



**REZONING REVIEW
RECORD OF DECISION**

STRATEGIC PLANNING PANEL of the
SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	10 June 2025
DATE OF DECISION	02 June 2025
PANEL MEMBERS	Sue Francis (Acting Chair), Stephen Murray, Paul Mitchell, Cr Tina Kordrostami and Cr Cameron Last
APOLOGIES	None
DECLARATIONS OF INTEREST	Peter Debnam has declared a conflict of interest as he sat as the Chair for a previous planning proposal for the site in December 2022 (RR-2022-23).

REZONING REVIEW

RR-2025-2 – Ryde LGA – PP-2024-1465

146-150 Vimiera Road, Marsfield (As described in Schedule 1).

Reason for Review:

- ☐ The council has notified the proponent that the request to prepare a planning proposal has not been supported.
- ☒ The council has failed to indicate its support 115 days after the proponent submitted a request to prepare a planning proposal.
- ☐ The council has not submitted the planning proposal for a Gateway determination within 28 days of indicating its support for the proposal.

PANEL CONSIDERATION AND DECISION

The Panel considered the material listed at item 4 and the matters raised and/or observed at briefings and site inspections listed at item 5 in Schedule 1.

Based on this review, the majority of the Panel recommends that the proposed instrument:

- ☒ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and subject to changes site specific merit
- ☐ **should not** be submitted for a Gateway determination because the proposal has:
 - ☐ not demonstrated strategic merit
 - ☐ demonstrated strategic merit but not site specific merit

The decision was 3:2 in favour, with Councillors Tina Kordrostami and Cameron Last considering the proposal did not have strategic merit.

REASONS FOR THE DECISION

The majority of the Panel have carefully considered the previous Panel's reasons for its determination and noted the following important changes of circumstances since that decision was made:

- That housing requirements have been revised in the light of the NSW Government's endorsement of the National Housing Accord.
- That the Minister for Local Government has declined Council's request that the subject land be acquired by compulsory acquisition processes.

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- The Department of Planning, Housing and Infrastructure has confirmed the site is not required to meet the open space requirements related to future development in Macquarie Park*.
- Advice from Eastwood Rugby Club that changing demographics in the City of Ryde have substantially reduced participation in Rugby in the area.

The Panel considered the documentation provided, was briefed by the Department of Planning, Housing and Infrastructure, and heard extensively from City of Ryde Council and the proponent – collectively: Ethos Urban (planning consultant), North Ryde RSL (NRRSL), Eastwood Rugby Club (Eastwood Rugby) and Vimiera Recreation Grounds Ltd (VRG).

**This sentence contains a correction. The majority of the Panel support this correction with Cr Cameron Last not supporting the correction. Cr Tina Kordrostami was not available to respond to the correction.*

Strategic Merit

The majority of the Panel agreed that the planning proposal has Strategic Merit given that:

- The planning proposal is generally consistent with applicable strategic planning documents, particularly as they relate to the general objectives for housing. These include the Greater Sydney Regional Plan (Regional Plan), North District Plan (District Plan) and relevant State Environmental Planning Policies (SEPP) and relevant Section 9.1 Ministerial Directions.
- *Delivering* housing supply is a priority issue for Sydney for all levels of Government.
- The provision of additional housing in this location has strategic merit.
- Since the previous rezoning review for the site (RR-2022-23) there has been significant changes to the strategic framework that impacts the site, in particular the NSW Government confirmation that it does not require the site for open space requirements related to future development in Macquarie Park.
- The built form proposed is consistent with the low density adjoining community setting and the dwelling type to be provided would add to the supply of desired housing typology (the ‘missing middle’) to the area.
- It is understood that the planning proposal includes a VPA offer to dedicate approximately 1 hectare of land fronting Vimiera Road for public open space and to zone the land from private recreation to public open space, meaning the proposal will result in an increase of public open space in the locality. The VPA also includes, inter alia, substantial additional tree planting and monies to contribute to synthetic grass on existing fields to provide extended use of existing facilities in the LGA.

The Panel notes Council’s aim is to acquire the whole of the site for active public open space. Advancement of the planning proposal would not diminish Council’s power to acquire the land by private negotiation.

Site Specific Merit

The Panel agreed that the planning proposal had Site Specific Merit given that:

- The Panel notes that the existing RE2 zoning on the site allows for the development of Senior Housing under the Housing SEPP, both as a Residential Aged Care facility and Independent Living Units.
- The Panel considers the proposed built form and density sought, being 132 dwellings, in an R2 zoning which would allow dwellings in the form of detached, semi detached and terrace housing is not only suitable for the site but is consistent with the existing and surrounding zoning and built form.
- The site lacks any significant constraints that would be unable to be resolved through the development of the site.
- The flooding and traffic issues associated with the site can both be resolved with further investigation and planning.

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Panel recommendations

The Panel recommends that prior to submitting the Planning Proposal for a Gateway determination, the Planning Proposal is to be revised to address the following:

- The Panel recommends that all supporting studies and documentation is reviewed and updated, in particular:
 - The Stormwater Servicing Report, particularly ensuring its consistency with the Flood Risk Management Manual 2023
 - The Traffic study, to address any changes in circumstances particular as a result of the nearby Macquarie Park Transport Orientated Development Precinct.

In addition, the Panel supports the outcome 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 an appropriate mechanism can be determined as part of the gateway assessment.

The Panel encourages Council and the proponent to prepare a Development Control Plan (DCP) to ensure the outcomes of the masterplan supporting the proposal are achieved. The future built form and variation in height and scale of the development should be reflected in the DCP (being consistent with the proposed PP).

The Panel notes that the public contributions offer for the site are still under negotiation between Council and the proponent, however the public open space offered in the proposal is a fundamental and an indispensable component of the proposal that should be delivered by an appropriate ownership and management mechanism. Should council not agree to the VPA offer, then the Department should investigate alternative mechanisms to ensure that the public open space is delivered on site

The Panel recommends that the Voluntary Planning Agreement and DCP are exhibited concurrently, or as close as practicable possible, to the planning proposal.

The Panel requires confirmation from the proponent that they agree to:

- a) revise the planning proposal to be consistent with the Panel's recommendations; and
- b) subsequently provide a revised planning proposal to address the Panel's concerns.

The proponent has up to two weeks from the date of this determination to confirm whether they agree to revise their planning proposal to be consistent with the Panel's recommendations.

Should the proponent agree to revise their planning proposal to address the Panel's concerns, then the proponent has up to a further three months to provide the revised planning proposal, including supporting reports and studies to the Panel.

City of Ryde Council has been given the opportunity to accept the role of Planning Proposal Authority (PPA) for this planning proposal, however Council has declined the PPA role. In accordance with Section 3.32(1) of the *Environmental Planning and Assessment Act 1979*, the Planning Panel as delegate of the Minister for Planning has determined to appoint itself as the PPA for this planning proposal.

Should the proponent fail to pay the PPA fee by the designated date, then the Panel will no longer proceed with the planning proposal and the making of a local environmental plan amendment.

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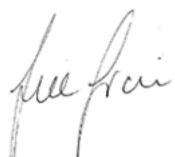




REASONS FOR THE DISSENTING DECISION

In dissenting Councillor Kordrostami believes that while the need for increased housing is widely acknowledged, it is equally critical that we do not lose sight of the public's growing demand for infrastructure and open space—particularly open space that is accessible, inclusive, and activated in a way that genuinely serves community needs.

In the context of Ryde, there are numerous areas more suitable for housing development that do not come at the cost of open space. However, there is only a minimal amount of land—particularly in proximity to major upcoming developments—that can provide the type of dynamic, flexible, and responsive open space our community needs.

To rezone or repurpose these rare public lands for residential development would be short-sighted. It would risk overburdening existing facilities and undercutting the long-term liveability of our city. We must plan not just for more housing, but for better cities—and that includes well-designed, well-located, and activated public open space.

Also in dissenting Councillor Last wishes to note that he disagrees with the decision to rezone the TG Milner site to R2 residential zoning. The Ryde LGA currently has a deficit of sporting fields and often has teams driving large distances to play their 'home games'. Ryde will be 15 sporting fields short soon, sporting fields the TG Milner site is currently providing some of. Additionally, the public overwhelmingly support the retention of TG Milner as open space. 96% of respondents to a council survey with large response numbers saying they wished for the site to be open space. This has remained a public interest with it regularly being mentioned at elections, in local newspapers and by members of the community.

PANEL MEMBERS	
 Sue Francis (Acting Chair)	 Stephen Murray
 Paul Mitchell	 Cr Tina Kordrostami
 Cr Cameron Last	

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SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	RR-2025-2 – Ryde LGA – PP-2024-1465 – at 146-150 Vimiera Road, Marsfield
2	LEP TO BE AMENDED	Ryde Local Environmental Plan (LEP) 2014
3	PROPOSED INSTRUMENT	<p>The proposal seeks to:</p> <ul style="list-style-type: none"> • Rezone the Site to part R2 Low Density Residential and part RE1 Public Recreation; and • Apply a maximum building height of 9.5 metres to the portion of the site proposed to be zoned R2 Low Density Residential; and • Add a Schedule 1 Additional Permitted Use clause that permits semi-detached and attached dwellings on the part of the site proposed to be zoned R2 Low Density Residential.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Rezoning review request documentation • Department of Planning, Housing and Infrastructure, Rezoning Review Briefing Report, 15 May 2025 • Slide presentations from DPHI, 30 May 2025; City of Ryde Council, 29 May 2025 and Ethos Urban, 29 May 2025
5	SITE INSPECTIONS AND BRIEFINGS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection with Department of Planning, Housing and Infrastructure (DPHI): 10:00am – 10:26am, 2 June 2025 <ul style="list-style-type: none"> ○ Panel members in attendance: Sue Francis (Acting Chair), Stephen Murray, Paul Mitchell, Cr Tina Kordrostami and Cr Cameron Last ○ DPHI staff in attendance: Louise McMahon, Doug Cunningham, Ian Woods and Adam Williams ○ Key issues discussed: <ul style="list-style-type: none"> • Public contributions offered • Comparison with previous proposal • Open space availability in the area • Potential Council acquisition • Proposed height density • Site constraints • Briefing with Department of Planning, Housing and Infrastructure (DPHI): 12:30pm – 1:10pm, 2 June 2025 <ul style="list-style-type: none"> ○ Panel members in attendance: Sue Francis (Acting Chair), Stephen Murray, Paul Mitchell, Cr Tina Kordrostami and Cr Cameron Last ○ DPHI staff in attendance: Louise McMahon, Doug Cunningham, Ian Woods, Jazmin Van Veen, Kelly McKellar, Kate McKinnon, Adam Williams and Taylah Fenning ○ Key issues discussed: <ul style="list-style-type: none"> • Site history and context • Strategic merit analysis • Open space availability • Traffic parking and transport • Flooding

		<ul style="list-style-type: none"> • Intent for proposed open space <ul style="list-style-type: none"> • Briefing with City of Ryde Council: 1:15pm – 2:03pm, 2 June 2025 <ul style="list-style-type: none"> ○ Panel members in attendance: Sue Francis (Acting Chair), Stephen Murray, Paul Mitchell, Cr Tina Kordrostami and Cr Cameron Last ○ DPHI staff in attendance: Louise McMahon, Doug Cunningham, Ian Woods, Jazmin Van Veen, Kelly McKellar, Kate McKinnon, Adam Williams and Taylah Fenning ○ Council representatives in attendance: Jeremy Giacomini, Simon James, Abdul Cheema and Terry Agar ○ Key issues discussed: <ul style="list-style-type: none"> • Planning proposal history and development • Strategic inconsistencies • Site suitability – public transport accessibility and transport options • LGA dwelling targets • Council acquisition of the site • Proposed open space and future planning • Briefing with Ethos Urban (Planning Consultant) and North Ryde RSL, Eastwood Rugby Club and Vimiera Recreation Grounds Limited (Proponent): 2:04pm – 2:47pm, 2 June 2025 <ul style="list-style-type: none"> ○ Panel members in attendance: Sue Francis (Acting Chair), Stephen Murray, Paul Mitchell, Cr Tina Kordrostami and Cr Cameron Last ○ DPHI staff in attendance: Louise McMahon, Doug Cunningham, Ian Woods, Jazmin Van Veen, Kelly McKellar, Kate McKinnon, Adam Williams and Taylah Fenning ○ Proponent representatives in attendance: Michael Oliver, David Hynes, Joe Kelly, David Randerson, Rob Millner and Ian Williams ○ Key issues discussed: <ul style="list-style-type: none"> • Site history and evolution of proposals and planning for the site • Design philosophy and public park intention • VPA offer • Strategic merit compliance • Council interest in the site and compulsory acquisition attempt • Panel Discussion: 2:55pm – 3:24pm, 2 June 2025 <ul style="list-style-type: none"> ○ Panel members in attendance: Sue Francis (Acting Chair), Stephen Murray, Paul Mitchell, Cr Tina Kordrostami and Cr Cameron Last ○ DPHI staff in attendance: Louise McMahon, Doug Cunningham, Ian Woods, Jazmin Van Veen, Kelly McKellar, Kate McKinnon, Adam Williams and Taylah Fenning
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