

- June 2015 submitted Planning Proposal documentation comprising written statement, urban design report and traffic analysis.
- November 2015 supplementary Planning Proposal documentation comprising written statement and urban design report. (Please note that this is NOT the PP considered or finally proposed by our client).
- The VPA Offer letter submitted in February 2016.

Options for the Site

We note that our client has sought to engage with Council and determine a built form outcome for the site that is in line with its excellent location and attributes; and that also responds to key strategic documents and in particular the principles contained within "A Plan for Growing Sydney". The site is within the 250m core designated for Transit Oriented High Density Development. The merits of the site and its suitability for rezoning are articulated in the submitted written Planning Proposal document.

Given the significant difference in what is proposed and what the Council has expressed as appropriate for the site, it is necessary that a Pre-Gateway Review proceed. We are hopeful that this process will result in identifying an appropriate planning outcome for the site; noting that the site exhibits key planning and urban design criteria supporting its rezoning to R4 and compatible FSR and Height controls.

We would appreciate an opportunity to meet with the Department to discuss this Planning Proposal with relevant Planning Officers. Please do not hesitate to contact me on 0419 288 899.

Regards,



**Adam Byrnes- Director
Think Planners Pty Ltd**