



Mr George Dedes
General Manager
City of Ryde Council
Locked Bag 2069
NORTH RYDE NSW 1670

Dear Mr Dedes

Planning proposal PP_2019_RYDEC_002_00 to amend Ryde Local Environmental Plan 2014

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend Schedule 5 Environmental Heritage to reflect the recommendations of the Ryde Heritage Review.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority due to the likely community and landowner interest.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Jazmin van Veen to assist you. Ms van Veen can be contacted on 9373 2877.

Yours sincerely


Amanda Harvey 4/8/19
Director, North District / Sydney Region East
Places, Design and Public Spaces

Encl: Gateway determination



Gateway Determination

Planning proposal (Department Ref: PP_2019_RYDEC_002_00): to amend Schedule 5 – Environmental heritage to reflect the recommendation of the Ryde Heritage Review

I, the Director, North District 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 5 – Environmental heritage to reflect the recommendation of the Ryde Heritage Review should proceed subject to the following conditions:

1. Prior to exhibition, Council is to amend the planning proposal to:
 - a. address the impact of the proposal on the application of State Environmental Planning Policies,
 - b. update the assessment against s9.1 Direction 2.3 Heritage Conservation, and
 - c. include assessment against s9.1 Directions 3.1 Residential Zones and 3.3 Home Occupations.

2. 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, Industry and Environment, 2018).
 - (c) Council is to write to all effected landowners providing notice of the proposal and public exhibition.

3. 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:
 - NSW Heritage Council, and
 - Heritage, Department of Premier and Cabinet.

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.

4. 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. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. The time frame for completing the LEP is to be 12 months following the date of the Gateway determination.

Dated *9th* day of *August* 2019.

Amanda Harvey
Amanda Harvey
Director, North District
Places, Design and Public Spaces
Department of Planning, Industry and
Environment

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