

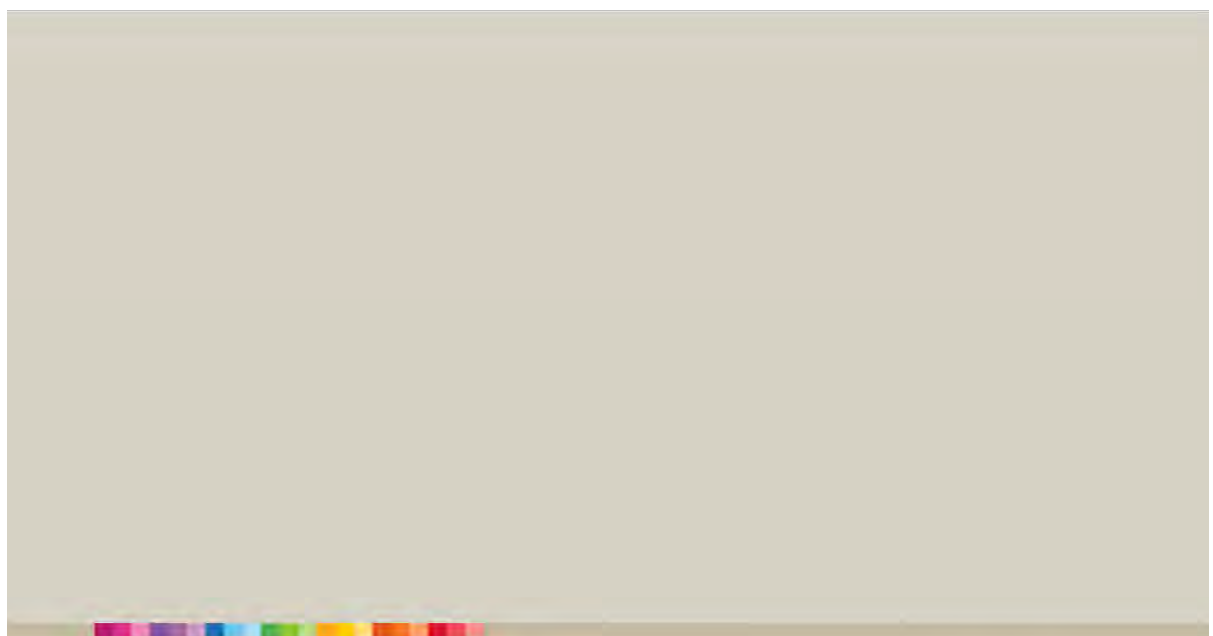
**Meeting Date:** Tuesday 22 March 2022  
**Location:** Council Chambers, Level 1A, 1 Pope Street, Ryde and Online  
**Time:** 7.00pm

**ATTACHMENTS FOR COUNCIL MEETING**

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### Introduction

This Planning Proposal has been prepared in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* (the Act) (in particular Section 3.33) and the relevant guidelines produced by the Department of Planning and Environment (DPE).

DPIE requires a Planning Proposal to cover the following main parts which also form the basis of this document:

- Part 1 - A statement of the objectives and intended outcomes of the proposed instrument;
- Part 2 - An explanation of the provisions to be included in the proposed instrument;
- Part 3 - The justification of those objectives, outcomes and process for their implementation;
- Part 4 - Maps, where relevant, to identify intent of a Planning Proposal and the area to which it applies;
- Part 5 - Community Consultation proposed to be undertaken on the Planning Proposal; and
- Part 6 – Project Timeline to detail anticipated timeframe for the LEP making process.

Section 3.33(3) of the Act allows the Planning Secretary to issue requirements with respect to the preparation of a Planning Proposal. The secretary's requirements include:

- Specific matters that must be addressed in the justification (Part 3) of the Planning Proposal; and
- A project timeline to detail the anticipated timeframe for the plan making process for each Planning Proposal.

The project timeline forms Part 6 of this Planning Proposal.



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**Part 1 - Objectives or Intended Outcomes**

The purpose of this Planning Proposal is to amend the *Ryde Local Environmental Plan 2014* (LEP) to update and address a range of miscellaneous administrative issues identified in the operation of the plan. It also introduces community facilities and recreation areas in more locations and new advertising and signage provisions to ensure the City of Ryde is able to support the needs of its community. Additionally, it expands community education and capacity of Council's waste management practices.

**Objectives**

1. Improve the operation of the LEP through the correction of historic errors, omissions and anomalies.
2. Allow community facilities in additional locations to assist government agencies and non-profit community organisations in providing services.
3. Allow recreation areas in the C2 Environmental Conservation Zone to reflect the existence of children's play areas in existing Council owned parks.
4. Implement *Planning Ryde: Local Strategic Planning Statement 2020* by expanding on community education and capacity of Council's waste management practices.
5. Incorporate Council-initiated resolutions made with respect to advertising to provide via exempt development improved and enhanced access networks, services and facilities in the City of Ryde in terms of convenience, safety and amenity of pedestrians, cyclists, public transport and road users.

**Intended Outcomes**

The intended outcomes are divided into two broad categories of issues:

**A. Policy Changes**

1. Insert community facilities as permitted uses in more zones to assist government agencies and non-profit community organisations in providing services in additional suitable locations (Refer to Table 1 for uses and zones).
2. Amend the land use table to permit recreational areas in the C2 Environmental Conservation Zone (Refer to Table 1 for uses and zones).
3. Amend clause 4.3A Exceptions to height of buildings and clause 4.4A Exception to floor space ratio, to clarify that laneways are not driveways but land that is dedicated to Council where required by Council for the purpose of providing or extending part or whole of a Council existing or proposed laneway.
4. Amend Schedule 1 Additional Permitted Uses of the LEP as follows:

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- a. Item 1: 11-13 Pennant Avenue, Denistone: Delete the clause as the additional permitted use (i.e. road) is now permitted through the zoning of the land.
  - b. Item 2: 607 Blaxland Road, Eastwood: Delete the clause permitting vehicle sales or hire premises, as the land has been developed to its full potential for residential uses and is subject to a strata plan.
  - c. Item 7: 25-27 Epping Road, Macquarie Park: Delete the clause as the additional permitted use, i.e. centre-based childcare facilities and commercial premises are permitted with development consent via the current zoning of the land.
  - d. Item 16: 600-640 Victoria Road, Ryde: Correct the street address of the clause to 55 and 59 Charles Street, Ryde.
  - e. Item 19: 152 Wicks Road, Macquarie Park: Permit an educational resource recycling facility within Porter's Creek Park (152 Wicks Road, Macquarie Park).
5. Amend Schedule 2 Exempt development of the LEP as follows:
- a. Allow advertisements on bus shelters, street lighting, flagpoles, multi-function poles and transport related street furniture as exempt development under the LEP in all Business, Industrial, Special Activities and Special Infrastructure zones in the City of Ryde.
6. Amend Schedule 5 Environmental Heritage to update heritage category descriptions, property descriptions and street addresses as necessary and delete Heritage Item 80 (37 Nancarrow Avenue, Meadowbank) which has been demolished.

**B. Mapping Changes**

1. 6 Halifax Street, Macquarie Park: Rezone the small portion of land zoned RE1 public Recreation to R4 Low Density Residential to correct a zoning anomaly. Additionally, apply a floor space ratio of 3:1 and maximum height of 74 meters consistently across the whole site.
2. 62-80 Rowe Street and 20 First Avenue, Eastwood: Totally zone 62-80 Rowe Street B4 Mixed Use and 20 First Avenue R4 High Density Residential to correct zoning anomalies.
3. 45-61 Waterloo Road, Macquarie Park: Apply a floor space ratio of 2.26:1 across the whole site to be consistent with the remainder of the site and as per a Council resolution of 14 March 2017.
4. Blenheim Road, North Ryde: Rezone from C2 Environment Conservation to RE1 Public Recreation to align with its current and future uses as a public park and radio control car club.

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5. Devlin Street and Blaxland Road, Ryde: Repeal *Ryde Local Environmental Plan 2010* (LEP 2010) so as there is only one LEP applicable to the Ryde Local Government Area. The controls of LEP 2010 will be transferred by zoning the land B4 Mixed Use and providing maximum building heights which currently apply to the land under LEP 2010.
6. Miscellaneous Heritage Items:
  - a. Heritage Item 49 (Adjacent to 96-98 Blaxland Road, Ryde) – The heritage listed obelisk (Tramway monument) has been moved closer to its original location and as such it is proposed to notate its location on the relevant heritage map by its schedule 5 Environmental Heritage Item number '49'.
  - b. Heritage Item 57 (74 Belmore Road, Ryde) – Adjust boundary of heritage item to boundary of legal description for land to which item is located, i.e. SP 93568.
  - c. Heritage Item 80 (37 Nancarrow Avenue, Meadowbank) – Delete the item from the relevant heritage map as the item has been demolished.
  - d. Heritage Item 141 (80 Eltham Street, Gladesville) – Adjust boundary of heritage item to boundary of legal description for land to which item is located, i.e. Lot 101 DP 1187930.
  - e. Heritage Item 10 (192 Balaclava Road, Macquarie Park) - Adjust boundary of heritage item to boundary of the land to which item is located i.e. Lot 220 DP 1266103
  - f. Heritage Items 59, 133 and 60 (Lane Cove National Park) – Remove heritage items from the maps as they have been removed from Schedule 5.
7. Ryde Hospital (Cnr Denistone Road and Florence Avenue, Denistone): Rezone a very small portion of land from R2 Low Density Residential to SP2 Special Activities – Health Services Facilities to fix a zoning anomaly.
8. 10 Waratah Street, Eastwood: Rezone a very small portion of land from SP2 Classified Road to R2 Low Density Residential to fix a zoning anomaly. Additionally, apply a maximum height of 9.5 meters across the whole site.
9. Conservation zones: Remove reference to E1 National Parks and Nature Reserves and E2 Environmental Conservation and replace with C1 National Parks and Nature Reserves and C2 Environmental Conservation within all land zoning maps.

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**Part 2 - An Explanation of the Provisions**

RLEP 2014 is to be amended as outlined in the Table 1 below:

**Table 1 – LEP Provision Proposed to be Amended**

LEP Provision	Amendment	Objective (from Part 1)
Land Use Table Updates	<p>Community facilities are proposed to be permitted in SP1 Special Activities and SP2 Infrastructure zones to assist government agencies and non-profit community organisations in providing services within additional suitable locations.</p> <p>Recreation areas are proposed to be permitted as exempt development in the C2 Environmental Conservation Zone. Recreation areas will reflect the existence of children's play areas in existing Council owned parks. The permissibility will facilitate the upgrade of these play areas.</p>	2 and 3
Clause 4.3A Exceptions to height of buildings	<p>As an incentive for new development, clause 4.3A of the LEP increases the maximum height of building permitted on certain land where development meets certain specifications such as the provision of public laneways. Greater clarity is required in relation to what constitutes a laneway by the clause as it is not defined in the LEP. Legal advice indicates that private driveways may be considered to be laneways and used to achieve greater height of building whilst not providing any public benefit. This is not in keeping with the clause objective of encouraging a consolidation pattern and sustainable integrated transport land use and transport development around key public infrastructure (such as laneways).</p> <p>To overcome the issue it is proposed to amend Clause 4.3A (1) Exceptions to height of buildings to define a laneway and provide greater clarity on what is necessary to satisfy the clause.</p> <p><b>The following amendment to the clause is suggested:</b></p> <p><b>'4.3A Exceptions to height of buildings</b></p> <p><i>(1) Exceptions to height of buildings - replace the words '<b>and provides laneway access</b>' where ever they appear in the clause with '<b>and dedicates land to Council where required by Council for the purposes of providing or extending part or whole of a Council existing or proposed laneway.</b>'</i></p>	1
Clause 4.4A Exceptions to floor space ratio	<p>As an incentive for new development, clause 4.4A of the LEP increases the maximum floor space ratio permitted on certain land where development meets certain specifications such as the provision of public laneways. Greater clarity is required in relation to what constitutes a laneway by the clause as it is not defined in the LEP. The result of this is that private driveways have been considered to be laneways and used to achieve greater floor area whilst not providing any public benefit. This is not in keeping with the clause objectives. It is noted that one of the objectives of the clause relating to land identified on the Centres Map of the LEP is to consolidate development and encourage sustainable development patterns around key public transport infrastructure such as laneways.</p>	1

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LEP Provision	Amendment	Objective (from Part 1)
	<p>To overcome the issue, it is proposed to amend Clause 4.4A (1) Exceptions to floor space ratio to define a laneway and provide greater clarity on what is necessary to satisfy the clause.</p> <p><b>The following amendment to the clause is suggested:</b> <b>'4.4A Exceptions to floor space ratio</b></p> <p><i>(1) Exceptions to floor space - replace the words '<b>and provides laneway access</b>' where ever they appear in the clause with '<b>and dedicates land to Council where required by Council for the purposes of providing or extending part or whole of a Council existing or proposed laneway.</b>'</i></p>	
Schedule 1 Additional permitted uses - 1	<p>11-13 Pennant Avenue, Denistone</p> <p>The use permitted by this clause, i.e. a road, is now permitted in the R2 Low Density Residential Zone and as such the clause is no longer required. It is therefore proposed to delete clause 1 of Schedule 1 Additional permitted uses.</p>	1
Schedule 1 Additional permitted uses - 2	<p>607 Blaxland Road, Eastwood</p> <p>The site has been redeveloped for residential development and has been strata subdivided. It is therefore unlikely that the site will be redeveloped for vehicle sales or hire premises and as such it is proposed to delete clause 2 of Schedule 1 Additional permitted uses.</p>	1
Schedule 1 Additional permitted uses - 7	<p>25-27 Epping Road, Macquarie Park</p> <p>The additional uses permitted by the clause, i.e. centre-based child care facilities and commercial premises, are permitted with development consent within the current zoning of the site and as such the clause is unnecessary and it is proposed that the clause be deleted.</p>	1
Schedule 1 Additional permitted uses - 16	<p>600-640 Victoria Road, Ryde (known as Royal Rehabilitation Centre)</p> <p>The street address in Schedule 1 Additional permitted uses needs to be corrected to 55 and 59 Charles Street, Ryde.</p>	1
Schedule 1 Additional permitted uses - 19 (New clause)	<p>Council's Waste Management Strategy outlines the steps the City of Ryde is taking to better manage waste streams, focusing on key areas of resource recovery and waste avoidance. A challenge identified in the Strategy is to educate and influence the community to reduce unnecessary waste at its source and offer opportunities to reuse and renew valuable resources which would otherwise be sent to landfill.</p> <p>In line with Council's Waste Management Strategy, this Planning Proposal proposes to permit an educational resource recycling facility within Porters Creek Park.</p> <p><b>The following proposed new clause is suggested:</b> <b>'Schedule 1 Additional permitted uses</b></p>	4



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LEP Provision	Amendment	Objective (from Part 1)
	<p><b>10B Use of certain land at 152 Wicks Road , Macquarie Park</b></p> <p>(1) This clause applies to land at 152 Wicks Road Macquarie Park being Lot 16, DP841065</p> <p>(2) Development for the purpose of a resource recovery facility with community educational signage and displays relating to waste management and disposal.'</p>	
Schedule 2 Exempt Development - Signage – Council-owned public roads, road related areas and electric vehicle parking stations (New clause)	<p>Under a repealed Environmental Planning Instrument for the City of Ryde, i.e. the Ryde Local Environmental Plan 2010, general advertising was permitted throughout the City on structures that had the principle purpose of improving safety, amenity and convenience for pedestrians such as bus shelters, kiosks, rubbish bins and information panels.</p> <p>Under RLEP 2014, general advertising on bus shelters and like structures is prohibited. The existing advertising on current bus shelters benefits from existing use rights under the Act. However, it is not possible for new bus shelters to contain such signage. To simplify the process associated with signage on existing bus shelters and to permit advertising on future bus shelters and related structures, the Planning Proposal addresses the inclusion of advertising on bus shelters as exempt development.</p> <p>Also, community service signage is currently provided throughout various zones within the City of Ryde on flagpoles, street lighting and multi-function poles. In line with Council's resolution of the 25 August 2015, it is proposed to permit general advertising on all such structures as exempt development subject to the following specific conditions being satisfied.</p> <ul style="list-style-type: none"> <li>• The advertising is carried out by or on behalf of Council; and</li> <li>• It can be demonstrated that there will be a community benefit derived from the financial returns from the advertising to improve and enhance access networks, services and facilities in the City of Ryde in terms of convenience, safety and amenity of pedestrians, cyclists, public transport and road users.</li> </ul> <p><b>The proposed amendment to Schedule 2 Exempt Development is suggested:</b></p> <p><b>Signage – Council-owned public roads, road related areas, electric vehicle parking stations and sport fields</b></p> <p>(1) Must be carried out by or on behalf of City of Ryde Council</p> <p>(2) Must -</p> <ul style="list-style-type: none"> <li>a relate to community information and events, or</li> <li>b display an advertisement and be affixed to a public seat, a bus shelter, bins or electric vehicle charging stations.</li> </ul> <p>(3) Must be consistent with the advertisements and road safety requirements of the publication titled Transport Corridor</p>	5

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LEP Provision	Amendment	Objective (from Part 1)
	<i>Outdoor Advertising and Signage Guidelines approved by the Minister for the purposes of State Environmental Planning Policy No 64- Advertising and Signage.</i>	
Schedule 5 Heritage Item - 1	Curzon Hall (restaurant)  The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect and needs to be changed from Lot 10 DP 1100767 to Lot 110 DP 1178827.	1
Schedule 5 Heritage Item - 10	Macquarie University Ruins  The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect and needs to be changed from Part Lot 18 in DP1058168 to Part Lot 191 DP1157041.	1
Schedule 5 Heritage Item - 13	Ryde Park (gazebo)  The street address in Schedule 5 Environmental Heritage needs to be corrected to 30 Argyle Street, Ryde.	1
Schedule 5 Heritage Item - 16	Masonic Temple (hall)  The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect as a result of minor subdivision and needs to be updated to Lot 1 and 2 DP1148792. The street address in Schedule 5 Environmental Heritage also needs to be corrected to 142 and 142A Blaxland Road, Ryde.	1
Schedule 5 Heritage Item - 35	St Philip's  The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect and needs to be changed from Lot A in 389661 to Lot 1 DP 1134170.	1
Schedule 5 Heritage Item - 46	Northern Suburbs Crematorium  The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect as a result of minor subdivision and needs to be updated to Lot 1 DP 1192117.	1
Schedule 5 Heritage Item - 47	"Denistone House" and "Trigg House" (Ryde Hospital)  The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect and needs to be changed from Lot 1 in DP869614 to Lot 11 DP1183279.	1
Schedule 5 - Item 49	Obelisk  The obelisk is a tramway monument and has been moved from the corner Blaxland Road and Church Street to its original location adjacent to 96-98 Blaxland Road, Ryde. The tramway monument is of historical significance as it commemorates the extension of the tramway system to Ryde in 1908. To better describe the item, it is proposed to change the description in Schedule 5 Environmental Heritage of the LEP 2014 from "Obelisk" to "Tramway Monument" and	1

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LEP Provision	Amendment	Objective (from Part 1)
	to change the address to its correct location, i.e. 96-98 Blaxland Road, Ryde.	
Schedule 5 Heritage Item – 57	Crowle Home (house)  Subdivision and redevelopment have resulted in Heritage Item 57, Crowle Home (house), that was previously located at the property address 8 Junction Street, Ryde, becoming part of the property address at 74 Belmore Road, Ryde. As a result of subdivision, the property description also changed to SP 93568. It is proposed to amend Schedule 5 to have the correct property description and address.	1
Schedule 5 Heritage Item – 80	Old Factory  Approval for the demolition of an old factory at 37 Nancarrow Avenue, Meadowbank, was part of the NSW State Government's approved Concept Plan for the redevelopment of land at Shepherds Bay. The approval was granted under Section 75O of the <i>Environmental Planning and Assessment Act 1979</i> on 14 September 2011. Demolition was also necessary to implement Council's adopted Ann Thorn Flood Risk Management Plan. Subsequently, the building has been demolished to make way for residential redevelopment. The factory is listed in Schedule 5 Environmental Heritage of the LEP 2014. As the building is no longer in existence, it is proposed to remove the item from the schedule.	1
Schedule 5 Heritage Item – 83	House  The heritage item is contained within 15 Orange Street Eastwood and as such the address needs to change from 9 Orange Street Eastwood.	1
Schedule 5 Heritage Item – 87	Putney Park (house remains)  The street address in Schedule 5 Environmental Heritage needs to be corrected to 55 Pellissier Road, Putney.	1
Schedule 5 Heritage Item – 90	"Wollondilly"  The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect and needs to be changed from Lot 1 in 221325 to Lot 45 DP 1144636.	1
Schedule 5 Heritage Item – 121	Shops  The street address in Schedule 5 Environmental Heritage needs to be corrected to 113 Tennyson Road, Tennyson Point.	1
Schedule 5 Heritage Item – 138	Buildings B00A, B00B and B00D, Gladesville Public School  The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect because of a minor subdivision and needs to be updated to Lot 2 DP 1134170 only.	1
Schedule 5 Heritage items – 139 and 140	Church and Gates	1



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LEP Provision	Amendment	Objective (from Part 1)
	The property descriptions in Schedule 5 Environmental Heritage of the LEP 2014 are incorrect and needs to be changed to Lots 102 – 104 DP 123572 and Lot 1 DP 724225	
Schedule 5 Heritage Item - 141	House  The land has been subdivided and the heritage item is now contained within 80 Eltham Street Gladesville and Lot 101 in DP 1187930. It is proposed to correct the property description and address accordingly.	1
Schedule 5 Heritage Item - 153	The Retreat (House)  The Retreat at 817 Victoria Road, Ryde (Lot 1, DP 313163), is identified on Schedule 5 of the Ryde LEP 2014 as a Local Heritage Item. However, it is listed as an item of state heritage significance on the State Heritage Register. Therefore, Schedule 5 of the Ryde LEP 2014 is incorrect and needs to be amended so the site is identified as a State Heritage Item.	1
Schedule 5 Heritage Item - 10	Macquarie University (ruins)  The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect and needs to be changed to Lot 220 DP 1266103	1

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RLEP 2014 maps are to be amended as detailed in Table 2:

**Table 2 – LEP Maps Proposed to be Amended**

<b>Amendment</b>	<b>Objective (from Part 1)</b>
<p><b>6 Halifax Street, Macquarie Park</b> (Lot 117 in DP 1224238)</p> <p>The zone boundaries do not reflect the cadastre boundary and incorrectly zone a portion of land in private ownership as RE1 Public Recreation. The land should be zoned R4 High Density Residential, apply a maximum floor space ratio of 3:1 and a maximum height of 74 metres across the whole site. It is proposed to amend the LEP 2014 Land Zoning Map Sheet LZN_009, Floor Space Ratio Map Sheet FSR_009 and Height of Buildings Map Sheet HOB_009 accordingly.</p>	1
<p><b>62-80 Rowe Street and 20 First Avenue, Eastwood</b></p> <p>The majority of land bound by Rowe Street, Ryedale Road, First Avenue and East Street, Eastwood is divided by the B4 Mixed Use and R4 High Density Residential zones of the LEP 2014. However, the boundaries of individual properties do not reflect the zone boundaries in small portions. As a result, there are properties that contain both zones. It is noted that both properties are Strata Plans with 71 different owners occupying 62-80 Rowe Street (shops and residential) and 12 different owners occupying 20 First Avenue (residential). Given the large number of separate owners, it is therefore unlikely these properties will be redeveloped. It is proposed that the zone boundaries be altered so that the above properties only contain one zone relevant to the built use, i.e. 62-80 Rowe Street be totally zoned B4 Mixed Use being a mixed use development and 20 First Avenue be totally zoned R4 High Density Residential being a high density residential development. Land Zoning Map Sheet LZN_002 will need to be updated accordingly.</p>	1
<p><b>45-61 Waterloo Road, Macquarie Park</b></p> <p>On 14 March 2017, Council resolved to endorse a Planning Proposal in relation to 45-61 Waterloo Road, Macquarie Park to rezone part of the site to RE1 Public Recreation and transfer the development potential of that part of the site across the remainder of the land. The purpose of this was to achieve a future public park that was subject to a funding agreement between Council and the DPE in June 2014. This was confirmed in a letter from the DPE signed by Pru Goward, Member of Parliament, Minister for Planning, Minister for Women (DPE reference number 14/10255).</p> <p>This included increasing the maximum height of building and floor space ratio controls of the LEP. The maximum height of building control has been amended as per the Council resolution. However, the proposed change to the floor space ratio has been overlooked. It is therefore proposed to change the floor space ratio control as per the resolution, i.e. from 1:1 and to 2.26:1. Floor Space Ratio Map Sheet FSR_004 will need to be updated accordingly.</p>	1
<p><b>Blenheim Road, North Ryde</b></p> <p>It is proposed to rezone a portion of Blenheim Road, North Ryde from C2 Environmental Conservation to RE1 Public Recreation to align with its current use as vehicular access and parking for Blenheim Park. It is noted that the rezoning would also be consistent with the Council adopted masterplan for the park where the land will continue to be used for vehicular access to the park and a radio control car club. This will require Land Zoning Map Sheet LZN_009 to be updated.</p>	1
<p><b>Devlin Street and Blaxland Road, Ryde</b></p> <p>Lots 10, 11 and 12 in DP 1110978</p>	1

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<b>Amendment</b>	<b>Objective (from Part 1)</b>
<p>Lots 1 and 2 in DP 1170801 Lots 50 and 51 DP 115741 Lots T, S, R and Q in DP 443304</p> <p>The Civic site is a 'Deferred Matter' under clause 1.3 of the LEP and is designated as such on the LEP 2014 Land Application Map, i.e. the map that indicates the land to which the LEP 2014 applies. As a result, the planning provisions for the land reside in <i>Ryde Local Environmental Plan 2010</i> (LEP 2010). Under LEP 2010, the land is zoned B4 Mixed Use, has a Height of Building control of 21.5 metres and 75 metres and no FSR.</p> <p>The Sydney North Planning Panel has approved a development application to allow for the construction of a multi-purpose community and cultural building which will contain a hall seating up to 700 people, as well as activity rooms, meeting rooms, an art gallery and refreshment rooms. It also allows for the construction of an office building which will accommodate City of Ryde staff (who are currently occupying leased premises at North Ryde) and two floors of commercially lettable space, an integrated public plaza, extensive landscaping throughout the site, 236 on-site basement car spaces, and space for food and beverage offerings.</p> <p>The development approval is consistent with the planning controls of the LEP 2010 and as such it is proposed to bring the LEP 2010 provisions into LEP. This will require deleting the 'Deferred Matter' notation from the LEP 2014 Land Application Map and amending the relevant Zoning and Height of Building Maps. It is therefore proposed to repeal LEP 2010 delete 'Deferred Matter' from the LEP Land Application Map Sheet LAP_001, zone the site B4 Mixed Use on the LEP Land Zoning Map Sheet LZN_006 and provide height limits of 21.5 metres and 75 metres on LEP 2014 Height Map Sheet HOB_006.</p>	
<p><b>Heritage Item 49 (Adjacent to 96-98 Blaxland Road, Ryde)</b></p> <p>The item is an obelisk which is a tramway monument and has been moved from the corner Blaxland Road and Church Street to its original location adjacent to 96-98 Blaxland Road, Ryde. The tramway monument is of historical significance as it commemorates the extension of the tramway system to Ryde in 1908. It is proposed to include the location of the monument on LEP 2014 Heritage Map Sheet HER_006 by notating the Schedule 5 Environmental Heritage item number 49 at that location. It is noted that the land is already coloured as an item on that map being located on the State significant environmental heritage item the Great North Road, Bedlam Point to Eastwood.</p>	1
<p><b>Heritage Item 57 (74 Belmore Road, Ryde)</b></p> <p>Subdivision and redevelopment has resulted in Heritage Item 57, Crowle Home (house), that was previously located at the property address 8 Junction Street, Ryde, becoming part of the property address at 74 Belmore Road, Ryde. As a result of subdivision, the property description also changed to SP 93568. It is proposed to amend the LEP 2014 Heritage Map Sheet HER_006 in accordance to the boundary of the property description accordingly.</p>	1
<p><b>Heritage Item 80 (37 Nancarrow Avenue, Meadowbank)</b></p> <p>Lots 1-7 and 9-17 in DP 19585; Lot 1 in DP 122205</p> <p>Approval for the demolition of an old factory at 37 Nancarrow Avenue, Meadowbank, was part of the NSW State Government's approved Concept Plan for the redevelopment of land at Shepherds Bay. The approval was granted under Section 75O of the <i>Environmental Planning and Assessment Act 1979</i> on 14 September 2011. Subsequently, the building has been demolished to make way for residential redevelopment. The factory is listed in Schedule 5 Environmental Heritage of the LEP 2014 and is included in the Heritage Map</p>	1



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<b>Amendment</b>	<b>Objective (from Part 1)</b>
Sheet HER_003 of the LEP. As the building is no longer in existence, it is proposed to delete the item from the map.	
<b>Heritage Item 141 (80 Eltham Street, Gladesville)</b>  The site has been subdivided and the heritage item is now contained only within 80 Eltham Street Gladesville and Lot 101 in DP 1187930. The subdivision removed a mixed use development, car parking and a road from the same lot as the heritage item. It is proposed to correct Heritage Map Sheet HER_003 accordingly.	1
<b>Heritage Item 10 (192 Balaclava Road, Macquarie Park)</b>  The heritage item is contained within Lot 220 DP 1266103. This deposited plan comprises the Macquarie University and 5 lease lots. The lease lots have been excluded from the mapping of the heritage item. To be consistent with previous requests from the DPE (such as the Macquarie Park Ice Rink Planning Proposal), it is proposed to adjust the boundary of the heritage item within Heritage Map Sheet HER_004 to reflect the boundary of the land.	1
<b>Heritage Items 59, 60 and 133 (Lane Cove National Park)</b>  Heritage items 59, 60 and 133 have been removed as items within Schedule 5. The mapping should be updated accordingly and remove these items from Heritage Map Sheets HER_004, HER_005, HER_006, HER_008, HER_009 and HER_010.	1
<b>Ryde Hospital (Cnr Denistone Road and Florence Avenue, Denistone)</b>  A very small portion of the Ryde Hospital site is incorrectly zoned R2 Low Density Residential. It is proposed to correct the error and include the land in the SP2 Health Service Facility Zone as per the remainder of the hospital site. Land Zoning Map Sheet LZN_002 will need to be updated accordingly.	1
<b>10 Waratah Street, Eastwood</b>  A small portion of the site is zoned SP2 Classified Road. On 4 August 2021, Transport for NSW wrote Council explaining the land is no longer required for future road purposes and requested SP2 zoning is removed from relevant planning instruments (See Attachment A). Therefore, Land Zoning Map Sheet LZN_005 will need to be updated to remove SP2 and apply R2 Low Density Residential zoning across the whole site.  Additionally, the SP2 Classified Road zoned area of the site has no height control. For consistency, it is proposed to amend the HOB_005 map sheet so the whole lot is covered by the 'J' (9.5m) height control and is consistent across the site.	1
<b>Conservation zones</b>  The Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2006 was notified on 1 December 2021. The amendment renamed Environment Protection zones to Conservation zones. The DPE has instructed any reference to E1 National Parks and Nature Reserves, E2 Environmental Conservation, E3 Environmental Management or E4 Environmental Living within a document is to be taken as reference to C1 National Parks and Nature Reserves, C2 Environmental Conservation, C3 Environmental or C4 Environmental Living. The City of Ryde only has C1 National Parks and Nature Reserves and C2 Environmental Conservation zones within the local government area. Therefore, it is proposed to update all Land Zoning Map Sheets (LZN_001-010) accordingly by removing reference to E1 National Parks and Nature Reserves and E2 Environmental Conservation and replacing with C1 National Parks and Nature Reserves and C2 Environmental Conservation.	1

**ITEM 8 (continued)**

**ATTACHMENT 1**

**Part 3 - Justification**

**Section A - Need for the Planning Proposal**

***Q1. Is the Planning Proposal a result of an endorsed local strategic planning statement, strategic study or report?***

The Planning Proposal is not a result of a single strategic study or report. It responds to matters that have been raised by Council staff in relation to the LEP. It also responds to parts of the LSPS and Council resolutions (discussed above). The Planning Proposal is required to amend LEP to resolve the identified issues and implement the decision of Council.

***Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?***

The Planning Proposal is the only means to achieve the intended outcome as amendments to LEP are required.

**Section B - Relationship to Strategic Planning Framework**

***Q3. Will the Planning Proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?***

The strategic planning framework for the consideration of this Planning Proposal includes:

- *A Greater Sydney Region Plan – A Metropolis of Three Cities 2018; and*
- *The North District Plan*

Greater Sydney Regional Plan - A Metropolis of Three Cities

The *Greater Sydney Region Plan* (2018) outlines how Greater Sydney will manage growth and change and guide infrastructure delivery over the next 40 years.

The vision of the Plan is to meet the needs of a growing and changing population by transforming Greater Sydney into a metropolis of three cities – the Western Parkland City, the Central River City and the Eastern Harbour City.

The City of Ryde is located within the Eastern Harbour City. The Plan states that the established Eastern Harbour City will be building on its recognised economic strength and addressing liveability and sustainability.

The Plan contains:

- 4 Key themes - infrastructure and collaboration, liveability, productivity and sustainability;
- 14 Metrics i.e. measurement tools;
- 10 Directions; and
- 40 Objectives.

The proposal is not inconsistent with any of the objectives. However, the objectives particularly relevant to the proposal are addressed as follows:

## ITEM 8 (continued)

## ATTACHMENT 1

- *Objective 4: Infrastructure Use is optimised*
- *Objective 6: Services and infrastructure meet communities changing needs*

The proposal is consistent with Objective 4 by proposing to allow advertisements on bus shelters, street lighting, flagpoles, multi-function poles and transport related street furniture as exempt development. Such advertising structures will improve and enhance access way networks in the City of Ryde for the convenience, safety and amenity of pedestrian, cyclists and vehicle road users assisting to optimise transport infrastructure use.

The proposal is also consistent with Objectives 4 and 6 by permitting community facilities in more locations. This will ensure that the City of Ryde is able to support changing social infrastructure needs and optimise use of facilities.

- *Objective 35: More waste is re-used and recycled to support the development of a circular economy*

The proposal to permit an educational resource recycling facility within Porter's Creek Park (152 Wicks Road, Macquarie Park) to expand community education and capacity of Council's waste management practices will assist in meeting objective 35, i.e. it will result in more waste being re-used and recycled to support the development of a circular economy. Permitting water recycling facilities in more zones to allow the management of water to be undertaken more efficiently will also achieve this.

### North District Plan (2018)

The *North District Plan* (NDP) sets out the planning priorities and actions for Greater Sydney's North District, which includes the local government areas of Hornsby, Hunters Hill, Ku-ring-gai, Lane Cove, Northern Beaches, Mosman, North Sydney, the City of Ryde and Willoughby as developed by the Greater Sydney Commission.

The NDP provides the means by which the Greater Sydney Region Plan can be put into action at a local level, by setting out the opportunities, priorities and actions for the growth and development of the North District.

In keeping with the Greater Sydney Region Plan each District Plan contains:

- Four key themes – infrastructure and collaboration, liveability, productivity and sustainability
- Ten Directions – to guide the balanced delivery of the theme
- Metrics – to measure successful delivery of the plans
- District-specific Planning Priorities and Actions – to achieve results that provide a great quality of life for people in the District

The proposal is not inconsistent with any of the Planning Priorities. However, the Planning Priorities particularly relevant to the proposal are addressed as follows:

- *Planning Priority N1 – Planning for a city supported by infrastructure*
- *Planning Priority N3 – Providing services and social infrastructure to meet people's changing needs*

The proposal is consistent with Planning Priority N1 by proposing to allow advertisements on bus shelters, street lighting, flagpoles, multi-function poles and transport related street furniture as

**ITEM 8 (continued)**

**ATTACHMENT 1**

exempt development. Such advertising structures will improve and enhance access way networks in the City of Ryde for the convenience, safety and amenity of pedestrian, cyclists and vehicle road users and by planning for such the City of Ryde will be supported by transport infrastructure.

Additionally, the proposal is consistent with Planning Priority N1 and N3 by proposing to permit more community facilities in more locations. This will ensure that the City of Ryde is able to support changing social infrastructure needs.

- *Planning Priority N21 – Reducing carbon emissions and managing energy, water and waste efficiency*

The proposal to permit an educational resource recycling facility within Porter's Creek Park (152 Wicks Road, Macquarie Park) to expand community education and capacity of Council's waste management practices will assist in meeting Planning Priority N21, i.e. it will result in managing waste more efficiently. Permitting water recycling facilities in more zones to allow the management of water to be undertaken more efficiently will also achieve this.

***Q4. Is the Planning Proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?***

City of Ryde 2028 Community Strategic Plan

The Ryde 2028 Community Strategic Plan captures the needs and aspirations of the community and lays out the Vision and Outcomes that the community wants for the City of Ryde over the next 10 years. It also captures the City's priorities for achieving these outcomes.

The seven outcomes for the City of Ryde articulated in the plan are:

- Our Vibrant and Liveable City
- Our Active and Healthy City
- Our Natural and Sustainable City
- Our Smart and Innovative City
- Our Connected and Accessible City
- Our Diverse and Inclusive City
- Our Open and Progressive City

The Planning Proposal is not inconsistent with the outcomes of the Community Strategic Plan 2028 any of the outcomes. It speaks to the following outcomes of the plan:

- Our Active and Healthy City – Well Targeted Services

The Well Targeted Services outcome includes building and enhancing services, including those supporting residents at different stages of their life. The proposal to permit community facilities in more locations will assist in achieving this outcome.

- Our Natural and Sustainable City - Sustainable Planning and Protecting Natural Areas

The Sustainable Planning outcome includes providing innovative waste and recycling services to achieve the highest level of resource recovery. This outcome is met by the proposal to permit an educational resource recycling facility within Porter's Creek Park (152 Wicks Road, Macquarie Park) to expand community education and capacity of Council's waste management practices.

**ITEM 8 (continued)**

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Permitting water recycling facilities in more zones to allow the management of water to be undertaken more efficiently will also achieve this.

- Our Connected and Accessible City – Connections within our City

The Connections within our City outcome includes continuing investment in the road network, footpaths, cycleways and walkways. The proposal is consistent with this outcome by proposing to allow advertisements on bus shelters, street lighting, flagpoles, multi-function poles and transport related street furniture as exempt development. Such advertising structures will improve and enhance access way networks in the City of Ryde for the convenience, safety and amenity of pedestrian, cyclists and vehicle road users.

Local Strategic Planning Statement (LSPS)

Council adopted the *Planning Ryde: Local Strategic Planning Statement 2020* (LSPS) on 31 March 2020. The Planning Proposal gives effect to actions of the LSPS, some in part, as detailed in the table below:

**Table 3 – Relevant Actions of the LSPS**

Planning Priority		Actions	
E3	Reduce carbon emissions and manage energy, water and waste efficiently	E3.4	Review waste policies and planning controls in the Ryde Development Control Plan 2014 and in Ryde Local Environmental Plan 2014
E5	Provide waste and recycling infrastructure that is designed to ensure safety, efficiency and accessibility of waste, reuse and recycling services, and that does not compromise the public domain	E5.1	Review and amend planning controls in the Ryde Local Environmental Plan 2014 and Ryde Development Control Plan 2014 to ensure they require new developments to have appropriately designed on-site storage for waste and recycling services, and provide for the separation of waste materials to encourage recycling and reuse

**Q5. Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?**

No other applicable State and regional studies or strategies relevant.

**Q6. Is the Planning Proposal consistent with applicable SEPPs**

Yes. The Planning Proposal is generally consistent with relevant State Environmental Planning Policies (SEPPs) and deemed SEPPs. A summary assessment of the Planning Proposal in terms of those policies relevant to the City of Ryde is contained in Attachment B.

**Q7. Is the Planning Proposal consistent with applicable Ministerial Directions (s.9.1 directions)?**



**ITEM 8 (continued)**

**ATTACHMENT 1**

Attachment C provides a list of Directions issued by the Minister for Planning to relevant planning authorities under section 9.1 of the *Environmental Planning and Assessment Act 1979*. These directions apply to Planning Proposals lodged with the DPE on or after the date the particular direction was issued. A consideration of the consistency of the Planning Proposal with the directions is also provided.

On 27 September 2018, the Minister for Planning gave an additional direction under 9.1 of the *Environmental Planning and Assessment Act 1979* with the objective of identifying the types of Planning Proposals that are to be advised on by Local Planning Panels on behalf of councils in the Greater Sydney Region and Wollongong and to establish the procedures in relation to those matters. This Direction is relevant to this Planning Proposal, and the proposal will be referred to the Ryde Local Planning Panel for advice on whether or not the Planning Proposal should be forwarded to the Minister or Greater Sydney Commission under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.

On the 28 February 2019 the Minister for Planning gave an additional direction under 9.1 of the *Environmental Planning and Assessment Act 1979*. The Direction is the *Environmental Planning and Assessment (Planning Agreements) Direction 2019* and is required to be considered by Councils if negotiating the terms of a proposed planning agreement that includes provision for affordable housing in connection with a development application. This direction is not applicable to the Planning Proposal.

**Section C - Environment, Social and Economic Impact**

**Q8. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?***

The Planning Proposal will not affect any critical habitat or threatened species, populations or ecological communities, or their habitats nor is it expected to have any adverse environmental effects.

**Q9. *Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?***

No, there is no likelihood for any other significant environmental effects.

**Q10. *Has the Planning Proposal adequately addressed any social and economic effects?***

The Planning Proposal is not anticipated to have any negative social or economic impacts. The aim of the Planning Proposal is to ensure that the LEP is accurate and consistent with Council's strategic policy direction.

**Section D – Infrastructure (Local, State and Commonwealth)**

**Q11. *Is there adequate public infrastructure for the Planning Proposal?***

The Planning Proposal is unlikely to have any impacts on infrastructure in the City of Ryde.

**ITEM 8 (continued)**

**ATTACHMENT 1**

**Section E – State and Commonwealth Interests**

***Q12. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?***

The views of any State and Commonwealth agencies will be sought through consultation following receipt of the Gateway Determination.

**ITEM 8 (continued)**

**ATTACHMENT 1**

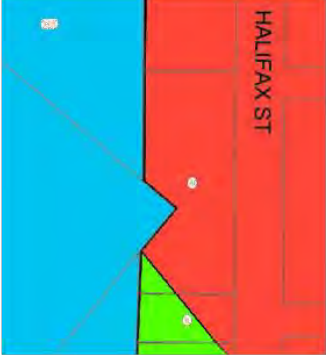

**Part 4 – Mapping**

All of the proposed mapping changes to the maps of the LEP are detailed below. A full set of LEP maps are included at Attachment D.

**4.1 6 Halifax Street, Macquarie Park**

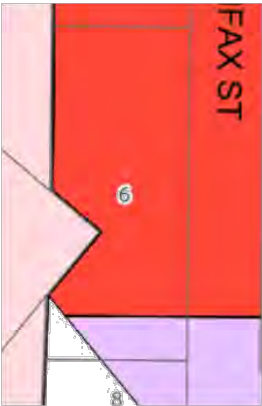
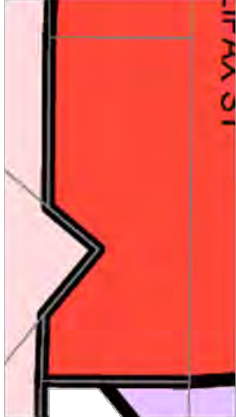
Rezone the small portion of land zoned RE1 Public Recreation to R4 Low Density Residential to correct a zoning anomaly. Additionally, apply a floor space ratio of 3:1 and maximum height of 74 meters across the whole site to be consistent with remainder of site.

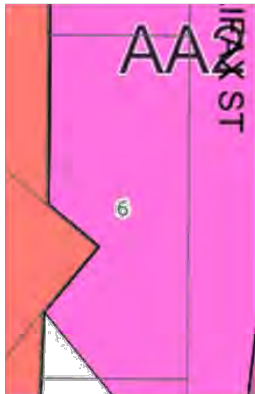
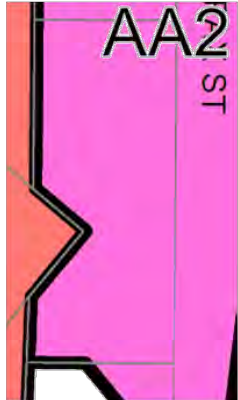


Land Zoning (Map Sheet LZN_009)	
Existing: R4 High Density Residential and RE1 Public Recreation	Proposed: R4 High Density Residential
	

**ITEM 8 (continued)**

**ATTACHMENT 1**

Floor Space Ratio (Map Sheet FSR_009)	
Existing: Maximum floor space ratio of 3:1 and 4.3:1	Proposed: Maximum floor space ratio of 3:1
	

Height of Buildings (Map Sheet HOB_009)	
Existing: Maximum height of 75 meters	Proposed: Maximum height of 75 meters
	

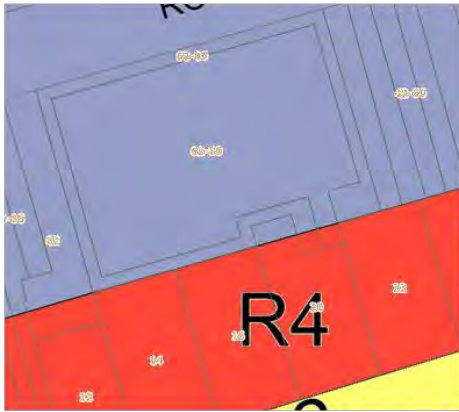
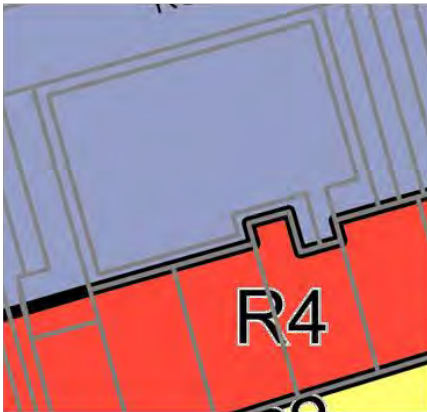
**ITEM 8 (continued)**

**ATTACHMENT 1**

**4.2 62-80 Rowe Street and 20 First Avenue, Eastwood**

62-80 Rowe Street be totally zoned B4 Mixed Use and 20 First Avenue be totally zoned R4 High Density Residential to reflect use and correct zoning anomaly.



Land Zoning (Map Sheet LZN_002)	
Existing: R4 High Density Residential and B4 Mixed Use	Proposed: R4 High Density Residential and B4 Mixed Use
	




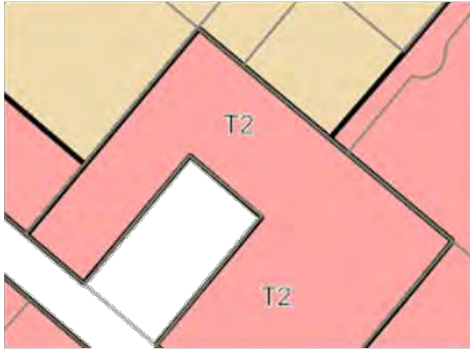
**ITEM 8 (continued)**

**ATTACHMENT 1**

**4.3 45-61 Waterloo Road, Macquarie Park**

Apply a floor space ratio of 2.26:1 across the whole site to be consistent with remainder of site and as per a Council resolution on 14 March 2017.



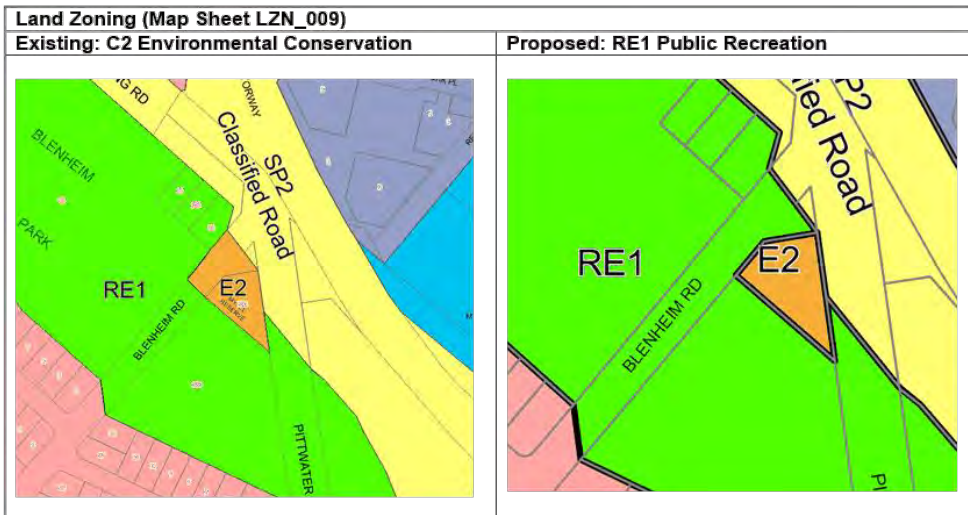
Land Zoning (Map Sheet FSR_004)	
Existing: Maximum floor space ratio of 1:1	Proposed: Maximum floor space ratio of 2.26:1
	

**ITEM 8 (continued)**

**ATTACHMENT 1**

**4.4 Blenheim Road, North Ryde**

Rezone from C2 Environmental Conservation to RE1 Public Recreation to align with its current and future uses as a public park and radio control car club.




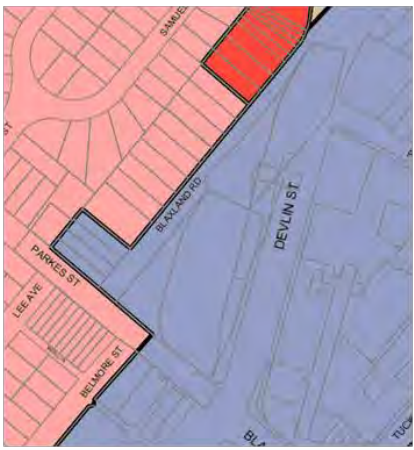
**ITEM 8 (continued)**

**ATTACHMENT 1**

**4.5 Devlin Street and Blaxland Road, Ryde**

Repeal Ryde Local Environmental Plan 2010 (LEP 2010) so as there is only one LEP applicable to the Ryde Local Government Area. The controls of LEP 2010 will be transferred by zoning the land B4 Mixed Use and providing maximum building heights which currently apply to the land under LEP 2010.




Land Zoning (Map Sheet LZN_006)	
Existing: Deferred Matter (Zoned B4 Mixed Use under LEP 2010)	Proposed: B4 Mixed Use
	



**ITEM 8 (continued)**

**ATTACHMENT 1**

<b>Height of Building (Map Sheet HOB_006)</b> <b>Existing: Deferred Matter (Maximum 21.5m and 75m under LEP 2010)</b>	<b>Proposed: Maximum 21.5m and 75m</b>
	
<b>Land Application (Map Sheet LAP_001)</b> <b>Existing: Deferred Matter (from LEP 2010)</b>	<b>Proposed: LEP Applies to Land</b>
	

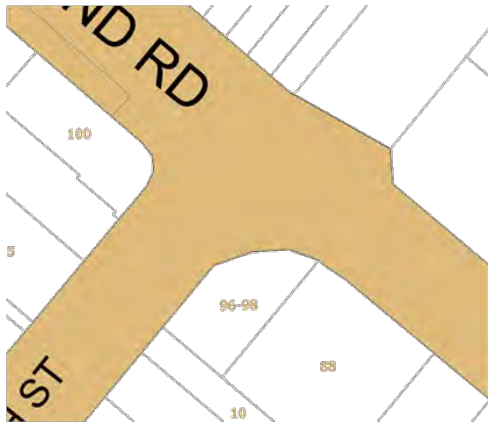

## ITEM 8 (continued)

## ATTACHMENT 1

### 4.9 Heritage Item 49 (Adjacent to 96-98 Blaxland Road, Ryde)

The heritage listed obelisk (tramway monument) has been moved to its original location and as such it is proposed to notate its location on the relevant heritage map by its Schedule 5 Environmental Heritage item number, i.e. '49'.



Heritage (Map Sheet HER_006)	
Existing: Item - General	Proposed: Item number 49
	



**ITEM 8 (continued)**

**ATTACHMENT 1**

**4.10 Heritage Item 57 (74 Belmore Road, Ryde)**

Adjust boundary of heritage item to boundary of legal description for land to which item is located, i.e. SP 93568.



Heritage (Map Sheet HER_006)	
Existing: Item - General	Proposed: Item - General
	





**ITEM 8 (continued)**

**ATTACHMENT 1**

**4.11 Heritage Item 80 (37 Nancarrow Avenue, Meadowbank)**

Delete the item from the relevant heritage map as the item has been demolished.



Heritage (Map Sheet HER_003)	
Existing: Item - General	Proposed: Delete Item - General
	

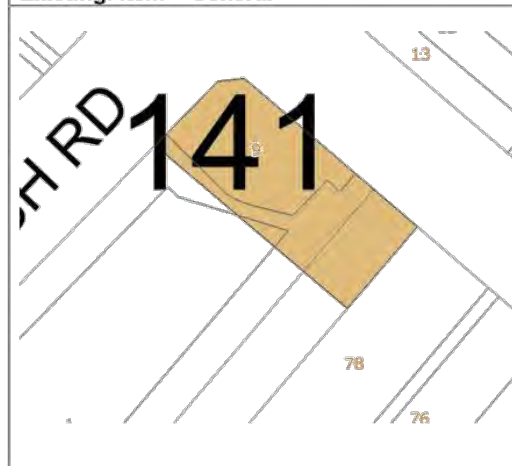
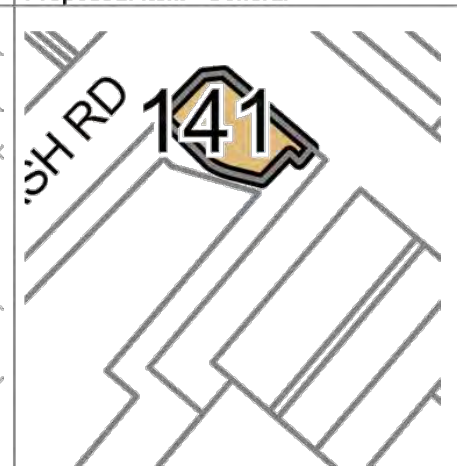
**ITEM 8 (continued)**

**ATTACHMENT 1**

**4.12 Heritage Item 141 (80 Eltham Street, Gladesville)**

Adjust boundary of heritage item to boundary of legal description for land to which item is located, i.e. Lot 101 DP 1187930.



Heritage (Map Sheet HER_006)	
Existing: Item – General	Proposed: Item - General
	



**ITEM 8 (continued)**

**ATTACHMENT 1**

**4.13 Heritage Item 10 (192 Balaclava Road, Macquarie Park)**

Adjust boundary of heritage item to boundary of legal description for land to which item is located, i.e. Lot 220 DP 1266103.



Heritage (Map Sheet HER_004) Existing: Item – General	Proposed: Item - General
	

**ITEM 8 (continued)**

**ATTACHMENT 1**

**4.14 Heritage Items 59, 60 and 133 (Lane Cove National Park)**

Heritage items 59, 60 and 133 have been removed from Schedule 5. Heritage Maps HER\_004, HER\_005, HER\_006, HER\_008, HER\_00 and HER\_010 have been updated to be consistent with Schedule 5. Refer to Attachment D.



**ITEM 8 (continued)**

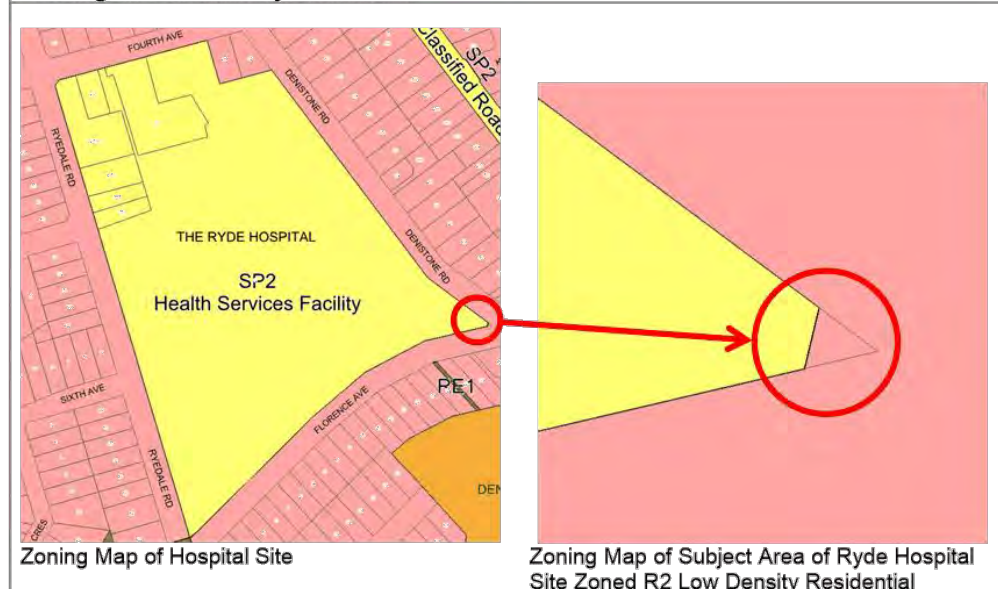
**ATTACHMENT 1**

**4.15 Ryde Hospital (Cnr Denistone Road and Florence Avenue, Denistone)**

Rezone from R2 Low Density Residential to SP2 Special Activities – Health Services Facilities to fix minor zoning anomaly.



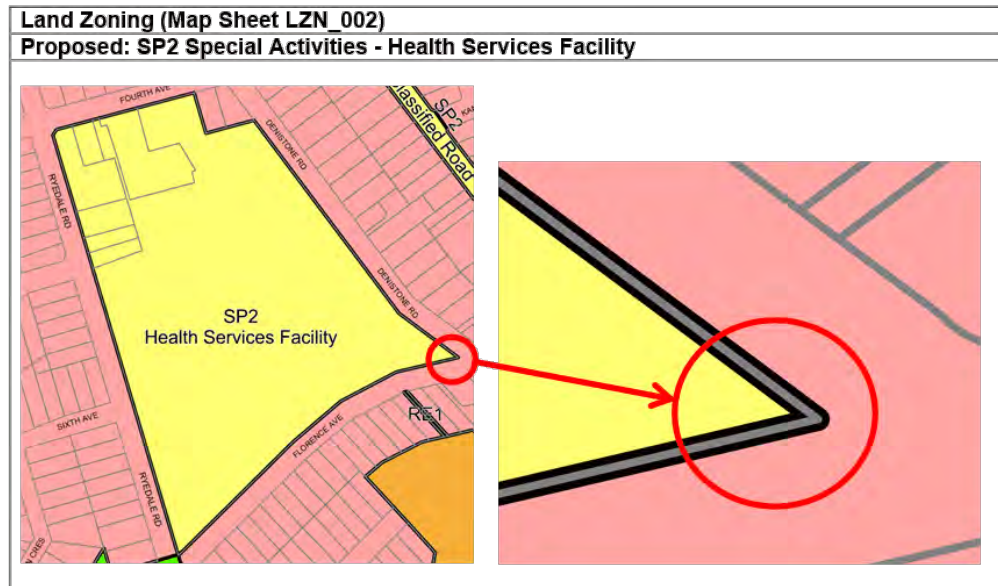
**Land Zoning (Map Sheet LZN\_002)**  
**Existing: R2 Low Density Residential**





**ITEM 8 (continued)**

**ATTACHMENT 1**



**ITEM 8 (continued)**

**ATTACHMENT 1**

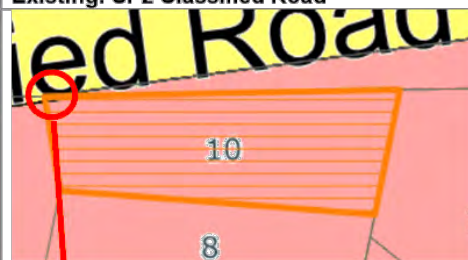
**4.16 10 Waratah Street, Eastwood**

10 Waratah Street, Eastwood: Rezone a very small portion of land from SP2 Classified Road to R2 Low Density Residential to fix a zoning anomaly. Additionally, it will



Land Zoning (Map Sheet LZN\_005)

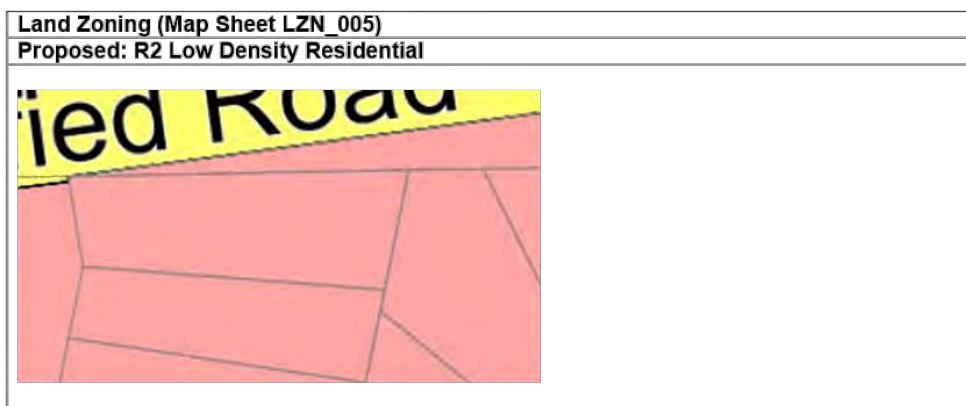
Existing: SP2 Classified Road



Zoning map of subject area

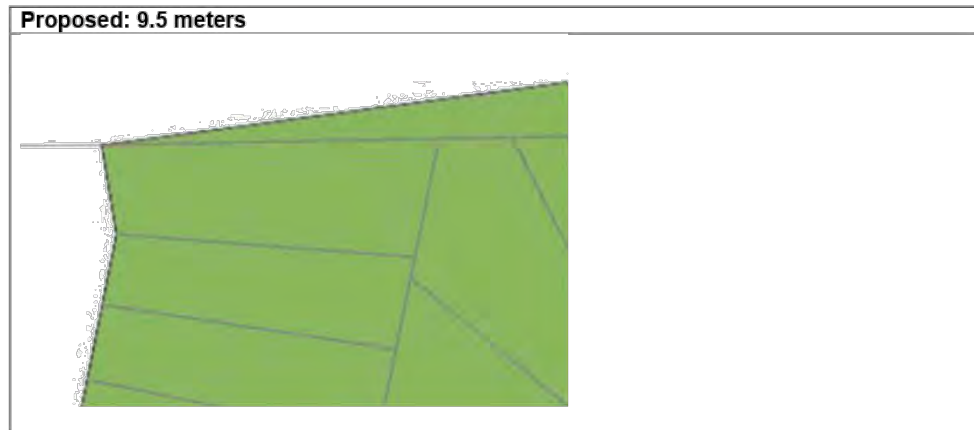
**ITEM 8 (continued)**

**ATTACHMENT 1**



**ITEM 8 (continued)**

**ATTACHMENT 1**



**ITEM 8 (continued)**

**ATTACHMENT 1**

**4.16 Conservation zones**

Reference to E1 National Parks and Nature Reserves and E2 Environmental Conservation have been changed to C1 National Parks and Nature Reserves and C2 Environmental Conservation within Land Zoning Map Sheets LZN\_001, LZN\_002, LZN\_003, LZN\_004, LZN\_005, LZN\_006, LZN\_007, LZN\_008, LZN\_009, LZN\_010. Refer to Attachment D.



**ITEM 8 (continued)**

**ATTACHMENT 1**

**Part 5 - Community Consultation**

This section provides details of the community consultation that is to be undertaken on the Planning Proposal:

The community consultation process to be undertaken for this Planning Proposal is expected to be undertaken in the following manner for a 28-day period:

- Notice will be given:
  - In the local newspaper circulating in the area;
  - On Council's webpage;
  - To local state government representatives; and
  - To relevant State and Commonwealth authorities as identified in the Gateway Determination.
- The notice will:
  - Provide a brief description of the objectives and intended outcomes;
  - State where the Planning Proposal can be inspected;
  - Indicate the last date for submissions; and
  - Confirm whether the Minister has chosen to delegate the making of the LEP.
- Interested parties will be able to contact the Strategic Planning Team of the City of Ryde directly via Council's customer service.

**ITEM 8 (continued)**

**ATTACHMENT 1**

**Part 6 - Project Timeline**

The project timeline is provided in the table below:

**Table 4 – Project Timeline**

<b>Milestones</b>	
Planning Proposal submitted with request for Gateway Determination	April 2022
Gateway Determination	May 2022
Community Consultation	June/July 2022
Outcomes of Community Consultation	September 2022
Planning Proposal submitted to Department of Planning and Environment requesting notification on Government website	October 2022

**ITEM 8 (continued)**

**ATTACHMENT 1**

**Conclusion**

The Planning Proposal seeks to amend the LEP to update and address a range of miscellaneous administrative issues identified in the operation of the plan. It also introduces community facilities and recreation areas in more locations and new advertising and signage provisions to ensure the City of Ryde is able to support the needs of its community. Additionally, it expands community education and capacity of Council's waste management practices.

The Planning Proposal is generally consistent with relevant State and Local legislation, directions, policies and strategic directions and will have a minimal environmental, social and economic impact.

Council is willing to accept an authorisation to exercise delegated plan making functions for this Planning Proposal should such an authorisation be issued as part of the Gateway Determination. The evaluation criterion for the issuing of authorisation is responded to within Attachment E.

**ITEM 8 (continued)**

**ATTACHMENT 1**

**Attachment A – 10 Waratah Street, Eastwood Correspondence  
from Transport for NSW**



**ITEM 8 (continued)**

**ATTACHMENT 1**



4 August 2021

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

Dear Sir/Madam,

This letter refers to subject property 10 Waratah Street, Eastwood, being Lot 77 in Deposited Plan 17583. Part of the subject property is zoned as SP2 - Infrastructure, Classified Road.

Transport for New South Wales (TfNSW) is writing to advise that this land, as shown on the attached plan, is no longer required for future road purposes. Subsequently we are requesting the SP2 affectation to be removed from all relevant planning instruments.

If you have any further questions, I would be pleased to take your call on (02) 8849 2464.

Yours sincerely

A handwritten signature in cursive script that reads 'Roy Nunes'.

4/08/2021

Roy Nunes  
Senior Manager – Land Information & Corridors  
Commercial, Performance and Strategy  
Infrastructure and Place

---

**Transport for NSW**  
27 Argyle Street, Parramatta NSW 2150 | PO Box 973, Parramatta NSW 2124  
P 131 782 | W [transport.nsw.gov.au](http://transport.nsw.gov.au) | ABN 18 804 239 602

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**ATTACHMENT 1**





**ITEM 8 (continued)**

**ATTACHMENT 1**

**Attachment B - Consistency with Relevant State Environmental Planning Policies**

State Environmental Planning Policies (SEPPs)	Consistent		Comment
	YES/NO	N/A	
State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004		✓	Applies to the whole of the State. Not relevant to this proposed amendment
SEPP (Exempt and Complying Development Codes) 2008		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Biodiversity and Conservation) 2021		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Housing) 2021		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Industry and Employment) 2021	Yes	✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Planning Systems) 2021		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021		✓	None of the matters within the Planning Proposal raise issues with the SEPP.
State Environmental Planning Policy (Precincts – Central River City) 2021		✓	None of the matters within the Planning Proposal raise issues with the SEPP.
State Environmental Planning Policy (Precincts – Western Parkland City) 2021		✓	None of the matters within the Planning Proposal raise issues with the SEPP.
State Environmental Planning Policy (Precincts – Regional) 2021		✓	None of the matters within the Planning Proposal raise issues with the SEPP.
State Environmental Planning Policy (Primary Production) 2021		✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy (Resilience and Hazards) 2021		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Resources and Energy) 2021		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Transport and Infrastructure) 2021		✓	Applies to the whole of the State. Not relevant to this proposed amendment
<b>Deemed SEPPs</b>			
N/A			

ITEM 8 (continued)

ATTACHMENT 1

**Attachment C - Consistency with Ministerial Directions**

Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979	Consistent		N/A
	YES	NO	
Focus area 1: Planning Systems			
1.1 Implementation of the Minister's Planning Principles Objectives are: <ul style="list-style-type: none"><li>Give legal effect to the Minister's Planning Principles and ensure the document, including the concept of sustainable development, is given regard in the assessment of planning proposals; and</li><li>Support improved outcomes through consideration of planning principles.</li></ul>	x		
1.2 Implementation of Regional Plans Objective: To give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.			x
1.3 Development of Aboriginal Land Council Land Objective: To provide consideration of development delivery plans prepared under State Environmental Planning Policy (Aboriginal Land) 2019.			x
1.4 Approval and Referral Requirements Objective: To ensure that LEP provisions encourage the efficient and appropriate assessment of development.			x
1.5 Site Specific Provisions Objective: To discourage unnecessary restrictive site specific planning controls.	x		
Focus area 1: Planning Systems – Place-based			
1.6 Parramatta Road Corridor Urban Transformation Strategy Objectives are: <ul style="list-style-type: none"><li>To facilitate development within the Corridor that is consistent with the Strategy and the Parramatta Road Corridor Implementation Tool Kit,</li><li>Provide a diversity of jobs and housing; and</li><li>Guide the incremental transformation of the Corridor in line with delivery of necessary infrastructure.</li></ul>			x
1.7 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan Objective: To ensure development within the North West Priority Growth Area is consistent with the Strategy.			x
1.8 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan Objective: To ensure development within the Area is consistent with the Implementation Plan.			x
1.9 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan Objective: To ensure development within the Priority Growth Area is consistent with the Implementation Plan and Background Analysis.			x
1.10 Implementation of Glenfield to Macarthur Urban Renewal Corridor Objective: To ensure development within the precincts between Glenfield and Macarthur is consistent with the plans for these precincts.			x
1.11 Implementation of Western Sydney Aerotropolis Plan Objective: To ensure development within the Western Sydney Aerotropolis is consistent with the Plan dated September 2020.			x
1.12 Implementation of Bayside West Precincts 2036 Plan Objective: To ensure development within the Bayside West Precincts (Arncliffe, Banksia and Cooks Cove) is consistent with the Bayside West Precincts 2036 Plan (the Plan).			x
1.13 Implementation of Planning Principles for the Cooks Cove Precinct Objective: To ensure development within the Cooks Cove Precinct is consistent with the Cooks Cove Planning Principles.			x
1.14 Implementation of St Leonards and Crows Nest 2036 Plan Objective: To ensure development with the St Leonards and Crows Nest Precinct is consistent with the St Leonards and Crows Nest 2036 Plan (the Plan).			x



**ITEM 8 (continued)**

**ATTACHMENT 1**

Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979	Consistent		N/A
	YES	NO	
1.15 Implementation of Greater Macarthur 2040 Objective: To ensure that development within the Greater Macarthur Growth Area is consistent with Greater Macarthur 2040 dated November 2018.			x
1.16 Implementation of the Pyrmont Peninsula Place Strategy Objectives are to: <ul style="list-style-type: none"> <li>Facilitate development within the Pyrmont Peninsula consistent with the Pyrmont Peninsula Place Strategy (Place Strategy) and the Economic Development Strategy;</li> <li>Align the planning framework with the Eastern City District Plan Planning Priority E7 Growing a Stronger and More Competitive Harbour CBD and actively support the consistent delivery of objectives in the Eastern City District Plan and Greater Sydney Region Plan; and</li> <li>Guide growth and change balanced with character, heritage and infrastructure considerations (amongst others) across the Peninsula under the Place Strategy.</li> </ul>			x
1.17 North West Rail Link Corridor Strategy Objectives are to: <ul style="list-style-type: none"> <li>Promote transit-oriented development and manage growth around the eight train stations of the North West Rail Link (NWRL); and</li> <li>Ensure development within the NWRL corridor is consistent with the proposals set out in the NWRL Corridor Strategy and precinct Structure Plans.</li> </ul>			x
<b>Focus area 2: Design and Place</b>			
No directions applicable.			
<b>Focus area 3: Biodiversity and Conservation</b>			
3.1 Conservation Zones Objective: To protect and conserve environmentally sensitive areas.			x
3.2 Heritage Conservation Objective: To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.			x
3.3 Sydney Drinking Water Catchments Objective: To protect water quality in the Sydney drinking water catchment.			x
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs Objective: To ensure that a balanced and consistent approach is taken when applying conservation zones and overlays to land on the NSW Far North Coast.			x
3.5 Recreation Vehicle Areas Objective: To protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.			x
<b>Focus area 4: Resilience and Hazards</b>			
4.1 Flooding Objectives are to: <ul style="list-style-type: none"> <li>Ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005; and</li> <li>Ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</li> </ul>			x
4.2 Coastal Management Objective: To protect and manage coastal areas of NSW.			x
4.3 Planning for Bushfire Protection Objectives are to:			x

**ITEM 8 (continued)**

**ATTACHMENT 1**

Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979	Consistent		N/A
	YES	NO	
<ul style="list-style-type: none"> <li>Protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas; and</li> <li>Encourage sound management of bush fire prone areas.</li> </ul>			
<b>4.4 Remediation of Contaminated Land</b> Objective: To reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.			x
<b>4.5 Acid Sulfate Soils</b> Objective: to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.			x
<b>4.6 Mine Subsidence and Unstable Land</b> Objective: to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.			x
<b>Focus area 5: Transport and Infrastructure</b>			
<b>5.1 Integrated Land Use and Transport</b> Objectives are: <ul style="list-style-type: none"> <li>Improving access to housing, jobs and services by walking, cycling and public transport;</li> <li>Increasing the choice of available transport and reducing dependence on cars;</li> <li>Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car; and</li> <li>Supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight.</li> </ul>			x
<b>5.2 Reserving Land for Public Purpose</b> Objectives are to: <ul style="list-style-type: none"> <li>Facilitate the provision of public services and facilities by reserving land for public purposes; and</li> <li>Facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</li> </ul>			x
<b>5.3 Development Near Regulated Airports and Defence Airfields</b> Objectives are to: <ul style="list-style-type: none"> <li>Ensure the effective and safe operation of regulated airports and defence airfield;</li> <li>Ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity; and</li> <li>Ensure development, if situated on noise sensitive land, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.</li> </ul>			x
<b>5.4 Shooting Ranges</b> Objectives are to: <ul style="list-style-type: none"> <li>Maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range;</li> <li>Reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land; and</li> <li>Identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.</li> </ul>			x
<b>Focus area 6: Housing</b>			
<b>6.1 Residential Zones</b> Objectives are to: <ul style="list-style-type: none"> <li>Encourage a variety and choice of housing types to provide for existing and future housing needs;</li> </ul>			x

**ITEM 8 (continued)**

**ATTACHMENT 1**

Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979	Consistent		N/A
	YES	NO	
<ul style="list-style-type: none"> <li>Make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services; and</li> <li>Minimise the impact of residential development on the environment and resource lands.</li> </ul>			
<b>6.2 Caravan Parks and Manufactured Home Estates</b> Objectives are to: <ul style="list-style-type: none"> <li>Provide for a variety of housing types; and</li> <li>Provide opportunities for caravan parks and manufactured home estates.</li> </ul>			x
<b>Focus area 7: Industry and Employment</b>			
<b>7.1 Business and Industrial Zones</b> Objectives are to: <ul style="list-style-type: none"> <li>Encourage employment growth in suitable locations;</li> <li>Protect employment land in business and industrial zones; and</li> <li>Support the viability of identified centres.</li> </ul>			x
<b>7.2 Reduction in non-hosted short-term rental accommodation period</b> Objectives are to: <ul style="list-style-type: none"> <li>Mitigate significant impacts of short-term rental accommodation where non-hosted short-term rental accommodation period are to be reduced; and</li> <li>Ensure the impacts of short-term rental accommodation and views of the community are considered.</li> </ul>			x
<b>7.3 Commercial and Retail Development along the Pacific Highway, North Coast</b> Objectives are to: <ul style="list-style-type: none"> <li>Protect the Pacific Highway's function, that is to operate as the North Coast's primary inter- and intra-regional road traffic route;</li> <li>prevent inappropriate development fronting the highway;</li> <li>protect public expenditure invested in the Pacific Highway;</li> <li>protect and improve highway safety and highway efficiency;</li> <li>provide for the food, vehicle service and rest needs of travellers on the highway; and</li> <li>reinforce the role of retail and commercial development in town centres, where they can best serve the populations of the towns.</li> </ul>			x
<b>Focus area 8: Resources and Energy</b>			
<b>8.1 Mining, Petroleum Production and Extractive Industries</b> Objective: To ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.			x
<b>Focus area 9: Primary Production</b>			
<b>9.1 Rural Zones</b> Objective: To protect the agricultural production value of rural land.			x
<b>9.2 Rural Lands</b> Objectives are to: <ul style="list-style-type: none"> <li>Protect the agricultural production value of rural land;</li> <li>Facilitate the orderly and economic use and development of rural lands for rural and related purposes;</li> <li>Assist in the proper management, development and protection of rural lands to promote the social, economic and environmental welfare of the State;</li> <li>Minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses;</li> <li>Encourage sustainable land use practices and ensure the ongoing viability of agriculture on rural land; and</li> <li>Support the delivery of the actions outlined in the NSW Right to Farm Policy.</li> </ul>			x
<b>9.3 Oyster Aquaculture</b> Objectives are to:			x



**ITEM 8 (continued)**

**ATTACHMENT 1**

Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979	Consistent		N/A
	YES	NO	
<ul style="list-style-type: none"> <li>o Ensure that 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal; and</li> <li>o Protect 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers.</li> </ul>			
<b>9.4 Farmland of State and Regional Significance on the NSW Far North Coast</b> <b>Objectives are to:</b> <ul style="list-style-type: none"> <li>o Ensure that the best agricultural land will be available for current and future generations to grow food and fibre;</li> <li>o Provide more certainty on the status of the best agricultural land, thereby assisting councils with their local strategic settlement planning; and</li> <li>o Reduce land use conflict arising between agricultural use and non-agricultural use of farmland as caused by urban encroachment into farming areas.</li> </ul>			x



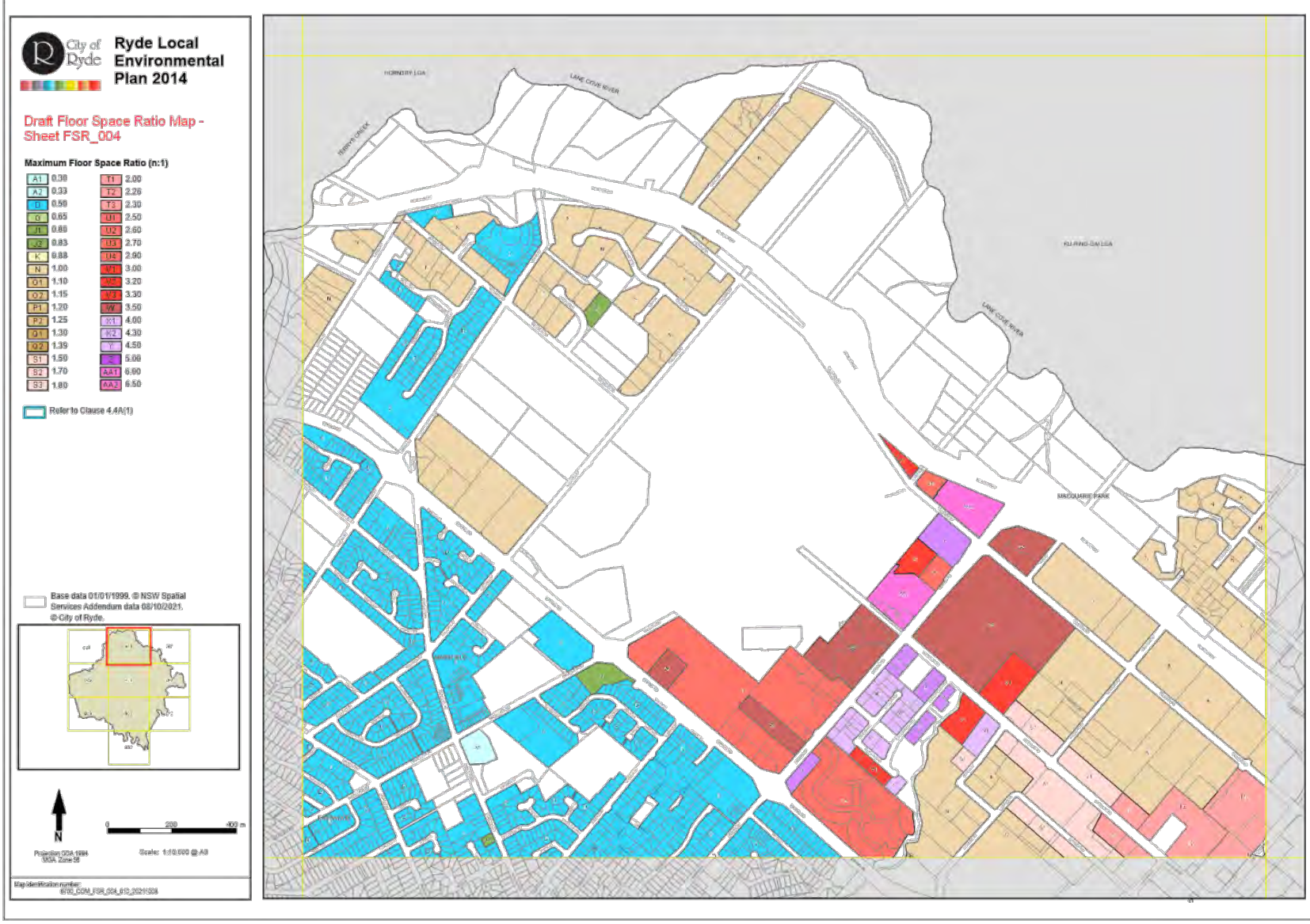
**ITEM 8 (continued)**

**ATTACHMENT 1**

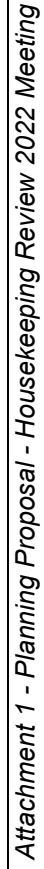
**Attachment D - Draft LEP Maps**

ITEM 8 (continued)

ATTACHMENT 1



# ATTACHMENT 1





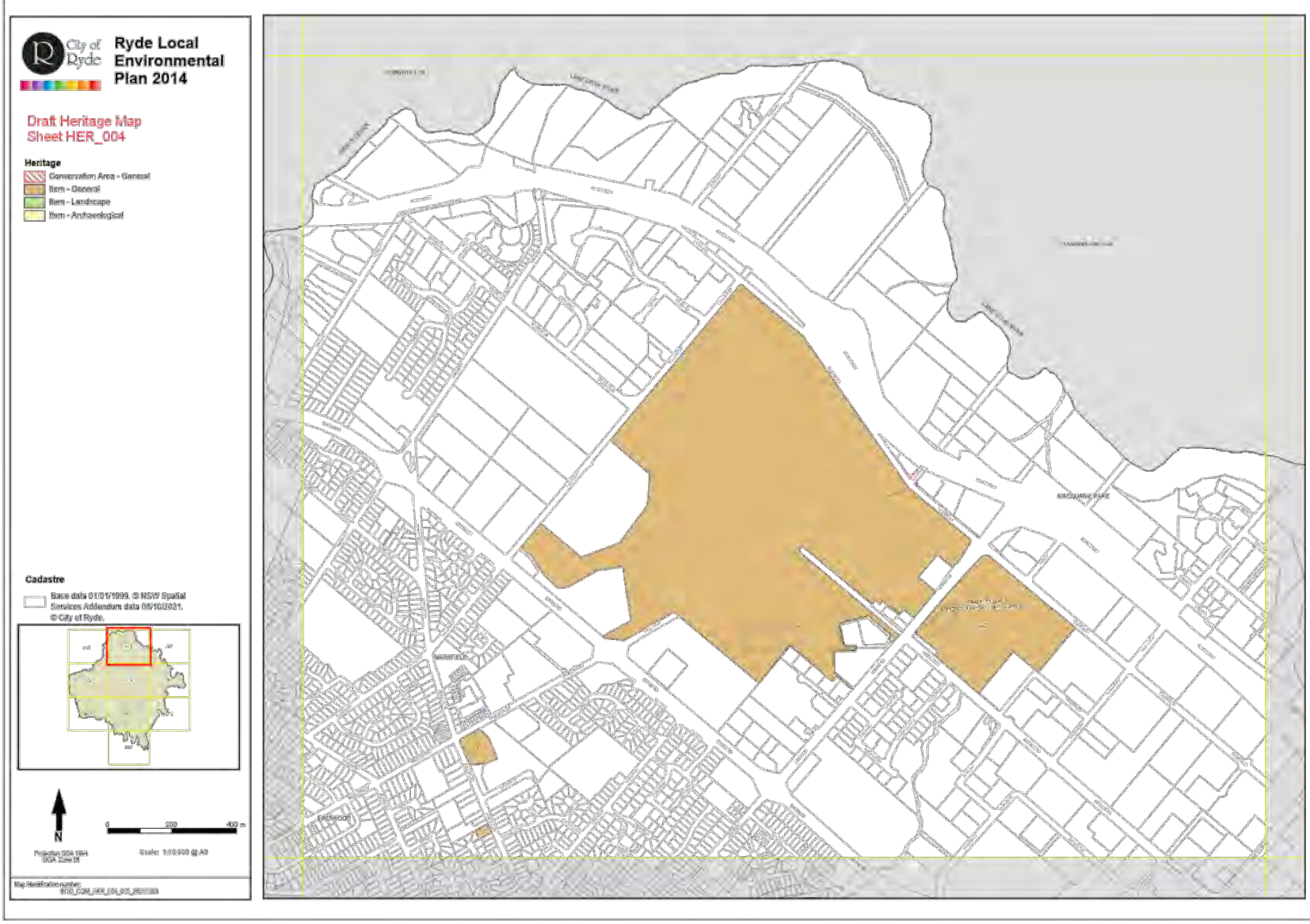
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**ATTACHMENT 1**



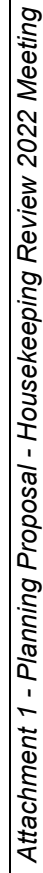
## ITEM 8 (continued)

## ATTACHMENT 1





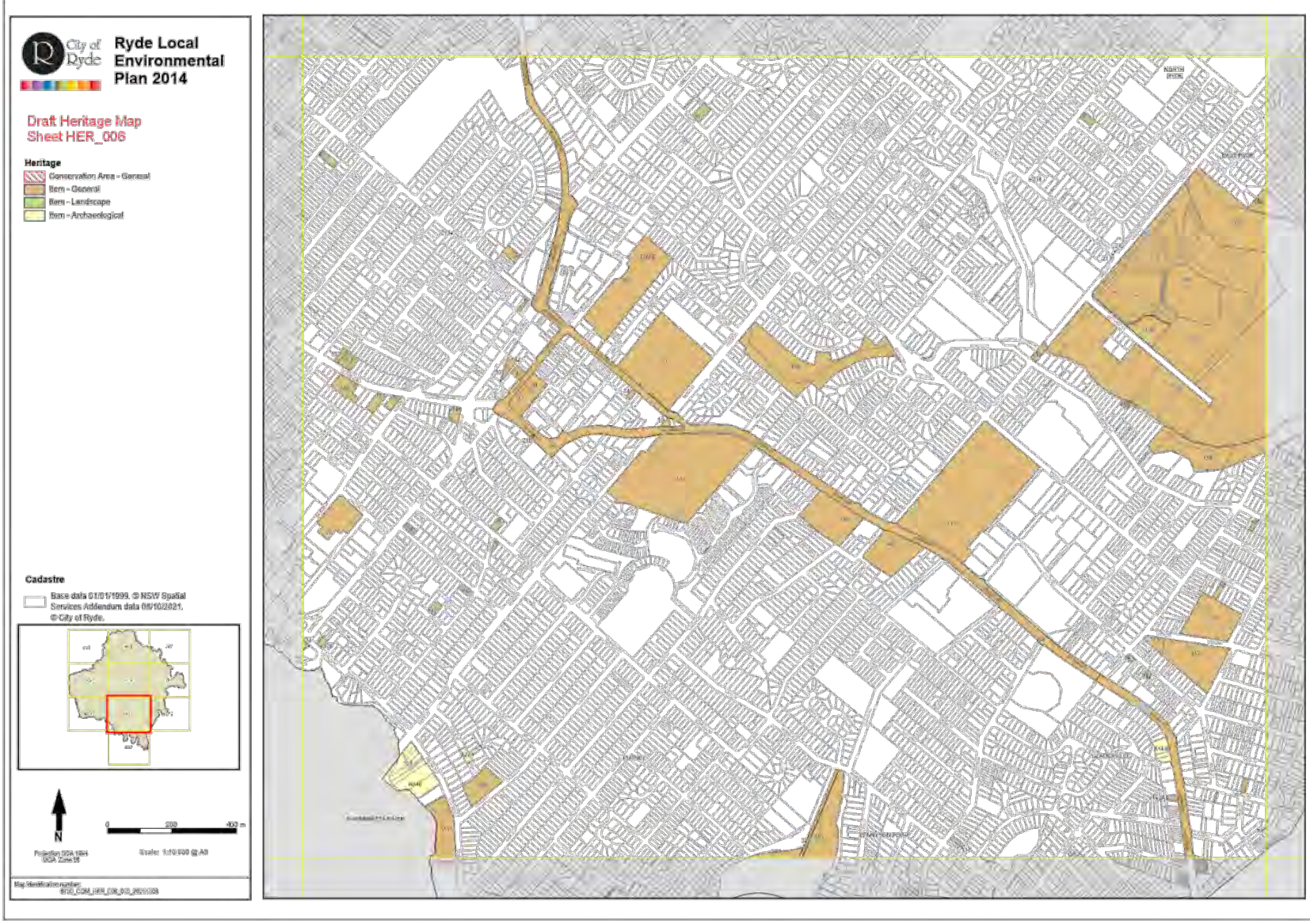
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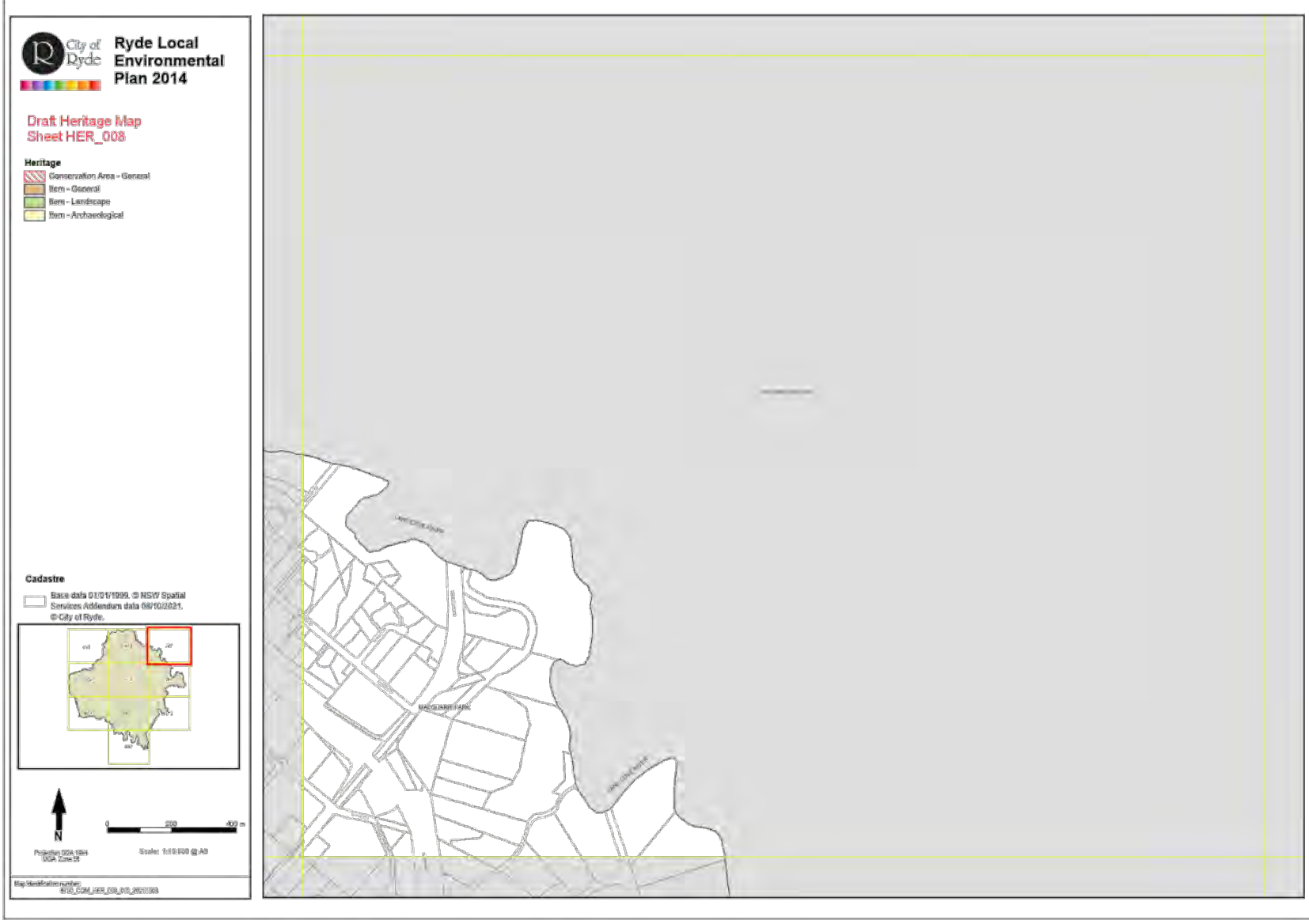
## ITEM 8 (continued)

## ATTACHMENT 1



**ITEM 8 (continued)**

**ATTACHMENT 1**





**ITEM 8 (continued)**

**ATTACHMENT 1**



**ITEM 8 (continued)**

**ATTACHMENT 1**





ITEM 8 (continued)

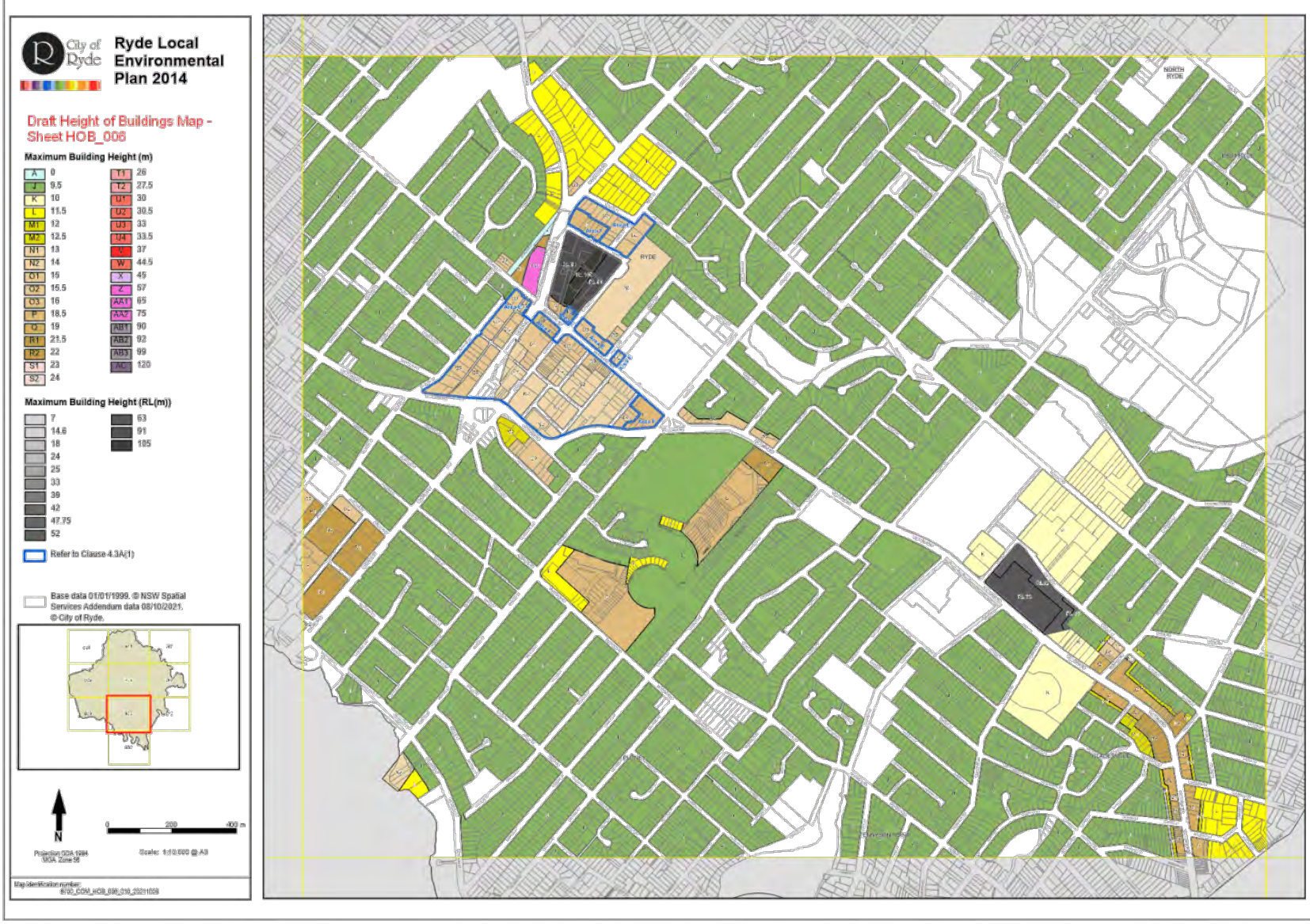
ATTACHMENT 1





ITEM 8 (continued)

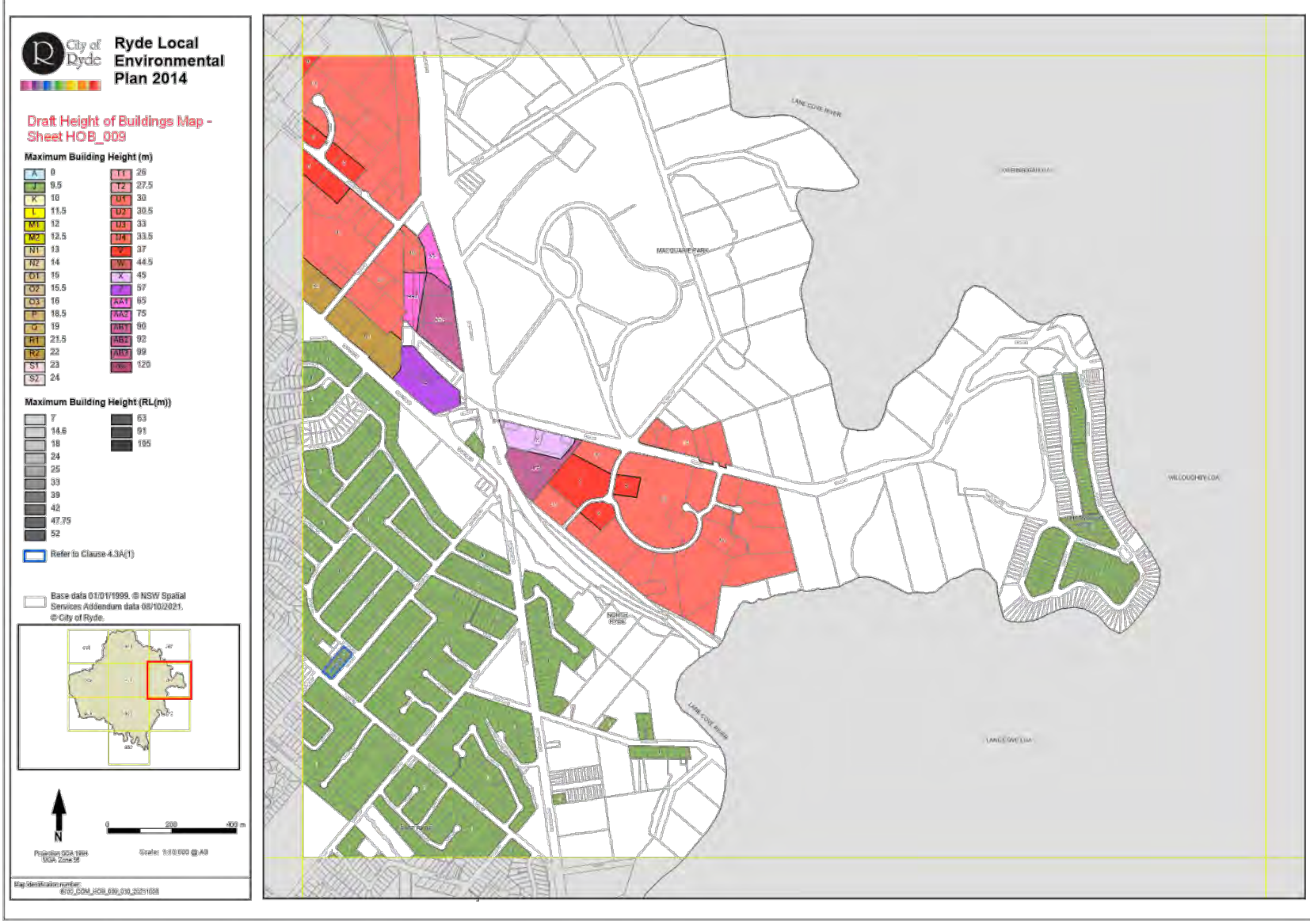
ATTACHMENT 1





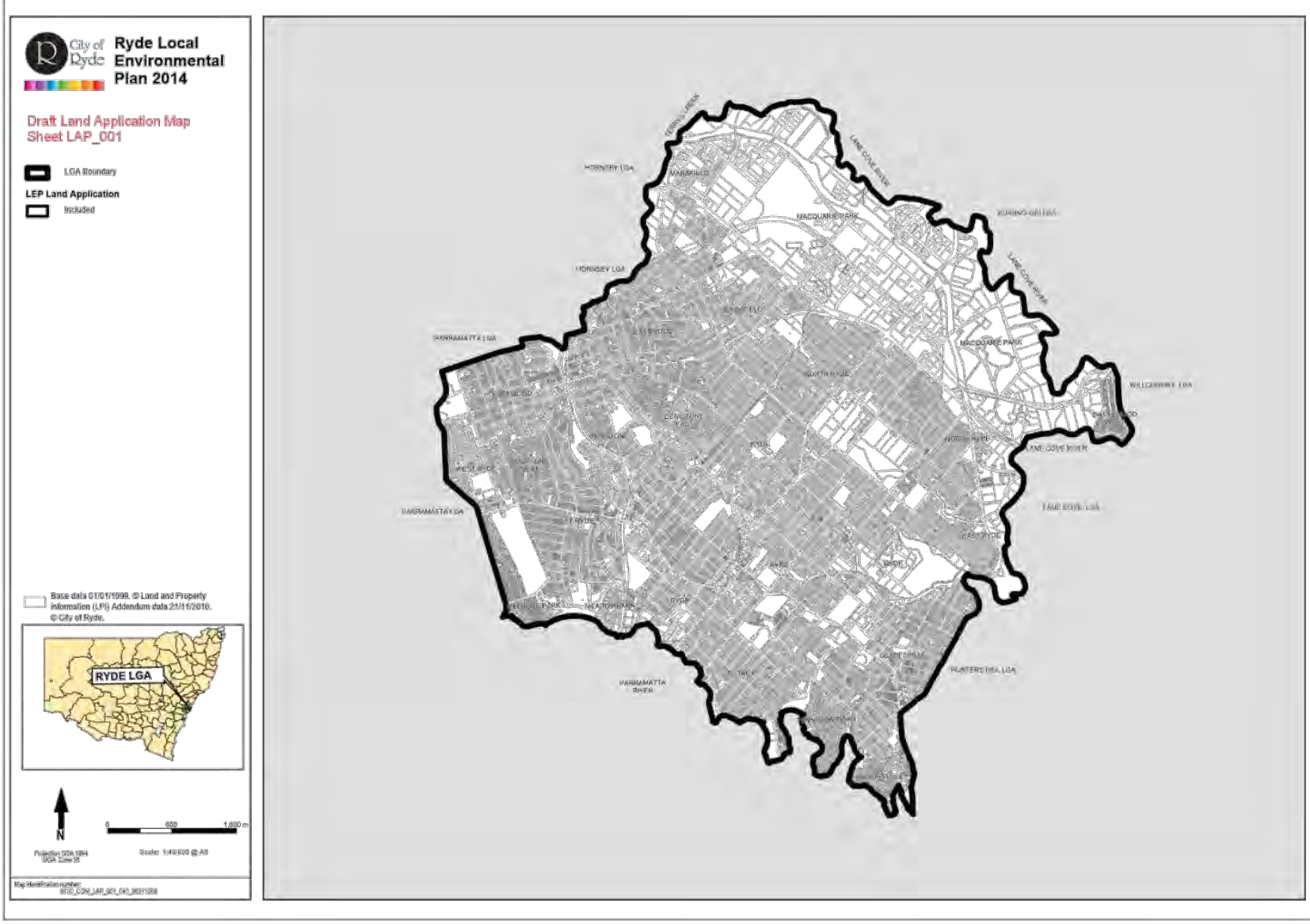
ITEM 8 (continued)

ATTACHMENT 1



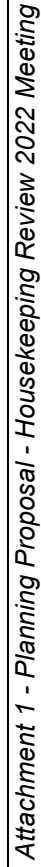
## ITEM 8 (continued)

## ATTACHMENT 1



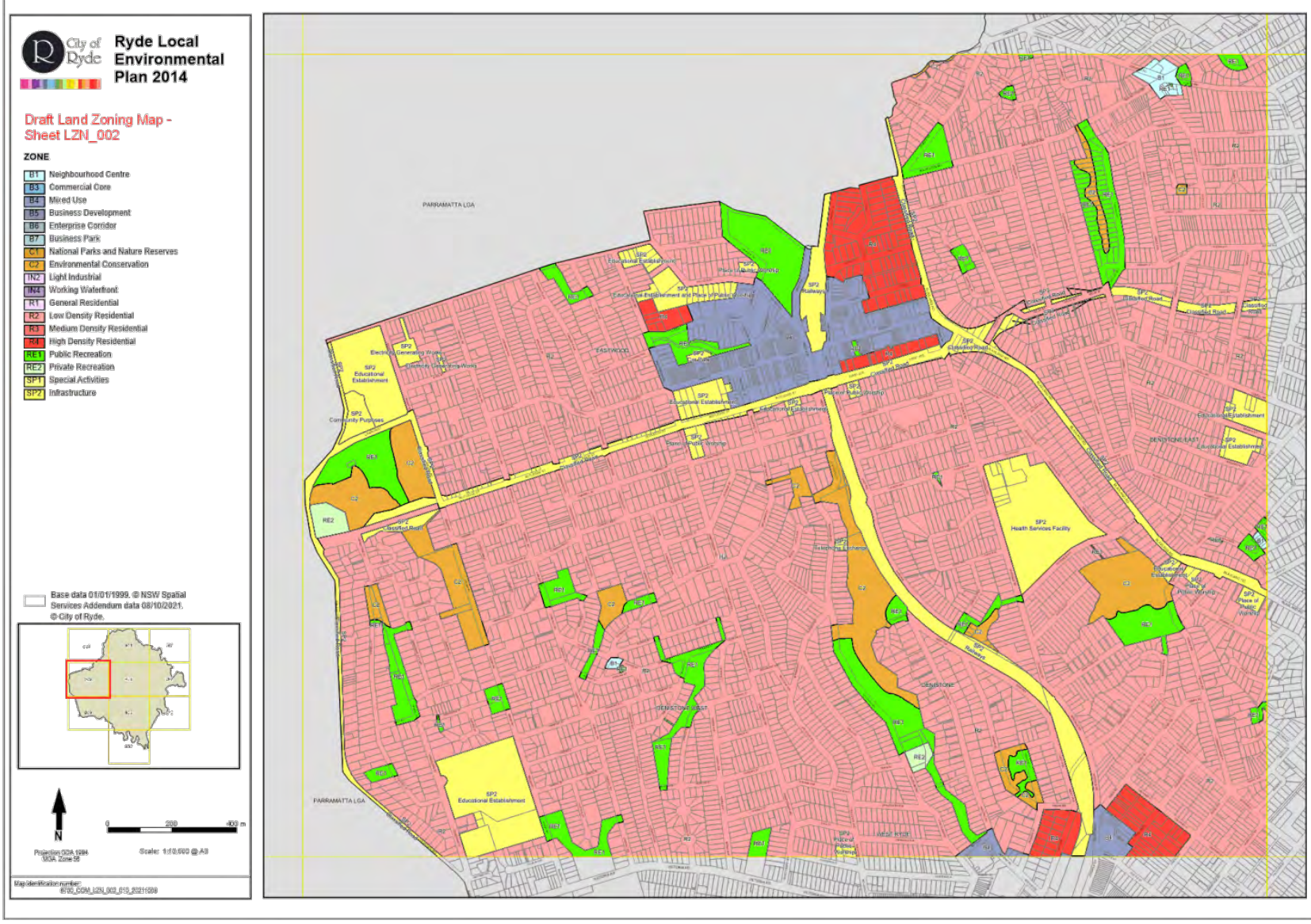


# ATTACHMENT 1



# ITEM 8 (continued)

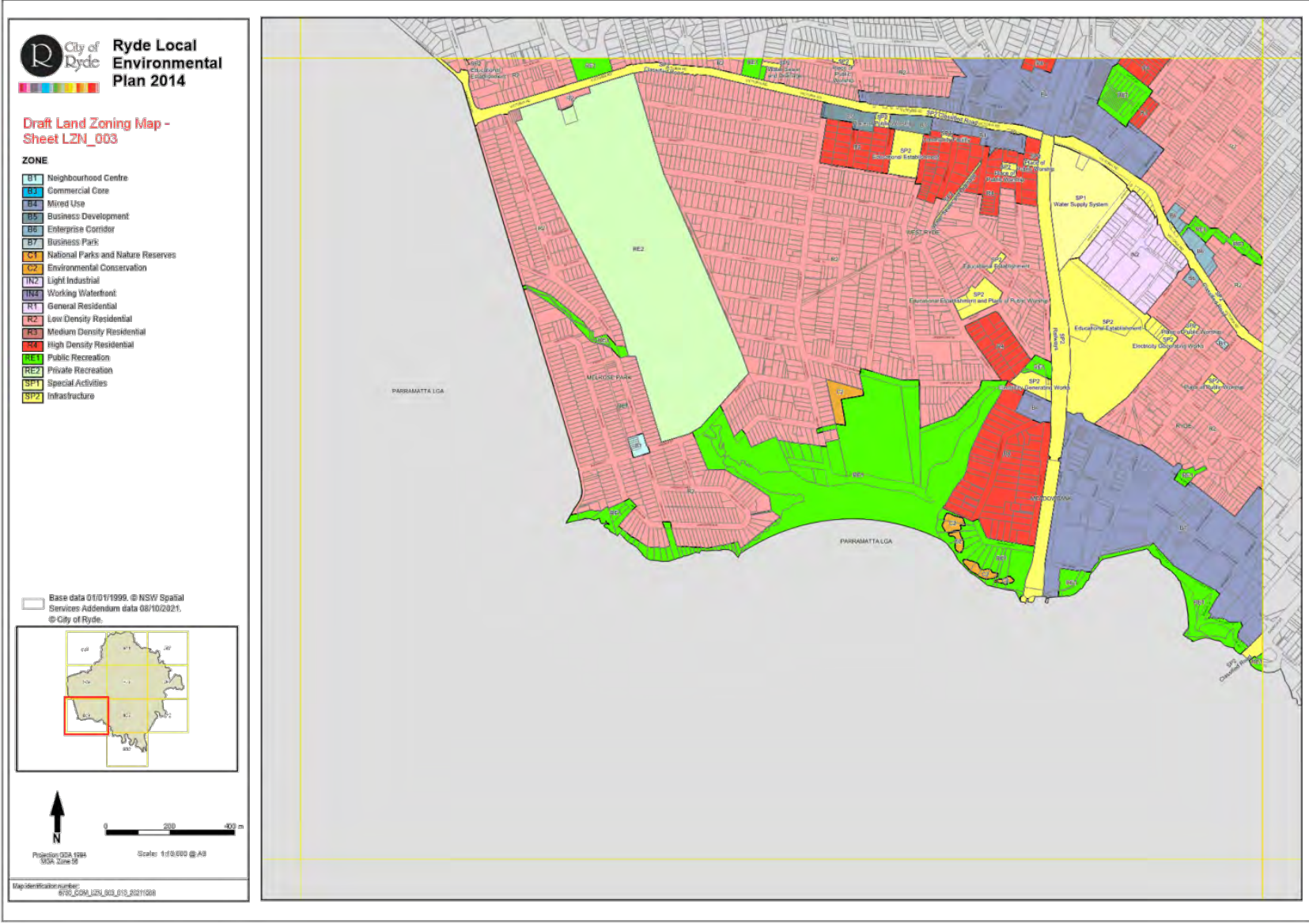
## ATTACHMENT 1



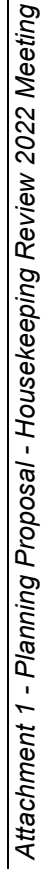


ITEM 8 (continued)

ATTACHMENT 1



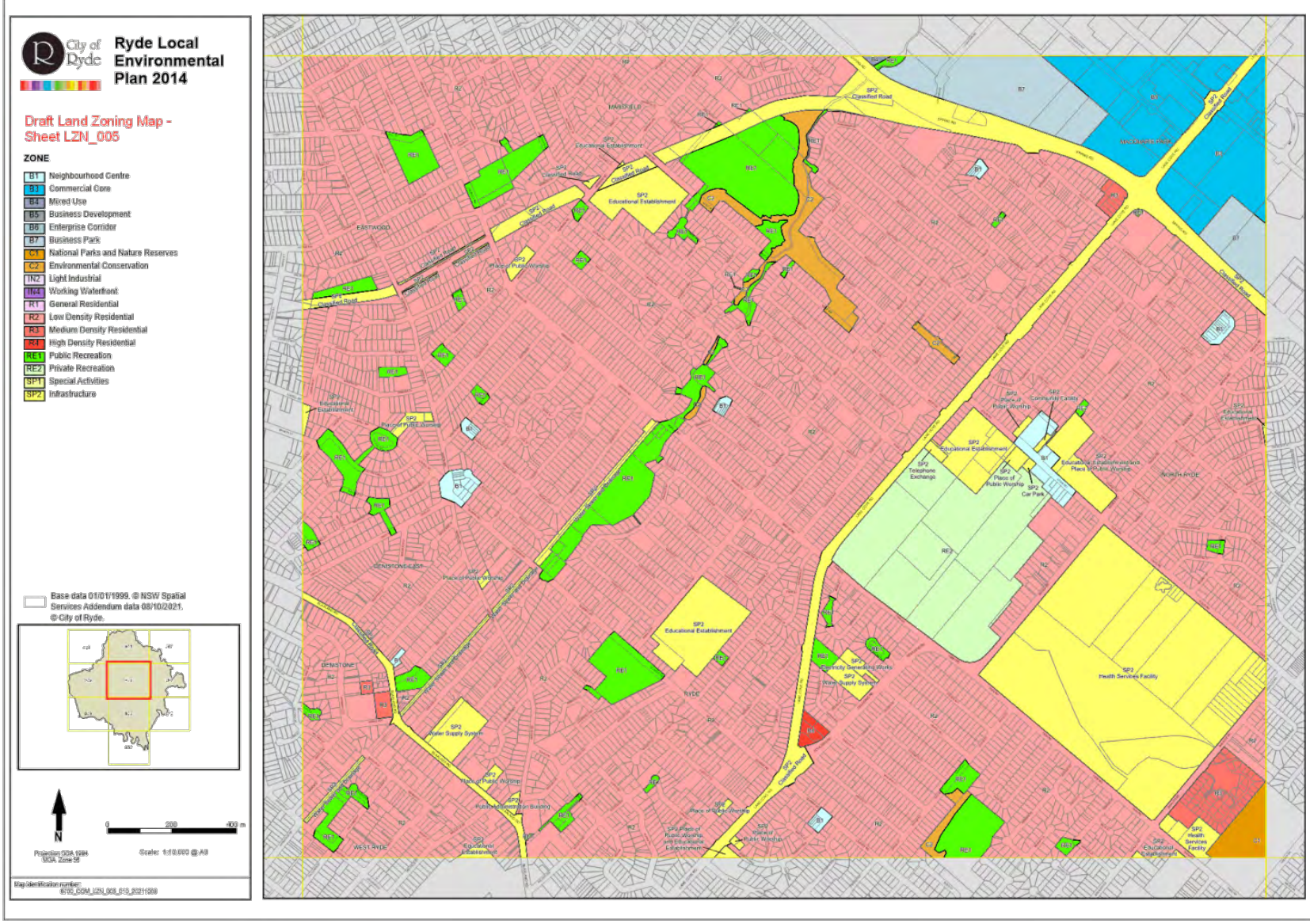
# ATTACHMENT 1





ITEM 8 (continued)

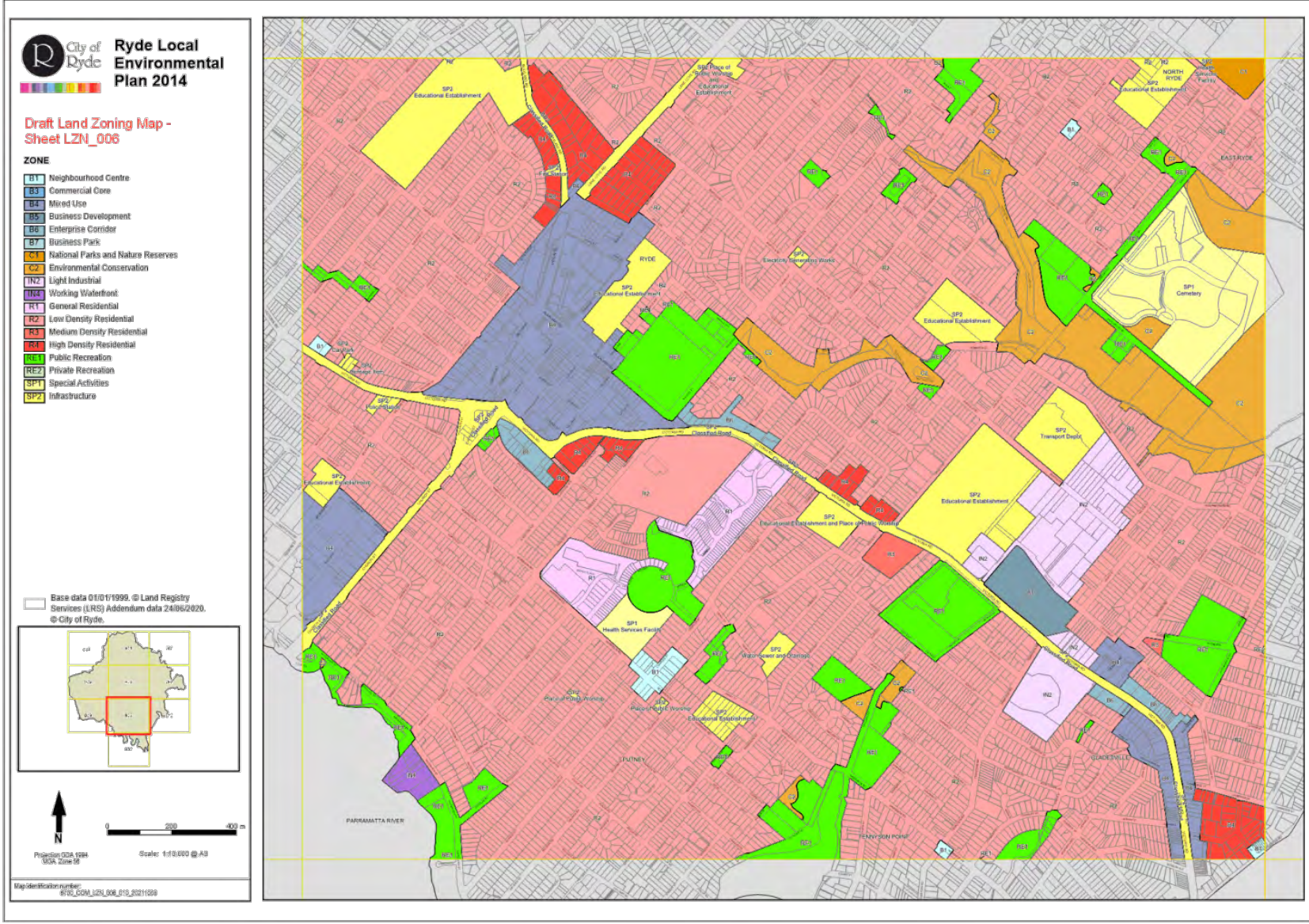
ATTACHMENT 1





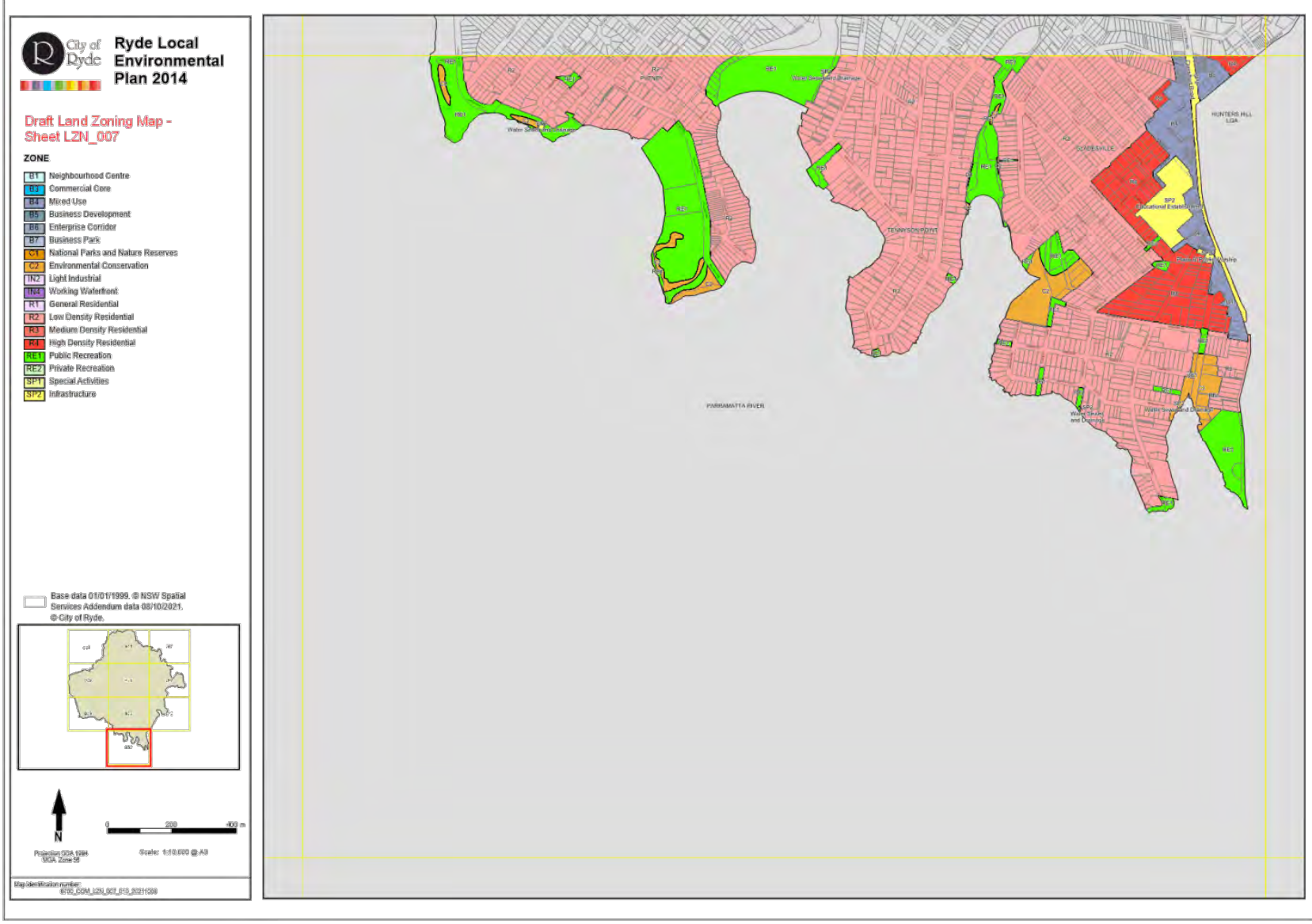
ITEM 8 (continued)

ATTACHMENT 1



**ITEM 8 (continued)**

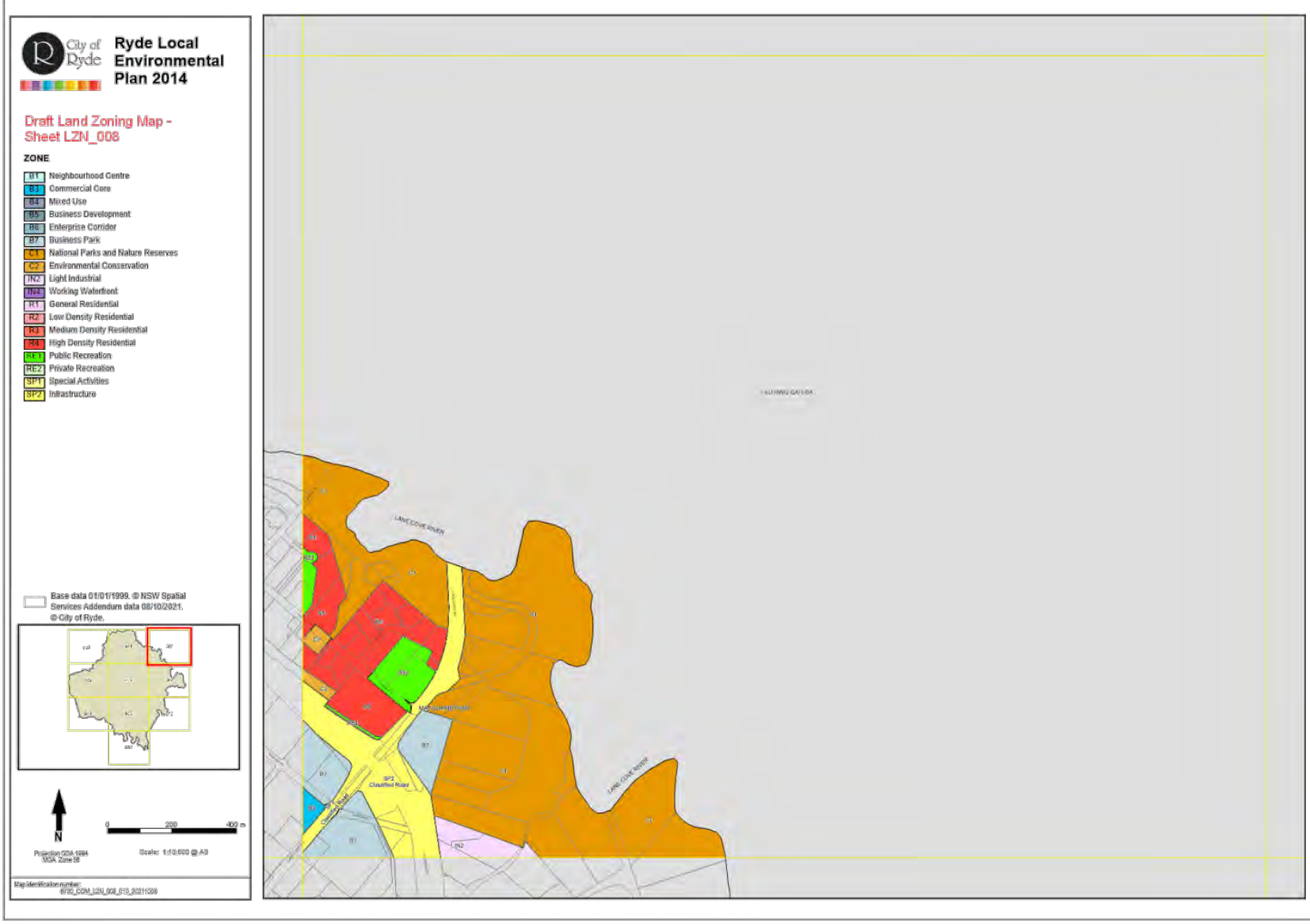
**ATTACHMENT 1**





**ITEM 8 (continued)**

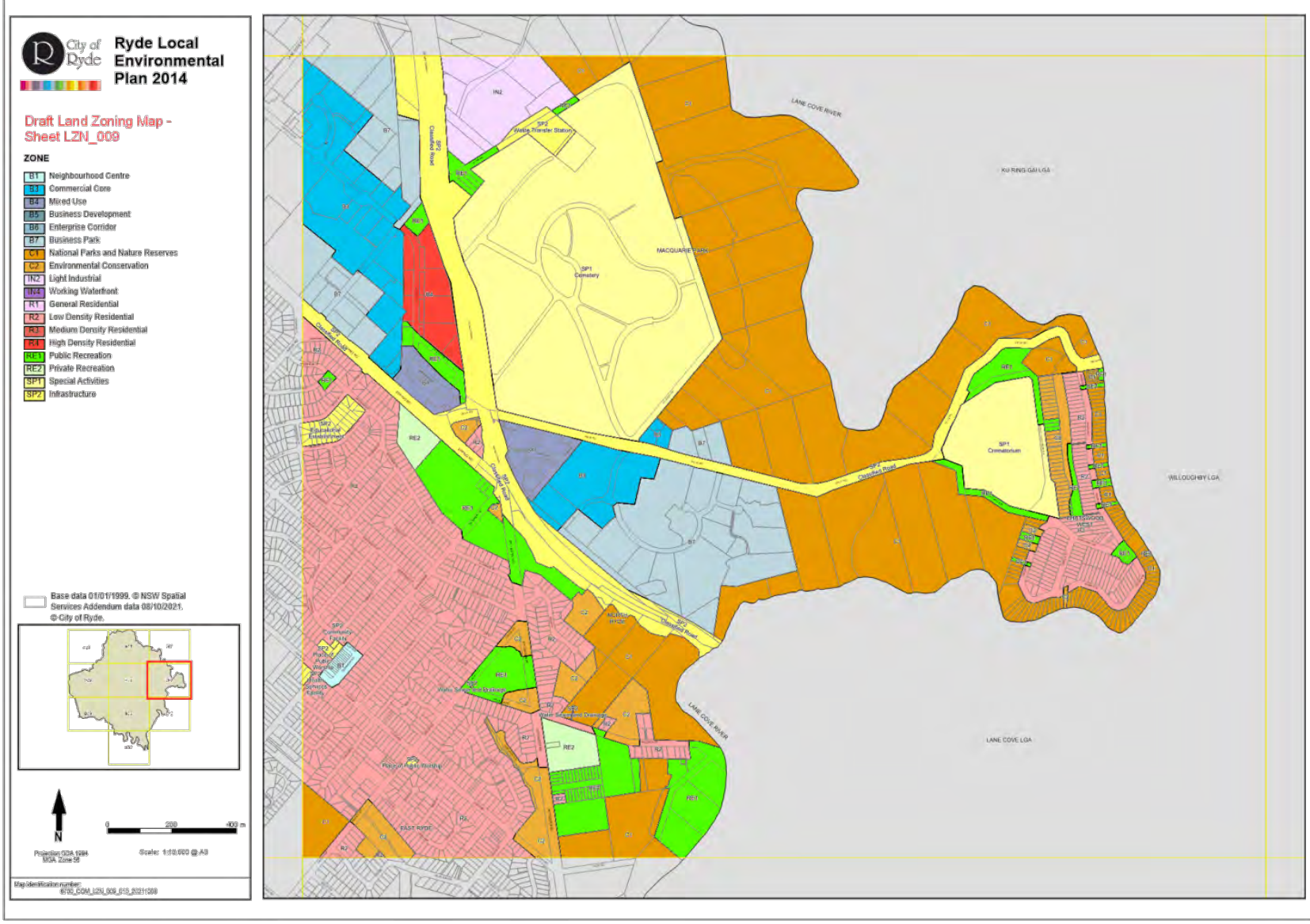
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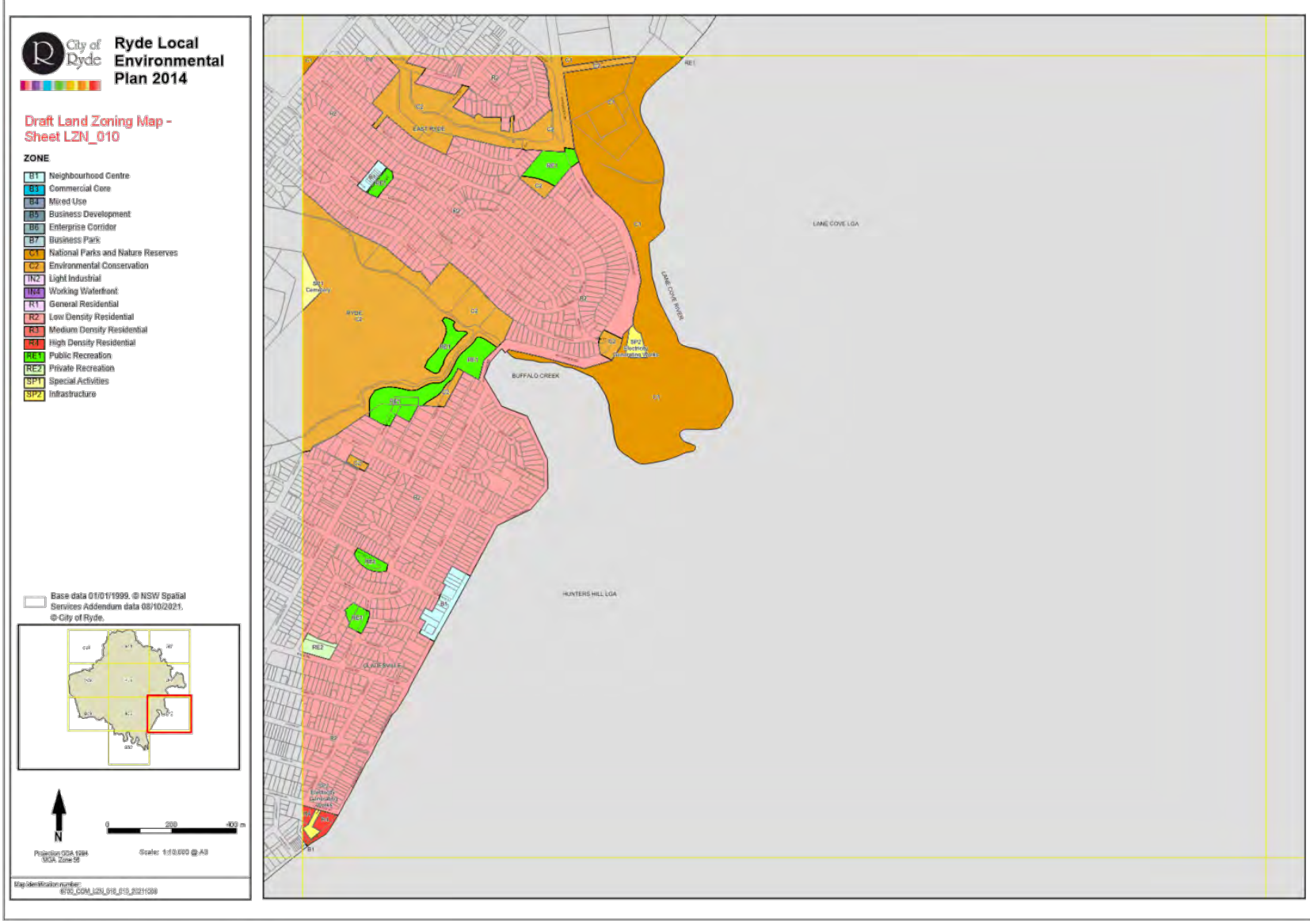
## ITEM 8 (continued)

## ATTACHMENT 1



## ITEM 8 (continued)

## ATTACHMENT 1



ITEM 8 (continued)

ATTACHMENT 1

**Attachment E - Evaluation Criteria for Authorising Council to be the Local Plan-making Authority**

(Note: where the matter is identified as relevant and the requirement has not been met, council is to attach information to explain why the matter has not been addressed)	Council response		Department assessment	
	Y/N	Not relevant	Agree	Not agree
Is the Planning Proposal consistent with the Standard Instrument Order, 2006?	Y			
Does the Planning Proposal contain an adequate explanation of the intent, objectives, and intended outcome of the proposed amendment?	Y			
Are appropriate maps included to identify the location of the site and the intent of the amendment?	Y			
Does the Planning Proposal contain details related to proposed consultation?	Y			
Does the Planning Proposal give effect to an endorsed regional or sub-regional strategy or a local strategy including the LSPS endorsed by the Planning Secretary?	Y			
Does the Planning Proposal adequately address any consistency with all relevant S. 9.1 Planning Directions?	Y			
Is the Planning Proposal consistent with all relevant State Environmental Planning Policies (SEPPs)?	Y			
<b>Minor Mapping Error Amendments</b>	Y/N			
Does the Planning Proposal seek to address a minor mapping error and contain all appropriate maps that clearly identify the error and the manner in which the error will be addressed?	Y			
<b>Heritage LEPs</b>	Y/N			
Does the Planning Proposal seek to add or remove a local heritage item and is it supported by a strategy/study endorsed by the Heritage Office?		√		
Does the Planning Proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?		√		
Does the Planning Proposal potentially impact on an item of State Heritage Significance and if so, have the views of the Heritage Office been obtained?		√		
<b>Reclassifications</b>	Y/N			
Is there an associated spot rezoning with the reclassification?		√		
If yes to the above, is the rezoning consistent with an endorsed Plan of Management (POM) or strategy?		√		
Is the Planning Proposal proposed to rectify an anomaly in a classification?		√		
Will the Planning Proposal be consistent with an adopted POM or other strategy related to the site?		√		
Has the Council confirmed whether there are any trusts, estates, interest, dedications, condition, restrictions or covenants on the public land and included a copy of the title with the Planning Proposal?		√		
Has the council confirmed that there will be no change or extinguishment of interests and that the proposal does not require the Governor's approval?		√		
Has the council identified that it will exhibit the Planning Proposal in accordance with the Department's Practice Note regarding classification and reclassification of public land through a local environmental plan and Best Practice Guideline for LEPs and Council Land?		√		



**ITEM 8 (continued)**

**ATTACHMENT 1**

(Note: where the matter is identified as relevant and the requirement has not been met, council is to attach information to explain why the matter has not been addressed)	Council response		Department assessment	
	Y/N	Not relevant	Agree	Not agree
Has council acknowledged in its Planning Proposal that a Public Hearing will be required and agreed to hold one as part of its documentation?		√		
<b>Spot Rezoning</b>	Y/N			
Will the proposal result in a loss of development potential for the site (i.e. reduced FSR or building height) that is not supported by an endorsed strategy?		√		
Is the rezoning intended to address an anomaly that has been identified following the conversion of a principal LEP into a Standard Instrument LEP format?		√		
Will the Planning Proposal deal with a previously deferred matter in an existing LEP and if so, does it provide enough information to explain how the issue that lead to the deferral has been addressed?	Y			
If yes, does the Planning Proposal contain sufficient documented justification to enable the matter to proceed?	Y			
Does the Planning Proposal create an exception to a mapped development standard?		√		
<b>Section 3.22 matters</b>				
Does the proposed instrument a. correct an obvious error in the principal instrument consisting of a misdescription, the inconsistent numbering of provisions, a wrong cross-reference, a spelling error, a grammatical mistake, the insertion of obviously missing words, the removal of obviously unnecessary words or a formatting error?; b. address matters in the principal instrument that are of a consequential, transitional, machinery or other minor nature?; or c. deal with matters that do not warrant compliance with the conditions precedent for the making of the instrument because they will not have any significant adverse impact on the environment or adjoining land?  (NOTE – the Minister (or Delegate) will need to form an Opinion under section 3.22(1)(c) of the Act in order for a matter in this category to proceed).		√		

**NOTES**

- Where a council responds 'yes' or can demonstrate that the matter is 'not relevant', in most cases, the Planning Proposal will routinely be delegated to council to finalise as a matter of local planning significance.
- Endorsed strategy means a regional strategy, sub-regional strategy, or any other local strategic planning document that is endorsed by the Planning Secretary of the Department of Planning and Environment.

**ITEM 8 (continued)**

**ATTACHMENT 2**

**3 PLANNING PROPOSAL: ADMINISTRATIVE AND UPDATE LEP**

**Report prepared by:** Senior Strategic Planner

**Report approved by:** Manager - Urban Strategy; Director - City Planning and Environment

**Report dated:** 13 July 2020

**File Number:** LEP2020/3/4 - BP20/718

**City of Ryde  
Local Planning Panel Report**

<b>Site Address and Ward</b>	Affects numerous sites and is City of Ryde wide (See Planning Proposal at <b>ATTACHMENT 1</b> ).
<b>Current Planning Provisions</b>	Affects numerous planning provisions and mapping of the <i>Ryde Local Environmental Plan 2014</i> (See Planning Proposal at <b>ATTACHMENT 1</b> ).
<b>Planning Proposal Overview</b>	<p>The purpose of this Planning Proposal is to amend the <i>Ryde Local Environmental Plan 2014</i> (LEP) to update the LEP and address a range of administrative issues identified in the operation of the plan and to introduce provisions to:</p> <ul style="list-style-type: none"> <li>• Increase floor space available for creative enterprises by removing some prohibited land uses within business and light industrial land use zones;</li> <li>• Protect environmentally sensitive lands;</li> <li>• Permit advertising and signage for public benefit;</li> <li>• Require design excellence within the centres of the City of Ryde; and</li> <li>• Other miscellaneous matters (e.g. clarify clauses).</li> </ul>
<b>Property Owner</b>	Numerous private and government agencies (including City of Ryde)
<b>Applicant</b>	City of Ryde
<b>Report Author</b>	Naomi L'Oste-Brown
<b>Lodgement Date</b>	N/A
<b>Reason for Referral</b>	Required by Ministerial Direction made under Section 9.1 of the <i>Environmental Planning and Assessment Act 1979</i> dated 27 September 2018
<b>Recommendation</b>	That the Ryde Local Planning Panel recommend to Council that the Planning Proposal be submitted for Gateway Determination under 3.34 of the <i>Environmental Planning and Assessment Act 1979</i>
<b>Attachments</b>	<b>Attachment 1</b> – Planning Proposal

## ITEM 8 (continued)

## ATTACHMENT 2

### 1. Executive Summary

The purpose of this Planning Proposal is to amend the *Ryde Local Environmental Plan 2014* (LEP) to update and address a range of miscellaneous administrative issues identified in the operation of the plan through the correction of errors, omissions and anomalies. The Planning Proposal also proposes to introduce provisions to address the following main objectives:

- Remove prohibitions and restrictions in relation to uses within business and light industrial zones, including providing for creative enterprises.
- Provide for design excellence in the City of Ryde Town Centres.
- Allow advertisements on billboards (for community benefit) with development consent and on transport related street furniture as exempt development.
- Provide environmentally sensitive land provisions and mapping to provide conservation management outcomes.
- Protect threatened ecological Sydney Turpentine Ironbark Forest community and riparian land on and adjoining the Ivanhoe Estate.
- Expand community education and capacity of Council's waste management practices.

The Planning Proposal is provided at **ATTACHMENT 1**.

Due to the amount of proposed amendments, an explanation of the provisions proposed to achieve the above objectives is not reiterated in this report. However, it is provided in Part 2 of the attachment along with a planning assessment. The assessment concludes that the Planning Proposal is generally consistent with relevant State and Local legislation, directions, policies and strategic directions, including *Planning Ryde: Local Strategic Planning Statement 2020* (LSPS), and will have a minimal environmental, social and economic impact.

### 2. The Site and Locality

The Planning Proposal affects numerous sites and is City of Ryde wide (See Maps at Part 4 and Appendix G-I of the attached Planning Proposal provided at **ATTACHMENT 1**).

### 3. The Planning Proposal

As discussed above, the purpose of this Planning Proposal is to amend the LEP to update and address a range of miscellaneous administrative issues identified in the operation of the plan. The Planning Proposal also introduces provisions in relation to making floor space available for creative industries, protecting environmentally sensitive lands, advertising and signage for public benefit, requiring design excellence within the centres of the City of Ryde and other matters.

The objectives of the Planning Proposal include:



**ITEM 8 (continued)**

**ATTACHMENT 2**

- Improve the operation of the LEP through the correction of historic errors, omissions and anomalies.
- Implement the LSPS as follows:
  - Remove prohibitions in relation to uses within business and industrial zones to assist with achieving employment targets and making the City of Ryde's employment and urban services lands more competitive and provide for the needs of existing and future employees, businesses and organisations.
  - Remove restrictions in relation to the development of function centres, neighbourhood shops, registered clubs, restaurants or cafes in the B7 Business Park Zone of the Macquarie Park Corridor to promote the night time economy, precinct activation and provide for the needs of employees, visitors, businesses and organisations.
  - Provide for design excellence in the City of Ryde Town Centres.
  - Permit advertising structures (billboards) as uses in Business, Industrial, Special Activity and Special Infrastructure zones on Council owned land where community benefit is derived from the advertising and hypothecated to access network improvement in the City of Ryde for the convenience, safety and amenity of pedestrian, cyclists and vehicle road users.
  - Provide environmentally sensitive land provisions and mapping to provide conservation management outcomes for environmentally sensitive land.
  - Expand community education and capacity of Council's waste management practices.
  - Better provide community events that are responsive to the changing trends and needs of the community.
  - Incorporate Council-initiated resolutions made with respect to general advertising so as to provide improved access facilities and transport networks as exempt development.
  - Protect threatened ecological Sydney Turpentine Ironbark Forest community and riparian land on and adjoining the Ivanhoe Estate.

The Planning Proposal is considered to be in accordance with the requirements under Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the NSW Department of Planning and Environment's 'A guide to preparing planning proposals' (dated August 2016). The Planning Proposal adequately sets out the following:

- A statement of the objectives or intended outcomes of the proposed amending LEP;

## **ITEM 8 (continued)**

## **ATTACHMENT 2**

- An explanation of the provisions that are to be included in the proposed amending LEP;
- Justification for those objectives, outcomes and provisions and the process for their implementation;
- Maps, where relevant, to identify the intent of the Planning Proposal and the area to which it applies;
- Details of the community consultation that is to be undertaken on the Planning Proposal; and
- A project timeline.

### **4. Background**

As this Planning Proposal has been initiated by Council to update and address a range of miscellaneous administrative issues identified in the operation of the LEP and to introduce new provisions there is no background to its preparation. However, there is background to each of the proposed amendments to the LEP provisions and mapping which is provided in Part 2 – An Explanation of the Provisions provided at **ATTACHMENT 1**.

### **5. Referrals**

Council at its meeting of 25th August 2015 considered a report recommending that in pursuit of accruing public benefits, that outdoor advertising opportunity be explored. The Planning Proposal seeks to make general advertising and advertising structures (billboards) permissible on Council owned land in specific zones (excluding residential zones) within the City subject to appropriate controls. This approach will provide Council with some flexibility in considering appropriate locations, size and illumination for such signage and enable targeted community consultation when a development application for an advertising structure is under consideration. An Outdoor Advertising - Special Community Signs Policy is provided at Appendix A provided at **ATTACHMENT 1** and details how the public benefit will be derived. Input from Council's Property Team has been incorporated into the policy.

Proposed Environmentally Sensitive Lands provisions and mapping for terrestrial biodiversity, riparian lands, watercourses, scenic quality and natural landforms were referred to Council's Environment Department. See Part 2 - An Explanation of Provisions and maps at Appendix G to I provided at **ATTACHMENT 1** for an explanation of the proposed provisions and land to which the provisions will apply. Our environment team supports their implementation to achieve environmental management outcomes for the City of Ryde's most environmentally sensitive land.

### **6. Planning Assessment**

The assessment of the Planning Proposal has been undertaken in accordance with the NSW Department of Planning and Environment's 'A guide to preparing planning proposals' (dated August 2016).

- **Part 1 Objectives and intended outcomes**

## ITEM 8 (continued)

## ATTACHMENT 2

The objectives of the proposed changes to the LEP are provided above and detailed in Part 1 – Objectives or Intended Outcomes provided at **ATTACHMENT 1**. The intended outcomes are also detailed in that part of the attachment.

### • Part 2 Explanation of provisions

An explanation of provisions is detailed in Part 2 – Explanation of Provisions provided at **ATTACHMENT 1** and is not reiterated here due to the broad nature of the proposed new planning controls and amendments to existing provisions proposed.

### • Part 3 Justification

#### Need for the Planning Proposal

The NSW Department of Planning and Environment's 'A guide to preparing planning proposals' requires the following two questions be answered to demonstrate the need for the proposal:

1. Is the Planning Proposal a result of an endorsed local strategic planning statement, strategic study or report?
2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is not a result of a single strategic study or report. It responds to matters that have been raised by Council staff in relation to the operation of the LEP. It also responds to parts of the LSPS and Council resolutions detailed in Part 2 – An Explanation of the Provisions provided in **ATTACHMENT 1**. The Planning Proposal is required to amend the LEP to resolve the identified issues and implement the decision of Council.

The Planning Proposal is the only means to achieve the intended outcome as amendments to the LEP are required.

#### Relationship to Strategic Planning Framework – The Strategic Merit Test

A strategic merit test is provided in the following table. More detail is provided in Part 3 - Justification provided in **ATTACHMENT 1**.

Strategic Merit Issue	Comment
State Environmental Planning Policies and Local Directions	The Planning Proposal is generally consistent with the relevant State Environmental Planning Policies and Local Planning Directions under Section 9.1 of the <i>Environmental Planning and Assessment Act 1979</i> . An analysis of compliance with these policies is provided in the attached Planning Proposal.
Greater Sydney Region Plan - A Metropolis of Three Cities	The planning proposal is generally consistent with the Greater Sydney Region Plan - A Metropolis of Three Cities.



**ITEM 8 (continued)**

**ATTACHMENT 2**

<b>Strategic Merit Issue</b>	<b>Comment</b>
North District Plan	The Planning Proposal is generally consistent with the North District Plan.
Ryde Local Strategic Planning Statement (LSPS)	The Planning Proposal is consistent with Council's adopted LSPS and implements several planning priorities identified by the strategy.

**Key Assessment Issues**

Due to the number of proposed new provisions, amendments to existing provisions and amount of subject land, key assessment issues relevant to the Planning Proposal are detailed in Part 2 – Explanation of Provisions provided in **ATTACHMENT 1**.

**7. Conclusion**

The Planning Proposal has been initiated by Council to update and address a range of miscellaneous administrative issues identified in the operation of the LEP and to introduce new provisions.

The Planning Proposal is generally consistent with relevant State and Local legislation, directions, policies and strategic directions, including Council's LSPS, and will have a minimal environmental, social and economic impact.

**8. Recommendation**

That the Ryde Local Planning Panel recommend to Council that the Planning Proposal be submitted for Gateway Determination under 3.34 of the *Environmental Planning and Assessment Act 1979*.

**ATTACHMENTS**

- 1 Administrative and Update LEP Planning Proposal

Report Prepared By:

**Naomi L'Oste-Brown**  
**Senior Strategic Planner**

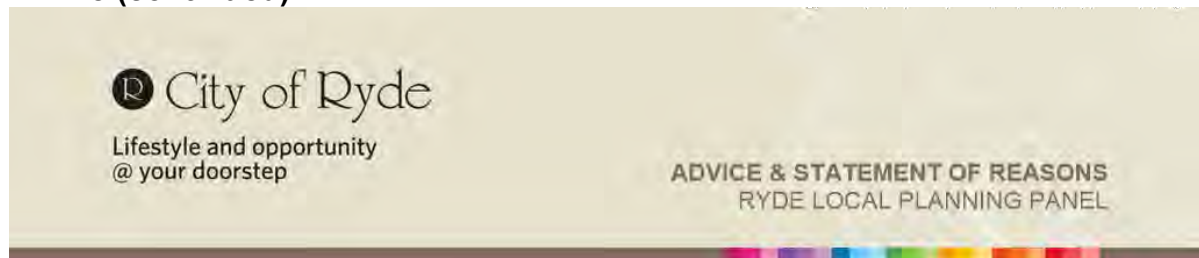
Report Approved By:

**Dyalan Govender**  
**Manager - Urban Strategy**

**Liz Coad**  
**Director - City Planning and Environment**

**ITEM 8 (continued)**

**ATTACHMENT 3**



<b>Date of Determination</b>	13 August 2020
<b>Panel Members</b>	Abigail Goldberg (Chair) Jane Fielding (Independent Expert) Ian Stapleton (Independent Expert) Bec Ho (Community Representative)
<b>Apologies</b>	NIL
<b>Declarations of Interest</b>	NIL

Public meeting held remotely via teleconference (Council staff at the North Ryde Office) on 13 August 2020 opened at 5:00pm and closed at 5:42pm.  
Papers circulated electronically on 5 August 2020.

**MATTER CONSIDERED**

Planning Proposal to amend the *Ryde Local Environmental Plan 2014* (LEP) to update the LEP and address a range of administrative issues identified in the operation of the plan and to introduce provisions to:

- Increase floor space available for creative enterprises by removing some prohibited land uses within business and light industrial land use zones;
- Protect environmentally sensitive lands;
- Permit advertising and signage for public benefit;
- Require design excellence within the centres of the City of Ryde; and

Other miscellaneous matters (e.g. clarify clauses).

**PANEL CONSIDERATIONS AND ADVICE**

The Panel considered the matters listed at item 6 the material listed at item 7, and the material presented at meetings and briefings listed at item 8 in Schedule 1.

The Panel advises that they raise no objection to the Administrative & Update LEP Planning Proposal being submitted for Gateway Determination under 3.34 of the *Environmental Planning and Assessment Act 1979*.

The advice was unanimous.

**REASONS OUTLINED IN COUNCIL'S REPORT**

The Panel raises no objection to the below reasons, as outlined in the report:

- The Planning Proposal has been initiated by Council to update and address a range of miscellaneous administrative issues identified in the operation of the LEP and to introduce new provisions to implement actions identified in the Council's adopted LSPS and previous Council resolutions.

**ITEM 8 (continued)**



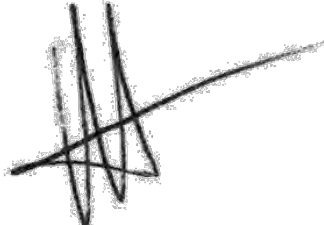
**ATTACHMENT 3**

- The Planning Proposal is generally consistent with relevant State and Local legislation, directions, policies and strategic directions, including Council's LSPS, and will have a minimal environmental, social and economic impact.

The Panel also raises no objection to the recommendation in Council's report.

**CONDITIONS**

Not applicable

PANEL MEMBERS	
Abigail Goldberg (Chair)	
Jane Fielding	
Ian Stapleton	
Bec Ho	



**ITEM 8 (continued)**

**ATTACHMENT 3**

SCHEDULE 1		
1	Application No.	NA
2	Proposal	<p>The purpose of this Planning Proposal is to amend the <i>Ryde Local Environmental Plan 2014</i> (LEP) to update the LEP and address a range of administrative issues identified in the operation of the plan and to introduce provisions to:</p> <ul style="list-style-type: none"> <li>• Increase floor space available for creative enterprises by removing some prohibited land uses within business and light industrial land use zones;</li> <li>• Protect environmentally sensitive lands;</li> <li>• Permit advertising and signage for public benefit;</li> <li>• Require design excellence within the centres of the City of Ryde; and</li> <li>• Other miscellaneous matters (e.g. clarify clauses).</li> </ul>
3	Street Address	Citywide
4	Applicant	City of Ryde
5	Reason for referral to RLPP	Required by Ministerial Direction made under Section 9.1 of the <i>Environmental Planning and Assessment Act 1979</i> dated 27 September 2018
6	Relevant mandatory considerations	Not Applicable
7	Material considered by the Panel	<ul style="list-style-type: none"> <li>• Council assessment report</li> <li>• Administrative &amp; Update LEP Planning Proposal</li> </ul>
8	Meetings, briefings and site inspections by the Panel	<ul style="list-style-type: none"> <li>• Site inspection: NA</li> <li>• Briefing: 13 August 2020</li> </ul> <p>Attendees:</p> <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Abigail Goldberg (Chair), Jane Fielding, Ian Stapleton, Bec Ho</li> <li>○ <u>Council staff</u>: Dyalan Govender, Michael Edwards</li> </ul> <ul style="list-style-type: none"> <li>• Papers were circulated electronically on 5 August 2020</li> </ul>
9	Council Recommendation	That the Ryde Local Planning Panel recommend to Council that the Planning Proposal be submitted for Gateway Determination under 3.34 of the <i>Environmental Planning and Assessment Act 1979</i> .
10	Conditions	Not Applicable

**ITEM 8 (continued)**

**ATTACHMENT 4**

**17 PLANNING PROPOSAL: ADMINISTRATIVE AND UPDATE LEP**

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**Report prepared by:** Senior Strategic Planner

**File No.:** LEP2020/3/4 - BP20/740

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**REPORT SUMMARY**

A Planning Proposal has been initiated by Council to amend the *Ryde Local Environmental Plan 2014* (LEP) to update the plan and address a number of miscellaneous administrative issues identified in the operation of the plan by correcting anomalies and making clarifications. The Planning Proposal is City of Ryde wide as it affects several land use zones and sites.

The Planning Proposal also proposes to implement actions specified in the *Planning Ryde: Local Strategic Planning Statement 2020* (LSPS) and to introduce provisions to address the following:

- Remove prohibitions and restrictions in relation to uses within business and industrial zones to improve permissibility of Creative Enterprises and recreational uses.
- Provide new controls for design excellence in the City of Ryde Town Centres.
- Allow advertisements on billboards, on Council owned land with development consent and on transport related street furniture (such as bus shelters) as exempt development. All revenue will be used for public benefit, specifically, network improvements in the City of Ryde for the convenience, safety and amenity of pedestrian, cyclists and vehicle road users.
- Provide environmentally sensitive mapping and land provisions to enhance conservation management outcomes.
- Protect threatened ecological Sydney Turpentine Ironbark Forest community and riparian land on and adjoining the Ivanhoe Estate.
- Expand community education and capacity of Council's waste management practices.

The Planning Proposal is provided at **ATTACHMENT 1**.

A draft Ryde Creative Enterprise Strategy (draft Strategy) has been prepared and is included at Appendix A of **ATTACHMENT 1**. It recommends ways in which the City of Ryde can stimulate the creative enterprise sector. The proposal is consistent with the draft Strategy and proposes to remove unnecessary prohibitions and restrictions in relation to uses within business and industrial zones to improve permissibility of Creative Enterprises and Indoor Recreation.

As discussed above, an objective of the Planning Proposal is to make general advertising and advertising structures (billboards) permissible on Council owned

**ITEM 8 (continued)**

**ATTACHMENT 4**

land zoned Business, Industrial, Special Activities and Infrastructure; subject to appropriate controls. A draft Outdoor Advertising – Special Community Signs Policy (draft Policy) has been prepared to detail the way community benefits are to be derived for such signs and is provided at Appendix B of **ATTACHMENT 1**.

This report provides an overview of the Planning Proposal, the draft Strategy and draft Policy and given their interrelation recommends that they be placed on public exhibition together for a period of 28 days. It also recommends that the Planning Proposal be publicly exhibited in accordance with the Gateway Determination. Following the exhibition period, the results of the public exhibition will be reported back to Council prior to finalisation.

It is a requirement under the *Environmental Planning and Assessment Act 1979* the Planning Proposal be considered by the Local Planning Panel for the provision of advice to Council. The Planning Proposal was considered at the Local Planning Panel's meeting of 13 August 2020 provided the following advice:

*The Panel advises that they raise no objection to the Administrative & Update LEP Planning Proposal being submitted for Gateway Determination under 3.34 of the Environmental Planning and Assessment Act 1979.*

The advice was unanimous.

**RECOMMENDATION:**

- (a) That Council forwards the Planning Proposal for Gateway Determination under Section 3.33 of the *Environmental Planning and Assessment Act 1979*.
- (b) That Council request delegation to be the Local Plan-making Authority.
- (c) That Council exhibits the draft Creative Enterprise Strategy and draft Outdoor Advertising – Special Community Signs Policy with the Planning Proposal.

**ATTACHMENTS**

- 1 Administrative and Update LEP Planning Proposal - CIRCULATED UNDER SEPARATE COVER
- 2 Local Planning Panel Recommendation and Advice

Report Prepared By:

**Naomi L'Oste-Brown**  
**Senior Strategic Planner**

Report Approved By:

**Liz Coad**  
**Director - City Planning and Environment**



**ITEM 8 (continued)**

**ATTACHMENT 4**

**Dyalan Govender**  
**Manager - Urban Strategy**

**Lexie Macdonald**  
**Senior Coordinator - Strategic Planning**

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## ATTACHMENT 4

### Background

The Planning Proposal has been initiated by Council staff to update and address a range of miscellaneous administrative issues identified in the operation of the LEP and to introduce new provisions and as a result there is a varied background as provided in Part 2 – An Explanation of the Provisions at **ATTACHMENT 1**.

A summary of this background, particularly the relevant draft Strategies and draft Policies is provided below. It is proposed to exhibit these supporting drafts with the Planning Proposal.

### The Planning Proposal

The purpose of the Planning Proposal is to amend the LEP to update and address a range of miscellaneous administrative issues identified in the operation of the plan and make clarifications to assist with the issuing of Planning Certificates issued under the Act. The Planning Proposal also introduces provisions in relation to creative enterprises, environmentally sensitive lands, advertising and signage for public benefit, design excellence provisions for the town centres of the City of Ryde and other matters. The Planning Proposal is provided at **ATTACHMENT 1**.

The objectives of the Planning Proposal are to:

- Improve the operation of the LEP through the correction of historic errors, omissions and anomalies.
- Implement the LSPS as follows:
  - Remove prohibitions in relation to uses within business and industrial zones to help achieve employment targets, make the City of Ryde's employment and urban services lands more competitive and provide for the needs of existing and future employees, businesses and organisations.
  - Remove restrictions in relation to the development of function centres, neighbourhood shops, registered clubs, restaurants or cafes in the B7 Business Park Zone of the Macquarie Park Corridor to promote the night time economy, precinct activation and provide for the needs of employees, visitors, businesses and organisations. The proposal also improves the permissibility of Creative Enterprises in the City of Ryde.
  - Provide new controls for design excellence in the City of Ryde Town Centres.
  - Permit advertising structures (billboards) as uses in Business, Industrial, Special Activity and Special Infrastructure zones on Council owned land where community benefit is derived from the advertising and hypothecated to access network improvement in the City of Ryde for the convenience, safety and amenity of pedestrian, cyclists and vehicle road users.

## ITEM 8 (continued)

## ATTACHMENT 4

- Provide environmentally sensitive mapping and land provisions to provide conservation management outcomes for environmentally sensitive land.
- Expand community education and capacity of Council's waste management practices.
- Better provide community events that are responsive to the changing trends and needs of the community.
- Incorporate Council-initiated resolutions made with respect to general advertising so as to provide improved access facilities and transport networks as exempt development.
- Protect threatened ecological Sydney Turpentine Ironbark Forest community and riparian land on and adjoining the Ivanhoe Estate.

There are numerous amendments being proposed to the provisions of the LEP and maps to achieve the above objectives. Refer to Part 2 of the Planning Proposal provided at **ATTACHMENT 1** for details of the amendments.

The Planning Proposal is considered to be in accordance with the requirements under Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the NSW Department of Planning and Environment's 'A guide to preparing planning proposals' (dated August 2016). The planning proposal adequately sets out the following:

- A statement of the objectives or intended outcomes of the proposed amending LEP;
- An explanation of the provisions that are to be included in the proposed amending LEP;
- Justification for those objectives, outcomes and provisions and the process for their implementation;
- Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies;
- Details of the community consultation that is to be undertaken on the planning proposal; and
- A project timeline.

### Draft Ryde Creative Enterprise Strategy

In 2018, the NSW Government approved project funding to the City of Ryde as part of the Accelerated LEP review program. An important strategy required for the LEP review is the draft Strategy. A draft Strategy has been prepared for public exhibition and comment by the community. A copy of the draft Strategy is provided at Appendix A of **ATTACHMENT 1**.

According to the draft Strategy, creative enterprises are diverse and include music and performing arts, design and visual arts, television and film, marketing, finance

## ITEM 8 (continued)

## ATTACHMENT 4

and distribution, social media, software development, animation, publishing, writing and printing. About 10% of employment in Ryde LGA is in the creative sector.

While these activities have all been permissible within Ryde's LGA for some time, the changes proposed expand where they can be undertaken and also provide greater flexibility for creative uses to also include supporting commercial and retail uses on the site. For example, inserting Information and Education facilities into the IN2 zone will allow uses such as performing and visual arts schools and classes to utilize spaces in Ryde's light Industrial zones, where previously they may not have been permitted. Further, by inserting Commercial premises into the IN2 zone, design and visual arts, television and film, marketing, finance and distribution, social media, software development, animation, publishing, writing and printing will all be permissible in that zone-Commercial Premises includes retail premises which are also proposed to be permitted in the B7 zones. Permitting retail premises allows supporting sales of products arising from Creative Enterprises (and small enterprise start-ups), where previously that may not have been permissible. By allowing Retail premises in the IN2 and B7 zones, creative enterprises can be supported through the selling of art and artisan products in shops and markets in that zone.

The draft Strategy also recommends that council stimulate the sector, and play a role as developer, facilitator and promoter. The following table summarises the recommendations of the draft Strategy and how they are to be addressed:

<b>Creative Enterprise Strategy recommendation</b>	<b>Comment on how it is to be achieved by Council</b>	<b>Included in Planning Proposal</b>
Increase the availability of affordable, flexible floor space for creative land uses	The draft Creative Enterprise Strategy includes a number of recommendations that underpin proposed amendments to the LEP. These amendments include removing community facilities and other land uses from the list of prohibited uses in the business and light industrial land use zones to introduce greater flexibility and availability of floor space for creative industries. These proposed amendments will also facilitate small to Medium enterprise start-ups which have similar floor space needs.	Yes
Promote urban renewal and revitalization in centres such as Gladesville, West Ryde and the Meadowbank Education and Employment Precinct (MEEP)	A key recommendation of the Strategy is to undertake Master Plans for West Ryde and the MEEP. When adopting the Ryde Local Strategic Planning Statement, Council supported a future West Ryde Master Plan. The Greater Sydney Commission is managing the planning for the MEEP.	No
Leverage Council investment in community facilities by providing floorspace for creative enterprises	Council is implementing this recommendation through: <ul style="list-style-type: none"> <li>• The Ryde Central project which includes a Community and Cultural Hub that makes provision for exhibition and makers spaces and performance space; and</li> <li>• City of Ryde Social and Cultural Infrastructure Framework 2019-2041.</li> </ul>	No



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<b>Creative Enterprise Strategy recommendation</b>	<b>Comment on how it is to be achieved by Council</b>	<b>Included in Planning Proposal</b>
Continue existing relationships with Macquarie University and Meadowbank TAFE	Noted	No
Enhance the creative Ryde brand and network of creatives	This recommendation is to be referred to relevant Council staff for comment regarding how it might be practicably achieved.	No

As discussed above, the draft Strategy supports proposed land use changes of the Planning Proposal. It is recommended that it be placed on exhibition at the same time as the Planning Proposal and that a report be provided to Council after the exhibition.

**An Outdoor Advertising – Special Community Signs Policy**

Council at its meeting of 25th August 2015 considered a report recommending that in pursuit of accruing public benefits, that outdoor advertising opportunity be explored. As discussed above, the Planning Proposal seeks to make general advertising and advertising structures (billboards) permissible on Council owned land in specific zones (excluding open space and residential) within the City subject to appropriate controls. This approach will provide Council with some flexibility in considering appropriate locations, size and illumination for such signage and enable targeted community consultation when a development application for an advertising structure is under consideration.

A draft Policy has been prepared to detail the way community benefits are to be derived for such signs and is provided at Appendix A of **ATTACHMENT 1**. The draft Policy also provides a framework that ensures advertising provided on such signs is safe and inoffensive.

The principle objective of the draft Policy is to require outdoor advertising on Council controlled sites to contribute, via a monetary or Work in Kind arrangement, to Council to enable provision of a range of direct or in-direct community benefits. Direct public benefits may include: improvements to traffic safety, improved public transport services, public amenity and school safety. Indirect public benefits can be delivered in the form of the use (from time to time) of the digital advertising structure for promotion of community programs, public events, public safety programs or other appropriate public purposes.

Under the draft Policy, proposals for such signs in the City of Ryde will also only be progressed according to, and when consistent with, the Guidelines of the draft Policy. The guidelines cover issues including management, operation, content and public benefit.

As the draft Policy relates directly to the introduction of advertising provisions in the LEP (discussed above), it is recommended that it be placed on exhibition at the same

## **ITEM 8 (continued)**

## **ATTACHMENT 4**

time as the Planning Proposal and that a report is provided to Council after the exhibition.

### **Ryde Local Planning Panel**

Under the Section 9.1 Ministerial Direction signed on 27 September 2017, all Council's in the Greater Sydney Region are required to send all Planning Proposals (except those of a minor or inconsequential nature) to a Local Planning Panel comprised of independent experts. The Panel is to review the Proposal and make recommendations to Council.

The Planning Proposal was considered by the Ryde Local Planning Panel at their meeting on 13 August 2020. The Panel's recommendation was as follows (see recommendation and advice provided at **ATTACHMENT 2**):

*'That the Ryde Local Planning Panel recommend to Council that the Planning Proposal be submitted for Gateway Determination under 3.34 of the Environmental Planning and Assessment Act 1979.'*

### **Internal Referrals**

As discussed above, the Planning Proposal seeks to make general advertising and advertising structures (billboards) permissible on Council owned land in specific zones within the City subject to appropriate controls. A draft Outdoor Advertising - Special Community Signs Policy is provided at Appendix A of **ATTACHMENT 1** to detail how the public benefit will be derived. Input from Council's Property Team has been incorporated into the draft Policy.

The proposed environmentally sensitive lands provisions and mapping have been referred to Council's Environmental Team. See Part 2 - An Explanation of Provisions and maps at Appendix H to J of **ATTACHMENT 1** for an explanation of the proposed provisions and land to which the provisions apply. Council's Environment Team supports their implementation to achieve environmental management outcomes for the City of Ryde's most environmentally sensitive land.

### **Planning Assessment of Planning Proposal**

The assessment of the Planning Proposal has been undertaken in accordance with the NSW Department of Planning and Environment's 'A guide to preparing planning proposals' (dated August 2016).

- **Part 1 Objectives and intended outcomes**

The objectives of the proposed changes to the LEP are provided above and detailed in Part 1 – Objectives or Intended Outcomes in **ATTACHMENT 1**. The intended outcomes are also detailed in that part of the attachment.

- **Part 2 Explanation of provisions**

## ITEM 8 (continued)

## ATTACHMENT 4

An explanations of provisions is detailed in Part 2 – Explanation of Provisions of **ATTACHMENT 1** and not detailed here due to the amount of proposed new and amendments to existing provisions proposed.

### • Part 3 Justification

#### Need for the Planning Proposal

The NSW Department of Planning and Environment's 'A guide to preparing planning proposals' requires the following two questions be answered to demonstrate the need for the proposal:

1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?
2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is not a result of a single strategic study or report. It responds to matters that have been raised by Council staff in relation to the operation of the LEP. It also responds to parts of the LSPS and Council resolutions detailed in Part 2 – An Explanation of the Provisions and Part 3 - Justification in **ATTACHMENT 1**. The Planning Proposal is required to amend the LEP to resolve the identified issues and implement the decisions of Council.

The Planning Proposal is the only means to achieve the intended outcomes as amendments to the LEP are required.

#### Relationship to Strategic Planning Framework – The Strategic Merit Test

The planning proposal meets the strategic merit test which is outlined in the following table. More detail is provided in Part 3 - Justification of **ATTACHMENT 1**.

Strategic Merit Issue	Comment
State Environmental Planning Policies and Local Directions	The Planning Proposal is generally consistent with the relevant State Environmental Planning Policies and Local Planning Directions under Section 9.1 of the <i>Environmental Planning and Assessment Act 1979</i> . An analysis of compliance with these policies is provided in the attached Planning Proposal (refer to pages 59-63 of <b>ATTACHMENT 1</b> )
Greater Sydney Region Plan - A Metropolis of Three Cities	The Planning Proposal is generally consistent with the Greater Sydney Region Plan - A Metropolis of Three Cities (refer to pages 28-29 of <b>ATTACHMENT 1</b> ).
North District Plan	The Planning Proposal is generally consistent with the North District Plan (refer to pages 29-31 of <b>ATTACHMENT 1</b> )

**ITEM 8 (continued)**

**ATTACHMENT 4**

<b>Strategic Merit Issue</b>	<b>Comment</b>
Planning Ryde: Local Strategic Planning Statement 2020	The Planning Proposal is consistent with Council's adopted LSPS and implements several planning priorities identified by the strategy (refer to page 32-34 of <b>ATTACHMENT 1</b> ).

Key Assessment Issues

Due to the amount of proposed new provisions, amendments to existing provisions and amount of subject land, key assessment issues relevant to the Planning Proposal are detailed in Part 2 – Explanation of Provisions and Part 3 – Justification within **ATTACHMENT 1**.

Local Planning Panel advice

It is a requirement under the *Environmental Planning and Assessment Act 1979* that the Planning Proposal be considered by the Local Planning Panel. The Planning Panel has no delegated authority with respect to the Planning Proposal and is simply tasked with review and an advisory role under the Act. The Planning Proposal was considered at the Local Planning Panel's meeting of 13 August 2020 provided the following advice:

*The Panel advises that they raise no objection to the Administrative & Update LEP Planning Proposal being submitted for Gateway Determination under 3.34 of the Environmental Planning and Assessment Act 1979.*

The advice was unanimous.

**Financial Implications**

Adoption of the recommendation will have no financial impact.

**Options**

Option 1 (Recommended) – Endorse the Planning Proposal, draft Strategy and draft Policy

This option is supported as it will update and address a range of miscellaneous administrative issues identified in the operation of the LEP through the correction of anomalies. It will also achieve the above objectives that are considered beneficial to the City of Ryde for the reasons specified.

This option is also supported as the draft Strategy will be able to be implemented to stimulate the creative enterprise sector within the City of Ryde and the draft Policy will ensure general advertising and advertising structures (billboards) made permissible on Council owned land will derive community benefits.

Should Council support the recommendations, the first step in the process to amend the LEP is to request a Gateway Determination followed by Community Consultation



**ITEM 8 (continued)**

**ATTACHMENT 4**

and a further decision by Council after consultation as to whether or not the Proposal should be brought into effect, along with the draft Strategy and draft Policy.

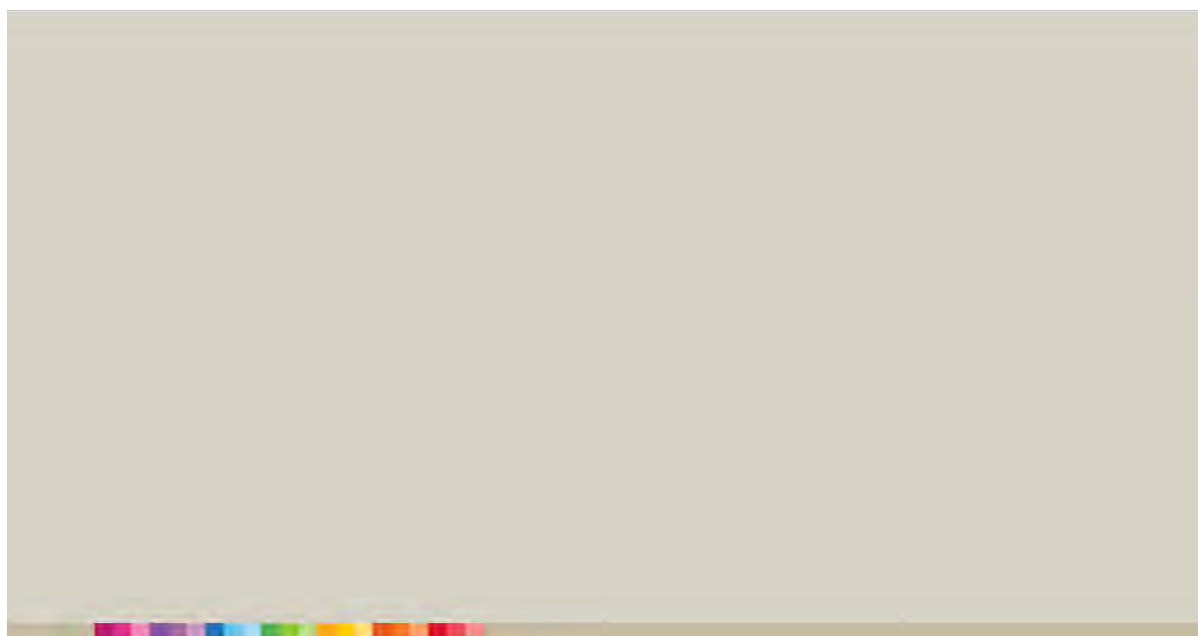
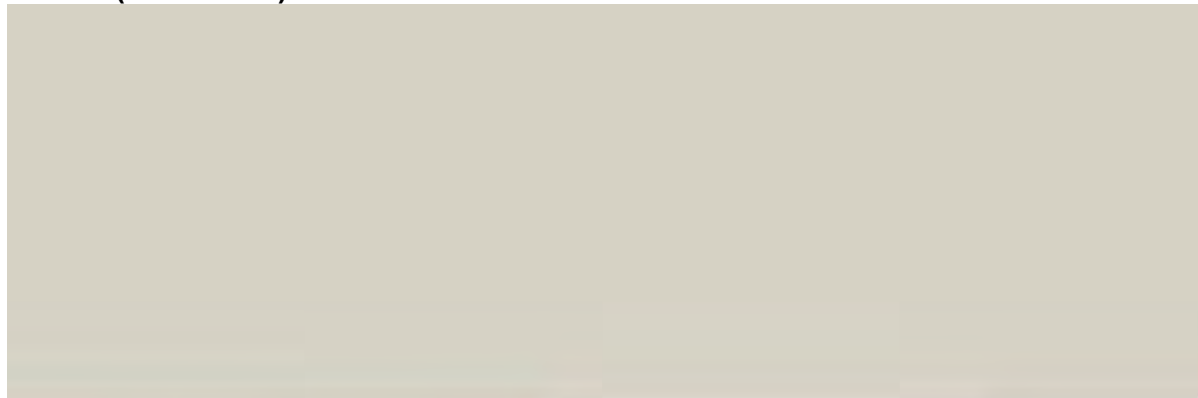
Option 2 – Not endorse the Planning Proposal, draft Strategy and draft Policy

This option is NOT supported for the following reasons:

- The Planning Proposal will not proceed to Gateway or community consultation, and the range of miscellaneous administrative issues identified in the operation of the plan will not be addressed through the correction of anomalies. It will also not achieve the above objectives that are considered beneficial for the reasons specified to the City of Ryde.
- Council will not receive the results of the public exhibition of the draft Strategy and draft Policy to make informed decisions regarding their adoption. The draft Strategy will not be implemented to stimulate the creative enterprise sector within the City of Ryde and community benefits for general advertising and advertising structures (billboards) on Council owned land will not be received.

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### Introduction

This Planning Proposal has been prepared in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* (the Act) (in particular Section 3.33) and the relevant guidelines produced by the Department of Planning, Industry and Environment (DPIE).

DPIE requires a Planning Proposal to cover the following main parts which also form the basis of this document:

- Part 1 - A statement of the objectives and intended outcomes of the proposed instrument;
- Part 2 - An explanation of the provisions to be included in the proposed instrument;
- Part 3 - The justification of those objectives, outcomes and process for their implementation;
- Part 4 - Maps, where relevant, to identify intent of a Planning Proposal and the area to which it applies; and
- Part 5 - Community Consultation proposed to be undertaken on the Planning Proposal.

Section 3.33(3) of the Act allows the Planning Secretary to issue requirements with respect to the preparation of a Planning Proposal. The secretary's requirements include:

- Specific matters that must be addressed in the justification (Part 3) of the Planning Proposal; and
- A project timeline to detail the anticipated timeframe for the plan making process for each Planning Proposal.

The project timeline forms Part 6 of this Planning Proposal.



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### Part 1 - Objectives or Intended Outcomes

The purpose of this Planning Proposal is to amend the *Ryde Local Environmental Plan 2014* (LEP) to update and address a range of miscellaneous administrative issues identified in the operation of the plan and to introduce provisions in relation to permitting creative enterprise, environmentally sensitive lands, advertising and signage for public benefit and design excellence provisions for the centres of the City of Ryde.

#### Objectives

1. Improve the operation of the LEP through the correction of historic errors, omissions and anomalies.
2. Implement *Planning Ryde: Local Strategic Planning Statement 2020* (LSPS) as follows:
  - a. Remove prohibitions in relation to uses within business and industrial zones to assist with achieving employment targets and making the City of Ryde's employment and urban services lands more competitive and provide for the needs of existing and future employees, businesses and organisations.
  - b. Remove restrictions in relation to the development of function centres, neighbourhood shops, registered clubs, restaurants or cafes in the B7 Business Park Zone of the Macquarie Park Corridor to promote the night time economy, precinct activation and provide for the needs of employees, visitors, businesses and organisations.
  - c. Provide for design excellence in the City of Ryde Town Centres.
  - d. Permit advertising structures (billboards) as uses in Business, Industrial, Special Activity and Special Infrastructure zones on Council owned land where community benefit is derived from the advertising and hypothecated to access network improvement in the City of Ryde for the convenience, safety and amenity of pedestrian, cyclists and vehicle road users.
  - e. Provide environmentally sensitive land provisions and mapping to provide conservation management outcomes for environmentally sensitive land.
  - f. Expand community education and capacity of Council's waste management practices.
  - g. Better provide community events that are responsive to the changing trends and needs of the community.
  - h. Incorporate Council-initiated resolutions made with respect to general advertising so as to provide improved access facilities and transport networks as exempt development.
  - i. Protect threatened ecological Sydney Turpentine Ironbark Forest (STIF) community and riparian land on and adjoining the Ivanhoe Estate.

#### Intended Outcomes

The intended outcomes are divided two broad categories of issues:

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**A. Policy Changes**

1. Amend the land use tables to permit numerous uses within the business and industrial zones to assist with achieving employment targets and making the City of Ryde's employment and urban services lands more competitive and in providing for the needs of existing and future employees, businesses and organisations within the zones (Refer to Table 1 for uses and zones).
2. Insert freight transport facilities as permitted uses in additional zones to ensure adequate logistics activity within the City of Ryde can be provided (Refer to Table 1 for uses and zones).
3. Insert community facilities as permitted uses in more zones to assist government agencies and non-profit community organisations in providing services in additional suitable locations (Refer to Table 1 for uses and zones).
4. Insert water recycling facilities as permitted uses in more zones to allow the management of water to be undertaken more efficiently.
5. The Draft Ryde Creative Enterprise Strategy recommends a number of actions to continue to grow creative enterprises, which currently comprise approximately 10% employment in the Ryde LGA. With respect to land use planning this includes ensuring affordable floor space is available for creative enterprise and the land uses flexible, urban renewal and revitalisation. Accordingly prohibitions are proposed to be removed from a number of land uses in the business and light industrial land use zones.
6. Ryde LGA has an identified deficit of recreation (indoor and outdoor) space. To address this indoor and outdoor recreation facilities are proposed to be removed as prohibited land uses in the business and light industrial land use zones. This was strongly supported by community feedback to the Local Strategic Planning Statement.
7. Amend clause 4.3A Exceptions to height of buildings and clause 4.4A Exception to floor space ratio, to clarify that laneways are not driveways but land that is dedicated to Council where required by Council for the purpose of providing or extending part or whole of a Council existing or proposed laneway.
8. Delete clause 4.5B (4) of the LEP so that there are no longer floor and site area restrictions in relation to the erection of a building on land in the B7 Business Park Zone for the purposes of function centre, neighbourhood shop, registered club or restaurant or café. This is to contribute to the night time economy and precinct activation and will not change the overall floor area permitted as a floor space ratio control will still apply.
9. Amend clause 6.3 Flood planning to state that the clause applies to land below the flood planning level rather than the Flood Planning Maps. The flood planning maps are being deleted from the LEP because they are inconsistent with City of Ryde adopted Flood Risk Management Plans.

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10. Clause 6.13 Design excellence is proposed to be amended to ensure all future developments in the town centres of the City of Ryde exhibit design excellence. Existing considerations within the provision have also been strengthened and new considerations included.
11. Allow advertising structures (billboards) as a permitted uses in Business, Industrial, Special Activity and Special Infrastructure zones where community benefit is derived from the advertising and hypothecated to access network improvements in the City of Ryde for the convenience, safety and amenity of pedestrian, cyclists and vehicle road users.
12. Insert three new clauses for environmentally sensitive land, i.e. for terrestrial biodiversity, riparian lands and watercourses and scenic quality and natural landforms. The proposed clauses will provide conservation management outcomes for the land by exempting land from the housing diversity , commercial and industrial complying development provisions of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* and by providing provisions to be considered in the assessment of development applications.
13. Amend Schedule 1 Additional permitted uses of the LEP as follows:
  - a. 1. 11-13 Pennant Avenue, Denistone: Delete the clause as the additional permitted use (i.e. road) is now permitted through the zoning of the land.
  - b. 2. 607 Blaxland Road, Eastwood: Delete the clause permitting vehicle sales or hire premises, as the land has been developed to its full potential for residential uses and is subject to a strata plan.
  - c. 7. 25-27 Epping Road, Macquarie Park: Delete the clause as the additional permitted use, i.e. centre-based child care facilities and commercial premises, are permitted with development consent via the current zoning of the land.
  - d. 16. 600-640 Victoria Road, Ryde: Correct the street address of the clause to 55 and 59 Charles Street, Ryde.
14. Amend Schedule 2 Exempt development of the LEP as follows:
  - a. Permit an educational resource recycling facility within Porter's Creek Park (152 Wicks Road, Macquarie Park).
  - b. Insert exempt development provisions to assist with streamlining approvals for public events on Council owned and/or controlled land and on private land.
  - c. Allow advertisements on bus shelters, street lighting, flagpoles, multi-function poles and transport related street furniture as exempt development under the LEP in all Business, Industrial, Special Activities and Special Infrastructure zones in the City of Ryde.

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15. Amend Schedule 5 Environmental Heritage to update property descriptions and street addresses as necessary and delete Heritage Item 80 (37 Nancarrow Avenue, Meadowbank) which has been demolished.

**B. Mapping Changes**

1. 6 Halifax Street, Macquarie Park: Rezone the small portion of land zoned RE1 public Recreation to R4 Low Density Residential to correct a zoning anomaly.
2. 68-80 Rowe Street and 20 First Avenue, Eastwood: Totally zone 68-80 Rowe Street B4 Mixed Use and 20 First Avenue R4 High Density Residential to correct zoning anomalies.
3. 45-61 Waterloo Road, Macquarie Park: Apply a floor space ratio of 2.26:1 across the whole site to be consistent with the remainder of the site and as per a Council resolution of 14 March 2017.
4. Blenheim Road, North Ryde: Rezone from E2 Environment Conservation to RE1 Public Recreation to align with its current and future uses as a public park and radio control car club.
5. Flood Planning Maps: Delete the maps because they are inconsistent with City of Ryde adopted Flood Risk Management Plans.
6. Design Excellence Maps: Delete the design excellence map as the existing clause to which it relates is proposed to be amended to apply to all land within centres of the City of Ryde and as such the Ryde Town Centres Precinct maps will instead be referred to in the clause.
7. Devlin Street and Blaxland Road, Ryde: Repeal *Ryde Local Environmental Plan 2010* (LEP 2010) so as there is only one LEP applicable to the Ryde Local Government Area. The controls of LEP 2010 will be transferred by zoning the land B4 Mixed Use and providing maximum building heights which currently apply to the land under LEP 2010.
8. Environmentally Sensitive Lands - Terrestrial Biodiversity: New maps to provide conservation management outcomes for the most environmentally sensitive terrestrial biodiversity in the City of Ryde.
9. Environmentally Sensitive Land - Riparian Lands and Watercourses: New maps to provide conservation management outcomes for the most environmentally sensitive riparian lands and watercourses in the City of Ryde.
10. Environmentally Sensitive Land – Scenic Quality and Natural Landforms: New maps to provide conservation management outcomes for the most environmentally sensitive scenic quality and natural landforms in the City of Ryde.
11. Miscellaneous Heritage Items:



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- a. Heritage Item 49 (Adjacent to 96-98 Blaxland Road, Ryde) – The heritage listed obelisk (Tramway monument) has been moved closer to its original location and as such it is proposed to notate its location on the relevant heritage map by its schedule 5 Environmental Heritage Item number '49'.
  - b. Heritage Item 57 (74 Belmore Road, Ryde) – Adjust boundary of heritage item to boundary of legal description for land to which item is located, i.e. SP 93568.
  - c. Heritage Item 80 (37 Nancarrow Avenue, Meadowbank) – Delete the item from the relevant heritage map as the item has been demolished.
  - d. Heritage Item 141 (80 Eltham Street, Gladesville) – Adjust boundary of heritage item to boundary of legal description for land to which item is located, i.e. Lot 101 DP 1187930.
12. Ivanhoe Estate: A rezoning of the Sydney Turpentine Ironbark Forest (STIF) and riparian corridor land on the estate to E2 Environmental Conservation. The E2 zoning will ensure that no built form in any future development applications (DAs) for the estate can impact upon the STIF and riparian corridor land providing long term conservation management protection.
  13. Ryde Hospital (Cnr Denistone Road and Florence Avenue, Denistone): Rezone a very small portion of land from R2 Low Density Residential to SP2 Special Activities – Heath Services Facilities to fix a zoning anomaly.

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**Part 2 - An Explanation of the Provisions**

RLEP 2014 is to be amended as outlined in the Table 1 below:

**Table 1 – LEP Provision Proposed to be Amended**

<b>LEP Provision</b>	<b>Amendment</b>	<b>Objective (from Part 1)</b>
Land Use Table Updates	<p>Removing prohibitions in relation to the following uses within the following business and industrial zones is proposed to assist with achieving employment targets and making the City of Ryde's employment and urban services more competitive and provide for the needs of existing employees, businesses and organisations within the zones. Freight transport facilities are also proposed to be permitted in some additional zones to ensure logistics activity within the City of Ryde can be adequately supported. This responds to submissions to the LSPS from Transport for NSW. Further, community facilities are proposed to be permitted in more zones to assist government agencies and non-profit community organisations in providing services in additional suitable locations. Water recycling facilities are also proposed to be permitted in more zones to implement Council's resilience strategy and water sensitive urban design policies.</p> <p>Ryde LGA has an identified deficit of recreation (indoor and outdoor) space. To address this indoor and outdoor recreation facilities are proposed to be removed as prohibited land uses in the business and light industrial land use zones. This was strongly supported by community feedback to the LSPS.</p> <ul style="list-style-type: none"> <li>• B1 Local Centre - Hospital, Registered clubs</li> <li>• B3 Commercial Core - Freight transport facilities, Recreation facilities (outdoor)</li> <li>• B4 Mixed Use - Eco-tourist facilities, Water recycling facilities</li> <li>• B5 Business Development - Amusement centres, Community facilities, Eco-tourist facilities, Environmental facilities, Plant nurseries, Pub, Recreation facilities (major), Recreation facilities (outdoor), Registered clubs, Restaurants or cafes, Tourist and visitor accommodation, Water recycling facilities</li> <li>• B7 Business Park - Amusement centres, Eco-tourist facilities, Entertainment facilities, Freight transport facilities, Retail premises, Recreation facilities (indoor), Recreation facilities (outdoor), Service station and Water recycling facilities</li> <li>• IN2 Light Industry - Commercial premises, Entertainment facilities, Freight transport facilities, Information and education facilities and Recreation facilities (outdoor)</li> <li>• SP1 Special Activities - Community facilities</li> </ul>	1 and 2a

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LEP Provision	Amendment	Objective (from Part 1)
	<ul style="list-style-type: none"> <li>SP2 Infrastructure – Community facilities</li> <li>E2 Environmental Conservation– Recreation areas to reflect the existence of children's play areas in existing Council owned parks. The permissibility will facilitate the upgrade of these play areas</li> </ul>	
Land Use Table Updates – Creative Industries	The Draft Ryde Creative Enterprise Strategy recommends a number of actions to continue to grow creative enterprises, which currently comprise approximately 10% employment in the Ryde LGA. With respect to land use planning this includes ensuring affordable, flexible floor space is available for creative enterprise and the land uses, urban renewal and revitalisation. Accordingly, prohibitions are proposed to be removed from a number of land uses in the business and light industrial land use zones. Refer Land Use Table Updates above. The draft strategy is included at Appendix A.	2a
Clause 4.3A Exceptions to height of buildings	<p>As an incentive for new development, clause 4.3A of the LEP increases the maximum height of building permitted on certain land where development meets certain specifications such as the provision of public laneways. Greater clarity is required in relation to what constitutes a laneway by the clause as it is not defined in the LEP. Legal advice indicates that private driveways may be considered to be laneways and used to achieve greater height of building whilst not providing any public benefit. This is not in keeping with the clause objective of encouraging a consolidation pattern and sustainable integrated transport land use and transport development around key public infrastructure (such as laneways).</p> <p>To overcome the issue it is proposed to amend Clause 4.3A (1) Exceptions to height of buildings to define a laneway and provide greater clarity on what is necessary to satisfy the clause.</p> <p><b>The following amendment to the clause is suggested:</b></p> <p><b>4.3A Exceptions to height of buildings</b></p> <p><i>(1) Exceptions to height of buildings - replace the words 'and provides laneway access' where ever they appear in the clause with 'and dedicates land to Council where required by Council for the purposes of providing or extending part or whole of a Council existing or proposed laneway.'</i></p>	1
Clause 4.4A Exceptions to floor space ratio	<p>As an incentive for new development, clause 4.4A of the LEP increases the maximum floor space ratio permitted on certain land where development meets certain specifications such as the provision of public laneways. Greater clarity is required in relation to what constitutes a laneway by the clause as it is not defined in the LEP. The result of this is that private driveways have been considered to be laneways and used to achieve greater floor area whilst not providing any public benefit. This is not in keeping with the clause objectives. It is noted that one of the objectives of the clause relating to land identified on the Centres Map of the LEP is to consolidate development and encourage sustainable development patterns around key public transport infrastructure such as laneways.</p> <p>To overcome the issue, it is proposed to amend Clause 4.4A (1)</p>	1

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LEP Provision	Amendment	Objective (from Part 1)
	<p>Exceptions to floor space ratio to define a laneway and provide greater clarity on what is necessary to satisfy the clause.</p> <p><b>The following amendment to the clause is suggested:</b></p> <p><b>'4.4A Exceptions to floor space ratio</b></p> <p><i>(1) Exceptions to floor space - replace the words 'and provides laneway access' where ever they appear in the clause with 'and dedicates land to Council where required by Council for the purposes of providing or extending part or whole of a Council existing or proposed laneway.'</i></p>	
Clause 4.5B (4) Macquarie Park Corridor	<p>Clause 4.5B (4) of the LEP restricts development consent for the erection of a building on land in the B7 Business Park in the Macquarie Park Corridor for the purposes of function centre, neighbourhood shop, registered club or restaurant or café. Under the clause, consent will not be granted unless the total floor space of the building will not exceed 500 square metres for each individual land use or an area equivalent to 5% of the site area for each individual land use (whichever is greater). By restricting floor space for the specified land uses, the clause is achieving the opposite of the objectives, i.e. it restricts precinct activation, the night time economy and does not support the daily convenience needs of employees and visitors, businesses and organisations in the area.</p> <p>It is proposed to delete the clause in order to enable the market to determine the amount of floor space required for the above specified uses. This will also be in keeping with the following targets and planning priorities the LSPS:</p> <ul style="list-style-type: none"> <li>• Provide for an increase in jobs and more diversity in local employment opportunities (The Economy and Jobs Targets);</li> <li>• Economic growth and local jobs will be stimulated by providing additional opportunities (Planning Priority EM3);</li> <li>• The night time economy will be promoted and can be provided for (Planning Priority EM4); and</li> <li>• The amount of space for social and cultural purposes within Macquarie Park can increase (Macquarie Park Target).</li> </ul> <p>It is important to note this proposed change will not change the overall floor area permitted on redevelopment as a floor space ratio control will still apply.</p>	2b
Clause 6.3 Flood planning	<p>Clause 6.3 of the LEP currently applies to land identified in the 'Flood Planning Maps' of the LEP and to other land at or below the FPL. It is proposed to amend the clause to remove all references to flood planning maps and to state that the clause applies to all land at or below the Flood Planning Level (FPL). Under the proposed clause, the FPL will be referred to as land at or below the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 m freeboard.</p> <p>Development assessment and Section 10.7 planning certificates issued under the EP&amp;A Act 1979 are currently based on Council adopted catchment studies. Amending clause 6.3 to apply to all land at or below the FPL will ensure that flood matters continue to be considered in the assessment of development applications (DAs) based on more recent</p>	1



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LEP Provision	Amendment	Objective (from Part 1)
	<p>Council adopted catchment studies. The proposed amendment will also align the LEP with information provided for the flood clauses of the Section 10.7 planning certificates issued under the EP&amp;A Act 1979. Because the studies are more recent and adopted, it is noted that these studies are currently being used in assessment of DAs. The maps are also being proposed to be removed so that information on planning certificates is the same as the assessment approach reducing confusion to applicants in the assessment of DAs.</p> <p><b>The following amendment to the clause is suggested:</b></p> <p>Replace subclause (2)(a) with subclause (2)(b) and delete subclause (2)(b)</p> <p>Delete:</p> <p>(2) <i>This clause applies to:</i>  (a) <i>land identified as "Flood Planning Area" on the Flood Planning Map, and</i>  (b) <i>other land at or below the flood planning level.</i></p> <p>Insert:</p> <p>(2) <i>This clause applies to:</i>  (a) <i>land at or below the flood planning level.</i></p>	
Clause 6.13 Design excellence	<p>Clause 6.13 is proposed to be amended to apply to all town centres to ensure all future developments demonstrate design excellence. The following existing considerations of the clause have also been strengthened and/or included in order to ensure new developments exhibit design excellence:</p> <ul style="list-style-type: none"> <li>• solar access to any land zoned RE1 Public Recreation, RE2 Private Recreation, E1 National Parks or Nature Reserves or E2 Environmental Conservation;</li> <li>• the strategic directions of the LSPS;</li> <li>• opportunities and constraints relating to heritage and streetscape;</li> <li>• interface of proposed development with the public domain; and</li> <li>• landscape design and interface between the public domain and built form</li> </ul> <p>The criterion for an architectural design competition has also been altered from a development having a capital value of more than \$5 million to a capital value of \$50 million. This will ensure that only significant developments of a large scale within a town centre will require a design competition.</p> <p>The definition referencing the version of the Ryde Development Control Plan 2014 (DCP0) referred to in the clause has also been updated to make sure that the DCP in force at the time of the submission of a DA is used in the assessment. This will ensure that the Design Excellence considerations are always up to date with best practice recommendations.</p> <p><b>The following amendment to the clause is suggested:</b></p>	2c

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LEP Provision	Amendment	Objective (from Part 1)
	<p>Make the changes underlined or crossed out to Clause 6.13:</p> <p>(1) <i>The objective of this clause is to ensure that development exhibits design excellence that contributes to the natural, cultural, visual and built character values of Ryde.</i></p> <p>(2) <i>This clause applies to land identified as "<del>Design Excellence</del>" on the <del>Design Excellence Map</del>, on the Town Centres Map.</i></p> <p>(3) <i>Development consent must not be granted for development to which this clause applies unless the consent authority considers that the development exhibits design excellence.</i></p> <p>(4) <i>In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters—</i></p> <p>(a) <i>whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,</i></p> <p>(b) <i>whether the form and external appearance of the development will improve the quality and amenity of the public domain,</i></p> <p>(c) <i>whether the development detrimentally impacts on view corridors,</i></p> <p>(d) <i>whether the development detrimentally impacts <u>solar access to any land—</u></i></p> <p>(i) <i><u>zoned RE1 Public Recreation, RE2 Private Recreation, E1 National Parks or Nature Reserves, or E2 Environmental Conservation,</u></i></p> <p>(ii) <i><u>protected by solar access controls established in the Ryde Development Control Plan, on any land protected by solar access controls established in the Ryde Development Control Plan,</u></i></p> <p>(e) <i>the requirements of the Ryde Development Control Plan,</i></p> <p>(f) <i><u>the strategic directions of the Ryde Local Strategic Planning Statement,</u></i></p> <p>(g) <i>how the development addresses the following matters—</i></p> <p>(i) <i>the suitability of the land for development,</i></p> <p>(ii) <i>existing and proposed uses and use mix,</i></p> <p>(iii) <i><u>heritage issues and streetscape constraints, any heritage, local character and streetscape opportunities and constraints,</u></i></p> <p>(iv) <i>the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,</i></p>	

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LEP Provision	Amendment	Objective (from Part 1)
	<p>(v) <i>bulk, massing and modulation of buildings,</i></p> <p>(vi) <i>street frontage heights,</i></p> <p>(vii) <i>environmental impacts such as sustainable design, overshadowing, wind and reflectivity,</i></p> <p>(viii) <i>the achievement of the principles of ecologically sustainable development,</i></p> <p>(ix) <i>pedestrian, cycle, vehicular and service access, circulation and requirements,</i></p> <p>(x) <i>the impact on, <u>interface with</u>, and any proposed improvements to, the public domain,</i></p> <p>(xi) <i><u>achieving appropriate interfaces at ground level between the development and the public domain, integration of landscape design and built form,</u></i></p> <p>(xii) <i>integration of landscape design, including the configuration and design of communal access and communal recreation areas, to incorporate exemplary and innovative treatments and to promote an effective social atmosphere.</i></p> <p>(5) <i>Development consent must not be granted to the following development to which this Plan applies unless an architectural design competition that is consistent with the Design Excellence Guidelines has been held in relation to the proposed development—</i></p> <p>(a) <i>development in respect of a building that is, or will be, higher than 45 metres or 13 storeys (or both) in height,</i></p> <p>(b) <i>development having a capital value of more than \$50,000,000,</i></p> <p>(c) <i>development for which the applicant has chosen to have such a competition</i></p> <p>(6) <i>Subclause (5) does not apply if the <u>Council Approval Authority</u> certifies in writing that the development is one for which an architectural design competition is not required.</i></p> <p>(7) <i>In deciding whether to grant development consent to the development application, the consent authority is to take into account the results of the architectural design competition</i></p> <p>(8) <i>In this clause—</i></p> <p><i>architectural design competition means a competitive process conducted in accordance with the Design Excellence Guidelines.</i></p> <p><i>Design Excellence Guidelines means the Design Excellence Guidelines issued by the Planning Secretary, as amended from time to time</i></p> <p><i>Ryde Development Control Plan means the Ryde Development Control Plan, as in force at the commencement of Ryde Local Environmental</i></p>	

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LEP Provision	Amendment	Objective (from Part 1)
	<i>Plan 2014 (Amendment No 24) - time of the development application or proposal</i>	
New Clause 6.14 Advertising Structures (Billboards)	<p>Council at its meeting of 25th August 2015 considered a report recommending that in pursuit of accruing public benefits, that outdoor advertising opportunity be explored.</p> <p>Council resolved in part:</p> <p><i>'(a) That as part of the Strengthening Ryde Program, Council endorses a Planning Proposal be prepared to amend the Ryde Local Environmental Plan 2014 to facilitate the development of outdoor advertising signage on nominated sites and appropriate existing and future multi-function pole (MFP) locations.'</i></p> <p>Rather than identifying individual locations, this Planning Proposal seeks to amend LEP 2014 so as to make general advertising and advertising structures permissible on Council owned land in specific zones within the City subject to appropriate controls. This approach will provide Council with flexibility, subject to criteria, in considering appropriate locations, size and illumination for such signage and enable targeted community consultation when a development application for an advertising structure is under consideration.</p> <p>A draft Outdoor Advertising Special Community Signs Policy is at Appendix B to detail how the public benefit will be derived.</p> <p><b>The following proposed new clause is suggested:</b></p> <p><i>'6.14 Advertising Structures in Business, Industrial, Special Activities and Special Infrastructure zones</i></p> <p><i>(1) The objective of this clause is to enable public benefit in the form of improved vehicle, pedestrian and cycle safety and facilities to be achieved through the erection of advertising structures in the City of Ryde.</i></p> <p><i>(2) This clause applies to land zoned Business, Industrial, Special Activities and Special Infrastructure.</i></p> <p><i>(3) Despite any other provision in this Plan the consent authority may approve an advertising structure on land if satisfied that:</i></p> <p><i>a) it is carried out by or on behalf of Council,</i></p> <p><i>b) it is on land that is owned, occupied or managed by the City of Ryde,</i></p> <p><i>c) that there will be a provision for the enhancement of access networks in the City of Ryde,</i></p> <p><i>d) the enhancements to road, public transport, pedestrian and cycle access networks will be appropriate for the purposes of the City of Ryde, and</i></p> <p><i>e) the location and configuration of the enhancements will facilitate connectivity and accessibility within the City.'</i></p>	2d
New Clause 6.15 Environmentally Sensitive Land – Terrestrial Biodiversity	<p>Environmentally sensitive land provisions and mapping are intended to provide conservation management outcomes for environmentally sensitive land and to achieve this will have a dual purpose, i.e. to exempt land mapped as 'environmentally sensitive land' from the medium density, commercial and industrial complying development provisions of the <i>State Environmental Planning Policy (Exempt and</i></p>	2e



**ITEM 8 (continued)**

**ATTACHMENT 5**

LEP Provision	Amendment	Objective (from Part 1)
	<p><i>Complying Development Codes) 2008 and to provide environmental impact assessment provisions to be considered in the assessment of development applications. The provisions will require the environmentally sensitive constraints of land to be considered by the consent authority prior to making a determination in relation to proposed developments.</i></p> <p>The benefit of both maps and provisions are:</p> <ul style="list-style-type: none"> <li>• The intended conservation management outcomes for land can be clearly articulated in LEP 2014; and</li> <li>• Areas are clearly defined and controls streamlined.</li> </ul> <p>The Environmentally Sensitive Land – Terrestrial Biodiversity provisions and maps will provide conservation management outcomes for the most environmentally sensitive terrestrial biodiversity in the City of Ryde including:</p> <ul style="list-style-type: none"> <li>• Threatened Ecological Communities (Blue Gum and Sydney Turpentine-Ironbark Forests), and</li> <li>• Other urban bushland mapped by the Office of Environmental and Heritage, now part of the Environment, Energy and Science Group of the Department of Planning, Industry and Environment, including Shale/Sandstone Transition Forest, Sydney Sandstone Gully Forest, Sydney Sandstone Ridgetop Woodland and Coastal Saltmarsh (Estuarine Complex).</li> </ul> <p><b>In accordance to the above, the following amendment to Part 6 Additional local provisions is suggested:</b></p> <p>Insert:</p> <p><b>6.15 Environmentally sensitive land—terrestrial biodiversity</b></p> <p>(1) <i>The objective of this clause is to maintain terrestrial biodiversity by—</i></p> <ul style="list-style-type: none"> <li>(a) <i>protecting native fauna and flora, and</i></li> <li>(b) <i>protecting the ecological processes necessary for their continued existence, and</i></li> <li>(c) <i>encouraging the conservation and recovery of native fauna and flora and their habitats.</i></li> </ul> <p>(2) <i>This clause applies to land identified as “Environmentally Sensitive Land” on the Terrestrial Biodiversity Map.</i></p> <p>(3) <i>In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider—</i></p> <ul style="list-style-type: none"> <li>(a) <i>whether the development is likely to have—</i> <ul style="list-style-type: none"> <li>(i) <i>any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and</i></li> <li>(ii) <i>any adverse impact on the importance of the</i></li> </ul> </li> </ul>	

**ITEM 8 (continued)**

**ATTACHMENT 5**

LEP Provision	Amendment	Objective (from Part 1)
	<p>vegetation on the land to the habitat and survival of native fauna, and</p> <p>(iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and</p> <p>(iv) any adverse impact on the habitat elements providing connectivity on the land, and</p> <p>(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development</p> <p>(4) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that—</p> <p>(a) the development is designed, and sited to avoid or minimise adverse environmental impact, or</p> <p>(b) if that impact cannot be avoided or minimised—the development will be managed to mitigate that impact.</p>	
<p>New Clause 6.16 Environmentally Sensitive Land – Riparian Lands and Watercourses</p>	<p>As discussed above, environmentally sensitive land provisions and mapping are intended to provide conservation management outcomes for environmentally sensitive land.</p> <p>The Environmentally Sensitive Land - Riparian Lands and Watercourses provisions and maps will provide conservation management outcomes for:</p> <ul style="list-style-type: none"> <li>Riparian land that forms the banks of waterbodies within the City of Ryde and adjacent land it directly affects, including vegetation; and</li> <li>Land affected by the <i>State Environmental Planning Policy (Coastal Management) 2018</i> area – being land that contains sensitive coastal environments, habitats and natural processes, including coastal wetlands or land in close proximity to coastal wetlands.</li> </ul> <p><b>In accordance to the above, the following amendment to Part 6 Additional local provisions is suggested:</b></p> <p>Insert:</p> <p><b>6.16 Environmentally sensitive land—riparian land and watercourses</b></p> <p>(1) The objective of this clause is to protect and maintain the following—</p> <p>(a) water quality within watercourses,</p> <p>(b) the stability of the bed and banks of watercourses,</p> <p>(c) aquatic and riparian habitats,</p> <p>(d) ecological processes within watercourses and riparian areas.</p>	<p>2e</p>

**ITEM 8 (continued)**

**ATTACHMENT 5**

LEP Provision	Amendment	Objective (from Part 1)
	<p>(2) <i>This clause applies to land identified as “Environmentally Sensitive Land” on the Riparian Lands and Watercourses Map.</i></p> <p>(3) <i>In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider—</i></p> <p>(a) <i>whether or not the development is likely to have any adverse impact on the following—</i></p> <p>(i) <i>the water quality and flows within the watercourse,</i></p> <p>(ii) <i>aquatic and riparian species, habitats and ecosystems of the watercourse,</i></p> <p>(iii) <i>the stability of the bed and banks of the watercourse,</i></p> <p>(iv) <i>the free passage of fish and other aquatic organisms within or along the watercourse,</i></p> <p>(v) <i>any future rehabilitation of the watercourse and riparian areas, and</i></p> <p>(b) <i>whether or not the development is likely to increase water extraction from the watercourse, and</i></p> <p>(c) <i>any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i></p> <p>(4) <i>Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that—</i></p> <p>(a) <i>the development is designed, and sited to avoid or minimise adverse environmental impact, or</i></p> <p>(b) <i>if that impact cannot be avoided or minimised—the development will be managed to mitigate that impact.</i></p>	
<p><b>New Clause 6.17 Environmentally Sensitive Land – Scenic Quality and Natural Landforms</b></p>	<p>As discussed above, environmentally sensitive land provisions and mapping are intended to provide conservation management outcomes for environmentally sensitive land.</p> <p>The Environmentally Sensitive Land – Scenic Quality and Natural Landform provisions and maps will provide conservation management outcomes for:</p> <ul style="list-style-type: none"> <li>Land identified as having slope instability; and</li> <li>Land included in the E1 National Parks and Nature Reserves Zone.</li> </ul> <p><b>In accordance to the above, the following amendment to Part 6 Additional local provisions is suggested:</b></p> <p>Insert:</p> <p><b>6.17 Environmentally sensitive land—scenic qualities and natural landforms</b></p>	<p><b>2e</b></p>

**ITEM 8 (continued)**

**ATTACHMENT 5**

LEP Provision	Amendment	Objective (from Part 1)
	<p>(1) The objectives of this clause are to protect and enhance scenic qualities and natural landforms.</p> <p>(2) This clause applies to all land identified as "Environmentally Sensitive Land" on the Scenic Quality and Natural Landforms Map.</p> <p>(3) In determining whether to grant development consent for development on land to which this clause applies, the consent authority must consider whether the development is likely to have any adverse impact on the scenic qualities and natural landforms.</p> <p>(4) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that—</p> <p>(a) the development is designed, and sited to avoid or minimise adverse environmental impact, or</p> <p>(b) if that impact cannot be avoided or minimised—the development will be managed to mitigate that impact</p>	
Schedule 1 Additional permitted uses - 1	<p>11-13 Pennant Avenue, Denistone</p> <p>The use permitted by this clause, i.e. a road, is now permitted in the R2 Low Density Residential Zone and as such the clause is no longer required. It is therefore proposed to delete clause 1 of Schedule 1 Additional permitted uses.</p>	1
Schedule 1 Additional permitted uses - 2	<p>607 Blaxland Road, Eastwood</p> <p>The site has been redeveloped for residential development and has been strata subdivided. It is therefore unlikely that the site will be redeveloped for vehicle sales or hire premises and as such it is proposed to delete clause 2 of Schedule 1 Additional permitted uses</p>	1
Schedule 1 Additional permitted uses - 7	<p>25-27 Epping Road, Macquarie Park</p> <p>The additional uses permitted by the clause, i.e. centre-based child care facilities and commercial premises, are permitted with development consent within the current zoning of the site and as such the clause is unnecessary and it is proposed that the clause be deleted.</p>	1
Schedule 1 Additional permitted uses - 16	<p>600-640 Victoria Road, Ryde (known as Royal Rehabilitation Centre)</p> <p>The street address in Schedule 5 Environmental Heritage needs to be corrected to 55 and 59 Charles Street, Ryde.</p>	1
Schedule 2 Exempt Development - Educational resource recycling facility (New clause)	<p>Council's Waste Management Strategy outlines the steps the City of Ryde is taking to better manage waste streams, focusing on key areas of resource recovery and waste avoidance. A challenge identified in the Strategy is to educate and influence the community to reduce unnecessary waste at its source and offer opportunities to reuse and renew valuable resources which would otherwise be sent to landfill.</p> <p>In line with Council's Waste Management Strategy, this Planning Proposal proposes to permit an educational resource recycling facility</p>	7



**ITEM 8 (continued)**

**ATTACHMENT 5**

LEP Provision	Amendment	Objective (from Part 1)
	<p>within Porters Creek Park.</p> <p><b>The following proposed new clause is suggested:</b></p> <p><b>'Schedule 1 Additional permitted uses</b></p> <p><b>10B Use of certain land at 152 Wicks Road , Macquarie Park</b></p> <p>(1) <i>This clause applies to land at 152 Wicks Road Macquarie Park being Lot 16, DP841065</i></p> <p>(2) <i>Development for the purpose of a resource recovery facility with community educational signage and displays relating to waste management and disposal.'</i></p>	
Schedule 2 Exempt Development – Events (New clause)	<p>In March 2018, changes to the Act introduced new requirements for all councils in NSW to prepare and make a LSPS. The Ryde LSPS is informed by the City of Ryde Community Strategic Plan and other Council adopted studies and plans and will be a key resource to guide how strategic and statutory plans will be implemented in the Ryde Local Government Area (LGA). In particular, Council is required to consider the LSPS when amending the RLEP 2014.</p> <p>Council exhibited draft Ryde LSPS from the 1 July 2019 – 12 August 2019 and was endorsed by Council on the 12 December 2019 and forwarded to the Greater Sydney Commission (GSC) seeking their support. Council received support from the GSC for the draft Ryde LSPS on 31 March 2020 and the statement was made.</p> <p>An action of the LSPS (Action CW5) is to amend the RLEP 2014 to better provide community events that are responsive to the changing trends and needs of the community.</p> <p><b>Proposed amendments to Schedule 2 Exempt Development are suggested:</b></p> <p>Delete:</p> <p><b>'Events (community and fundraising)'</b></p> <p>Insert:</p> <p><b>Special Events</b></p> <p>(1) <i>For the purposes of development specified for this clause—</i></p> <p><i>A <b>Special Event</b> means any event (such as ceremonies, cultural celebrations, community events, exhibitions, fetes, fairs, gatherings, markets or sporting events).</i></p> <p>(2) <i>Must take place on a road, school, place of worship, hospital, public land or land that is Zone RE1 Public Recreation or Zone RE2 Private Recreation.</i></p> <p>(3) <i>Must not be conducted for more than 52 days (up to a maximum of 7 consecutive days) in any period of 12 months.</i></p>	2g

**ITEM 8 (continued)**

**ATTACHMENT 5**

LEP Provision	Amendment	Objective (from Part 1)
	<p>(4) <i>Must ensure plans are in place to provide access emergency vehicle access to the premises.</i></p> <p>(5) <i>Must not restrict pedestrian access to shops, public facilities or the foreshore unless alternative access is provided.</i></p> <p>(6) <i>Must provide sufficient toilet facilities and access to water for patrons and staff</i></p> <p>(7) <i>Must provide adequate artificial lighting, if necessary, to permit safe movement of patrons.</i></p> <p>(8) <i>Operator must have arrangements for the collection, by an authorised trade waste contractor, of waste and recyclable materials that are generated by the event or use.</i></p> <p>(9) <i>Must notify any relevant authorities (such as police, emergency) about the special event.</i></p> <p>(10) <i>Must have obtained any necessary approval and required documentation to stage the event.</i></p>	
Schedule 2 Exempt Development - Signage on flagpoles, street lighting, multi-function poles, bins and transport related street furniture (New clause)	<p>Currently community service signage is provided throughout various zones within the City of Ryde on flagpoles, street lighting and multi-function poles. In line with Council's resolution of the 25 August 2015, it is proposed to permit general advertising on all such structures as exempt development subject to the following specific conditions being satisfied.</p> <ul style="list-style-type: none"> <li>• The advertising is carried out by or on behalf of Council; and</li> <li>• It can be demonstrated that there will be a community benefit derived from the financial returns from the advertising to improve and enhance access networks, services and facilities in the City of Ryde in terms of convenience, safety and amenity of pedestrians, cyclists, public transport and road users.</li> </ul> <p><b>The proposed amendment to Schedule 2 Exempt Development is suggested:</b></p> <p><b>'Advertisements on flagpoles, street lights, multi-function poles, bins and transport related street furniture</b></p> <p>(1) <i>Must be carried out by or on behalf of Council</i></p> <p>(2) <i>Must not be located in a residential zone</i></p> <p>(3) <i>Must not include the display of any advertising which promotes unlawful or illegal goods, services or activities or which is otherwise unlawful, offensive or obscene as determined by Council</i></p> <p>(4) <i>Must not be illuminated'</i></p>	2h
Schedule 2 Exempt	Under a repealed Environmental Planning Instrument for the City of Ryde, i.e. the Ryde Local Environmental Plan 2010, general advertising	2h

**ITEM 8 (continued)**

**ATTACHMENT 5**

LEP Provision	Amendment	Objective (from Part 1)
Development - Signage on bus shelters and electric vehicle charge stations (New clause)	<p>was permitted throughout the City on structures that had the principle purpose of improving safety, amenity and convenience for pedestrians such as bus shelters, kiosks, rubbish bins and information panels.</p> <p>Under RLEP 2014, general advertising on bus shelters and like structures is prohibited. The existing advertising on current bus shelters benefits from existing use rights under the Act. However, it is not possible for new bus shelters to contain such signage. To simplify the process associated with signage on existing bus shelters and to permit advertising on future bus shelters and related structures, the Planning Proposal addresses the inclusion of advertising on bus shelters as exempt development.</p> <p><b>The proposed amendment to Schedule 2 Exempt Development is suggested:</b></p> <p><b>'Advertisements on bus shelters and electric vehicle charge stations</b></p> <ol style="list-style-type: none"> <li>(1) <i>Must be carried out by or on behalf of Ryde City Council</i></li> <li>(2) <i>Must not be located in a residential zone</i></li> <li>(3) <i>Must not project beyond the bus shelter structure</i></li> <li>(4) <i>No more than two advertisements can be concurrently displayed on each bus shelter</i></li> <li>(5) <i>Must not include the display of any advertising which promotes unlawful or illegal goods, services or activities or which is otherwise unlawful, offensive or obscene as determined by Council</i></li> <li>(6) <i>Where illuminated must include at all times an appropriate advertisement or a Ryde City Council logo or community notice or plain sheet to reduce the intensity of the light</i></li> <li>(7) <i>Must not obscure or limit the view of the driver of a bus approaching the shelter</i></li> <li>(8) <i>Must not obscure or limit the view of an approaching bus by persons using the shelter,</i></li> <li>(9) <i>Must not be more than 2 advertisements displayed on the shelter</i></li> <li>(10) <i>Must make provision for the safety of persons using the shelter or of pedestrians, cyclists or vehicles using any adjoining public road or footpath,</i></li> <li>(11) <i>Must not be designed so as to imitate official regulatory signage (such as by using the image of a stop sign) or be capable of being confused with such official signage,</i></li> <li>(12) <i>Must not include any directions to traffic (such as "turn left now" or "wrong way go back")</i></li> <li>(13) <i>Must comply with the Transport Corridor Outdoor Advertising and Signage Guidelines - Assessing development applications under SEPP 64 (2017) '</i></li> </ol>	
Schedule 5 Heritage Item - 1	<p>Curzon Hall (restaurant)</p> <p>The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect and needs to be changed from Lot 10 DP 1100767 to Lot 110 DP 1178827.</p>	1
Schedule 5 Heritage Item -	Macquarie University Ruins	1

**ITEM 8 (continued)**

**ATTACHMENT 5**

LEP Provision	Amendment	Objective (from Part 1)
10	The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect and needs to be changed from Part Lot 18 in DP1058168 to Part Lot 191 DP1157041.	
Schedule 5 Heritage Item – 13	Ryde Park (gazebo)  The street address in Schedule 5 Environmental Heritage needs to be corrected to 30 Argyle Street, Ryde.	1
Schedule 5 Heritage Item – 16	Masonic Temple (hall)  The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect as a result of minor subdivision and needs to be updated to Lot 1 and 2 DP1148792. The street address in Schedule 5 Environmental Heritage also needs to be corrected to 142 and 142A Blaxland Road, Ryde.	1
Schedule 5 Heritage Item – 35	St Philip's  The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect and needs to be changed from Lot A in 389661 to Lot 1 DP 1134170.	1
Schedule 5 Heritage Item – 46	Northern Suburbs Crematorium  The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect as a result of minor subdivision and needs to be updated to Lot 1 DP 1192117.	1
Schedule 5 Heritage Item – 47	"Denistone House" and "Trigg House" (Ryde Hospital)  The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect and needs to be changed from Lot 1 in DP869614 to Lot 11 DP1183279.	1
Schedule 5 – Item 49	Obelisk  The obelisk is a tramway monument and has been moved from the corner Blaxland Road and Church Street to its original location adjacent to 96-98 Blaxland Road, Ryde. The tramway monument is of historical significance as it commemorates the extension of the tramway system to Ryde in 1908. To better describe the item, it is proposed to change the description in Schedule 5 Environmental Heritage of the LEP 2014 from "Obelisk" to "Tramway Monument" and to change the address to its correct location, i.e. 96-98 Blaxland Road, Ryde.	1
Schedule 5 Heritage Item – 57	Crowle Home (house)  Subdivision and redevelopment has resulted in Heritage Item 57, Crowle Home (house), that was previously located at the property address 8 Junction Street, Ryde, becoming part of the property address at 74 Belmore Road, Ryde. As a result of subdivision, the property description also changed to SP 93568. It is proposed to amend Schedule 5 to have the correct property description and address.	1
Schedule 5 Heritage Item –	Old Factory	1



**ITEM 8 (continued)**

**ATTACHMENT 5**

LEP Provision	Amendment	Objective (from Part 1)
80	Approval for the demolition of an old factory at 37 Nancarrow Avenue, Meadowbank, was part of the NSW State Government's approved Concept Plan for the redevelopment of land at Shepherds Bay. The approval was granted under Section 75O of the <i>Environmental Planning and Assessment Act 1979</i> on 14 September 2011. Demolition was also necessary to implement Council's adopted Ann Thorn Flood Risk Management Plan. Subsequently, the building has been demolished to make way for residential redevelopment. The factory is listed in Schedule 5 Environmental Heritage of the LEP 2014. As the building is no longer in existence, it is proposed to remove the item from the schedule.	
Schedule 5 Heritage Item – 83	House  The heritage item is contained within 15 Orange Street Eastwood and as such the address needs to change from 9 Orange Street Eastwood.	1
Schedule 5 Heritage Item – 87	Putney Park (house remains)  The street address in Schedule 5 Environmental Heritage needs to be corrected to 55 Pellisier Road, Putney.	1
Schedule 5 Heritage Item – 90	"Wollondilly"  The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect and needs to be changed from Lot 1 in 221325 to Lot 45 DP 1144636.	1
Schedule 5 Heritage Item – 121	Shops  The street address in Schedule 5 Environmental Heritage needs to be corrected to 113 Tennyson Road, Tennyson Point.	1
Schedule 5 Heritage Item – 138	Buildings B00A, B00B and B00D, Gladesville Public School  The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect as a result of minor subdivision and needs to be updated to Lot 2 DP 1134170 only.	1
Schedule 5 Heritage Items – 139 and 140	Church and Gates  The property descriptions in Schedule 5 Environmental Heritage of the LEP 2014 are incorrect and needs to be changed to Lots 102 – 104 DP 123572 and Lot 1 DP 724225.	1
Schedule 5 Heritage Item – 141	House  The land has been subdivided and the heritage item is now contained within 80 Eltham Street Gladesville and Lot 101 in DP 1187930. It is proposed to correct the property description and address accordingly.	1

**ITEM 8 (continued)**

**ATTACHMENT 5**

RLEP 2014 maps are to be amended as detailed in Table 2:

**Table 2 – LEP Maps Proposed to be Amended**

<b>Amendment</b>	<b>Objective (from Part 1)</b>
<p><b>6 Halifax Street, Macquarie Park</b> (Lot 117 in DP 1224238)</p> <p>The zone boundaries do not reflect the cadastre boundary and incorrectly zone a portion of land in private ownership as RE1 Public Recreation. The land should be zoned R4 High Density Residential as per the remainder of the site. It is proposed to amend the LEP 2014 Land Zoning Map Sheet LZN_009 accordingly.</p>	1
<p><b>68-80 Rowe Street and 20 First Avenue, Eastwood</b></p> <p>The majority of land bound by Rowe Street, Ryedale Road, First Avenue and East Street, Eastwood is divided by the B4 Mixed Use and R4 High Density Residential zones of the LEP 2014. However, the boundaries of individual properties do not reflect the zone boundaries in small portions. As a result, there are properties that contain both zones. It is proposed that the zone boundaries be altered so that the above properties only contain one zone relevant to the built use, i.e. 68-80 Rowe Street be totally zoned B4 Mixed Use being a mixed use development and 20 First Avenue be totally zoned R4 High Density Residential being a high density residential development. Land Zoning Map Sheet LZN_002 will need to be updated accordingly.</p>	1
<p><b>45-61 Waterloo Road, Macquarie Park</b></p> <p>On 14 March 2017, Council resolved to endorse a planning proposal in relation to 45-61 Waterloo Road, Macquarie Park to rezone part of the site to RE1 Public Recreation and transfer the development potential of that part of the site across the remainder of the land. This included increasing the maximum height of building and floor space ratio controls of the LEP. The maximum height of building control has been amended as per the Council resolution. However, the proposed change to the floor space ratio has been overlooked. It is therefore proposed to change the floor space ratio control as per the resolution, i.e. from 1:1 and to 2.26:1. Floor Space Ratio Map Sheet FSR_004 will need to be updated accordingly.</p>	1
<p><b>Blenheim Road, North Ryde</b></p> <p>It is proposed to rezone a portion of Blenheim Road, North Ryde from E2 Environmental Conservation to RE1 Public Recreation to align with its current use as vehicular access and parking for Blenheim Park. It is noted that the rezoning would also be consistent with the Council adopted masterplan for the park where the land will continue to be used for vehicular access to the park and a radio control car club. This will require Land Zoning Map Sheet LZN_009 to be updated.</p>	1
<p><b>Delete Flood maps</b></p> <p>As discussed above, Clause 6.3 of the LEP currently applies to land identified in the 'Flood Planning Maps' of the LEP and to other land at or below the FPL. It is proposed to amend the clause to remove all references to flood planning maps and to state that the clause applies to all land at or below the Flood Planning Level (FPL). This will require the deletion of Flood Planning Map Sheets FLD_001, FLD_002, FLD_004 and FLD_005.</p>	1
<p><b>Design excellence map</b></p> <p>As discussed above, Clause 6.13 is proposed to be amended to apply to all town centres. The design excellence map of the LEP is therefore proposed to be deleted, i.e. Design</p>	2c

**ITEM 8 (continued)**

**ATTACHMENT 5**

<b>Amendment</b>	<b>Objective (from Part 1)</b>
<p>Excellence Map Sheet DEX_004.</p> <p><b>Devlin Street and Blaxland Road, Ryde</b></p> <p>Lots 10, 11 and 12 in DP 1110978 Lots 1 and 2 in DP 1170801 Lots 50 and 51 DP 115741 Lots T, S, R and Q in DP 443304</p> <p>The Civic site is a 'Deferred Matter' under clause 1.3 of the LEP and is designated as such on the LEP 2014 Land Application Map, i.e. the map that indicates the land to which the LEP 2014 applies. As a result, the planning provisions for the land reside in <i>Ryde Local Environmental Plan 2010</i> (LEP 2010). Under LEP 2010, the land is zoned B4 Mixed Use, has a Height of Building control of 21.5 metres and 75 metres and no FSR.</p> <p>Council has submitted a development application to the Sydney North Planning Panel to allow for the construction of a multi-purpose community and cultural building which will contain a hall seating up to 700 people, as well as activity rooms, meeting rooms, an art gallery and refreshment rooms. It also allows for the construction of an office building which will accommodate City of Ryde staff (who are currently occupying leased premises at North Ryde) and two floors of commercially lettable space, an integrated public plaza, extensive landscaping throughout the site, 236 on-site basement car spaces, and space for food and beverage offerings.</p> <p>The development application is consistent with the planning controls of the LEP 2010 and as such it is proposed to bring the LEP 2010 provisions into LEP. This will require deleting the 'Deferred Matter' notation from the LEP 2014 Land Application Map and amending the relevant Zoning and Height of Building Maps. It is therefore proposed to repeal LEP 2010 delete 'Deferred Matter' from the LEP Land Application Map Sheet LAP_001, zone the site B4 Mixed Use on the LEP Land Zoning Map Sheet LZN_006 and provide height limits of 21.5 metres and 75 metres on LEP 2014 Height Map Sheet HOB_006.</p>	7
<p><b>Environmentally Sensitive Lands – Terrestrial Biodiversity</b></p> <p>As discussed above, Environmentally Sensitive Land - Terrestrial Biodiversity maps and accompanying provisions will provide conservation management outcomes for the most environmentally sensitive terrestrial biodiversity in the City of Ryde.</p>	2e
<p><b>Environmentally Sensitive Lands – Riparian Lands and Watercourses</b></p> <p>As discussed above, Environmentally Sensitive Land - Riparian Lands and Watercourses maps and accompanying provisions will provide conservation management outcomes for the most environmentally sensitive terrestrial biodiversity in the City of Ryde.</p>	2e
<p><b>Environmentally Sensitive Lands – Scenic Quality and Natural Landforms</b></p> <p>As discussed above, Environmentally Sensitive Land - Scenic Quality and Natural Landforms maps and accompanying provisions will provide conservation management outcomes for the most environmentally sensitive terrestrial biodiversity in the City of Ryde.</p>	2e
<p><b>Heritage Item 49 (Adjacent to 96-98 Blaxland Road, Ryde)</b></p> <p>The item is an obelisk which is a tramway monument and has been moved from the corner Blaxland Road and Church Street to its original location adjacent to 96-98 Blaxland Road, Ryde. The tramway monument is of historical significance as it commemorates the extension of the tramway system to Ryde in 1908. It is proposed to include the location of the monument on LEP 2014 Heritage Map Sheet HER_006 by notating the Schedule 5</p>	1

**ITEM 8 (continued)**

**ATTACHMENT 5**

<b>Amendment</b>	<b>Objective (from Part 1)</b>
Environmental Heritage item number 49 at that location. It is noted that the land is already coloured as an item on that map being located on the State significant environmental heritage item the Great North Road, Bedlam Point to Eastwood.	
<b>Heritage Item 57 (74 Belmore Road, Ryde)</b>  Subdivision and redevelopment has resulted in Heritage Item 57, Crowle Home (house), that was previously located at the property address 8 Junction Street, Ryde, becoming part of the property address at 74 Belmore Road, Ryde. As a result of subdivision, the property description also changed to SP 93568. It is proposed to amend the LEP 2014 Heritage Map Sheet HER_006 in accordance to the boundary of the property description accordingly.	1
<b>Heritage Item 80 (37 Nancarrow Avenue, Meadowbank)</b>  Lots 1-7 and 9-17 in DP 19585; Lot 1 in DP 122205  Approval for the demolition of an old factory at 37 Nancarrow Avenue, Meadowbank, was part of the NSW State Government's approved Concept Plan for the redevelopment of land at Shepherds Bay. The approval was granted under Section 75O of the <i>Environmental Planning and Assessment Act 1979</i> on 14 September 2011. Subsequently, the building has been demolished to make way for residential redevelopment. The factory is listed in Schedule 5 Environmental Heritage of the LEP 2014 and is included in the Heritage Map Sheet HER_003 of the LEP. As the building is no longer in existence, it is proposed to delete the item from the map.	1
<b>Heritage Item 141 (80 Eltham Street, Gladesville)</b>  The site has been subdivided and the heritage item is now contained within 80 Eltham Street Gladesville and Lot 101 in DP 1187930. It is proposed to correct Heritage Map Sheet HER_003 accordingly.	1
<b>Ivanhoe Estate – E2 Conservation Zone</b>  Lot 8 in DP 861433 (part) Lot 101 in DP 1247443 (part) Crown land  In a letter dated 15 March 2018, the Office of Environment and Heritage (OEH), now part of the Environment, Energy and Science Group of the Department of Planning, Industry and Environment, provided extensive comments in relation to the exhibition of a concept redevelopment application for mixed-use development on the Ivanhoe Estate (See attached correspondence at Appendix C). The correspondence supports Council's view on the importance of retaining the existing threatened ecological Sydney Turpentine Ironbark Forest (STIF) community on and adjoining the Estate, including along Epping Road, and protecting the Shrimptons Creek Riparian Corridor. Council considers that not enough was done in the planning and siting of the proposed development to avoid directly impacting the STIF community and riparian corridor in the concept proposal. The letter also recommends that the existing E2 Environment Conservation Zone (E2 Zone) be extended into the site to protect the STIF community and corridor area.  The Ivanhoe Estate concept proposal was approved on 30 April 2020. In accordance to the conditions of the consent, all physical works and subsequent stages of the mixed-use development are subject to future development applications. Given the location of the future built form of the estate is still to be designed and determined, a full assessment of the impact to the communities and corridor is incomplete.  Prior to the concept approval, a Mayoral Minute was prepared to Council's meeting of 26	2i



**ITEM 8 (continued)**

**ATTACHMENT 5**

Amendment	Objective (from Part 1)
<p>February 2019 (Mayoral Minute and Council minutes provided at Appendix D). Council resolved (in part):</p> <p><i>'That the General Manager write to the NSW Minister for Planning, the NSW Land and Housing Corporation and Fraser's Property as a matter of urgency strongly advocating for the existing E2 zone immediately adjoining the proposed Ivanhoe Estate to be extended into the Ivanhoe Estate site within the riparian corridor along the eastern side of the Estate and along with Epping Road, to protect these areas in the long-term, as this zone will ensure stronger conservation management protection.'</i></p> <p>Mixed-use development is prohibited in the E2 Zone. An E2 zoning of the STIF community and riparian corridor land would therefore ensure that no built form in any future development applications for the estate can impact upon them and will provide long term conservation management protection</p> <p>In response to:</p> <ul style="list-style-type: none"> <li>• the evidence provided by OEH,</li> <li>• the request of OEH and Council's resolution to rezone the land to E2,</li> <li>• the fact that the location of the final built form in relation to the STIF community and corridor is yet to be fully determined, assessed or approved, and</li> <li>• the conservation benefits of rezoning the STIF community and riparian corridor to E2,</li> </ul> <p>it is proposed to amend LEP 2014 Land Zoning Map Sheet LZN_004 and LEP 2014 Land Zoning Map Sheet LZN_005 accordingly.</p>	
<p><b>Ryde Hospital (Cnr Denistone Road and Florence Avenue, Denistone)</b></p> <p>A very small portion of the Ryde Hospital site is incorrectly zoned R2 Low Density Residential. It is proposed to correct the error and include the land in the SP2 Health Service Facility Zone as per the remainder of the hospital site. Land Zoning Map Sheet LZN_002 will need to be updated accordingly.</p>	1

**ITEM 8 (continued)**

**ATTACHMENT 5**

**Part 3 - Justification**

**Section A - Need for the Planning Proposal**

**Q1. *Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?***

The Planning Proposal is not a result of a single strategic study or report. It responds to matters that have been raised by Council staff in relation to the LEP. It also responds to parts of the LSPS and Council resolutions (discussed above). The Planning Proposal is required to amend LEP to resolve the identified issues and implement the decision of Council.

**Q2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?***

The Planning Proposal is the only means to achieve the intended outcome as amendments to LEP are required.

**Section B - Relationship to Strategic Planning Framework**

**Q3. *Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?***

The strategic planning framework for the consideration of this Planning Proposal includes:

- A Greater Sydney Region Plan – A Metropolis of Three Cities 2018; and
- The North District Plan

Greater Sydney Regional Plan - A Metropolis of Three Cities

The *Greater Sydney Region Plan* (2018) outlines how Greater Sydney will manage growth and change and guide infrastructure delivery over the next 40 years.

The Vision of the Plan is to meet the needs of a growing and changing population by transforming Greater Sydney into a metropolis of three cities – the Western Parkland City, the Central River City and the Eastern Harbour City.

The City of Ryde is located within the Eastern Harbour City. The Plan states that the established Eastern Harbour City will be building on its recognised economic strength and addressing liveability and sustainability.

The Plan contains:

- 4 Key themes - infrastructure and collaboration, liveability, productivity and sustainability;
- 14 Metrics i.e. measurement tools;
- 10 Directions; and
- 40 Objectives.

The proposal is not inconsistent with any of the objectives. However, the objectives particularly relevant to the proposal are addressed as follows:

## ITEM 8 (continued)

## ATTACHMENT 5

- *Objective 4: Infrastructure Use is optimised*
- *Objective 6: Services and infrastructure meet communities changing needs*

The proposal is consistent with Objective 4 by proposing to allow advertisements on billboards (for community benefit), bus shelters, street lighting, flagpoles, multi-function poles and transport related street furniture as exempt development. Such advertising structures will improve and enhance access way networks in the City of Ryde for the convenience, safety and amenity of pedestrian, cyclists and vehicle road users assisting to optimise transport infrastructure use. A draft Outdoor Advertising Special Community Signs at Appendix B supports this planning proposal and details how the community benefit will be derived.

The proposal is also consistent with Objectives 4 and 6 by permitting community facilities in more locations. This will ensure that the City of Ryde is able to support changing social infrastructure needs and optimise use of facilities.

- *Objective 21: Internationally competitive health, education, research and innovation precincts*
- *Objective 22: Investment and business activity in centres*
- *Objective 23: Industrial and urban services land is planned, retained and managed*

The proposals to remove prohibitions in relation to uses within business and industrial zones and restrictions in relation to the development of function centres, neighbourhood shops, registered clubs, restaurants or cafes in the B7 Business Park Zone of the Macquarie Park Corridor, will assist in meeting Objectives 21 and 22, i.e. removing restrictions will assist in making Macquarie Park more competitive by allowing more investment and business activities to occur within the precinct. The proposals will also assist in planning, retaining and managing the Macquarie Park Corridor meeting Objective 23.

- *Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced*
- *Objective 28: Scenic and cultural landscapes are protected*

Objectives 27 and 28 will be met by the proposal by protecting threatened ecological Sydney Turpentine Ironbark Forest community and riparian land on and adjoining the Ivanhoe Estate and through the provision of environmentally sensitive land provisions and mapping to provide conservation management outcomes for environmentally sensitive land. Environmentally sensitive land is proposed to include terrestrial biodiversity, riparian land, watercourses, land with scenic quality and natural landforms.

- *Objective 35: More waste is re-used and recycled to support the development of a circular economy*

The proposal to permit an educational resource recycling facility within Porter's Creek Park (152 Wicks Road, Macquarie Park) to expand community education and capacity of Council's waste management practices will assist in meeting objective 35, i.e. it will result in more waste being re-used and recycled to support the development of a circular economy. Permitting water recycling facilities in more zones to allow the management of water to be undertaken more efficiently will also achieve this.

### North District Plan (2018)

The *North District Plan* (NDP) sets out the planning priorities and actions for Greater Sydney's North District, which includes the local government areas of Hornsby, Hunters Hill, Ku-ring-gai, Lane Cove, Northern Beaches, Mosman, North Sydney, the City of Ryde and Willoughby as developed by the Greater Sydney Commission.

## ITEM 8 (continued)

## ATTACHMENT 5

The NDP provides the means by which the Greater Sydney Region Plan can be put into action at a local level, by setting out the opportunities, priorities and actions for the growth and development of the North District.

In keeping with the Greater Sydney Region Plan each District Plan contains:

- Four key themes – infrastructure and collaboration, liveability, productivity and sustainability
- Ten Directions – to guide the balanced delivery of the theme
- Metrics – to measure successful delivery of the plans
- District-specific Planning Priorities and Actions – to achieve results that provide a great quality of life for people in the District

The proposal is not inconsistent with any of the Planning Priorities. However, the Planning Priorities particularly relevant to the proposal are addressed as follows:

- *Planning Priority N1 – Planning for a city supported by infrastructure*
- *Planning Priority N3 – Providing services and social infrastructure to meet people's changing needs*

The proposal is consistent with Planning Priority N1 by proposing to allow advertisements on billboards (for community benefit), on bus shelters, street lighting, flagpoles, multi-function poles and transport related street furniture as exempt development. Such advertising structures will improve and enhance access way networks in the City of Ryde for the convenience, safety and amenity of pedestrian, cyclists and vehicle road users and by planning for such the City of Ryde will be supported by transport infrastructure. A draft Outdoor Advertising Special Community Signs at Appendix B supports this planning proposal and details how the community benefit will be derived.

The proposal is also consistent with Planning Priority N1 and N3 by proposing to planning permit more community facilities in more locations. This will ensure that the City of Ryde is able to support changing social infrastructure needs.

- *Planning Priority N8 – Eastern Economic Corridor is better connected and more competitive*
- *Planning Priority N10 – Growing investment, business opportunities and jobs in strategic centres*
- *Planning Priority N11 – Retaining and managing industrial and urban services land*
- *Planning Priority N13 – Supporting growth of targeted industry sectors*

The proposals to remove prohibitions in relation to uses within business and industrial zones and restrictions in relation to the development of function centres, neighbourhood shops, registered clubs, restaurants or cafes in the B7 Business Park Zone of the Macquarie Park Corridor to provide for the needs of employees, visitors, businesses and organisations, will assist in meeting Planning Priorities N8, N10, N11 and N13, i.e. centres will be able to be more competitive by providing more business and jobs opportunities.

- *Planning Priority N16 – Protecting and enhancing bushland biodiversity*
- *Planning Priority N17 – Protecting and enhancing scenic and cultural landscapes*
- *Planning Priority N19 – Increasing urban tree canopy cover and delivering Green Grid connections*

Planning Priorities N16, N17 and N19 will be met by the proposal by protecting threatened ecological Sydney Turpentine Ironbark Forest (STIF) community and riparian land on and adjoining the Ivanhoe Estate and through the provision of environmentally sensitive land provisions and



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mapping to provide conservation management outcomes for environmentally sensitive land. Environmentally sensitive land is proposed to include terrestrial biodiversity, riparian land, watercourses, land with scenic quality and natural landforms.

- *Planning Priority N21 – Reducing carbon emissions and managing energy, water and waste efficiency*

The proposal to permit an educational resource recycling facility within Porter's Creek Park (152 Wicks Road, Macquarie Park) to expand community education and capacity of Council's waste management practices will assist in meeting Planning Priority N21, i.e. it will result in managing waste more efficiently. Permitting water recycling facilities in more zones to allow the management of water to be undertaken more efficiently will also achieve this.

**Q4. Will the proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?**

City of Ryde 2028 Community Strategic Plan

The Ryde 2028 Community Strategic Plan captures the needs and aspirations of the community and lays out the Vision and Outcomes that the community wants for the City of Ryde over the next 10 years. It also captures the City's priorities for achieving these outcomes.

The seven outcomes for the City of Ryde articulated in the plan are:

- Our Vibrant and Liveable City
- Our Active and Healthy City
- Our Natural and Sustainable City
- Our Smart and Innovative City
- Our Connected and Accessible City
- Our Diverse and Inclusive City
- Our Open and Progressive City

The Planning Proposal is not inconsistent with the outcomes of the Community Strategic Plan 2028 any of the outcomes. It speaks to the following outcomes of the plan:

- Our Vibrant and Liveable City – Great Places, Vibrant Neighbourhoods and Sustainable Design

The Great Places, Vibrant Neighbourhoods outcome includes creating active places and spaces in town and neighbouring centres and open space that encourage social interaction. The proposal to better provide for community events via the LEP is consistent with this outcome.

The Sustainable Design outcome includes ensuring the application of best practice planning and sustainable urban development. The proposal to insert design excellence provisions into the LEP for the towns centres of the City of Ryde will assist in achieving this outcome.

- Our Active and Healthy City – Well Targeted Services

The Well Targeted Services outcome includes building and enhancing services, including those supporting residents at different stages of their life. The proposal to permit community facilities in more locations will assist in achieving this outcome.

- Our Natural and Sustainable City - Sustainable Planning and Protecting Natural Areas

## ITEM 8 (continued)

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The Sustainable Planning outcome includes providing innovative waste and recycling services to achieve the highest level of resource recovery. This outcome is met by the proposal to permit an educational resource recycling facility within Porter's Creek Park (152 Wicks Road, Macquarie Park) to expand community education and capacity of Council's waste management practices. Permitting water recycling facilities in more zones to allow the management of water to be undertaken more efficiently will also achieve this.

The Protecting Natural Areas outcome includes reducing impacts on natural systems and strengthening the health of natural corridors. This outcome is met by the proposal to protect threatened ecological Sydney Turpentine Ironbark Forest (STIF) community and riparian land on and adjoining the Ivanhoe Estate and through the provision of environmentally sensitive land provisions and mapping to provide conservation management outcomes for environmentally sensitive land. Environmentally sensitive land is proposed to include terrestrial biodiversity, riparian land, watercourses, land with scenic quality and natural landforms.

- Our Smart and Innovative City - Business Opportunity/Investment and Macquarie Park

The Business Opportunity/Investment outcome includes ensuring that business can benefit from a prosperous local economy and the Macquarie Park outcome relates to ensuring that it has a role as a leading commercial centre and innovation district. The proposals to remove prohibitions in relation to uses within business and industrial zones and to remove restrictions in relation to the development of function centres, neighbourhood shops, registered clubs, restaurants or cafes in the B7 Business Park Zone of the Macquarie Park Corridor to provide for the needs of employees, visitors, businesses and organisations will assist in meeting these outcomes, with particular regard to the night time economy.

- Our Connected and Accessible City – Connections within our City

The Connections within our City outcome includes continuing investment in the road network, footpaths, cycleways and walkways. The proposal is consistent with this outcome by proposing to allow advertisements on billboards (for community benefit), on bus shelters, street lighting, flagpoles, multi-function poles and transport related street furniture as exempt development. Such advertising structures will improve and enhance access way networks in the City of Ryde for the convenience, safety and amenity of pedestrian, cyclists and vehicle road users. A draft Outdoor Advertising Special Community Signs at Appendix B supports this planning proposal and details how the community benefit will be derived.

### Local Strategic Planning Statement (LSPS)

Council adopted the *Planning Ryde: Local Strategic Planning Statement 2020* (LSPS) on 31 March 2020. The Planning Proposal gives effect to actions of the LSPS, some in part, as detailed in the table below:

**Table 3 – Relevant Actions of the LSPS**

Planning Priority		Actions	
H6	Develop design excellence planning controls	H6.1	Review development controls to ensure environmental, social and economic sustainability, and appropriate interface with public spaces and adjacent development. 2021
		H6.2	Consider planning incentives for design excellence. 2021
		H6.3	Review development controls across all residential development types to ensure sustainability and design excellence. 2021

**ITEM 8 (continued)**

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Planning Priority		Actions
CW4	Provide multi-purpose community facilities	CW4.2 Identify and create community hubs from Council-owned and Council-operated properties (including the Civic Centre site) to ensure residents have more access to cultural and community opportunities. 2030
		CW4.3 Identify a suitable location for a youth recreation and services hub. 2025
		CW4.4 Create multipurpose, district-level community hub at Macquarie Park and Eastwood. 2030
		CW4.5 Create multipurpose local community hub at Gladesville and Cox's Road. 2030
		CW4.6 Investigate opportunities for Council to act as a 'space broker' linking community needs to the most appropriate space whether a Council or a non-Council facility like schools, churches, etc. 2025
		CW4.7 Develop a district level community centre and a regional arts and cultural space at Top Ryde. 2025
		CW4.8 Partner with NSW Health to identify opportunities for new community infrastructure in Gladesville, Eastwood, North Ryde and Macquarie Park and relocate health services from Ryde Early Childhood Health Centre to a community services hub in Top Ryde
		CW4.9 Investigate opportunities to expand the provision of community based pre-school places
CW5	Remove regulatory barriers to events	CW5.1 Prepare planning proposal to amend exempt development provisions in LEP to assist with streamlining approvals for events
D2	Ensure all new buildings throughout the City of Ryde are examples of excellent design	D2.3 Update Ryde's LEP to include design excellence provisions and establish competitive design process requirements. 2025. This will include a high positive impact requirement for all buildings: <ul style="list-style-type: none"> <li>over 35 metres tall in the Macquarie Park Corridor, and over 30 metres tall elsewhere in the LGA</li> <li>located on sites over 1Ha</li> <li>located on mapped opportunity sites (to be identified at a later date)</li> </ul>
EM1	Focus land use intensification	EM 1.1 Ensure a mix of different land uses in town centres to minimise travel for work and to access services while also creating a greater return on investment in active and public transport facilities. 2021
EM2	Ensure the City of Ryde LGA is well-designed and planned to encourage new investment, local jobs and business opportunities in an environment of innovation, progression and economic growth	EM2.1 Review the extent, location, capacity and zoning of planning controls that apply to employment lands to ensure the retention and management of adequate land with appropriate planning provisions. 2021
		EM2.2 Ensure Land use provisions respond to global and local trends to support job creation, ensuring there is opportunity for land uses such as co-working spaces and incubators in appropriate locations. 2021

**ITEM 8 (continued)**

**ATTACHMENT 5**

Planning Priority		Actions
EM3	Stimulate economic growth and local jobs by providing opportunities for a range of businesses and protecting employment lands	<p>EM3.2 Expand the permissible land uses in centres to encourage the growth of local business, the new economy and creative enterprise. 2021</p> <p>EM3.3 Review land use provisions so that zoning facilitates business attraction. 2021</p>
EM4	Promote tourism and night time economy	<p>EM4.1 Collaborate with partners to promote a 18-hour city in Macquarie Park</p> <p>EM4.2 Enhance tourism opportunities in association with attractions such as Macquarie University and Lane Cove National Park</p>
M3	Ensure liveability in Macquarie Park through an attractive, vibrant, sustainable and well-designed environment	<p>M3.1 Prepare planning controls that ensure a mix of uses and street activation in appropriate areas</p> <p>M3.3 Prepare design excellence planning controls for the private domain and continue to implement Council's current Public Domain Manual and Public Art policies</p> <p>M3.4 Ensure design excellence in the delivery of the new public park at 45-61 Waterloo Road</p>
E1	Protect and enhance bushland, biodiversity, environmentally sensitive waterways, scenic and cultural landscapes	<p>E1.1 Manage and protect the conservation significance of native vegetation, urban waterways, biodiversity corridors and urban habitats by implementing Ryde Biodiversity Plan 2016</p> <p>E1.2 Manage and protect areas consistent with the City of Ryde's area-specific and generic Plans of Management under Local Government Act 1993</p> <p>E1.4 Review environmentally sensitive land across the LGA including E1, E2 and E3 Environmental Conservation Zones, including to protect the Shrimptons Creek corridor and threatened species along Epping Road</p>
E3	Reduce carbon emissions and manage energy, water and waste efficiently	E3.4 Review waste policies and planning controls in the Ryde Development Control Plan 2014 and in Ryde Local Environmental Plan 2014
E5	Provide waste and recycling infrastructure that is designed to ensure safety, efficiency and accessibility of waste, reuse and recycling services, and that does not compromise the public domain	E5.1 Review and amend planning controls in the Ryde Local Environmental Plan 2014 and Ryde Development Control Plan 2014 to ensure they require new developments to have appropriately designed on-site storage for waste and recycling services, and provide for the separation of waste materials to encourage recycling and reuse



**ITEM 8 (continued)**

**ATTACHMENT 5**

***Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?***

Yes. The Planning Proposal is generally consistent with relevant State Environmental Planning Policies (SEPPs) and deemed SEPPs. A summary assessment of the Planning Proposal in terms of those policies relevant to the City of Ryde is contained in Attachment D.

***Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?***

Attachment E provides a list of Directions issued by the Minister for Planning to relevant planning authorities under section 9.1 of the *Environmental Planning and Assessment Act 1979*. These directions apply to planning proposals lodged with the Department of Planning, Industry and Environment on or after the date the particular direction was issued. A consideration of the consistency of the Planning Proposal with the directions is also provided.

On 27 September 2018, the Minister for Planning gave an additional direction under 9.1 of the *Environmental Planning and Assessment Act 1979* with the objective of identifying the types of Planning Proposals that are to be advised on by Local Planning Panels on behalf of councils in the Greater Sydney Region and Wollongong and to establish the procedures in relation to those matters. This Direction is relevant to this Planning Proposal, and the proposal will be referred to the Ryde Local Planning Panel for advice on whether or not the PP should be forwarded to the Minister or Greater Sydney Commission under Section 3.34 of the EP&A Act 1979.

On the 28 February 2019 the Minister for Planning gave an additional direction under 9.1 of the *Environmental Planning and Assessment Act 1979*. The Direction is the *Environmental Planning and Assessment (Planning Agreements) Direction 2019* and is required to be considered by Councils if negotiating the terms of a proposed planning agreement that includes provision for affordable housing in connection with a development application. This direction is not applicable to the Planning Proposal.

**Section C - Environment, Social and Economic Impact**

***Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?***

The Planning Proposal will not affect any critical habitat or threatened species, populations or ecological communities, or their habitats nor is it expected to have any adverse environmental effects. In fact, it proposes to provide additional protection to a threatened ecological Sydney Turpentine Ironbark Forest community on the Ivanhoe Estate in Macquarie Park by including the land in the E2 Environmental Conservation Zone.

***Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?***

No, there is no likelihood for any other significant environmental effects.

**ITEM 8 (continued)**

**ATTACHMENT 5**

***Q9. Has the planning proposal adequately addressed any social and economic effects?***

The Planning Proposal is not anticipated to have any negative social or economic impacts. The aim of the Planning Proposal is to ensure that the LEP is accurate and consistent with Council's strategic policy direction.

**Section D - State and Commonwealth Interests**

***Q10. Is there adequate public infrastructure for the planning proposal?***

The planning proposal is unlikely to have any impacts on infrastructure in the City of Ryde.

***Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?***

The views of any State and Commonwealth agencies will be sought through consultation following receipt of the Gateway Determination.

## ITEM 8 (continued)

## ATTACHMENT 5



### Part 4 – Mapping

All of the proposed mapping changes to the maps of the LEP are detailed below. A full set of LEP maps are included at Appendix G.

#### 4.1 6 Halifax Street, Macquarie Park

Rezone the small portion of land zoned RE1 Public Recreation to R4 Low Density Residential to correct a zoning anomaly.



Land Zoning (Map Sheet LZN_009)	
Existing: RE1 Public Recreation	Proposed: R4 High Density Residential
	

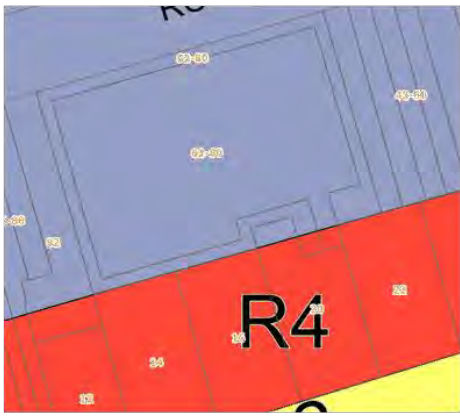
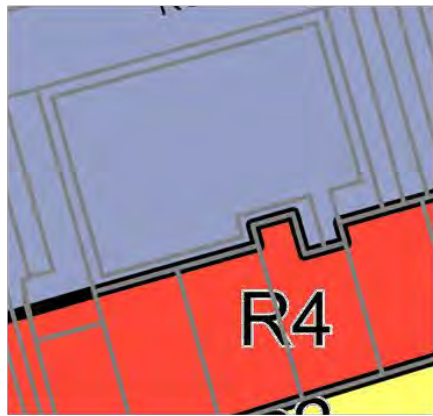
**ITEM 8 (continued)**

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**4.2 68-80 Rowe Street and 20 First Avenue, Eastwood**

68-80 Rowe Street be totally zoned B4 Mixed Use and 20 First Avenue be totally 21zoned R4 High Density Residential to reflex use and correct zoning anomaly.



Land Zoning (Map Sheet LZN_002)	
Existing: R4 High Density Residential and B4 Mixed Use	Proposed: R4 High Density Residential and B4 Mixed Use
	



**ITEM 8 (continued)**

**ATTACHMENT 5**

**4.3 45-61 Waterloo Road, Macquarie Park**

Apply a floor space ratio of 2.26:1 across the whole site to be consistent with remainder of site and as per a Council resolution on 14 March 2017.



Land Zoning (Map Sheet FSR_004)	
Existing: Maximum floor space ratio of 1:1	Proposed: Maximum floor space ratio of 2.26:1
	

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**4.4 Blenheim Road, North Ryde**

Rezone from E2 Environmental Conservation to RE1 Public Recreation to align with its current and future uses as a public park and radio control car club.



Land Zoning (Map Sheet LZN_00X)	
Existing: E2 Environmental Conservation	Proposed: RE1 Public Recreation


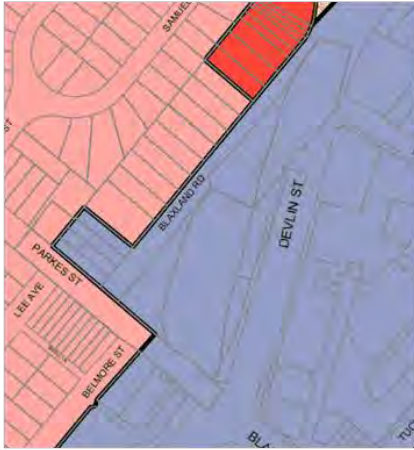
**ITEM 8 (continued)**

**ATTACHMENT 5**

**4.5 Devlin Street and Blaxland Road, Ryde**

Repeal Ryde Local Environmental Plan 2010 (LEP 2010) so as there is only one LEP applicable to the Ryde Local Government Area. The controls of LEP 2010 will be transferred by zoning the land B4 Mixed Use and providing maximum building heights which currently apply to the land under LEP 2010.



Land Zoning (Map Sheet LZN_00X)	
Existing: Deferred Matter (Zoned B4 Mixed Use under LEP 2010)	Proposed: B4 Mixed Use
	



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<b>Height of Building (Map Sheet HOB_006)</b> <b>Existing: Deferred Matter (Maximum 21.5m and 75m under LEP 2010)</b>	
<b>Proposed: Maximum 21.5m and 75m</b>	
<b>Land Application (Map Sheet LAP_001)</b> <b>Existing: Deferred Matter (from LEP 2010)</b>	
<b>Proposed: LEP Applies to Land</b>	



**ITEM 8 (continued)**

**ATTACHMENT 5**

**4.6 Environmentally Sensitive Lands – Terrestrial Biodiversity**

The Environmentally Sensitive Land - Terrestrial Biodiversity provisions and maps will provide conservation management outcomes for the most environmentally sensitive terrestrial biodiversity in the City of Ryde including:

- Threatened Ecological Communities (Blue Gum and Sydney Turpentine-Ironbark Forests); and
- Other urban bushland mapped by the Office of Environmental and Heritage including Shale/Sandstone Transition Forest, Sydney Sandstone Gully Forest, Sydney Sandstone Ridgetop Woodland and Coastal Saltmarsh (Estuarine Complex).

Proposed new LEP maps are provided separately at Appendix H for the above land.

**4.7 Environmentally Sensitive Lands – Riparian Lands and Watercourses**

The Environmentally Sensitive Land - Riparian Lands and Watercourses provisions and maps will provide conservation management outcomes for:

- Riparian land that forms the banks of waterbodies within the City of Ryde and adjacent land it directly affects, including vegetation; and
- Land affected by the State Environmental Planning Policy (Coastal Management) 2018 area - being land that contains sensitive coastal environments, habitats and natural processes, including coastal wetlands or land in close proximity to coastal wetlands.

Proposed new LEP maps are provided separately at Appendix I for the above land.

**4.8 Environmentally Sensitive Lands – Scenic Quality and Natural Landforms**

The Environmentally Sensitive Land – Scenic Quality and Natural Landform provisions and maps will provide conservation management outcomes for:

- Land identified as having slope instability; and
- Land included in the E1 National Parks and Nature Reserves Zone.

Proposed new LEP maps are provided separately at Appendix J for the above land.

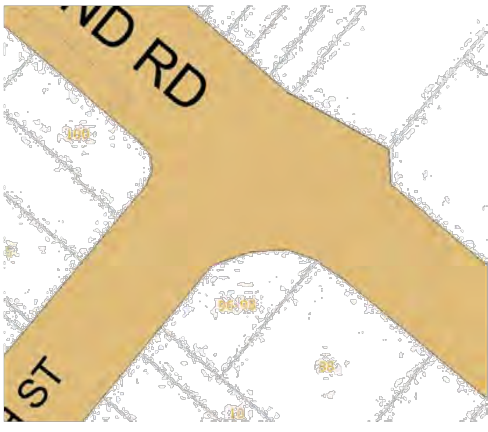

## ITEM 8 (continued)

## ATTACHMENT 5

### 4.9 Heritage Item 49 (Adjacent to 96-98 Blaxland Road, Ryde)

The heritage listed obelisk (tramway monument) has been moved to its original location and as such it is proposed to notate its location on the relevant heritage map by its Schedule 5 Environmental Heritage item number, i.e. '49'.



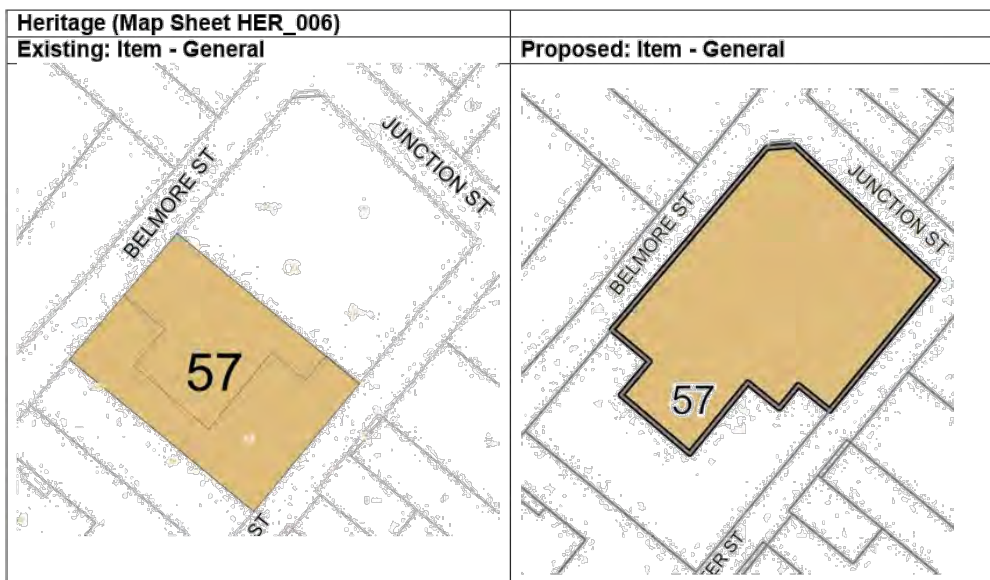
Heritage (Map Sheet HER_006)	
Existing: Item - General	Proposed: Item number 49
	

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**ATTACHMENT 5**

**4.10 Heritage Item 57 (74 Belmore Road, Ryde)**

Adjust boundary of heritage item to boundary of legal description for land to which item is located, i.e. SP 93568.



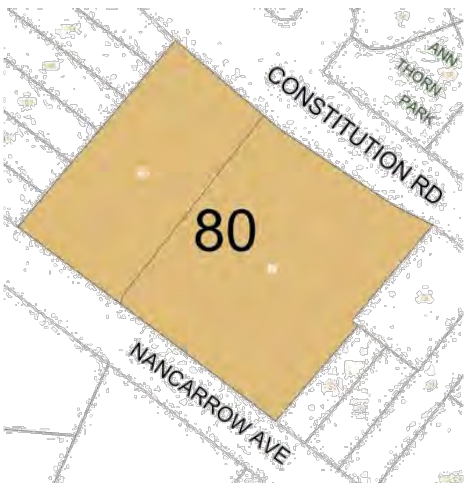
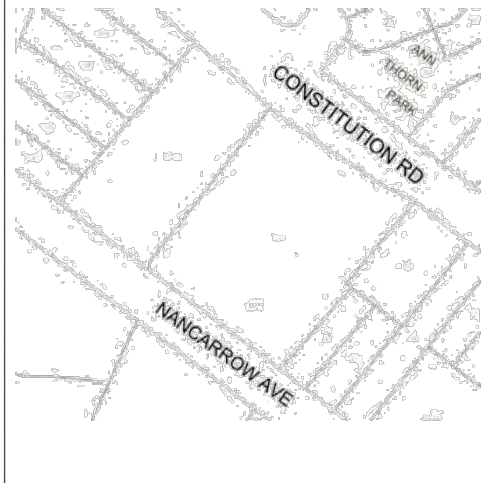
**ITEM 8 (continued)**

**ATTACHMENT 5**

**4.11 Heritage Item 80 (37 Nancarrow Avenue, Meadowbank)**

Delete the item from the relevant heritage map as the item has been demolished.



Heritage (Map Sheet HER_003) Existing: Item - General	Proposed: Delete Item - General
	



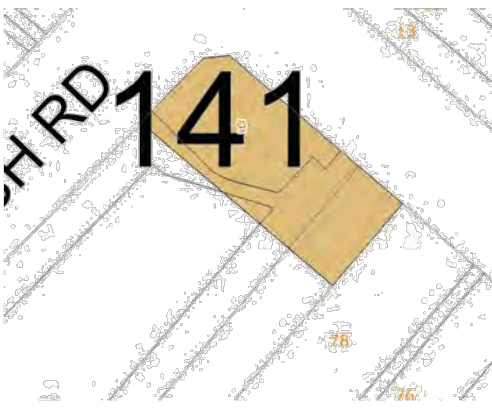

**ITEM 8 (continued)**

**ATTACHMENT 5**

**4.12 Heritage Item 141 (80 Eltham Street, Gladesville)**

Adjust boundary of heritage item to boundary of legal description for land to which item is located, i.e. Lot 101 DP 1187930.



Heritage (Map Sheet HER_003)	
Existing: Item – General	Proposed: Item - General
	

**ITEM 8 (continued)**

**ATTACHMENT 5**

**4.13 Ivanhoe Estate – E2 Conservation Zone**

Rezone from RE1 Public Recreation and B4 Mixed Use to E2 Environmental Conservation.

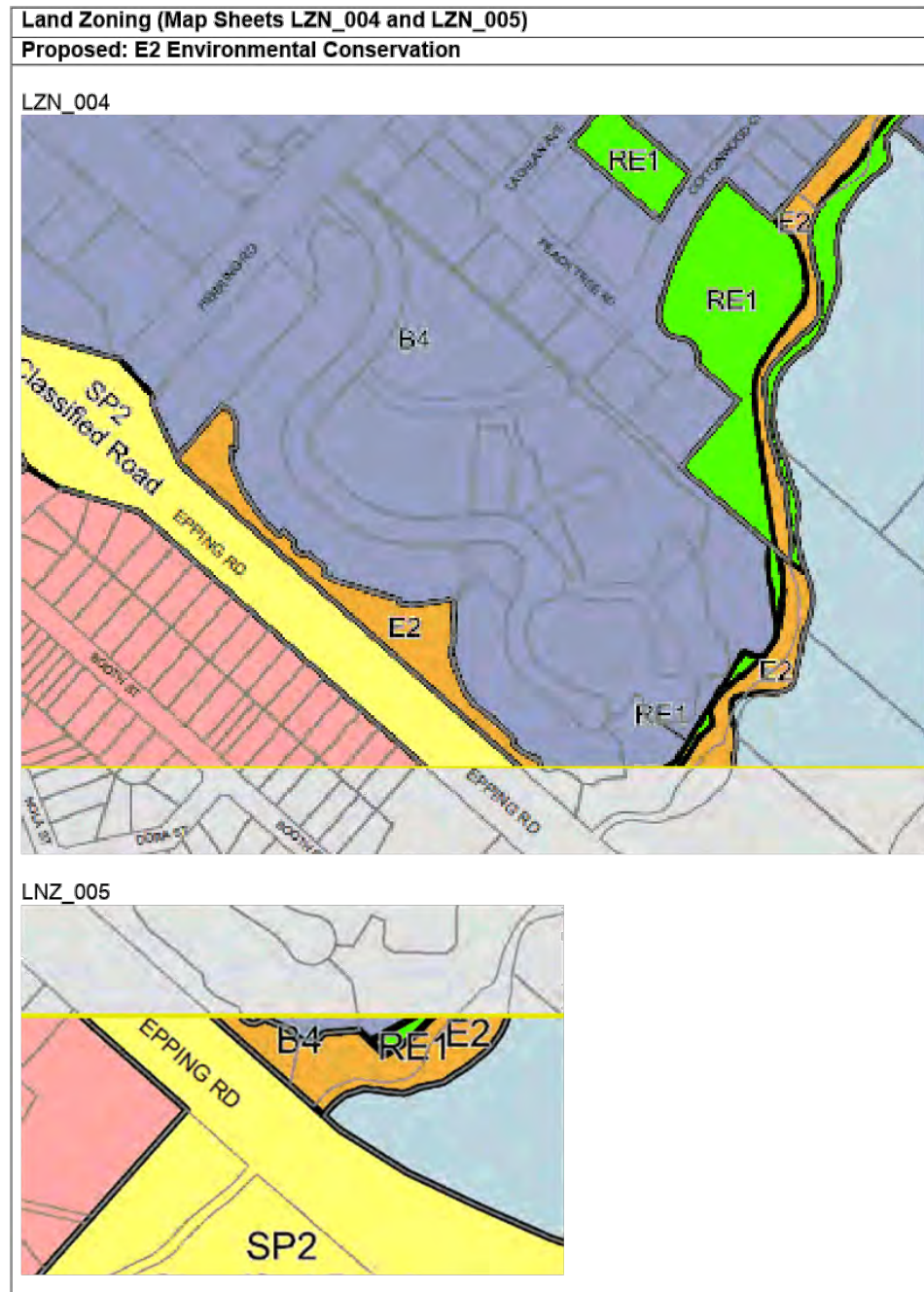


**Land Zoning (Map Sheets LZN\_004 and LZN\_005)**  
**Existing: RE1 Public Recreation and B4 Mixed Use**



**ITEM 8 (continued)**

**ATTACHMENT 5**





**ITEM 8 (continued)**

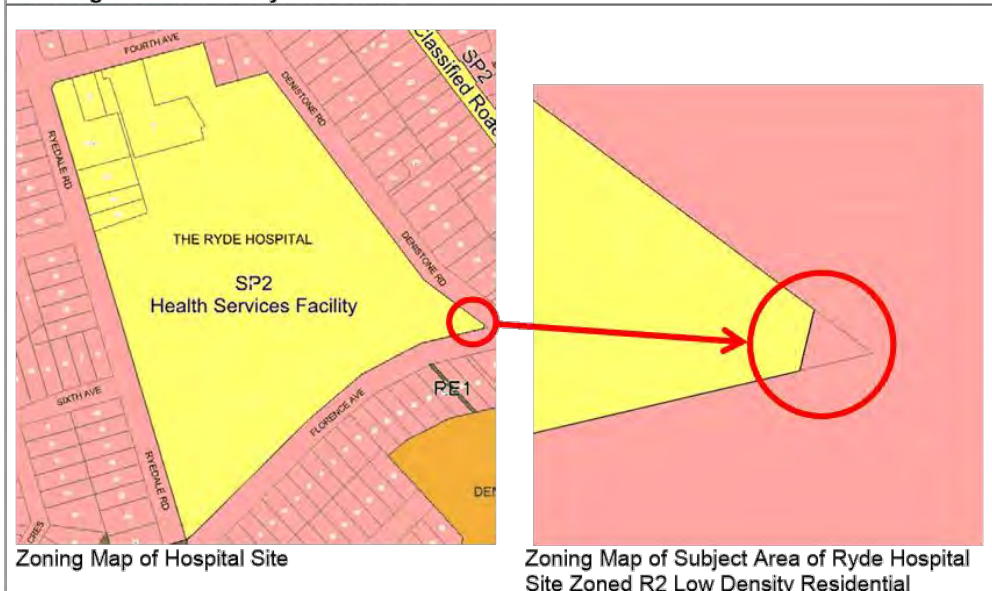
**ATTACHMENT 5**

**4.14 Ryde Hospital (Cnr Denistone Road and Florence Avenue, Denistone)**

Rezone from R2 Low Density Residential to SP2 Special Activities – Health Services Facilities to fix minor zoning anomaly.



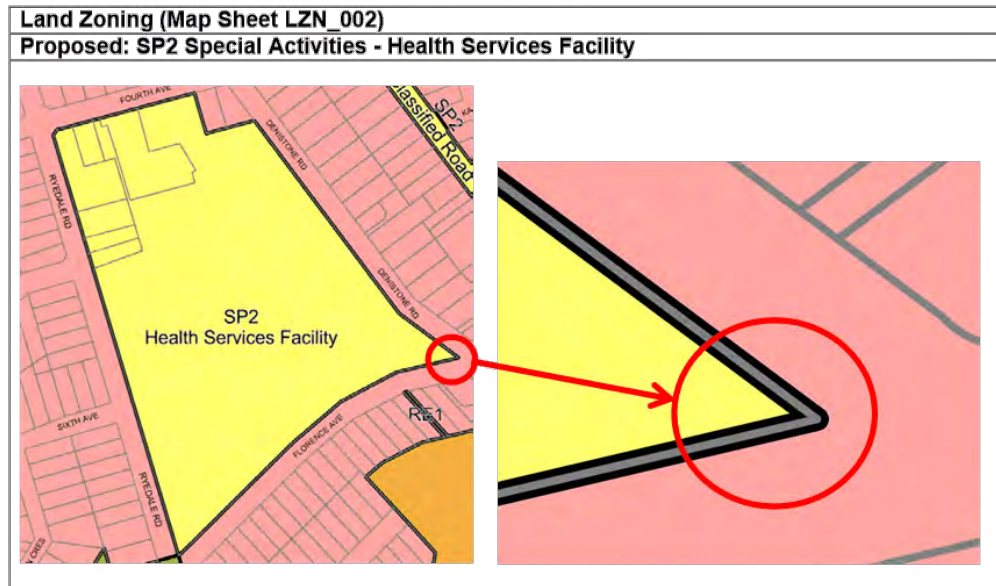
**Land Zoning (Map Sheet LZN\_002)**  
**Existing: R2 Low Density Residential**





**ITEM 8 (continued)**

**ATTACHMENT 5**



**ITEM 8 (continued)**

**ATTACHMENT 5**

**Part 5 - Community Consultation**

This section provides details of the community consultation that is to be undertaken on the planning proposal:

The community consultation process to be undertaken for this Planning Proposal is expected to be undertaken in the following manner for a 28 day period:

- Written notice given:
  - In the local newspaper circulating in the area,
  - On Council's webpage;
  - To property owner;
  - To local state government representatives; and
  - To relevant State and Commonwealth authorities as identified in the Gateway Determination.
- The written notice will:
  - Provide a brief description of the objectives and intended outcomes;
  - State where the Planning Proposal can be inspected;
  - Indicate the last date for submissions; and
  - Confirm whether the Minister has chosen to delegate the making of the LEP.
- The following materials will be placed on exhibition in within each of Council's five libraries and Council's Customer Service Centres at Top and North Ryde:
  - The Planning Proposal;
  - The Gateway Determination; and
  - Council resolution and reports.
- Interested parties will be able to contact the Strategic Planning Team of the City of Ryde directly via Council's customer service.

**ITEM 8 (continued)**

**ATTACHMENT 5**

**Part 6 - Project Timeline**

The project timeline is provided in the table below:

**Table 4 – Project Timeline**

Milestones	
Planning Proposal submitted with request for Gateway Determination	September 2020
Gateway Determination	October 2020
Community Consultation	November/December 2020
Outcomes of Community Consultation	February 2021
Planning Proposal submitted to Department of Planning, Industry and Environment requesting notification on Government website	March 2021

**ITEM 8 (continued)**

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**Conclusion**

The Planning Proposal seeks to amend the LEP to update and address a range of miscellaneous administrative issues identified in the operation of the plan and to introduce provisions in relation to permitting creative industries, environmentally sensitive lands, advertising and signage for public benefit and design excellence provisions for the centres of the City of Ryde.

The Planning Proposal is generally consistent with relevant State and Local legislation, directions, policies and strategic directions and will have a minimal environmental, social and economic impact.

Council is willing to accept an authorisation to exercise delegated plan making functions for this Planning Proposal should such an authorisation be issued as part of the Gateway Determination. The evaluation criterion for the issuing of authorisation is responded to at Appendix K.



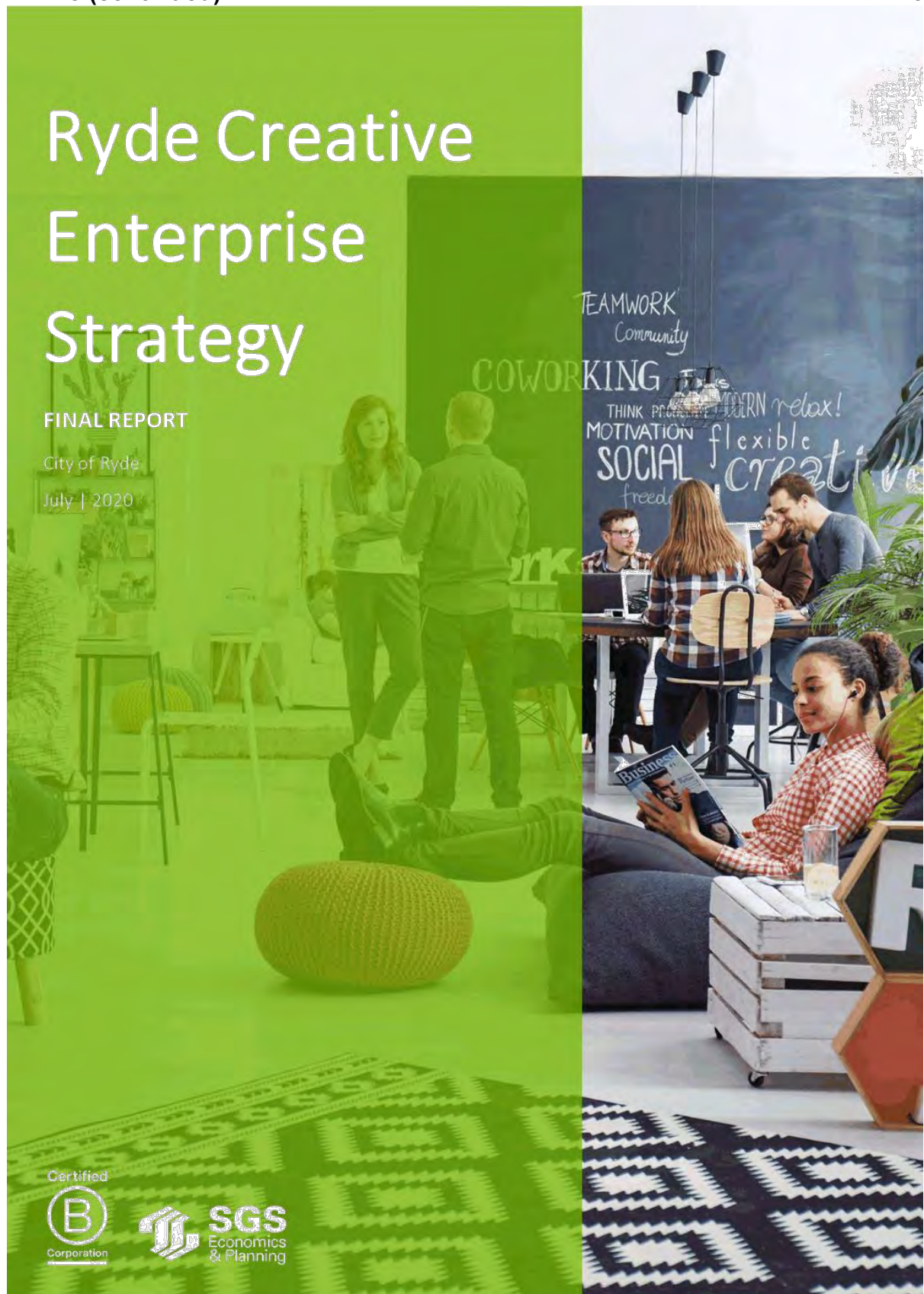
**ITEM 8 (continued)**

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**Appendix A - Draft Ryde Creative Enterprise Strategy**

ITEM 8 (continued)

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**ITEM 8 (continued)**

**ATTACHMENT 5**



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SGS Economics and Planning Pty Ltd | ACN 007 437 729 | [www.sgsep.com.au](http://www.sgsep.com.au)  
Offices in Canberra, Hobart, Melbourne, Sydney

RYDE CREATIVE ENTERPRISE STRATEGY

**ITEM 8 (continued)**

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RYDE CREATIVE ENTERPRISE STRATEGY



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## Executive Summary

City of Ryde has commissioned SGS Economics and Planning (SGS) and Cred Consulting to prepare a Creative Enterprise Strategy which identifies the current barriers and issues for creative uses across employment lands in the Ryde Local Government Area (LGA). This study has considered opportunities to increase the density and range of activities within the employment precincts to promote productive, affordable and economically viable locations for business.

### **Creative Industries**

Creative industries can be distinguished from other industries in that creativity is used to create value for their consumers. Creative industries operate in a diverse range of sectors including music and performing arts, design and visual arts, television, radio and film, marketing, finance and distribution, social media, software development and interactive content, animation and print, writing, publishing.

Because of this diversity, there is also no single built form or land use type that can be clearly designated 'creative'. Creative industries locate in industrial, commercial and mixed-use zones. Fitting the creative industries within a land use definition within the Standard Instrument was a key issue identified within the Sydenham Creative Hub Economic Impact Assessment that SGS prepared in 2017.

This study has a focus on four land use zones across the Ryde LGA: B4 Mixed Use, B5 Business Development, B6 Enterprise Corridor and IN2 Light Industrial zones. Nine precincts have been identified across the City of Ryde: Macquarie University, North Ryde, Eastwood, Ryde, West Ryde town centre, West Ryde industrial precinct, Meadowbank, Gladesville town centre and Gladesville industrial precinct.

### **Context**

The creative industries are not dissimilar from professional services in that they benefit from agglomeration economies. Creative industries also value space that is well-located space and close to transport and services. Grassroots creative enterprises play a key role in the renewal and revitalisation of places and local economies. Creative enterprises often require space that is both affordable and fit for purpose.

The North District Plan notes that creative industries have a growing role in the North District's local economy. Underutilised mixed-use areas and ground-level commercial or declining high streets are identified as providing opportunities for creative industries to locate. Action 15 in the North District Plan is to facilitate opportunities for creative and artistic expression and participation, wherever feasible, with a minimum regulatory burden. This includes arts enterprises and facilities, creative industries, interim and temporary uses and the night-time economy.

Ryde LGA contains an emerging creative industries sector. Creative industries make up 10 per cent of employment within Ryde LGA, making it the third largest industry cluster of employment in the area. Creative industries are predominantly located within the Macquarie University and Macquarie Park precincts (commercial creatives mostly in software development), with a smaller proportion in emerging creative industries precincts throughout the LGA. The Ryde Creativity Strategy supports

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embedding creativity within the community and as a part of everyday life. This Strategy builds on this with a focus on growing local jobs within the creative industries.

A strength of Ryde LGA is its cultural ecosystem and diversity. There is an increasing appreciation and understanding of the value of arts and creativity, which may have previously been lacking. Partnerships exist with Macquarie University and TAFE (e.g. shared spaces, events) to develop the education offer within creative industries for young and older people. These partnerships can be built on to deliver this strategy.

Ryde's employment areas and town centres contain a diverse mix of uses with varying opportunities for growth. The precincts with the greatest opportunities are those which contain existing clusters of creative industries or are in need of revitalisation (recognising the opportunities that creative industries provide to revitalise a town centre). West Ryde, Gladesville and Eastwood town centres and the Meadowbank Employment and Education Precinct (MEEP) are best placed to accommodate growth in creative sectors. The availability of affordable floorspace is critical in growing the creative industries in Ryde LGA.

### Fostering the creative economy in the City of Ryde

**The City of Ryde has a vibrant and sustainable creative economy which harnesses the potential of its growing cultural and creative community.**

This vision will be achieved through the considered increase of density and the range of activities within the City of Ryde's existing employment precincts and town centres, leverage its existing assets, to promote productive, affordable and economically viable locations for creative enterprises.

The key to growing the creative economy in the City of Ryde is ensuring there is sufficient affordable floorspace that can be occupied by local creative enterprises and promoting the City of Ryde as a destination for creative workers. This Strategy focuses on the town centres and precincts where the greatest opportunity to grow the creative sector has been identified.

Given the complexity in zoning for creative uses, this Strategy focuses on identifying key locations for creative enterprises within the Ryde LGA and opportunities to support them through both land use planning and economic development initiatives.

This Strategy has five priorities for Council:

1. Increase the availability of affordable, flexible floor space for creative land uses.
2. Promote urban renewal and revitalisation in centres such as Gladesville, West Ryde and the Meadowbank Employment and Education Precinct (MEEP).
3. Invest in community facilities and creative floor space.
4. Continue existing relationships with Macquarie University and Meadowbank TAFE.
5. Enhance the creative Ryde brand and network of creatives.

The actions to deliver on these are summarised in Table 1. Further detail on the actions, role of Council and potential partners is provided in this report.

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**TABLE 1: SUMMARY OF PRIORITIES AND ACTIONS**

Priorities	Actions
<b>1. Increase the availability of affordable, flexible floor space for creative land uses.</b>	
<i>1A. Promote flexibility of ground floor uses in centres with high vacancy rates</i>	<ul style="list-style-type: none"> <li>Review LEP and DCP controls and identify changes to promote more flexible productive spaces.</li> <li>Incorporate a flexible approach to ground floor uses in the West Ryde master planning process.</li> </ul>
<i>1B. Encourage creative floorspace in new development in Eastwood</i>	<ul style="list-style-type: none"> <li>Undertake market testing to determine an appropriate policy for the dedication of floorspace and needs of creative enterprises (type of floorspace and design requirements).</li> </ul>
<b>2. Promote urban renewal and revitalisation in centres such as Gladesville, West Ryde and the Meadowbank Employment and Education Precinct (MEEP).</b>	
<i>2A. Promote creative uses within the Meadowbank Education and Employment Precinct</i>	<ul style="list-style-type: none"> <li>Work closely with the GSC, DPC and Sydney Water to identify opportunities for floorspace for creative enterprises to be incorporated within the MEEP, including the Sydney Water site.</li> </ul>
<i>2B. Revitalise West Ryde town centre as a creative precinct</i>	<ul style="list-style-type: none"> <li>Undertake a master planning process to develop a long-term vision for West Ryde as a creative precinct and a land use and public domain strategy to support it. The master plan should take into consideration opportunities to integrate West Ryde with the MEEP.</li> </ul>
<i>2C. Activate West Ryde and Gladesville town centres</i>	<ul style="list-style-type: none"> <li>Establish a register of vacant floorspace in West Ryde and Gladesville and prospective tenants.</li> <li>Support the temporary activation of floorspace through staffing and marketing (refer to detailed actions on marketing under Priority 4).</li> <li>Plan a temporary activation program of events for West Ryde and Gladesville.</li> <li>Seek funding from the NSW Government/DPIE for the temporary activation program.</li> </ul>
<b>3. Leverage Council investment in community facilities by providing floorspace for creative enterprises.</b>	<ul style="list-style-type: none"> <li>As proposed in Council's Social and Cultural Infrastructure Framework, incorporate affordable floorspace for creative enterprises within projects involving the redevelopment of existing Council facilities or development of new facilities.</li> <li>Consider opportunities for a Council-run makerspace to be incorporated into existing or new Council facilities.</li> </ul>
<b>4. Continue existing relationships with Macquarie University and Meadowbank TAFE</b>	<ul style="list-style-type: none"> <li>Work with Macquarie University and Meadowbank TAFE to identify opportunities to grow the creative enterprises in Ryde LGA including sharing facilities and floorspace, as well as training programs.</li> </ul>

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Priorities	Actions
<b>5. Enhance the creative Ryde brand and network of creatives</b>	<ul style="list-style-type: none"> <li>- Develop a register of creative enterprises within Ryde LGA and build the network of creatives.</li> <li>- Create a website that markets Ryde LGA as a creative place, showcases Ryde's creative enterprises and connects creative businesses looking for space to those seeking creative tenants.</li> </ul>

Source: SGS Economics and Planning, 2020



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**Appendix B - Draft Outdoor Advertising Special Community  
Signs**

ITEM 8 (continued)

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**Policy  
Outdoor Advertising -  
Special Community Signs**



**Scope**

This Special Community Signs Policy applies to all outdoor advertising permitted under Ryde LEP or any relevant State Environmental Planning Policy where the Outdoor Advertising:

- is located on roadside and other sites under the control of the City of Ryde (Council),
- promotes third party products or services, and
- generates demonstrable revenue for Council.

The Guidelines attached to this Policy form part of this Policy.

This Policy does not apply to third party signage on land not under the control of the City of Ryde.

**Objectives**

The principle Policy objective is to require outdoor advertising on Council controlled sites to contribute, via a monetary or Work in Kind arrangement, to Council to enable provision of a range of direct and indirect community benefits.

Direct public benefits may include:

- improvements to traffic safety,
- improved public transport services,
- public amenity and school safety.

Indirect public benefits can be delivered in the form of the use (from time to time) of the digital advertising structure for:

- promotion of community programmes,
- public events,
- public safety programmes or
- other appropriate public purposes.

The guidelines provide additional details.

To establish the key principles guiding outdoor advertising on Council controlled sites, Ryde Local Environmental Plan 2014 is to be amended to implement this Policy. Such amendments should simplify/streamline the approval processes to facilitate the installation of:

- Special Community Signs relating to community events, Community education and information, and
- Outdoor advertising signage on bus shelters, street furniture, kiosks, rubbish bins, information panels, electric vehicle charging stations, or the like, when those facilities are lawfully constructed.

Outdoor Advertising – Special Community Signs Policy		
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**Policy  
Outdoor Advertising -  
Special Community Signs**



when located on City of Ryde Council controlled sites or Council operated buildings.

This Policy complements, and must be read in conjunction with, the City of Ryde Development Control Plan 2014, Part 9.1 - Signage which puts in place relevant planning controls over Outdoor Advertising – Special Community Signs.

**Purpose**

The purpose of this Policy is to provide a framework that ensures revenue derived from Outdoor Advertising - Special Community Signs is used for the purposes of a range of direct and indirect community benefits.

The policy also provides a content framework that ensures advertising provided on Special Community Signs is safe and inoffensive.

**Guidelines**

Proposals for Outdoor Advertising – Special Community Signs in the City of Ryde will only be progressed according to, and when consistent with, the principles set out in the Guidelines.

**References - Legislation**

Environmental Planning and Assessment Act 1978  
Environmental Planning and Assessment Regulations 2000  
State Environmental Planning Policy No.64 – Advertising and Signage  
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008  
Ryde Local Environmental Plan 2014  
City of Ryde Development Control Plan 2014

**Review Process and Endorsement**

This Policy should be reviewed (annually) and endorsed by Council's Executive Team.

**Attachments**

<i>Outdoor Advertising – Special Community Signs Guidelines</i>	<i>Trim Reference</i>
Form	

Outdoor Advertising – Special Community Signs Policy		
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**Guidelines  
Outdoor Advertising -  
Special Community Signs**



**Guidelines**

**Related Policy**

These guidelines are to be read in conjunction with, and form part of, the Outdoor Advertising - Special Community Signs Policy.

**Background**

Ryde Local Environment Plan 2014 (RLEP) and the State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64) govern the permissibility of advertising structures in the City of Ryde.

SEPP 64 and RLEP include provisions that ensure signs are appropriately located, safe, and are acceptable with respect to local amenity including views and streetscape. However, neither provides detailed guidance with respect to appropriate content beyond the prevention of content mimicking regulatory or safety signage.

SEPP 64 Clause 13 includes provisions for public benefits to be provided in connection with the display of advertisements under the SEPP. The Clause refers to the Transport Corridor Outdoor Advertising and Signage Guidelines, which requires that where Council is the consent authority, revenue raised from the advertising be set aside to fund a public benefit works program. Those Guidelines also require that Council report on the amount of outdoor advertising revenue received and the amount of outdoor advertising revenue invested in transport safety, amenity improvements or other public works including a list of specific projects in its Annual Report.

**Definitions**

**‘Advertisement’** means a sign, notice, device or representation in the nature of an advertisement visible from any public place or public reserve or from any navigable water.

**‘Outdoor Advertising’** comprises static, scrolling and digital advertising formats of various sizes which are location-based in nature and typically on major roads. Signage for the purpose of Outdoor Advertising may include:

- Billboards (both static and digital format)
- Bus shelters
- Street Furniture (such as Multi-Function Poles)
- Transport related street furniture (such as information and wayfinding panels, kiosks, parking meters, electric vehicle charging stations and rubbish bins)
- Signage integrated into buildings and/or building façades.

Outdoor Advertising – Special Community Signs Guidelines		
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**Guidelines  
Outdoor Advertising -  
Special Community Signs**



**Public benefits** associated with outdoor advertising opportunities include:

- Income generated from outdoor advertising contributes additional General Revenue funding for the provision of community services by Council.
- Specific sites for outdoor advertising will provide improvements to the immediate areas around the signs by way of landscaping, additional planting, seating and the like, which will be funded by the successful, outdoor advertising contract.
- Council access to some advertising space on static and digital signage displays. Community messaging for events and festivals may be delivered through these space allocations. The content of messaging on outdoor advertising will be subject to the relevant standards of Ad Standards and any Outdoor Media Association Guidelines.
- Digital billboards can be accessed to provide information from Police or other authorities in emergency situations.

**Roadside outdoor advertising** is third party advertising that appears on the side of, or nearby to, a road and includes:

- Billboards (both static and digital format)
- Bus shelters
- Street Furniture (such as Multi-Function Poles)
- Transport related street furniture (such as information panels, kiosks and rubbish bins)

**'Signage'** means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following:

- a) an advertising structure,
- b) a building identification sign,
- c) a business identification sign,

but does not include a traffic sign or traffic control facilities

*(Note: Signage may consist of static, scrolling and digital advertising formats of various sizes which are location-based in nature and typically on major roads. Such advertising can be located in a number of environments, including free-standing structures, contained on or within buildings, integrated into new developments, or roadside.)*

**'Special Community Signs'** are signage, as defined under RLEP 2014, on Council controlled sites, where the revenue generated from the advertisement on the sign is considered a public benefit on the basis that this revenue is for the sole purpose of infrastructure improvements as specified under this policy.

Outdoor Advertising – Special Community Signs Guidelines		
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**Guidelines  
Outdoor Advertising -  
Special Community Signs**



**Special Community Sign Management**

Any contract for the provision of Special Community Signs on behalf of Council must have regard for the Objectives and Management provisions of this Policy and Guidelines.

Proposals for Outdoor Advertising – Special Community Signs in the City of Ryde will only be progressed according to the following principles:

- The Signs are to be located on sites controlled by the City of Ryde.
- Special Community Signs must comply with the provisions of State Environmental Planning Policy No.64 – Advertising and Signage are to be permissible under the Ryde LEP. The signs must also be consistent with any relevant provisions of the City of Ryde Development Control Plan 2014 Part 9.1 Signage.
- Must be fully contained on the legally constructed structure with no projections.
- Special Community Signs are to provide a demonstrable community benefit in the form of funding or works in kind to deliver improvements to transport safety, public transport services, public amenity, transport infrastructure and school safety.
- Council will have access to some advertising space on digital Special Community Signs where deemed appropriate by Council.

**Special Community Sign Operation**

Outdoor Advertising – Special Community Signs in the City of Ryde must, as a minimum, operate in accordance with the following:

- Digital Special Community Signs must operate at a 0.1 second transition time, that is, each static advertisement must complete the transition to the next static advertisement in a maximum of 0.1 of a second.
- Special Community Signs must not mimic regulatory or traffic control signs.
- Digital or rolling Special Community Signs must operate with a minimum dwell time of 10 seconds.
- Illuminated Special Community Signs must comply with all relevant requirements of AS4282-1997 - Control of the obtrusive effects of outdoor lighting. Special Community Signs must not flash or flicker.

**Special Community Sign Content Controls**

- Advertisements on Special Community Signs must not include content that promotes offensive or obscene (as determined by Council), unlawful or illegal goods, services, or activities.
- Advertisements on Special Community Signs must comply with the all relevant industry codes and associated guidelines including, but not limited to:
  - Australian Association of National Advertisers (AANA) Code of Ethics

Outdoor Advertising – Special Community Signs Guidelines		
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**Guidelines  
Outdoor Advertising -  
Special Community Signs**



- AANA – Food and Beverages Advertising Code
- AANA – Children's Advertising Code, including Children's Marketing Initiative & Quick Service Restaurant Initiative
- AANA - Environmental Claims Code
- AANA - Wagering Advertising Code
- AANA Best Practice Guideline: Responsible Marketing Communications in the Digital Space
- All other relevant Codes and Standards relating to advertising and marketing.

**Special Community Signs – Public Benefit**

All proponents for Special Community Signs are to obtain the necessary approvals for the structure/use and are to enter into a formal agreement/contract with Council that details the Public Benefit of the sign covering issues such as, but not limited to, rent of space, Works in Kind, maintenance of the structure general management of the sign and other issues by agreement with Council.

Council will have access to advertising space on digital Special Community Signs. In general terms, this would be defined as approximately 3% to 5% of available time where deemed appropriate by Council. Where a contract includes the provision of advertising on multiple digital Special Community Signs on behalf of Council, the time allocated to Council access should be calculated against the total time of all signs under the contract, however, Council's advertising under this provision may be displayed on one or more selected signs under the contract.

The revenue (net income) derived from Special Community Signs and advertising on Special Community Signs is to be reserved for the following purposes:

- improved traffic safety and infrastructure (road, rail, bicycle and pedestrian)
- improved public transport services (such as through the provision of up-to-date service and traffic information)
- improved public amenity within or adjacent to the site
- support school safety infrastructure and programs, or
- other appropriate community benefits, such as installation of flashing lights or other safety infrastructure in school zones, provision of cycle ways, provision of pedestrian refuge areas, landscaping, safety lighting or measures to improve pedestrian safety and traffic flow.

Council's Four Year Delivery Plan sets the creation of a City of Connections as a key outcome. The City of Connections is supported by a number of goals, including:

- easy and safe travel on public transport
- safe and convenient options to drive, park, cycle or walk

Outdoor Advertising – Special Community Signs Guidelines		
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**Guidelines  
Outdoor Advertising -  
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In turn, these goals are underpinned by a range of programmes and projects, including:

- Traffic & transport Programme – new bus stop seats; new bus shelters; bus stop DDA compliance; traffic calming devices; road safety initiatives
- Paths & Cycleways Programme – cycleways construction expansion; footpath construction expansion; footpath construction renewal
- Centres & Neighbourhood Programme – pedestrian & access mobility
- Landscape and streetscape improvements such as street furniture, electric vehicle charging stations, seating, etc.
- Roads Programme - traffic facilities renewal; bridge upgrade/renewal; road resurfacing and renewal; implementation of the new Integrated Transport Strategy

These programmes and projects are identified for funding under the Four Year Delivery Plan, with appropriate budgetary allocations made for these initiatives. Additional funding for these programmes and projects which is derived from Special Community Signs will allow for some projects to be brought forward; enhance the scope of projects; bring forward the delivery of new projects for which budgetary allocation has not been made; embellish projects and programmes; and support the implementation of Council's Integrated Transport Strategy.

Outdoor Advertising – Special Community Signs Guidelines		
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**Appendix C - Office of Environment and Heritage Ivanhoe  
Estate Comments**

ITEM 8 (continued)

ATTACHMENT 5



Office of  
Environment  
& Heritage

DOC18/216601  
SSD8707

Mr Cameron Sargent  
Team Leader – Key Sites Assessments  
NSW Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Attention: Andy Nixey

**Exhibition of Concept Redevelopment Application for Ivanhoe Estate, Macquarie Park - SSD  
8707**

Dear Mr Nixey,

I refer to your letter dated 9 April 2018, requesting input from the Office of Environment and Heritage (OEH) on the exhibition of the concept application for the redevelopment of Ivanhoe Estate - SSD 8707.

Please find attached OEH comments regarding biodiversity, Aboriginal cultural heritage and flooding in Attachment 1.

Please note that a separate response may be provided on heritage matters by the Heritage Division of OEH as delegate of the Heritage Council of NSW. Should you have any queries regarding this matter, please contact Svetlana Kotevska, Senior Conservation Planning Officer on 8837 6040 or at [Svetlana.kotevska@environment.nsw.gov.au](mailto:Svetlana.kotevska@environment.nsw.gov.au).

Yours sincerely

*S. Harrison* 15/05/18

SUSAN HARRISON  
Senior Team Leader Planning  
Greater Sydney  
Regional Operations

PO Box 644, Parramatta NSW 2124  
Level 6, 10 Valentine Ave, Parramatta NSW 2150  
Tel: (02) 9995 6000 Fax: (02) 9995 6900  
ABN 30 641 387 271  
[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)

## ITEM 8 (continued)

## ATTACHMENT 5

### Attachment 1 – Office of Environment and Heritage (OEH) comments - Ivanhoe Estate Concept Redevelopment SSD 8707

#### Biodiversity

##### Summary:

It is noted this application is concept only and does not seek approval for physical works, with approvals for physical work being sought as part of future, separate applications. This application however, is accompanied by a biodiversity assessment report (BAR) which requires an assessment of the direct and indirect impacts of the proposed development.

OEH recommends the following in relation to the biodiversity assessment:

- retention of the existing threatened ecological community and adjoining vegetation community along Epping Road, which would require modifying the proposed construction footprint and development layout and
- that the deficiencies in the BAR as described in Appendix 1 are addressed.

It is also noted that the BioBanking Credit Calculator was not submitted with this application, so OEH has not been able to review the data used to determine the offset requirements.

##### Detailed comments:

#### 1. Biodiversity Assessment

- The site area is 8.2ha in total and comprises 1.64ha of Sydney Turpentine Ironbark Forest (STIF) on site which is an endangered ecological community (EEC) under the *Biodiversity Conservation Act 2016* (BC Act) and also a critically endangered ecological community under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).
- Page 21 of the BAR mentions that a habitat assessment was carried out, but no detail is provided on this assessment.
- The BAR mentions in a number of sections that there are seven hollow-bearing trees on site but this information is limited and it is scattered throughout the document. The BAR states that five of the trees are to be impacted by the proposed development, and that they are >300 mm in diameter. Such hollows may be suitable habitat for the Powerful Owl (*Ninox strenua*), a species which has been recorded a number of times in the vicinity of the site. However, there is no mention in the BAR that this species was a candidate species and there is no discussion of potential impacts.
- Section 5.3.3. of the BAR states that no threatened plant species were observed on the development site. However, *Melaleuca deanei* is listed in Appendix A (Plot and transect data) as occurring in plot 5, and Figures 4 and 5 identify this plot as occurring within the construction footprint. This species is listed as vulnerable under the BC Act and the EPBC Act.
- Table 11 of the BAR states that for *Acacia pubescens*, there is no habitat within the development site and the species requires no further assessment because "there are no gravelly soils or ironstone within the development site". However, as the BAR points out, this species can occur on a range of substrates including the intergrade between shales and sandstones. The site contains shale and sandstone substrates, and there are several BioNet records for this species nearby. Therefore, more justification should be provided for discounting the likelihood of this species occurring on site.
- Table 11 of the BAR states that for *Syzygium paniculatum* (Magenta Lilly Pilly), there is no habitat within the development site and the species requires no further assessment because "there are no grey soils over sandstone, and there are no remnant stands of littoral rainforest". However, this species is known to occur in the Cumberland and Pittwater IBRA subregions, and is known to be associated with Turpentine - Grey Ironbark open forest on shale in the lower Blue Mountains, Sydney Basin Bioregion (plant community type (PCT) ME041), with all of these elements being represented at the site. The BioNet Atlas also contains a record for this species at an adjacent site along Herring Road. As such, the site likely contains habitat for this species.



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- Appendix A has incorrectly labelled a number of species: *Glochidion ferdinandi* (Cheese Tree) is identified as exotic (but it is native), *Corymbia citriodora* (Lemon-scented Gum) and *Grevillea robusta* (Silky Oak) are indicated as being native (but they are naturalised), and as stated above, *Melaleuca deanei* is not identified as a threatened species.
- The BAR identifies the development site as being wholly within the Cumberland IBRA sub-region, however it is partly in Cumberland and partly in Pittwater IBRA sub-regions. Similarly, the BAR states the site is wholly within the Pennant Hills Ridges Mitchell Landscape, but the site is partly within Pennant Hills Ridges and partly within Port Jackson Basin. Acknowledgement of this should be included in the BAR, as well as justification for selection of the relevant IBRA sub-region and Mitchell landscape.
- No roads or drainage lines, including Shrimptons Creek, are identified on any of the figures.

### 2. Impact assessment

- The concept development proposal involves the removal of 311 trees, including hollow bearing trees along Epping Road and the removal of 0.46ha of moderate to good condition STIF is to be removed. A total of 229 trees are to be retained. The 2.93ha of unavoidable impacts of the project and Biobanking Credit Calculation for this proposal generates the need for 32 ecosystem credits. It is proposed that offsets are to be retired in a staged manner- approximately 10 stages.
- The extent of EEC to be removed needs to be clarified, as the consultant's report states the project will remove approximately 0.46ha of the EEC but the EIS says 0.34ha.
- Principle 1 of the NSW Biodiversity Offsets Policy for Major Projects states that "Before offsets are considered, impacts must first be avoided and unavoidable impacts minimised through mitigation measures. Only then should offsets be considered for the remaining impacts." It is considered that the proposed development fails to avoid direct impacts on threatened ecological communities. It is not considered that adequate planning/siting of the proposal has been carried out as per the Framework for Biodiversity Assessment (FBA). Specifically, the FBA requires proponents to identify and avoid direct impacts to threatened ecological communities (TECs). An alternative footprint design could avoid impacting on the EEC particularly the STIF EEC primarily located along the perimeter of the sites southern boundary. There is opportunity to reduce the building footprint than currently shown in Figure 1 below and this could be achieved with higher building forms, with increased buffers and setbacks to this EEC or relocation of development.

Further, the consultant's Eco Logical Australia *Biodiversity Assessment Report and Offset Strategy* dated February 2018, Section 6.1.3 Table 14 states as follows - the Major Project should be located in areas where the native vegetation or threatened species habitat is in the poorest condition (i.e. areas that have a lower site value score) or which avoid an EEC or CEEC...minimise the amount of clearing or habitat loss - the Major Project (and associated construction infrastructure) should be located in areas that do not have native vegetation, or in areas that require the least amount of vegetation to be cleared (i.e. the development footprint is minimised, and/or in areas where other impacts to biodiversity will be the lowest).

OEH suggests the development footprint could be reduced and higher building heights could be proposed to preserve more STIF. It is noted that a 65m height control (equivalent to 21 storeys based on 3m floor to ceiling heights) is proposed along the southern boundary to Epping Road, refer to Figure 2 below. The consultant's report does not assess what the impact is on the vegetation remaining from overshadowing and limited light especially vegetation along Epping Road where a 65m height is proposed and where good quality STIF is located. The proponent should calculate the reduction in the conservation value of the remaining patch of vegetation not just the areas that are removed.

- The BAR appears to understate the degree of proposed impact on site. Table 12 of the BAR states that "Impacts to EECs have been minimised by locating the proposed development on land that is currently developed." However, Table 4 shows more than half of the EEC, which corresponds to the ME041 PCT, will be removed under the current proposal. Table 12 also states "There are limited hollow-bearing trees" but as previously mentioned, seven large hollows have



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been identified on-site, with five of these being earmarked for removal. The number of hollow-bearing trees that are present on site is significant, particularly given its small size and residential setting. Also, Table 12 states "The vegetation within the development site ... will not be used as breeding or refuge habitat for threatened species" but there is no recognition that the hollows may provide breeding or refuge habitat for threatened species. Section 4.4 of the BAR states that "there are no remnant soil characteristics within the current development", which does not appear to be correct given the number of native species present. In addition, a threatened species (*Melaleuca deanei*) has been recorded in the surveys, as mentioned above.

- OEH also considers more effort should be made to retain the connectivity of this vegetation along the Epping Road frontage, by removing the proposed access to the site off Epping Road which will sever this connectivity.
- The proposal introduces the concept of a hierarchy of public spaces such as Forest to neighbourhood and the public domain plan shows areas earmarked as Forest thresholds with stepped terraces (identified as item 14 on the public domain plan Figure 3 below). The proposal should aim to minimise landform alteration in the forest areas and preserve existing trees and it is unclear whether the stepped terraces are proposed or are a natural element of the Forest landscape area.
- The consultant's report page 11 states "At the time of survey, the exact location of the development site was not known. As a result, plots were carried out within a contiguous patch of vegetation approximate to the development site location. As such, the location of the plots is outside of the development site, but given the lack of environmental variation within the vegetation patch, the approach is considered suitable for the purposes of the assessment." The survey needs to be updated to ensure the site is adequately surveyed.
- OEH supports the goal that Ivanhoe Estate will target a 6 Star Green Star Communities rating and 5 Star Green Star v1.1 for all buildings and will incorporate a range of environmental and sustainability measures, including photovoltaic solar power and water recycling plants with the aim of being carbon neutral in operation.
- The proponent may need to refer this concept proposal to the Commonwealth Government as a matter of national environmental significance given the Sydney Turpentine Ironbark Forest (STIF) on site is a CEEC under the EPBC Act.
- A Biodiversity Management Plan (BMP), a weed management plan, a Construction Environment Management Plan (CEMP) and a Vegetation Management Plan to provide for management of retained areas of the EEC and this needs to be conditioned on any forthcoming development approval.
- A monitoring program is to be conditioned to measure the impacts of the project and must include baseline data capture to measure any effects of the project over time on the remaining STIF.
- Nest boxes are required to be conditioned to be installed to minimise impacts to arboreal mammals. It is recommended to replace all removed hollows with artificial nest boxes at a ratio of 1:4 (removed:replaced). A total of five (5) hollow bearing trees will be impacted. Nest boxes are to be installed within retained vegetation in Shrimptons Creek.

### Shrimpton's Creek Riparian Corridor

- Section 1.2.2 of the BAR mentions that the Masterplan includes a proposal to regenerate RE1 zoned land along Shrimptons Creek, and that the Shrimptons Creek corridor will be enhanced to provide a recreational and environmental green spine. OEH supports this action and recommends that the construction footprint is amended to provide a buffer to Shrimptons Creek and so avoid impacts to the existing vegetation along the creek, to increase the likelihood that the environmental outcomes that the Masterplan seeks to achieve, can be realised.

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- A shared path for cyclists and pedestrians within the 20m riparian corridor in the outer riparian zone. Details should be provided of how any impacts from runoff and other pollutants as well as active recreation will not adversely affect water quality, bank stability and conflict with the goal of rehabilitating Shrimptons Creek in the long term.
- It is recommended that the existing adjoining E2 zone be extended into the site within the riparian corridor as shown in Figure 4 below to protect both the adjoining corridor and the rehabilitated corridor in the long-term as this zone will ensure stronger protection.
- Condition the installation of sediment barriers, sediment ponds and stormwater management systems on any forthcoming development approval in accordance with Table 16 of the consultant's Eco Logical Australia's *Biodiversity Assessment Report and Offset Strategy* report dated February 2018.

### 3. Biodiversity Offset Strategy (BOS)

- Section 11.1.1.1 and Appendix 7 of the FBA requires that a BOS be prepared as part of the BAR. It is noted that none of the minimum requirements for the BOS, as required in the FBA, have been included in the BAR. OEH recommends the BAR is amended to include a BOS, in accordance with the NSW Biodiversity Offsets Policy for Major Projects and the FBA.

### 4. Long term management

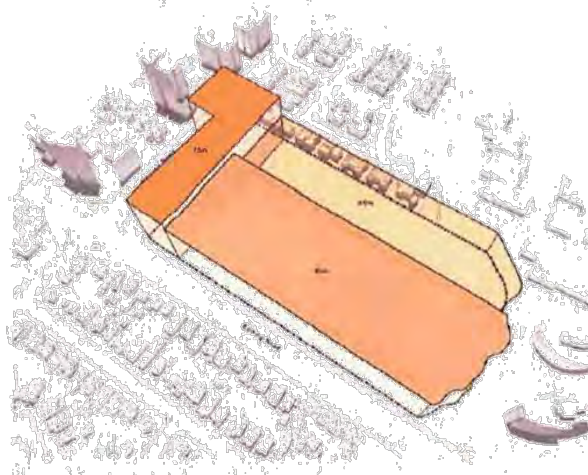
- OEH recommends that vegetation to be retained on site is managed in the long term through the preparation and implementation of a Vegetation Management Plan.
- OEH also recommends that any regeneration or management of vegetation along Shrimptons Creek uses local provenance plants and the species selected are appropriate for the TECs and PCTs present.

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**Figure 1 – Concept Development footprint and impact on STIF**



**Figure 21 – Building Height Plan**  
Source: Bates Smart

**Figure 2 – Proposed Concept Development Height**

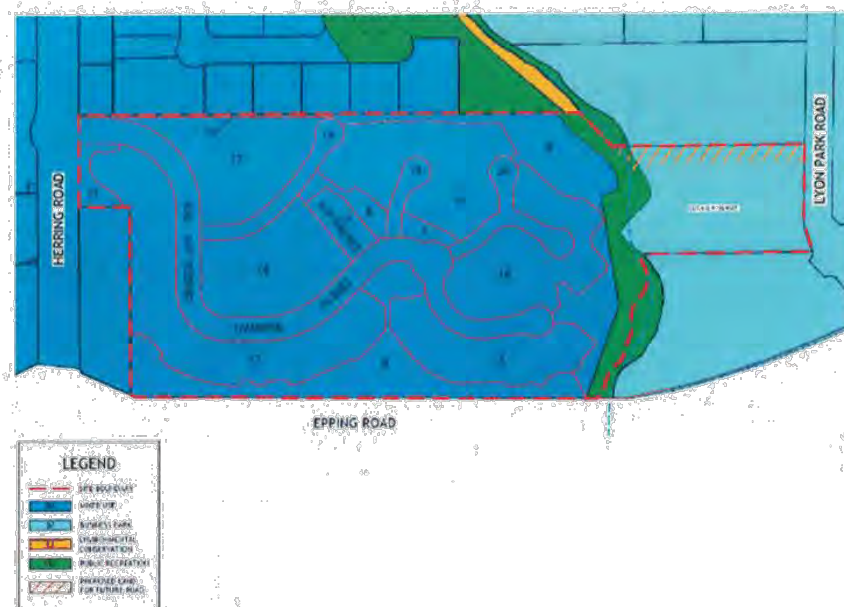


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**Figure 3 Public Domain Plan**



**Figure 7 Lot boundaries and zoning**  
Source: ADW Johnson

**Figure 4 Existing Zones**



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**Aboriginal Cultural Heritage**

OEH notes that a due diligence Aboriginal heritage assessment was undertaken for the proposal. Due diligence is not a substitute for undertaking an Aboriginal cultural heritage assessment. Due diligence is a legal defence against harm under the *National Parks and Wildlife Act 1974* and is inadequate to assess the impacts of the proposed development on the Aboriginal archaeological and cultural heritage values of the subject land. Due diligence is not to be used for major projects, including state significant developments.

Further assessment of Aboriginal cultural heritage is recommended in the form of an Aboriginal Cultural Heritage Assessment Report (ACHAR), with formal Aboriginal community consultation and a staged program of archaeological test excavations, to inform the development and satisfy the project SEARs. From the information provided it is unclear why the ACHAR was not prepared prior to the exhibition of the proposal and OEH recommends that this be completed ahead of determination of the application, not in the post-approval phase.

**Floodplain Management**

The following comments are made in relation to the report attached to the EIS at Appendix I - Flood Impact Assessment for the Ivanhoe Estate Redevelopment. No climate change modelling has been undertaken, however OEH notes that the subsequent development stages involving the detailed design would include climate change modelling.

OEH considers that the report adequately addresses OEH requirements and addresses all impacts and emergency response issues. However, there are two minor issues that require clarification:

- In Table 5-1, the flood level results look to be out of order. It looks like an error has been made as the 20y levels are 1, 2, 3 etc and in the proposed development scenario 20y, 100y and PMF levels do not make sense. 20y levels are more than 2m higher than the 100y and PMF levels. It looks like the columns have been moved across by one. Please clarify this matter.
- In Table 5-1 and 5-2, assuming that the error in the columns is clarified for Table 5-1, the locations that have NFI (No flooding indicated) are not consistent between the tables. For example, in the current PMF scenario at location 5 a flood level is indicated in Table 5-1 but in Table 5-2 it has NFI. Please clarify this matter.

END OF SUBMISSION

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**Appendix D - Mayoral and Council Minutes Ivanhoe Estate**

**ITEM 8 (continued)**

**ATTACHMENT 5**

**MM2/19 IVANHOE ESTATE - EXTENSION OF E2 CONSERVATION  
ZONE ON SITE TO PROTECT SIGNIFICANT VEGETATION  
CORRIDOR - Mayor, Councillor Jerome Laxale**

**File Number: GRP/09/6/13 - BP19/30**

**Background**

The Office of Environment and Heritage (OEH) has provided extensive comments to the exhibition of the concept redevelopment application for the Ivanhoe Estate and has supported the Council's view on the importance of retaining the existing threatened ecological Sydney Turpentine Ironbark Forest community on and adjoining the Estate, including along Epping Road.

In this regard, not enough has been done in the planning and siting of the proposed development to avoid directly impacting the threatened ecological communities, where more than half of the existing threatened community is earmarked for removal.

The OEH comments echo Council's policy documents.

In 2016, Council provided an urban design guideline to Land and Housing Corporation to supplement Ryde DCP 2014. This included an objective to "Protect the existing natural characteristics of the site by promoting the revitalisation of Shrimptons Creek and the protection of significant trees along Epping Road."

Council's Development Control Plan 2016 also seeks the provision of open space and the protection of the riparian corridor.

For this reason, the highest level of conservation management protection is considered essential to force a rethink on:

- the extent and design of the building footprint,
- the need for increased buffers and setbacks to the threatened communities or
- the relocation of development.

As a minimum, Council will expect a revision of the proposed Ivanhoe Estate Master Plan to include the conservation of the Shrimptons Creek Riparian Corridor and to protect significant trees along Epping Road. The revision should include enhanced tree retention, reduced building footprints and more open space.

In addition, Council Planners should also include a planning priority in the Ryde Local Strategic Planning Statement to protect and revitalize the Shrimptons Creek Corridor and the significant trees along Epping Road within Macquarie Park.

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Council, dated 26 February 2019, submitted on 26 February 2019.

**ITEM 8 (continued)**

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**MM2/19 (continued)**

**RECOMMENDATION:**

- (a) That the City of Ryde re-affirm its opposition to the current Ivanhoe Estate masterplan, noting that current State Government plans will increase dwelling numbers on the site by 1250% (from 259 to approximately 3,500).
- (b) That the General Manager write to the NSW Minister for Planning, the NSW Land and Housing Corporation and Fraser's Property as a matter of urgency strongly advocating for the existing E2 zone immediately adjoining the proposed Ivanhoe Estate to be extended into the Ivanhoe Estate site within the riparian corridor along the eastern side of the Estate and along with Epping Road, to protect these areas in the long-term, as this zone will ensure stronger conservation management protection.
- (c) That the Director City Planning and Environment ensure all available steps are taken to protect the Shrimptons Creek Corridor and the significant trees along Epping Road to ensure their long term conservation.
- (d) That the General Manager write to the Minister for Planning seeking an urgent meeting to discuss the reduction of the size, scale and density of the State Government's proposed development in Macquarie Park.

**ATTACHMENTS**

- 1 Letter - Office of Environment & Heritage - Ivanhoe Estate Macquarie Park Exhibition of Concept Redevelopment SSD 8707 - 15 May 2018
- 2 Map - Existing Land Zoning overview along Shrimptons Creek near the Ivanhoe Estate
- 3 Map - Proposed E2 Land Zoning along Shrimptons Creek near the Ivanhoe Estate
- 4 Ivanhoe Estate - Images by Sky Monkey - 30 May 2018

Report Prepared By:

  
**Councillor Jerome Laxale**  
Mayor

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Council, dated 26 February 2019, submitted on 26 February 2019.



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**ATTACHMENT 5**



**EXTRACT FROM MINUTES OF COUNCIL MEETING  
NO. 2/19 HELD ON 26 FEBRUARY 2019**

**MAYORAL MINUTES**

**MM2/19 IVANHOE ESTATE – EXTENSION OF E2 CONSERVATION ZONE  
ON SITE TO PROTECT SIGNIFICANT VEGETATION CORRIDOR –  
Mayor Jerome Laxale**

Note: Pamela Reeves (representing Ryde Gladesville Climate Change Action Group), Cathy Merchant and Frank Breen (representing Ryde Hunters Hill Flora and Fauna Preservation Society) addressed the Committee in relation to this Item.

**MOTION:** (Moved by the Mayor, Councillor Laxale and Councillor Pedersen)

- (a) That the City of Ryde re-affirm its opposition to the current Ivanhoe Estate masterplan, noting that current State Government plans will increase dwelling numbers on the site by 1250% (from 259 to approximately 3,500).
- (b) That the General Manager write to the NSW Minister for Planning, the NSW Land and Housing Corporation and Fraser's Property as a matter of urgency strongly advocating for the existing E2 zone immediately adjoining the proposed Ivanhoe Estate to be extended into the Ivanhoe Estate site within the riparian corridor along the eastern side of the Estate and along with Epping Road, to protect these areas in the long-term, as this zone will ensure stronger conservation management protection.
- (c) That the Director City Planning and Environment ensure all available steps are taken to protect the Shrimptons Creek Corridor and the significant trees along Epping Road to ensure their long term conservation.
- (d) That the General Manager write to the Minister for Planning seeking an urgent meeting to discuss the reduction of the size, scale and density of the State Government's proposed development in Macquarie Park.
- (e) That the Council recommend that a complete Aboriginal Cultural Assessment, as recommended by the Office of the Environment and Heritage, be undertaken prior to the determination of the concept plan by the Minister for Planning.

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**AMENDMENT:** (Moved by Councillors Lane and Maggio)

That this Item be deferred until such time as submissions have been responded to.

On being put to the Meeting, the voting on the Amendment was five (5) for and seven (7) against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

**Record of the Voting**

For the Amendment: Councillors Brown, Lane, Maggio, Moujalli and Yedelian OAM

Against the Amendment: The Mayor, Councillor Laxale and Councillors Clifton, Gordon, Kim, Pedersen, Purcell and Zhou

**RESOLUTION:** (Moved by the Mayor, Councillor Laxale and Councillor Pedersen)

- (a) That the City of Ryde re-affirm its opposition to the current Ivanhoe Estate masterplan, noting that current State Government plans will increase dwelling numbers on the site by 1250% (from 259 to approximately 3,500).
- (b) That the General Manager write to the NSW Minister for Planning, the NSW Land and Housing Corporation and Fraser's Property as a matter of urgency strongly advocating for the existing E2 zone immediately adjoining the proposed Ivanhoe Estate to be extended into the Ivanhoe Estate site within the riparian corridor along the eastern side of the Estate and along with Epping Road, to protect these areas in the long-term, as this zone will ensure stronger conservation management protection.
- (c) That the Director City Planning and Environment ensure all available steps are taken to protect the Shrimptons Creek Corridor and the significant trees along Epping Road to ensure their long term conservation.
- (d) That the General Manager write to the Minister for Planning seeking an urgent meeting to discuss the reduction of the size, scale and density of the State Government's proposed development in Macquarie Park.
- (e) That the Council recommend that a complete Aboriginal Cultural Assessment, as recommended by the Office of the Environment and Heritage, be undertaken prior to the determination of the

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**ATTACHMENT 5**

concept plan by the Minister for Planning.

**Record of the Voting:**

For the Motion: The Mayor, Councillor Laxale and Councillors Clifton, Gordon, Kim, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Brown, Lane, Moujalli and Yedelian  
OAM

**ITEM 8 (continued)**

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**Appendix E - Consistency with Relevant State Environmental Planning Policies**

State Environmental Planning Policies (SEPPs)	Consistent		Comment
	YES/NO	N/A	
State Environmental Planning Policy No 19 - Bushland in Urban Areas	Yes		None of the matters within the PP raise issues with the SEPP.
State Environmental Planning Policy No 21 - Caravan Parks		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy No 33 - Hazardous and Offensive Development		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy No 50 - Canal Estate Development		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy No 55 - Remediation of Land		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy No 64 - Advertising and Signage	Yes		None of the matters within the PP raise issues with the SEPP.
State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy No 70- Affordable Housing (Revised Schemes)		✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy (Concurrences) 2018		✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy (Primary Production and Rural Development) 2019		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Affordable Rental Housing) 2009		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004		✓	Applies to the whole of the State. Not relevant to this proposed amendment
SEPP (Exempt and Complying Development Codes) 2008		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Infrastructure) 2007		✓	Applies to the whole of the State. Not relevant to this proposed amendment.
State Environmental Planning Policy (State Significant Precincts) 2005		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (State and Regional Development) 2011		✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Education Establishments and Child Care Facilities) 2017		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy	Yes		None of the matters within the PP raise issues



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State Environmental Planning Policies (SEPPs)	Consistent		Comment
	YES/NO	N/A	
(Vegetation in Non Rural Areas) 2017			with the SEPP
State Environmental Planning Policy (Coastal Management) 2018	Yes		None of the matters within the PP raise issues with the SEPP.
<b>Deemed SEPPs</b>			
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005		✓	Applies to the Sydney Harbour Catchment. Not relevant to this proposed amendment

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**Appendix F - Consistency with Ministerial Directions**

Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979	Consistent		N/A
	YES	NO	
<b>1. Employment and Resources</b>			
1.1 Business and Industrial Zones Objectives are: <ul style="list-style-type: none"> <li>Encourage employment growth in suitable locations</li> <li>Protect employment land in business and industrial zones and</li> <li>Support the viability of identified strategic centres.</li> </ul>	X		
1.2 Rural Zones Objective: To protect the agricultural production value of rural land.			X
1.3 Mining, Petroleum Production and Extractive Industries Objective: To ensure that the future extraction of significant materials is not compromised by inappropriate development.			X
1.4 Oyster Aquaculture Objective: To protect oyster aquaculture from development that may result in adverse impact on water quality.			X
1.5 Rural Lands Objective: To protect and facilitate economic development of rural lands.			X
<b>2. Environment and Heritage</b>			
2.1 Environment Protection Zones Objective: To protect and conserve environmentally sensitive areas.	X		
2.2 Coastal Protection Objective: To protect and manage coastal areas of NSW	X		
2.3 Heritage Conservation Objective: To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.			X
2.4 Recreation Vehicle Areas Objective: To protect sensitive land from adverse impacts from recreation vehicles.			X
2.5 Application for E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs Objective: To ensure that a balanced and consistent approach is taken when applying environmental protection zones and overlays to land on the NSW Far North Coast.			X
2.6 Remediation of Contaminated Land Objective: To reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.			
<b>3. Housing, Infrastructure and Urban Development</b>			
3.1 Residential Zones Objectives are: <ul style="list-style-type: none"> <li>To encourage a variety and choice of housing types to provide for existing and future housing needs</li> <li>To make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services</li> <li>To minimise the impact of residential development on the environment and resource lands.</li> </ul>			X
3.2 Caravan Parks and Manufactured Home Estates Objective: To provide a variety of housing types.			X
3.3 Home Occupations Objective: To encourage the carrying out of low impact small businesses in dwelling houses			X
3.4 Integrating Land Use and Transport			

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Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979	Consistent		N/A
	YES	NO	
Objectives are: o Improving access to housing, jobs and services by walking, cycling and public transport o Increasing choice of available transport and reduce dependence on cars and o Support of public transport services and reduce travel demand. o Providing for the efficient movement of freight	x		
3.5 Development Near regulated Airports and Defence Airfields Objective: To ensure safe and effective operation of aerodromes.			x
3.6 Shooting Ranges Objective: To reduce land use conflict, maintain appropriate levels of public safety and amenity.			x
3.7 Reduction in non-hosted short term rental accommodation period Objective are to: o Mitigate significant impacts of short-term rental accommodation where non-hosted short-term rental accommodation period are to be reduced o Ensure the impacts of short-term rental accommodation and views of the community are considered			x
<b>4. Hazard and Risk</b>			
4.1 Acid Sulfate Soils Objective: To avoid significant adverse impacts from use of land that contains acid sulfate soils.			x
4.2 Mine Subsidence and Unstable Land Objective: To prevent damage to life, property and the environment on land identified as subject to mine subsidence.			x
4.3 Flood Prone Land Objective: To ensure an LEP includes consideration of appropriate flood impacts.	x		
4.4 Planning for Bushfire Protection Objective: To encourage sound management of bush fire prone areas.			x
<b>5. Regional Planning</b>			
5.1 Implementation of Regional Strategies (Revoked 17 October 2017)			x
5.2 Sydney Drinking Water Catchments Objective: To protect water quality in the Sydney drinking water catchment.			x
5.3 Farmland of State and Regional Significance on the NSW Far North Coast Objective: To ensure the best agricultural land will be available for current and future generations.			x
5.4 Commercial and Retail Development along the Pacific Highway, North Coast Objective: To manage commercial and retail development along the Pacific Hwy.			x
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)			x
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)			x
5.7 Central Coast (Revoked 10 July 2008)			x
5.8 Second Sydney Airport: Badgerys Creek (Revoked 20 August 2018)			x
5.9 North West Rail Link Corridor Strategy Objective: To promote trains oriented development and manage growth around the eight train stations of the North West Rail Link			x
5.10 Implementation of Regional Plans Objective: To give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.			x
5.11 Development of Aboriginal Land Council land Objective: To provide consideration of development delivery plans prepared under <i>State Environmental Planning Policy (Aboriginal Land) 2019</i> .			x
<b>6. Local Plan Making</b>			
6.1 Approval and Referral Requirements Objective: To ensure that LEP provisions encourage the efficient and appropriate			x

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Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979	Consistent		N/A
	YES	NO	
assessment of development.			
6.2 Reserving Land for Public Purposes Objective: To facilitate the provision of public services and facilities.			x
6.3 Site Specific Provisions Objective: To discourage unnecessary restrictive site specific planning controls.	x		
<b>7. Metropolitan Planning</b>			
7.1 Implementation of the Metropolitan Plan for Sydney Objective: To give legal affect to the vision contained in A Plan for Growing Sydney.	x		
7.2 Implementation of Greater Macarthur Land Release Investigation Objective: to ensure development within the Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan			x
7.3 Parramatta Road Corridor Urban Transformation Strategy Objective: To facilitate development within the Corridor that is consistent with the Strategy and the Parramatta Road Corridor Implementation Tool Kit			x
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan Objective: To ensure development within the North West Priority Growth Area is consistent with the Strategy.			x
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan Objective: To ensure development within the Area is consistent with the Implementation Plan.			x
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan Objective: To ensure development within the Priority Growth Area is consistent with the Implementation Plan and Back ground Analysis.			x
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor Objective: To ensure development within the precincts between Glenfield and Macarthur is consistent with the plans for these precincts.			x
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan Objective: To ensure development within the Western Sydney Aerotropolis is consistent with the Stage 1 Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan dated August 2018 (the Stage 1 Land Use and Implementation Plan).			x
7.9 Implementation of Bayside West Precincts 2036 Plan Objective: To ensure development within the Bayside West Precincts (Arncliffe, Banksia and Cooks Cove) is consistent with the Bayside West Precincts 2036 Plan (the Plan).			x
7.10 Implementation of Planning Principles for the Cooks Cove Precinct Objective: To ensure development within the Cooks Cove Precinct is consistent with the Cooks Cove Planning Principles.			x



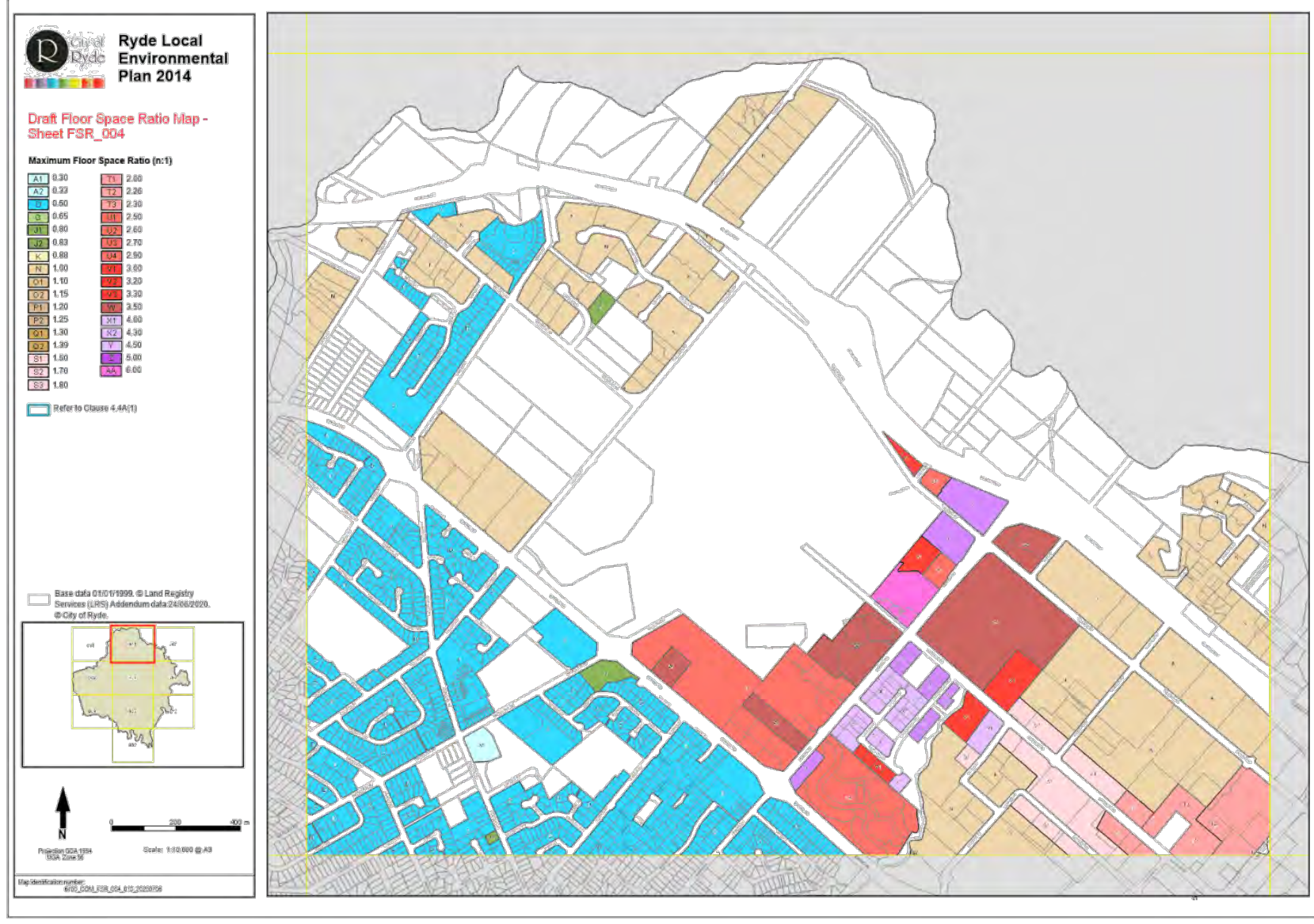
**ITEM 8 (continued)**

**ATTACHMENT 5**

**Appendix G - Draft LEP Maps**

## ITEM 8 (continued)

## ATTACHMENT 5



**ITEM 8 (continued)**

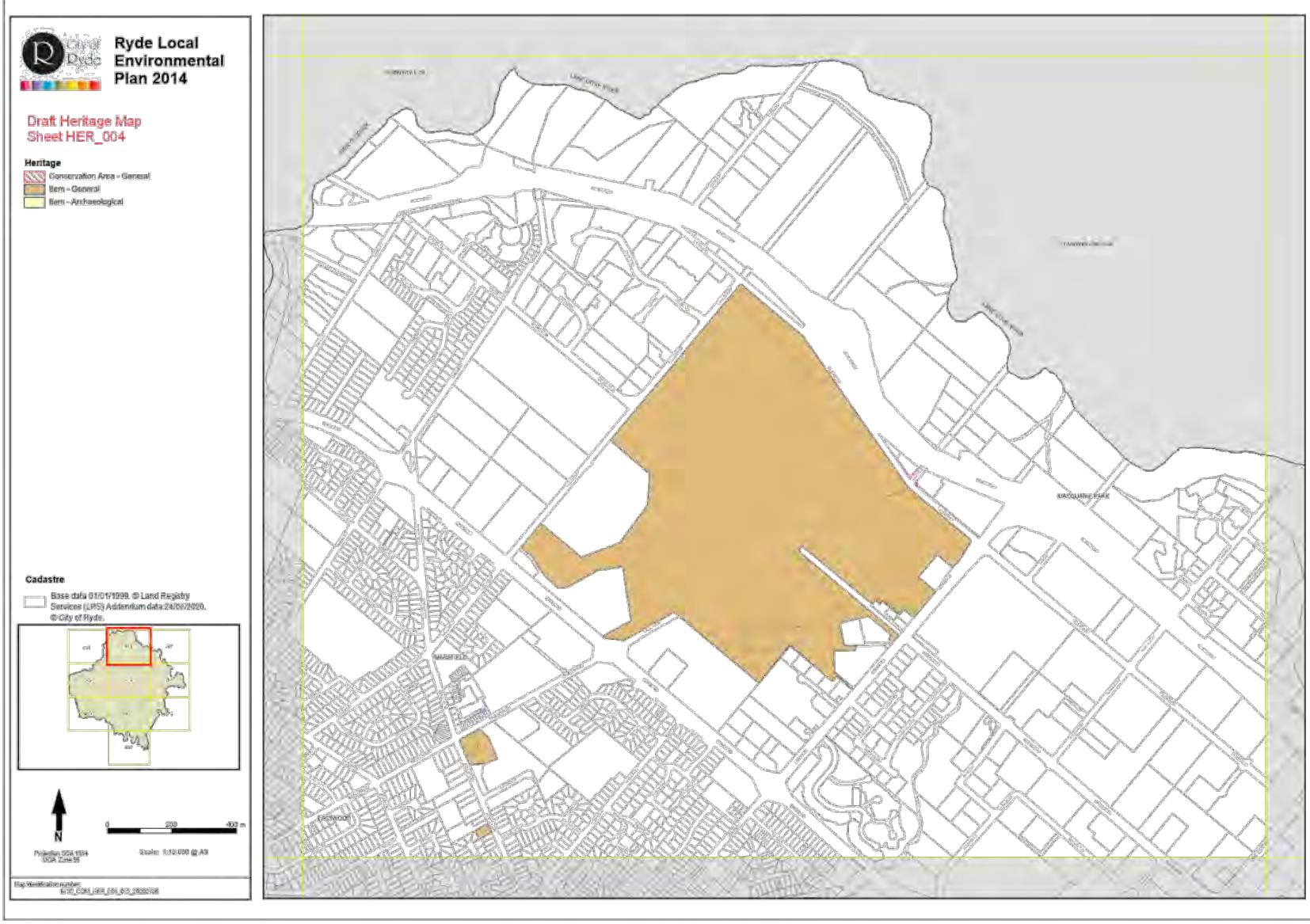
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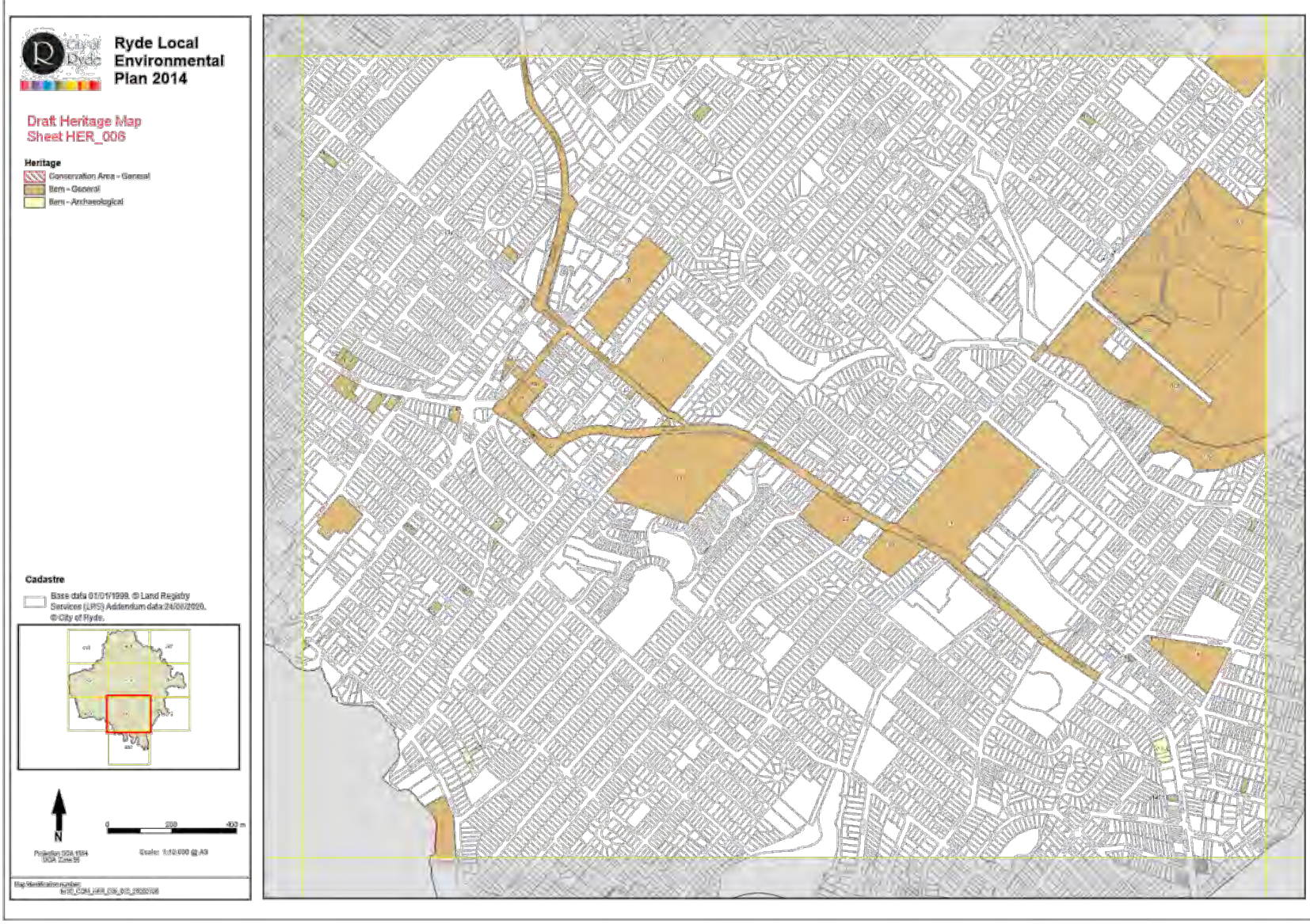
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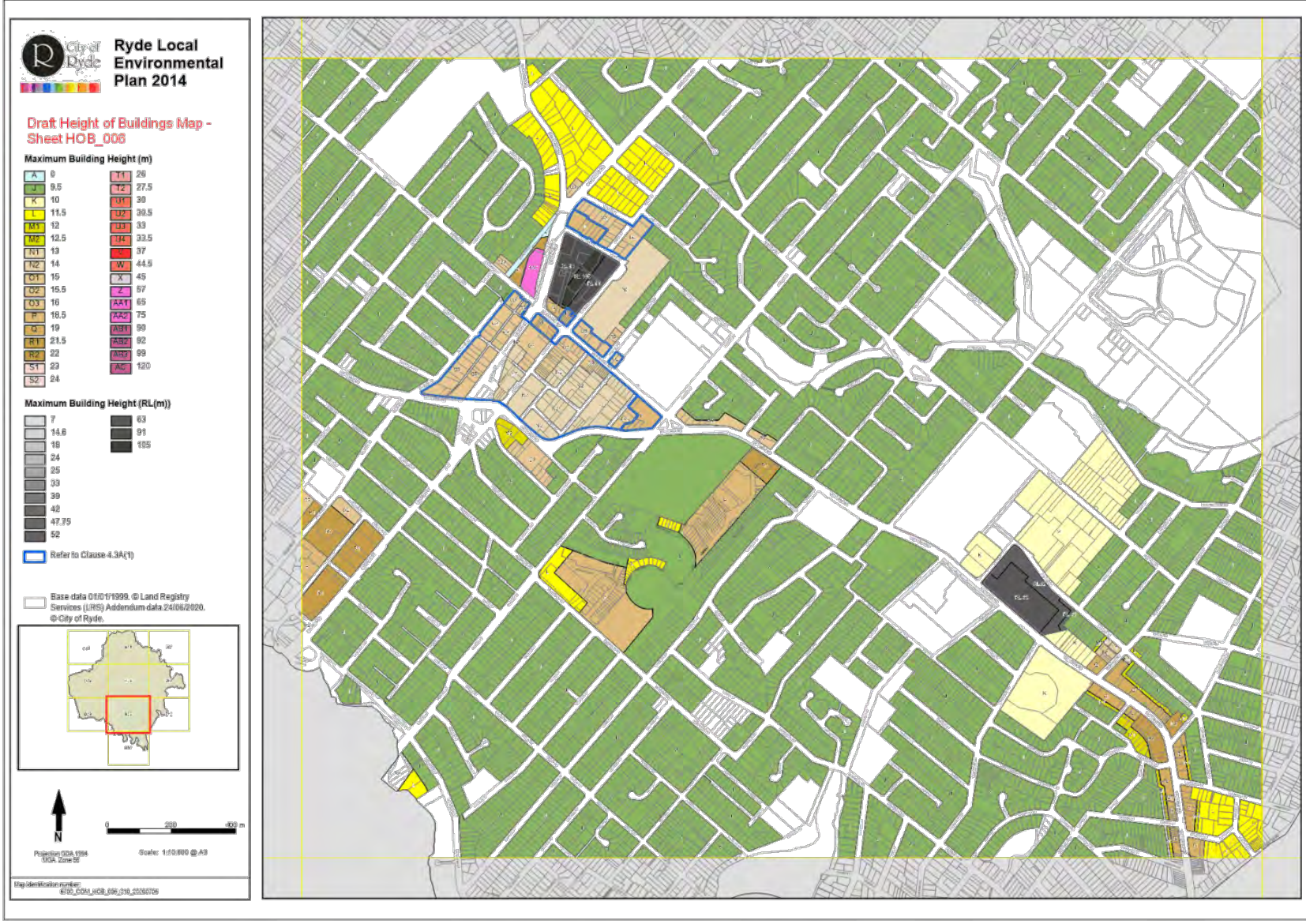
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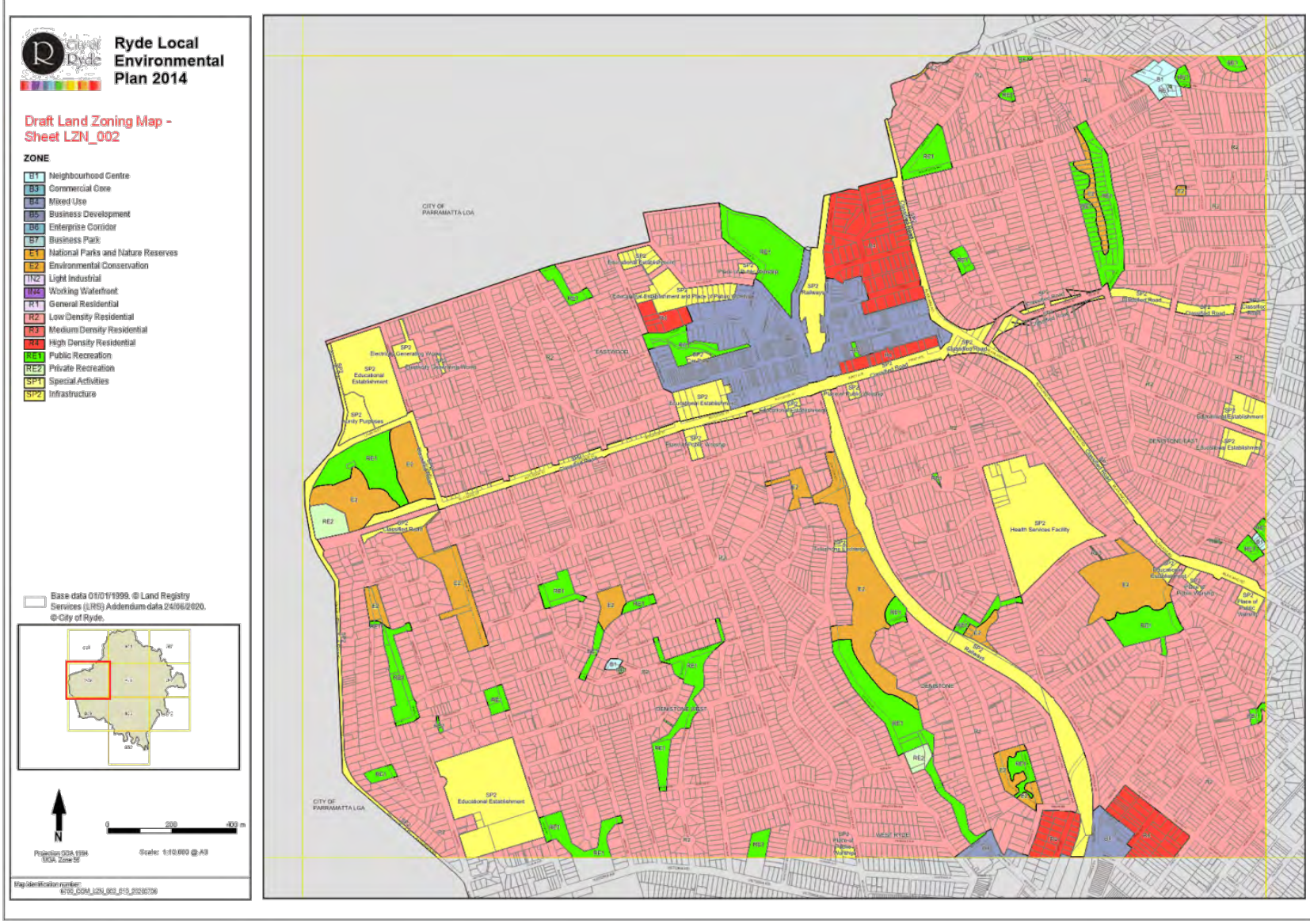
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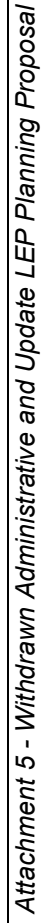
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**ATTACHMENT 5**





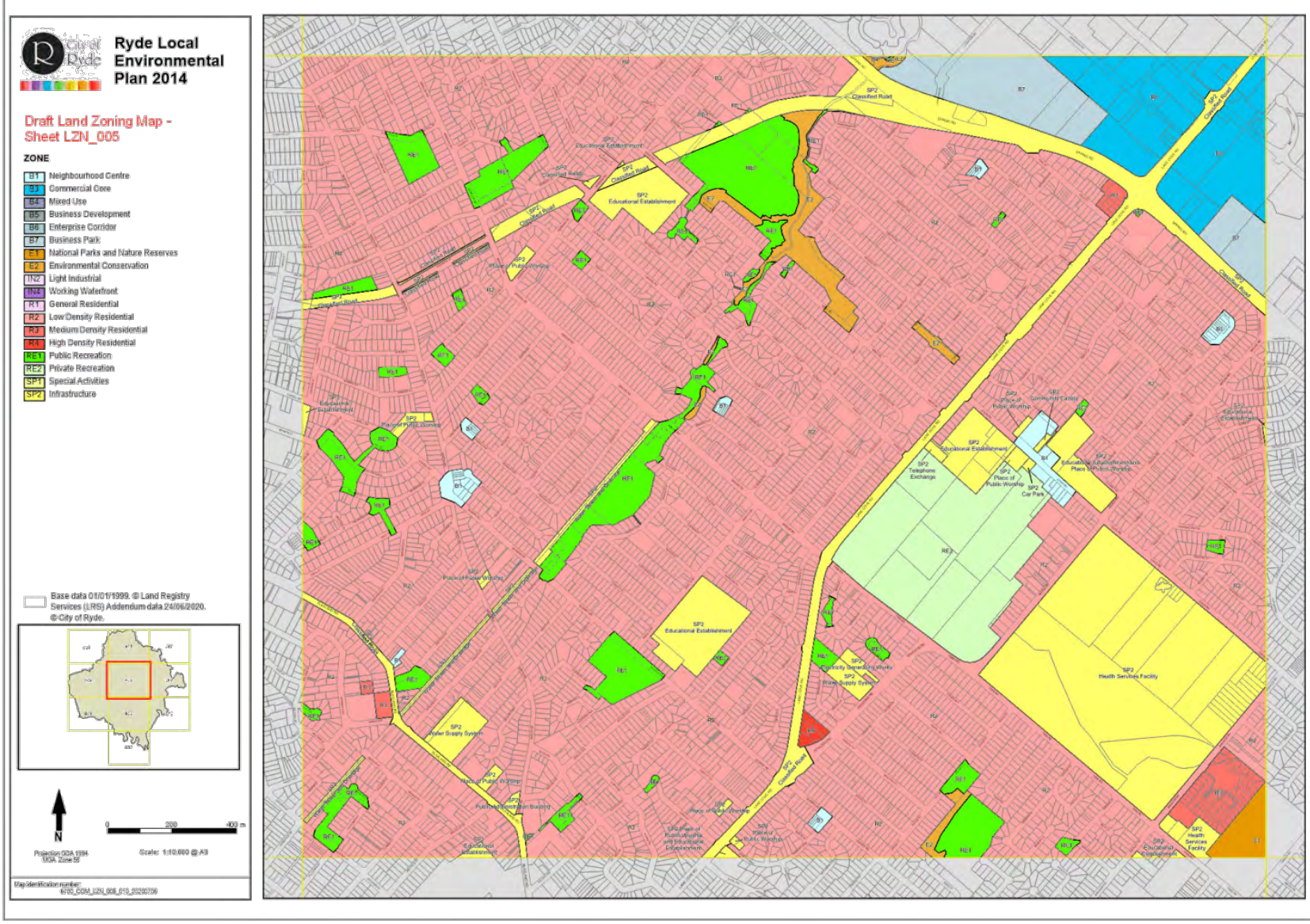
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**ITEM 8 (continued)**

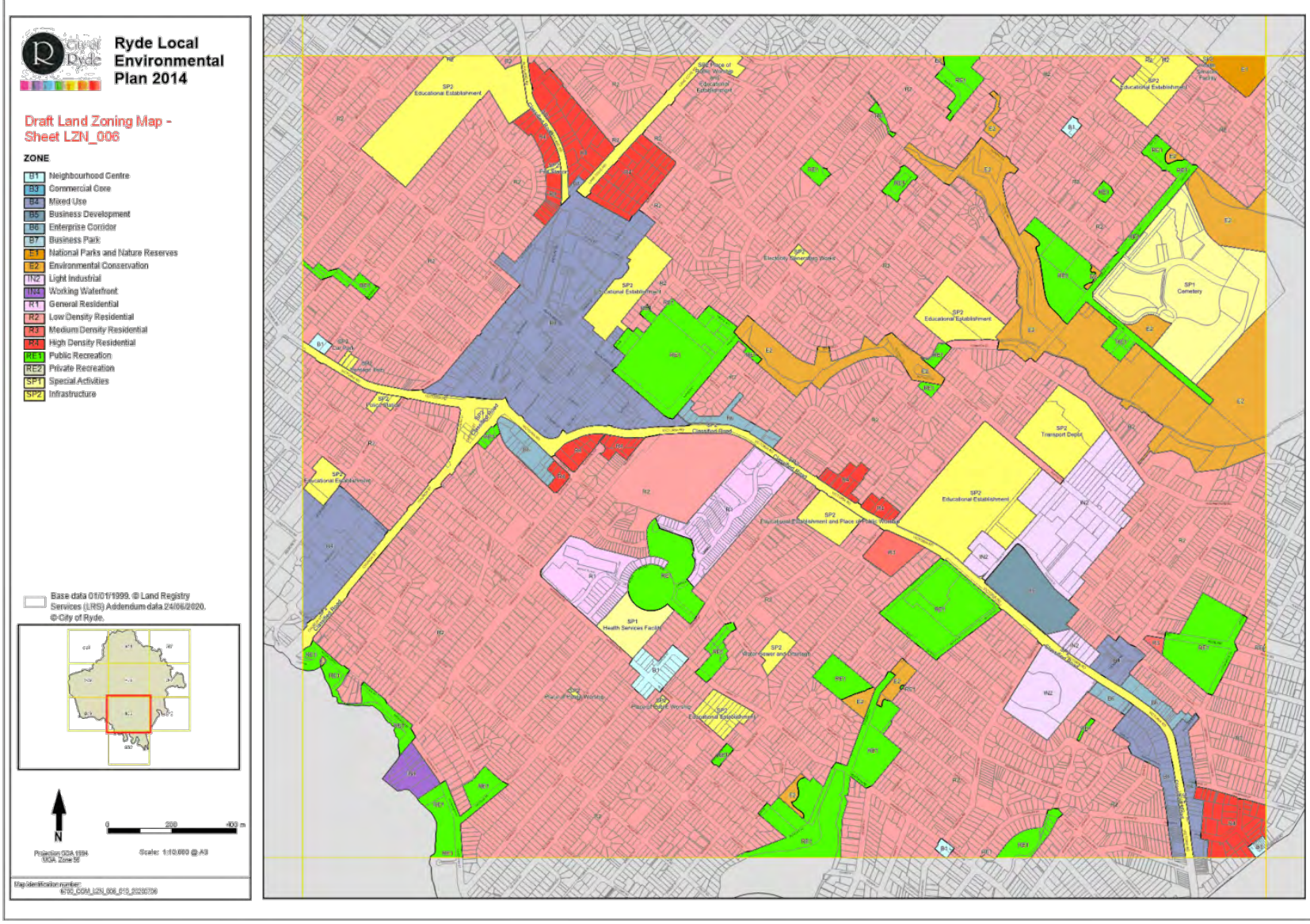
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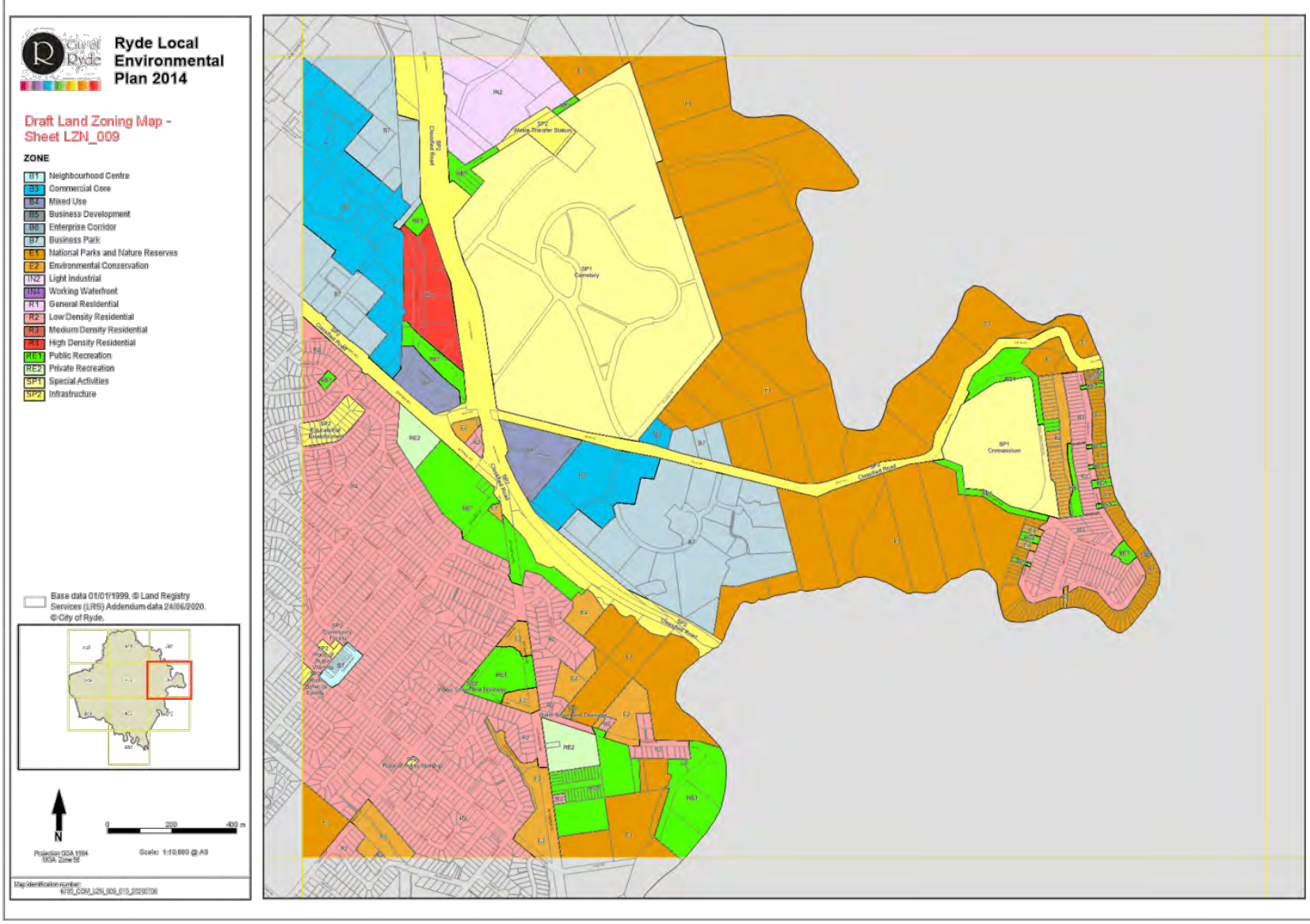
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## ITEM 8 (continued)

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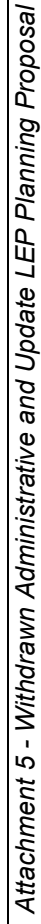
**ITEM 8 (continued)**

**ATTACHMENT 5**

**Appendix H – Environmentally Sensitive Lands  
Terrestrial Biodiversity Draft LEP Maps**



## ATTACHMENT 5



**ITEM 8 (continued)**

**ATTACHMENT 5**





## ITEM 8 (continued)

## ATTACHMENT 5



## ITEM 8 (continued)

## ATTACHMENT 5





## ATTACHMENT 5





**ITEM 8 (continued)**

**ATTACHMENT 5**



**ITEM 8 (continued)**

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**ITEM 8 (continued)**

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## ATTACHMENT 5



**ITEM 8 (continued)**

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**ITEM 8 (continued)**

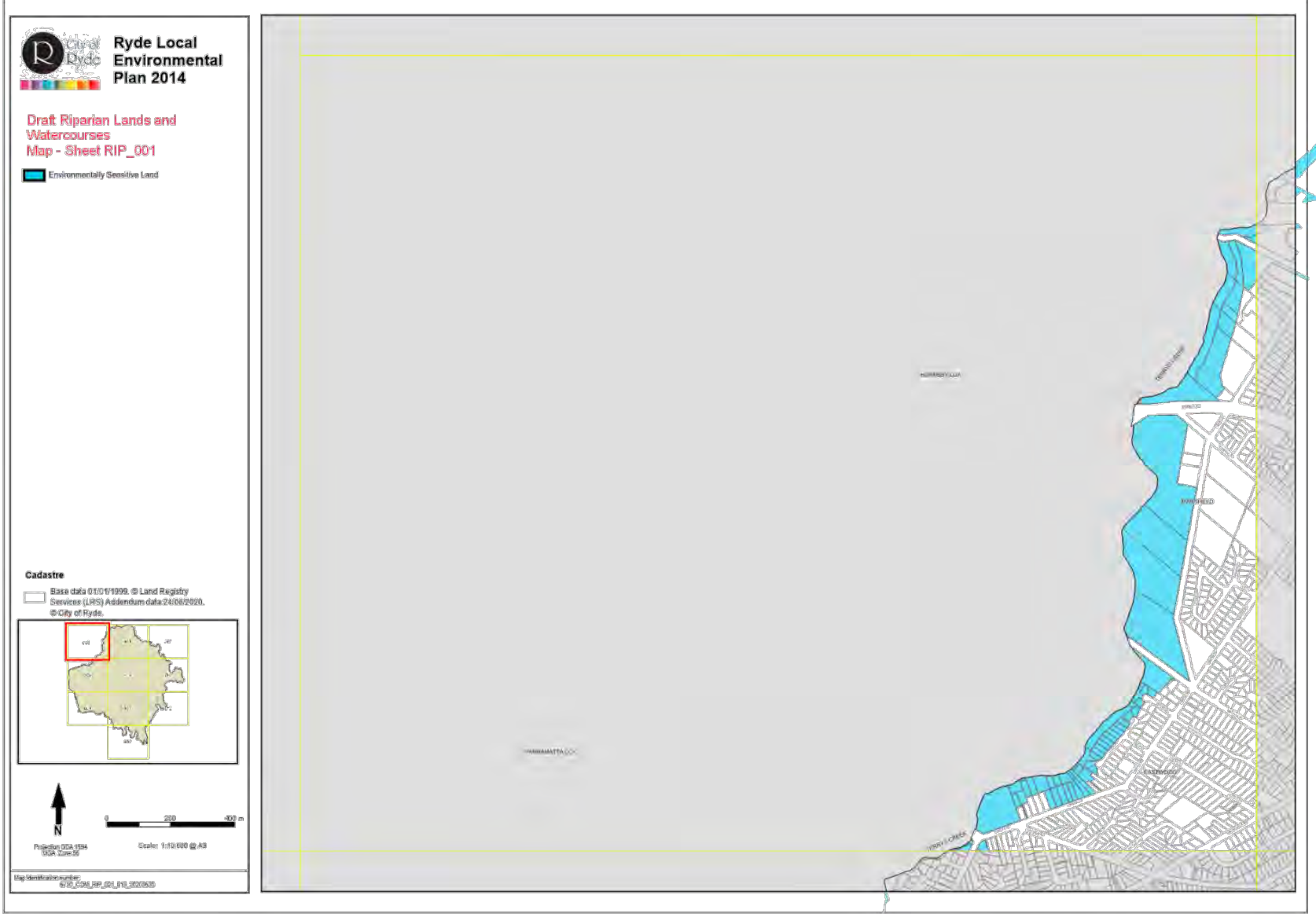
**ATTACHMENT 5**

**Appendix I - Environmentally Sensitive Lands**

**Riparian Lands and Watercourses Draft LEP Maps**

**ITEM 8 (continued)**

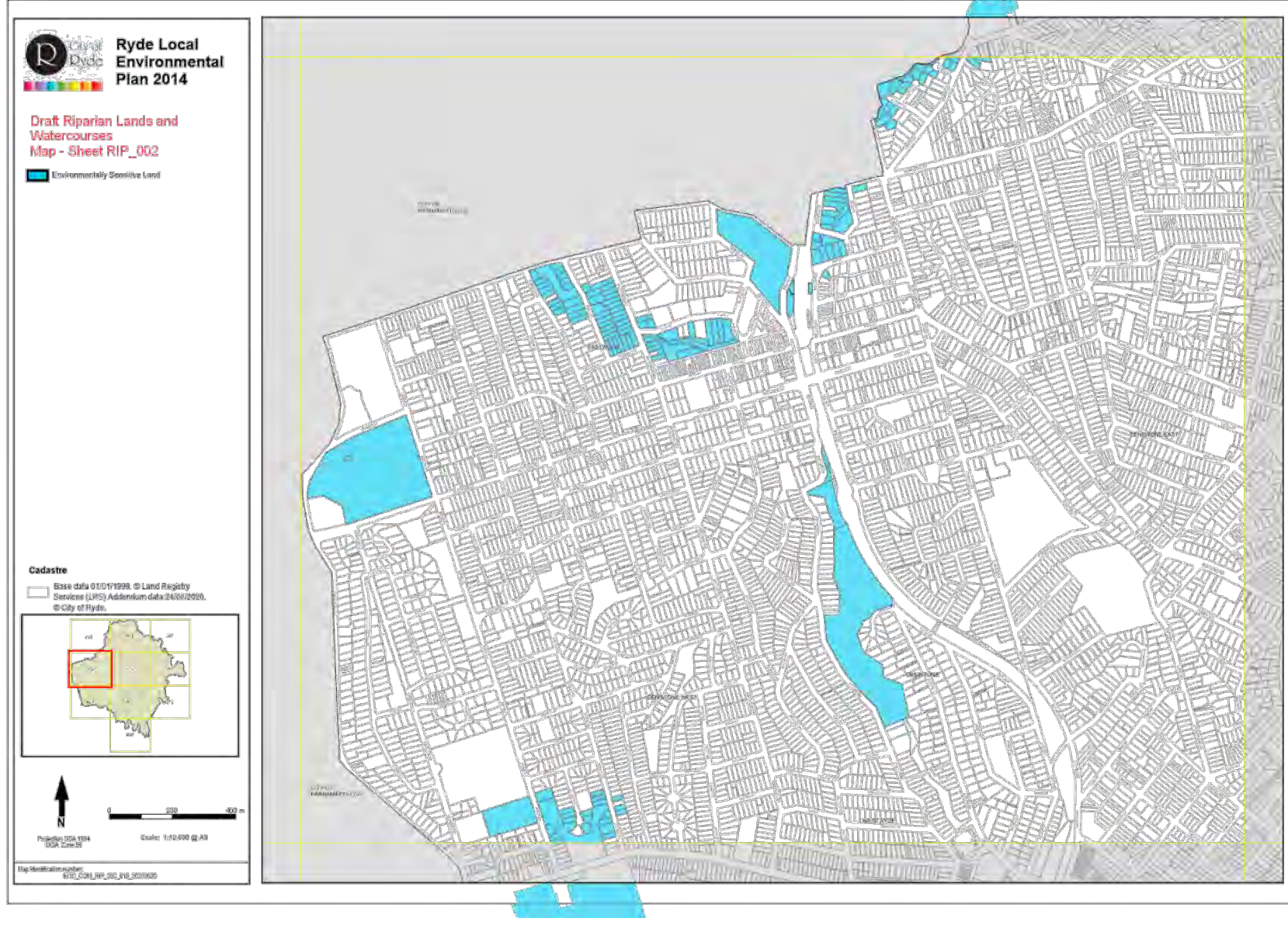
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**ITEM 8 (continued)**

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**ITEM 8 (continued)**

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## ITEM 8 (continued)

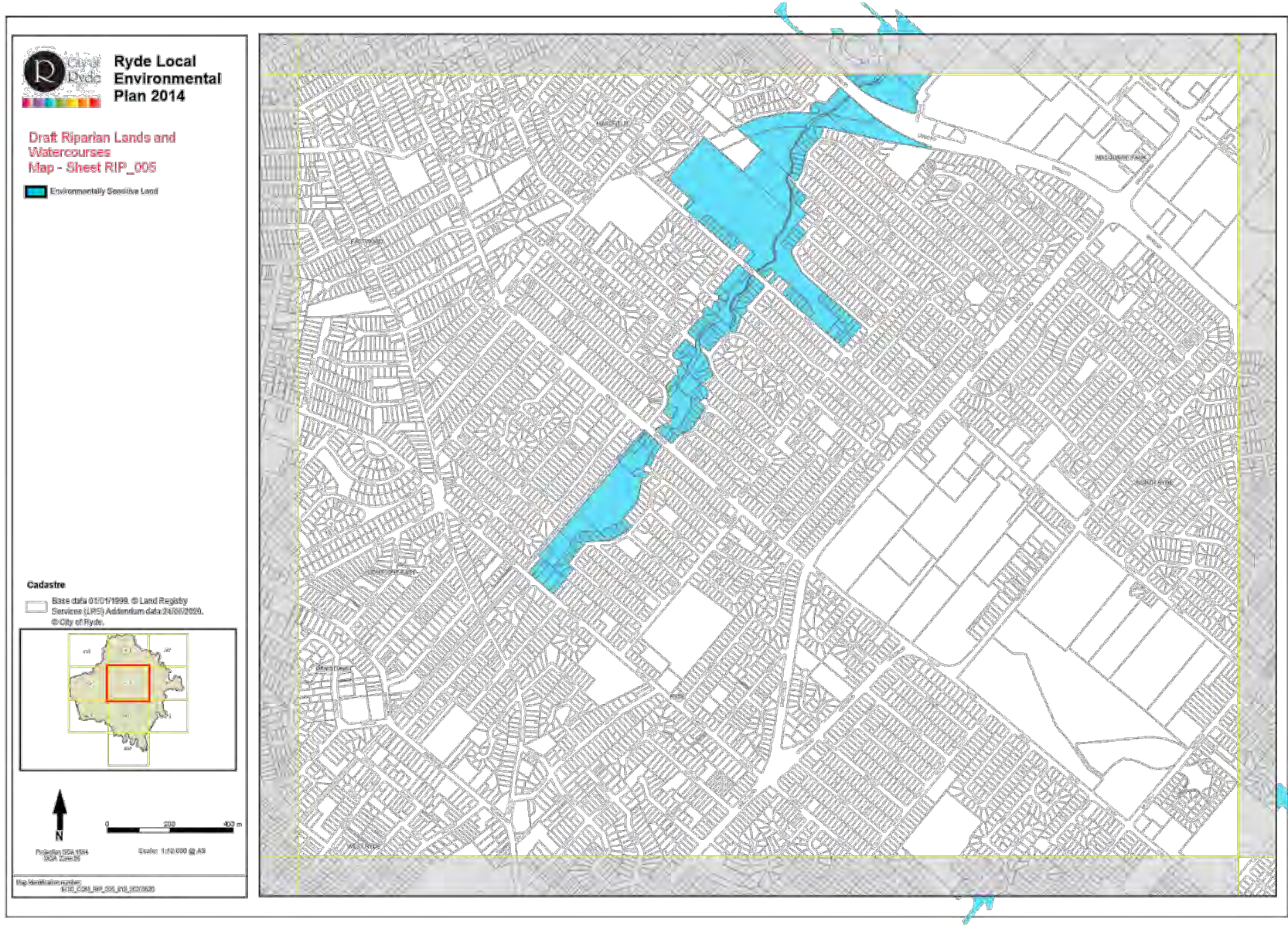
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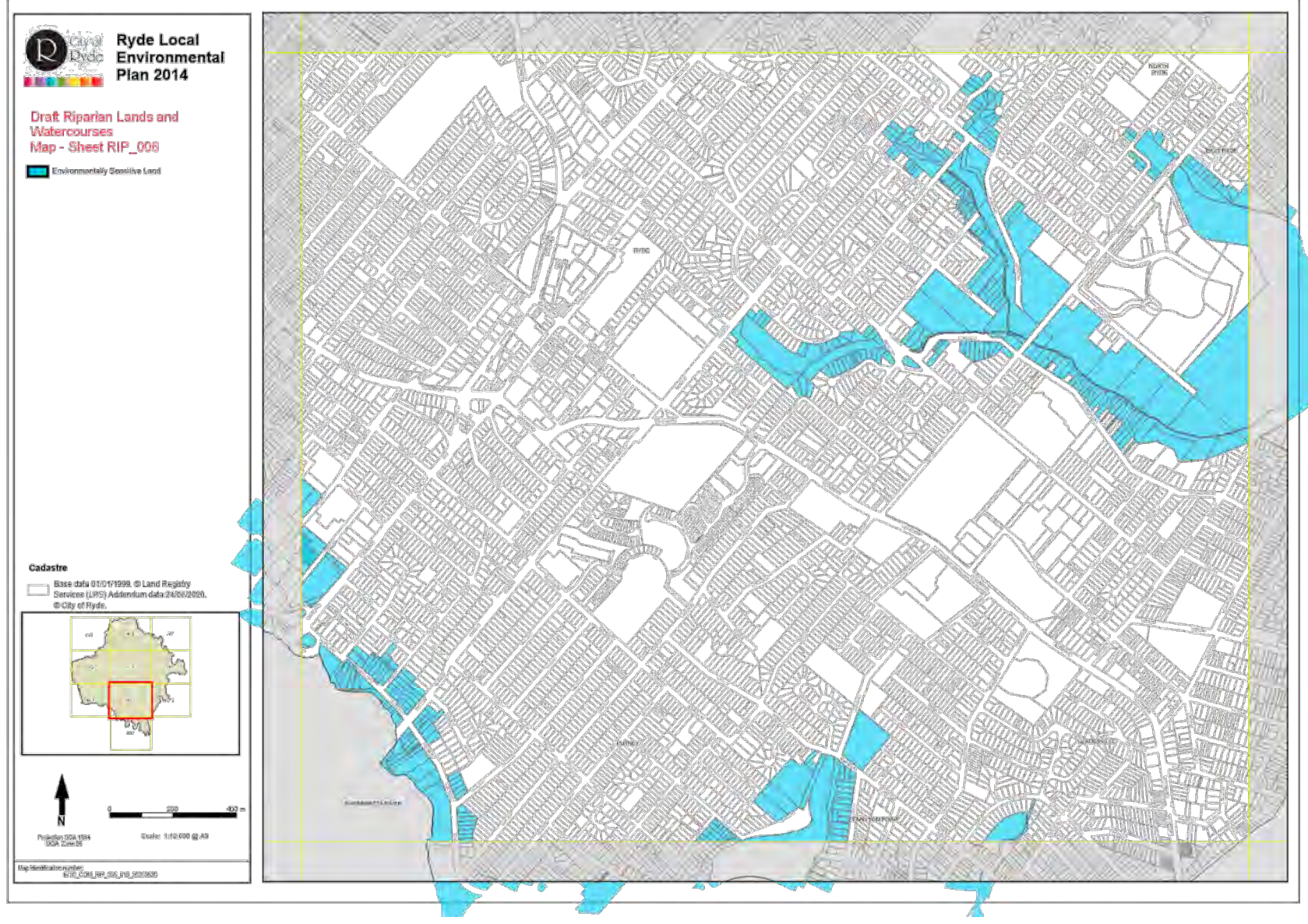
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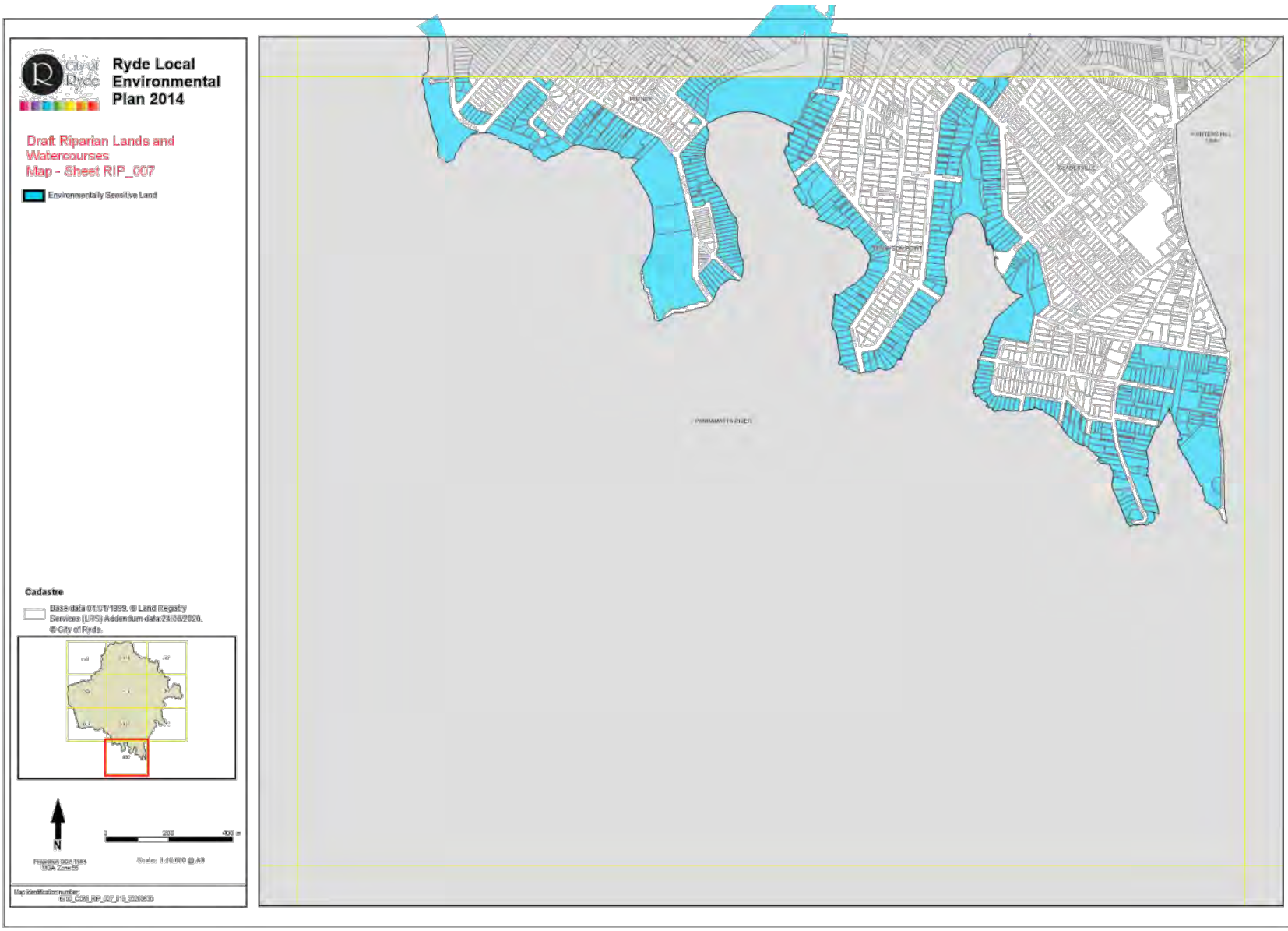
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**ITEM 8 (continued)**

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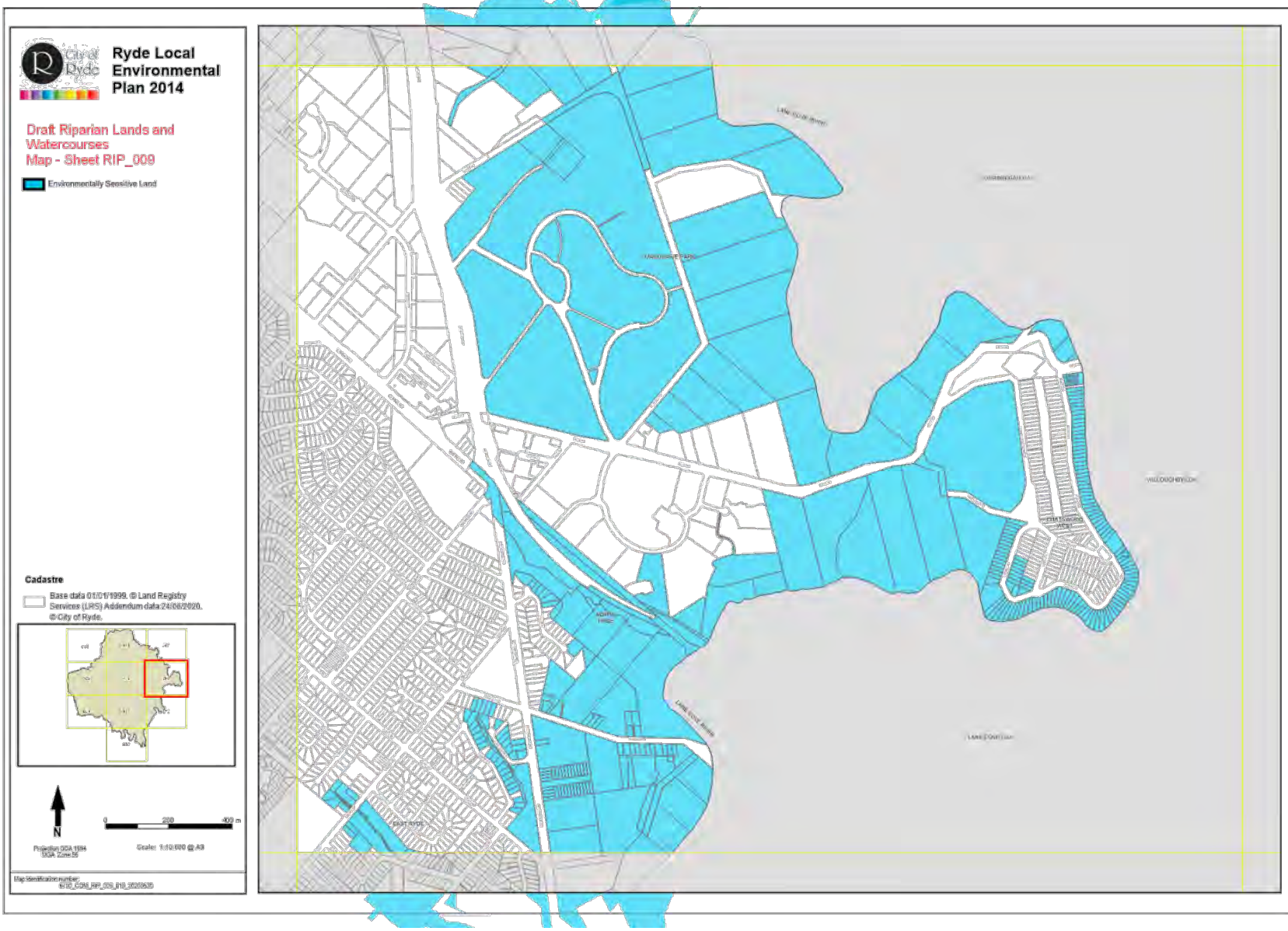
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**ITEM 8 (continued)**

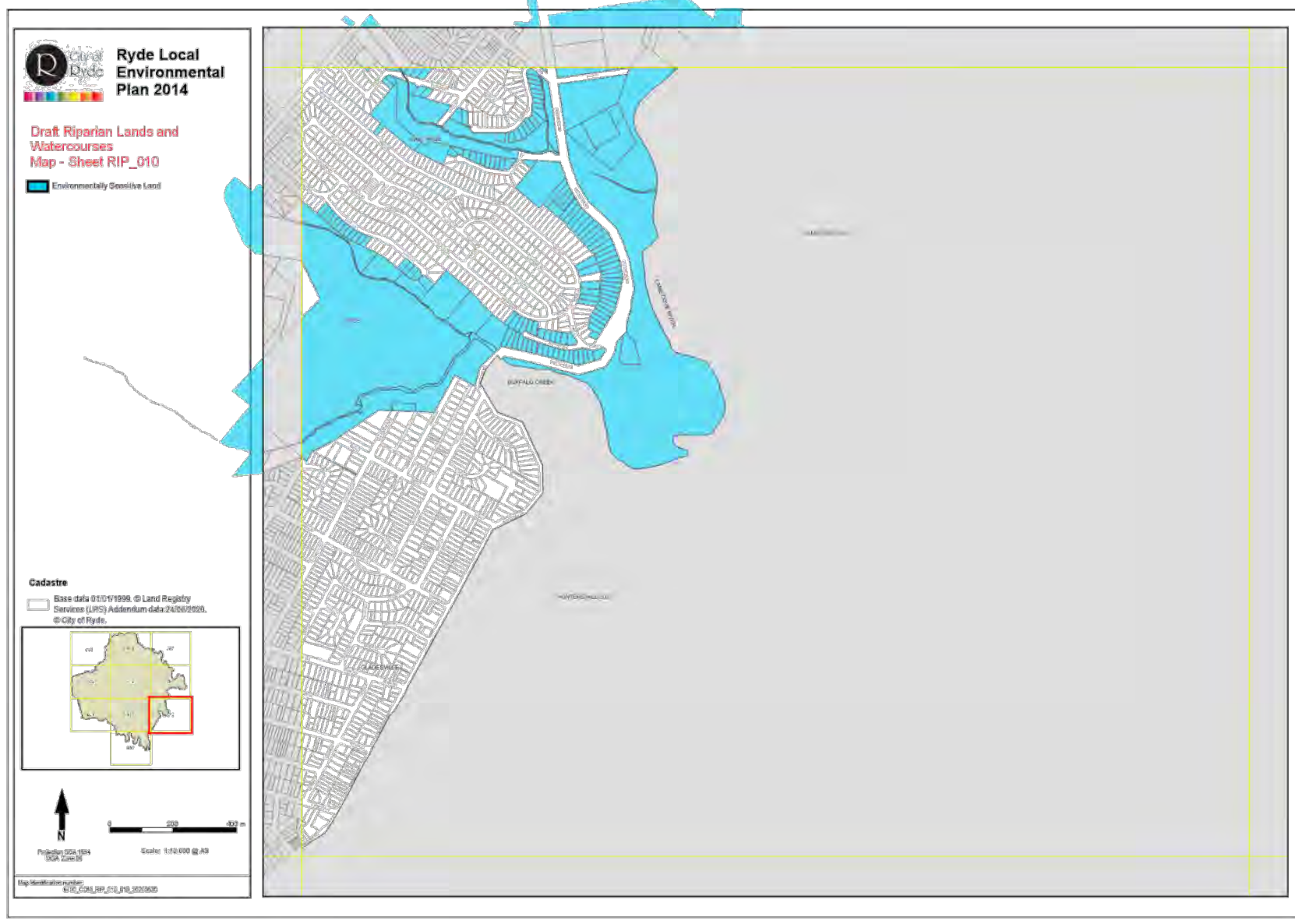
**ATTACHMENT 5**





**ITEM 8 (continued)**

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**ITEM 8 (continued)**

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**Appendix J - Environmentally Sensitive Lands**

**Scenic Quality and Natural Landforms Draft LEP  
Maps**

**ITEM 8 (continued)**

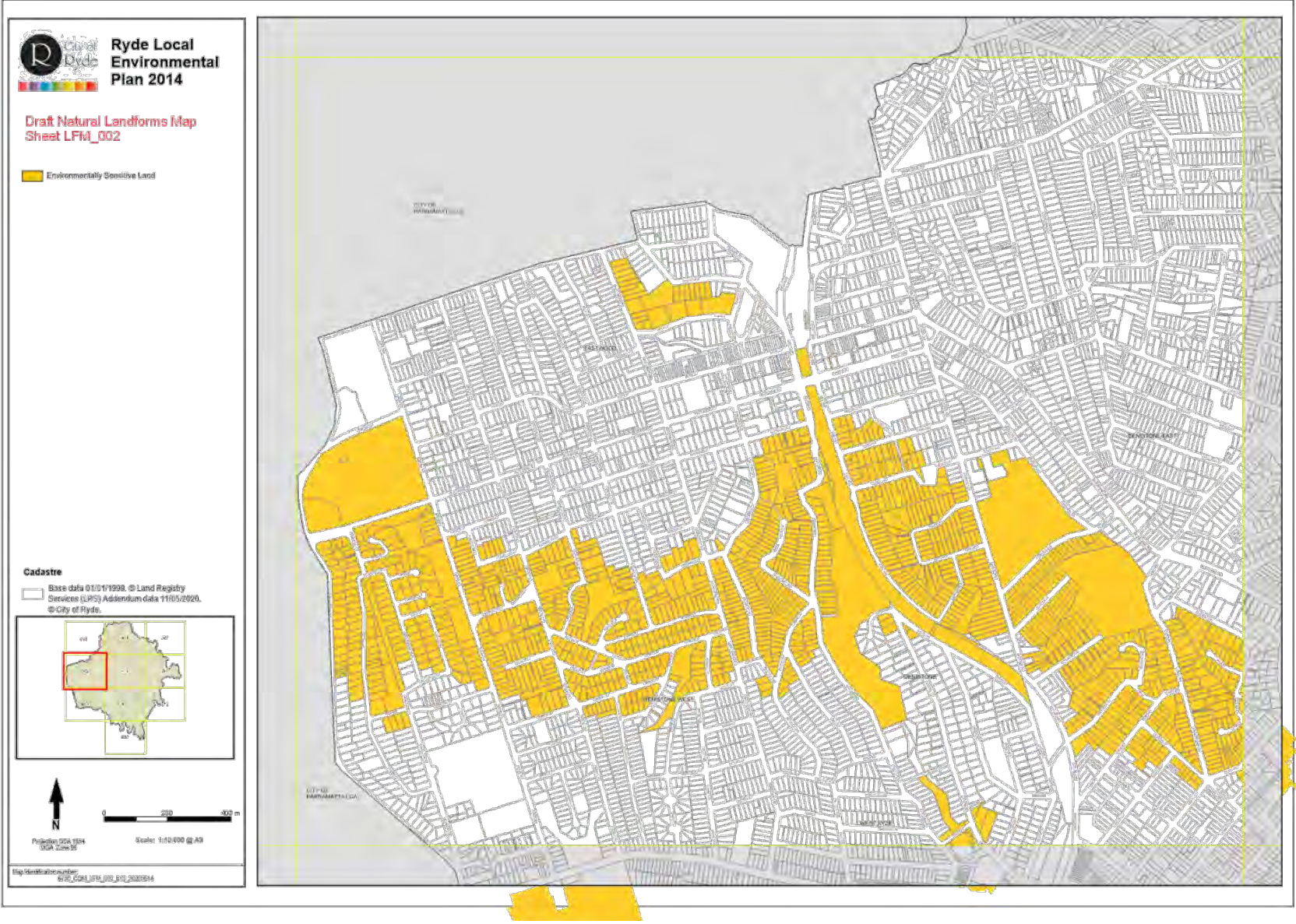
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**ITEM 8 (continued)**

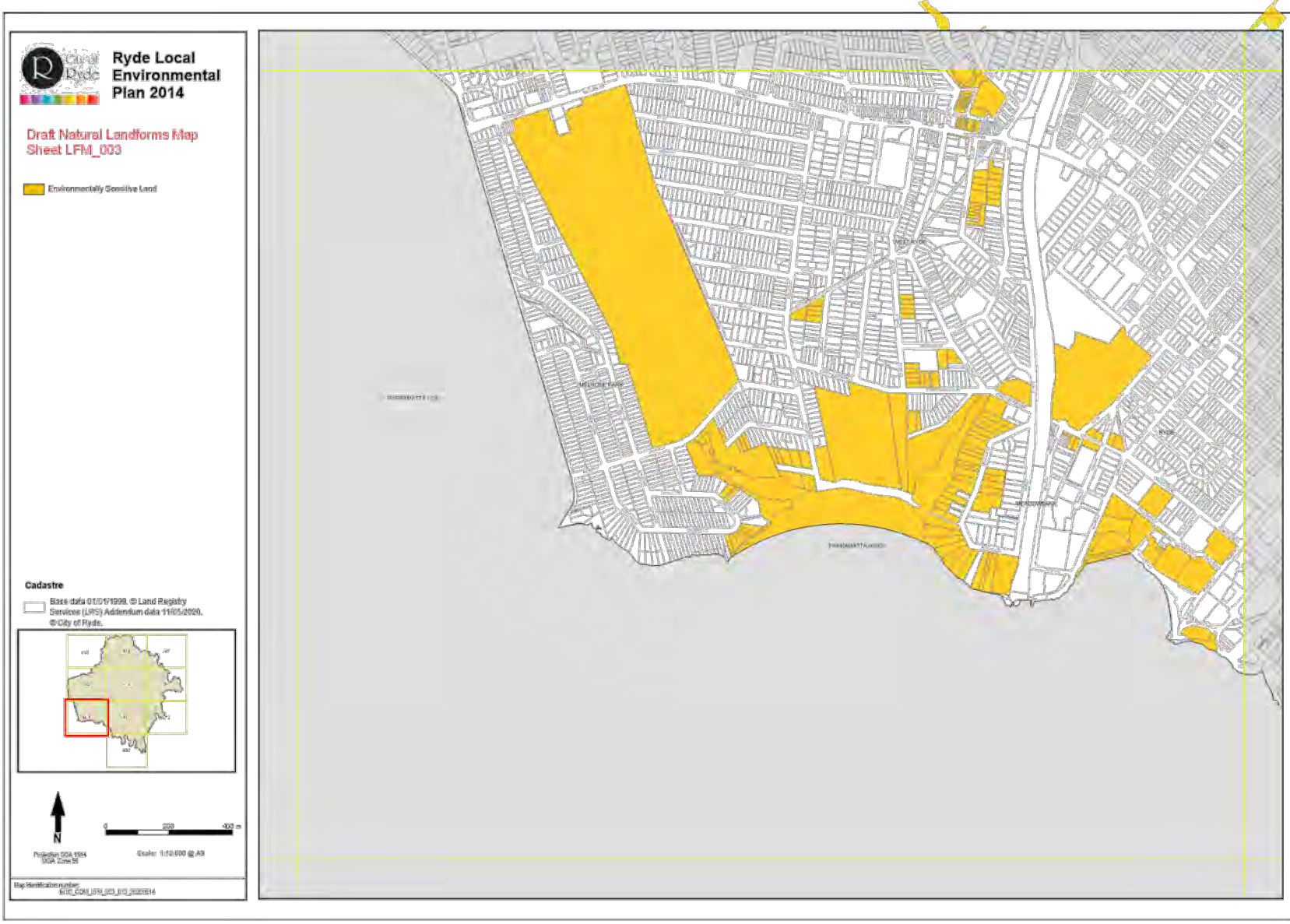
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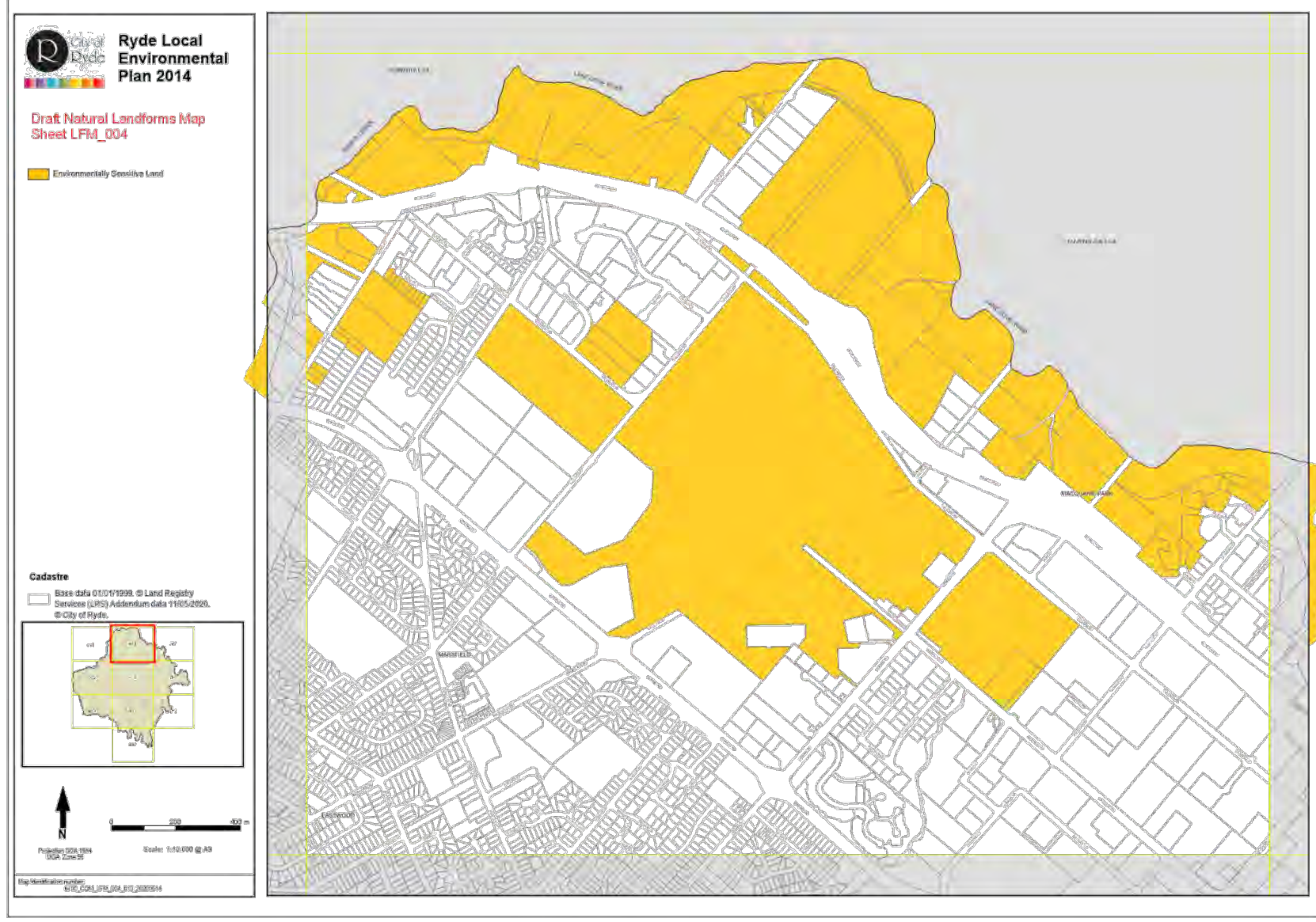
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**ITEM 8 (continued)**

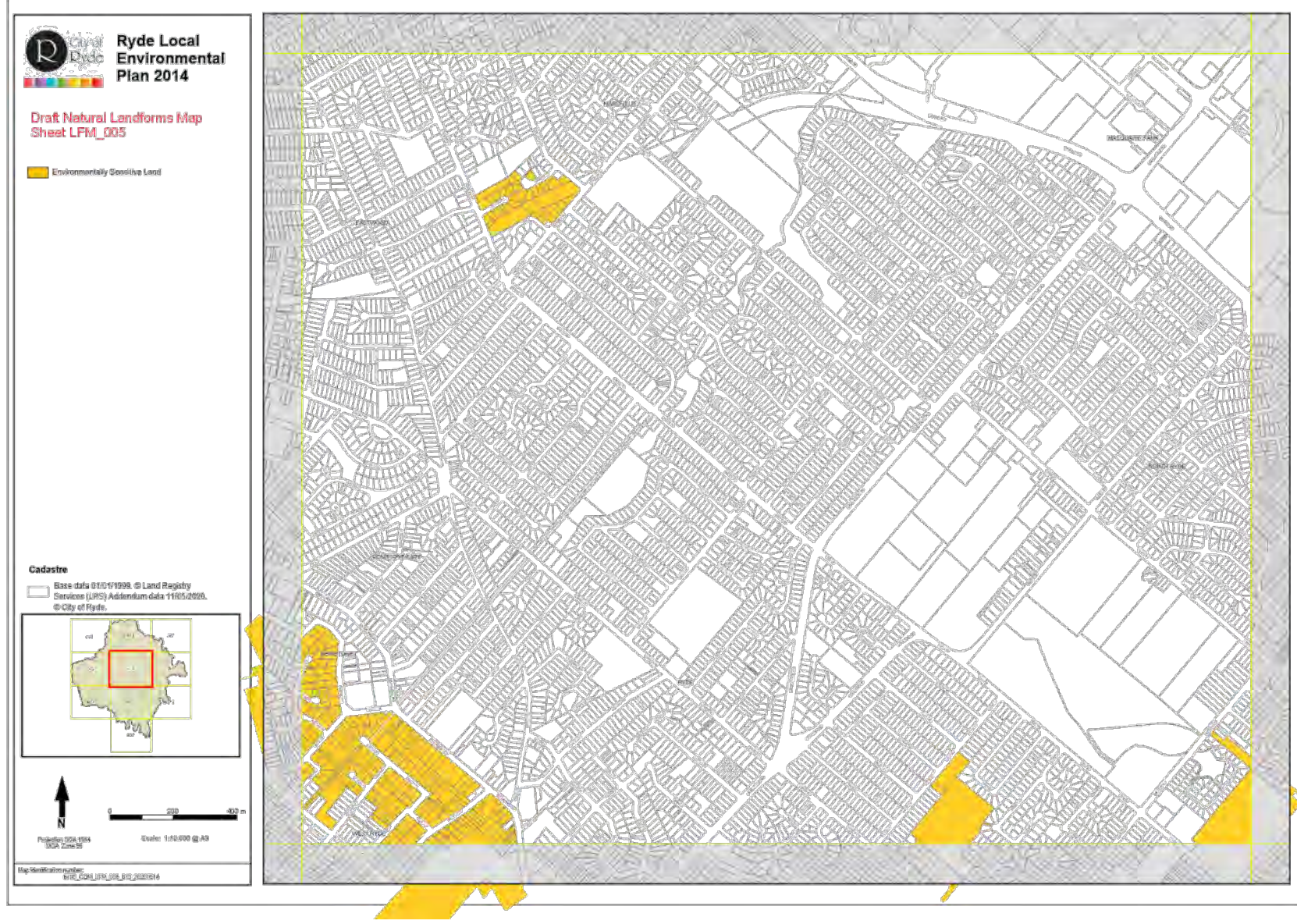
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**ITEM 8 (continued)**

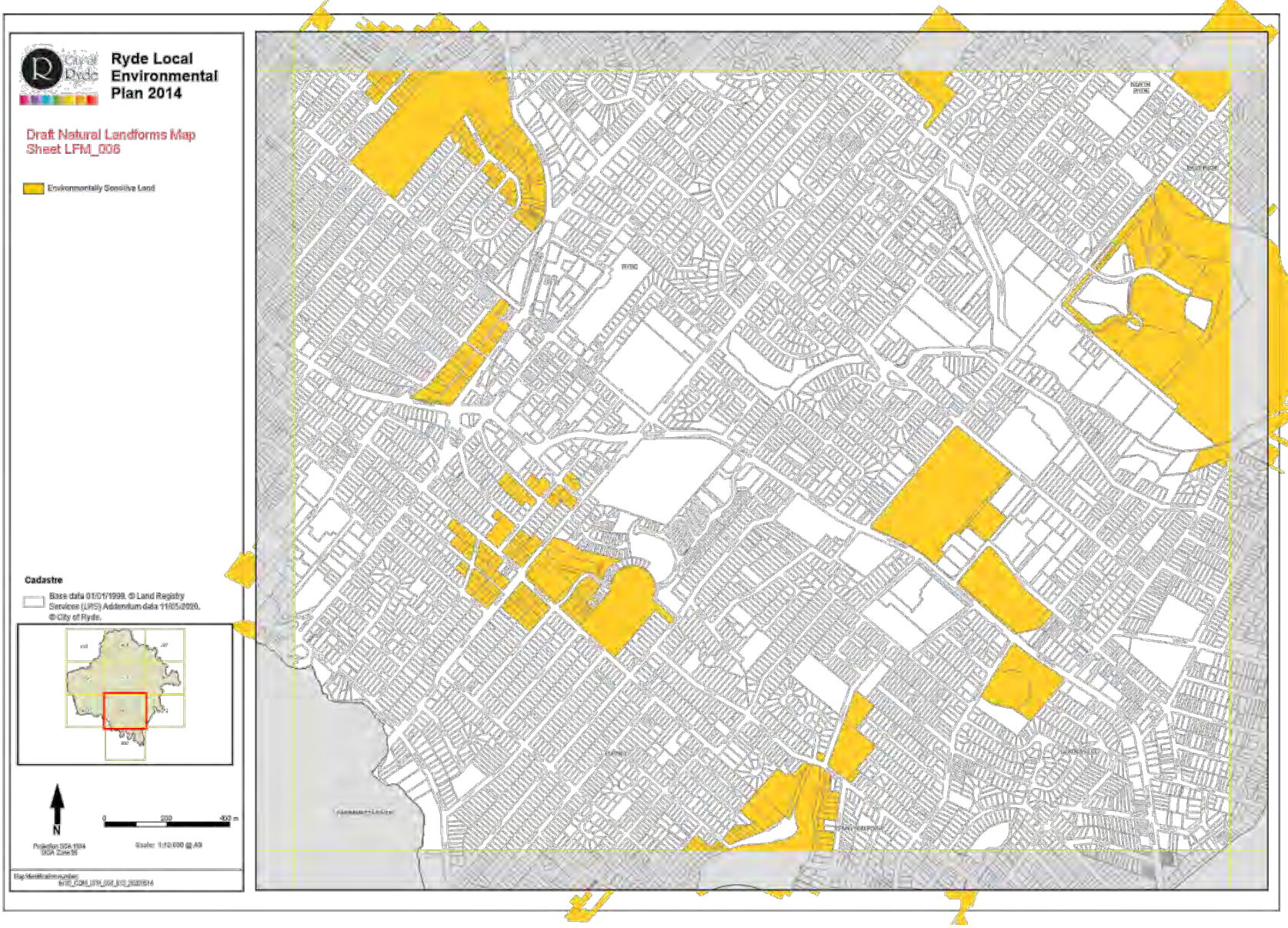
**ATTACHMENT 5**





**ITEM 8 (continued)**

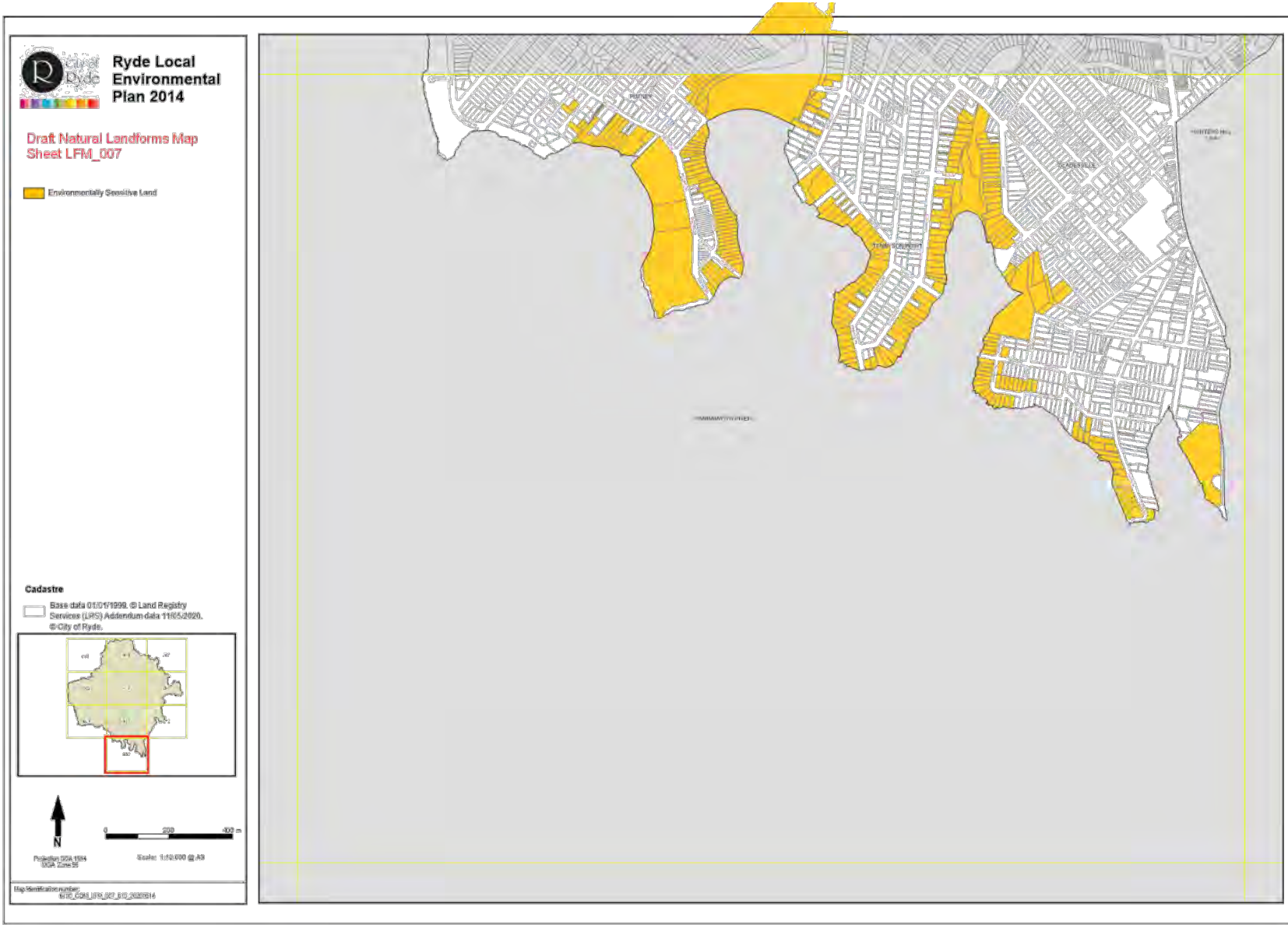
**ATTACHMENT 5**





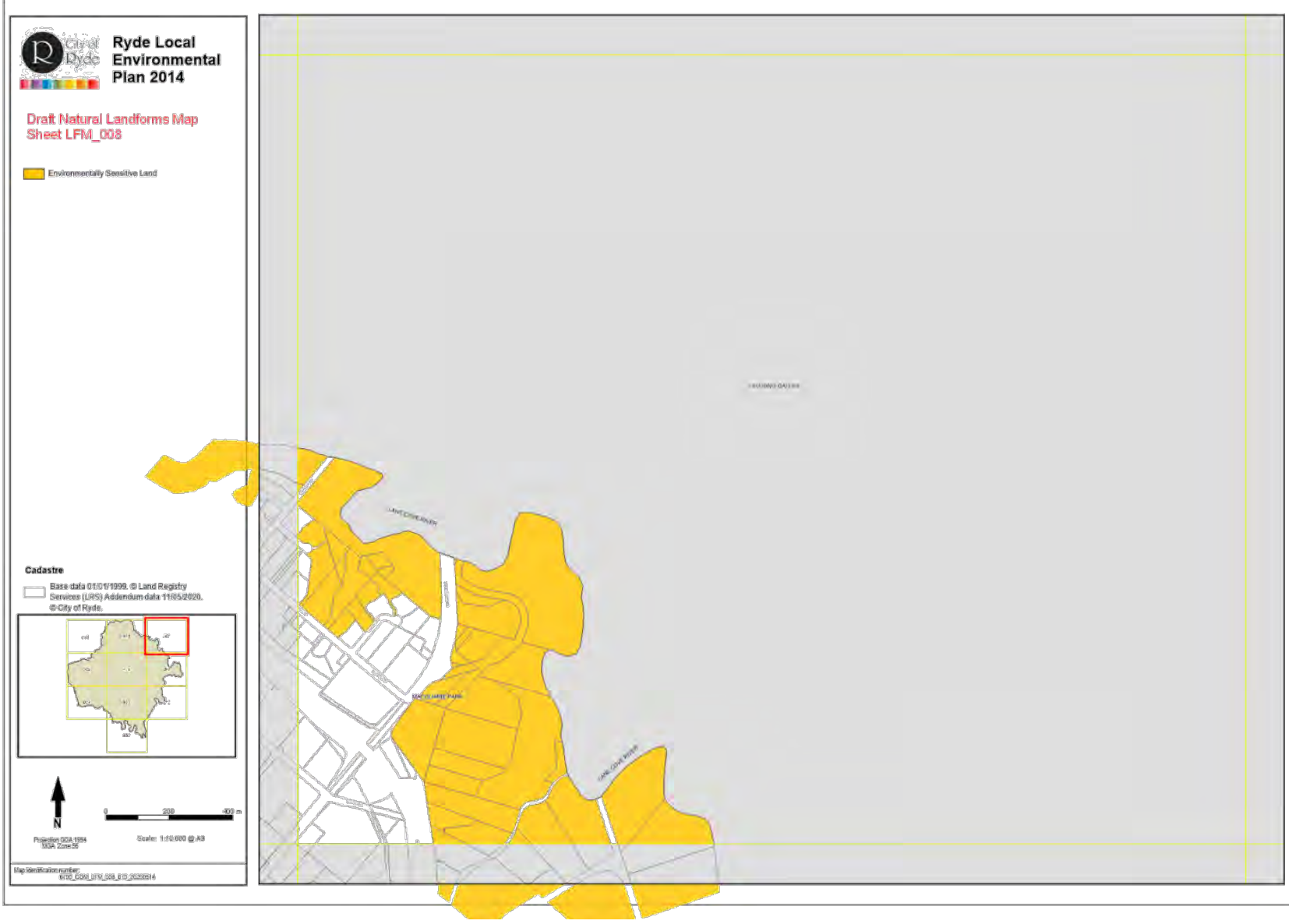
**ITEM 8 (continued)**

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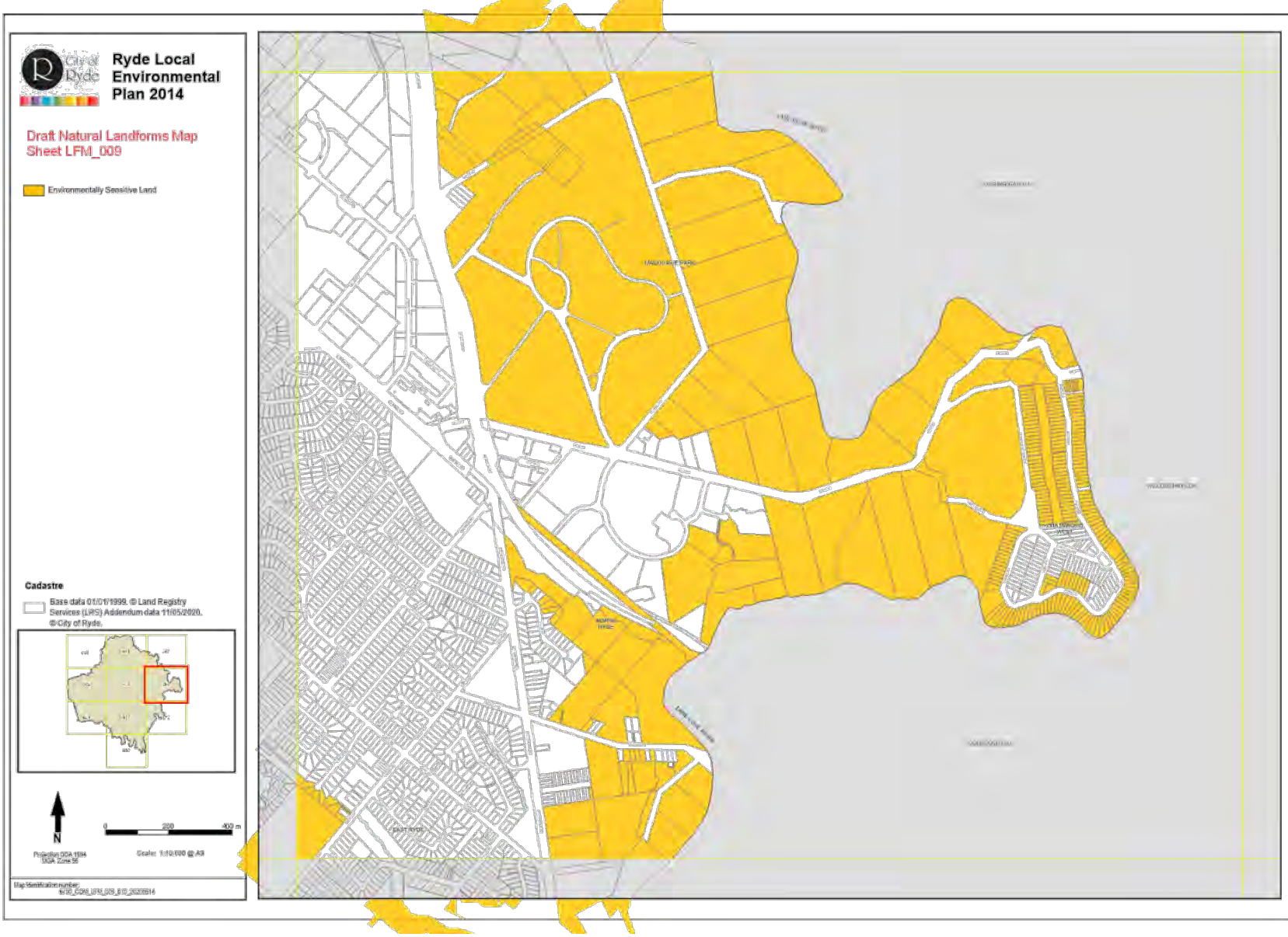
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**ATTACHMENT 5**



**ITEM 8 (continued)**

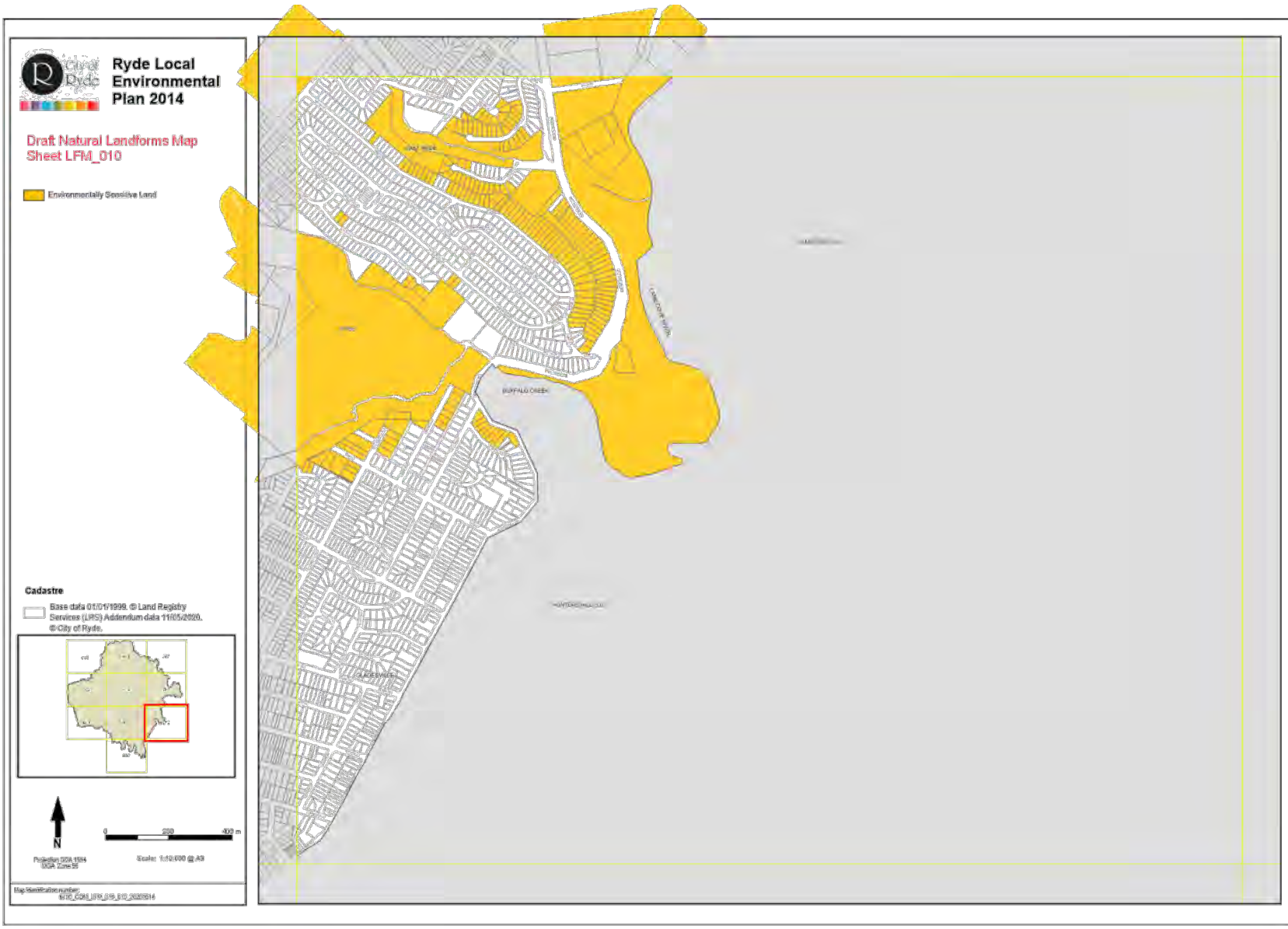
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**ITEM 8 (continued)**

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**ITEM 8 (continued)**

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**Appendix K - Evaluation Criteria for Authorising Council to be the Local Plan-making Authority**

(Note: where the matter is identified as relevant and the requirement has not been met, council is to attach information to explain why the matter has not been addressed)	Council response		Department assessment	
	Y/N	Not relevant	Agree	Not agree
Is the planning proposal consistent with the Standard Instrument Order, 2006?	Y			
Does the planning proposal contain an adequate explanation of the intent, objectives, and intended outcome of the proposed amendment?	Y			
Are appropriate maps included to identify the location of the site and the intent of the amendment?	Y			
Does the planning proposal contain details related to proposed consultation?	Y			
Does the planning proposal give effect to an endorsed regional or sub-regional strategy or a local strategy including the LSPS endorsed by the Planning Secretary?	Y			
Does the planning proposal adequately address any consistency with all relevant S. 9.1 Planning Directions?	Y			
Is the planning proposal consistent with all relevant State Environmental Planning Policies (SEPPs)?	Y			
<b>Minor Mapping Error Amendments</b>	Y/N			
Does the planning proposal seek to address a minor mapping error and contain all appropriate maps that clearly identify the error and the manner in which the error will be addressed?	Y			
<b>Heritage LEPs</b>	Y/N			
Does the planning proposal seek to add or remove a local heritage item and is it supported by a strategy/study endorsed by the Heritage Office?		√		
Does the planning proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?		√		
Does the planning proposal potentially impact on an item of State Heritage Significance and if so, have the views of the Heritage Office been obtained?		√		
<b>Reclassifications</b>	Y/N			
Is there an associated spot rezoning with the reclassification?		√		
If yes to the above, is the rezoning consistent with an endorsed Plan of Management (POM) or strategy?		√		
Is the planning proposal proposed to rectify an anomaly in a classification?		√		
Will the planning proposal be consistent with an adopted POM or other strategy related to the site?		√		
Has the Council confirmed whether there are any trusts, estates, interest, dedications, condition, restrictions or covenants on the public land and included a copy of the title with the planning proposal?		√		
Has the council confirmed that there will be no change or extinguishment of interests and that the proposal does not require the Governor's approval?		√		
Has the council identified that it will exhibit the planning proposal in accordance with the Department's Practice Note regarding classification and reclassification of public land through a local environmental plan and Best Practice Guideline for LEPs and Council Land?		√		
Has council acknowledged in its planning proposal that a Public		√		

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(Note: where the matter is identified as relevant and the requirement has not been met, council is to attach information to explain why the matter has not been addressed)	Council response		Department assessment	
	Y/N	Not relevant	Agree	Not agree
Hearing will be required and agreed to hold one as part of its documentation?				
<b>Spot Rezoning</b>	Y/N			
Will the proposal result in a loss of development potential for the site (ie reduced FSR or building height) that is not supported by an endorsed strategy?		√		
Is the rezoning intended to address an anomaly that has been identified following the conversion of a principal LEP into a Standard Instrument LEP format?		√		
Will the planning proposal deal with a previously deferred matter in an existing LEP and if so, does it provide enough information to explain how the issue that lead to the deferral has been addressed?	Y			
If yes, does the planning proposal contain sufficient documented justification to enable the matter to proceed?	Y			
Does the planning proposal create an exception to a mapped development standard?		√		
<b>Section 3.22 matters</b>				
Does the proposed instrument a. correct an obvious error in the principal instrument consisting of a misdescription, the inconsistent numbering of provisions, a wrong cross-reference, a spelling error, a grammatical mistake, the insertion of obviously missing words, the removal of obviously unnecessary words or a formatting error?; b. address matters in the principal instrument that are of a consequential, transitional, machinery or other minor nature?; or c. deal with matters that do not warrant compliance with the conditions precedent for the making of the instrument because they will not have any significant adverse impact on the environment or adjoining land?  (NOTE – the Minister (or Delegate) will need to form an Opinion under section 3.22(1)(c) of the Act in order for a matter in this category to proceed).		√		

**NOTES**

- Where a council responds 'yes' or can demonstrate that the matter is 'not relevant', in most cases, the planning proposal will routinely be delegated to council to finalise as a matter of local planning significance.
- Endorsed strategy means a regional strategy, sub-regional strategy, or any other local strategic planning document that is endorsed by the Planning Secretary of the department.

**ITEM 8 (continued)**

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**ITEM 8 (continued)**

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**Planning,  
Industry &  
Environment**

IRF21/988

Mr George Dedes  
General Manager  
City of Ryde Council  
Locked Bag 2069  
NORTH RYDE NSW 1607

**Att: Dyalan Govender**

Dear Mr Dedes,

**Planning proposal – Ryde Administrative and Update LEP**

I refer to Council's submission of the planning proposal that seeks to amend the *Ryde Local Environment Plan 2014* (LEP) to implement components of Council's Local Strategic Planning Statement (LSPS) and to update and address a range of miscellaneous administrative changes identified across the operation of the LEP.

The Department has undertaken an initial review of the proposal and recognise the significant range and complexity of amendments proposed to be implemented within the Ryde LEP.

The minor amendments sought within the proposal to correct anomalies including subdivisions and land descriptions, are considered appropriate and straightforward for resolution.

However, the proposal also seeks a number of more significant amendments to the Ryde LEP, which generally require additional analysis and justification to address inconsistencies with planning directions, the North District Plan and consideration as to how the proposed amendments may impact on the objectives of individual zones.

Specifically, the planning proposal seeks changes to permitted uses within employment lands within the IN2 Light Industry land use zone, including but not limited to, the introduction of commercial premises. The North District Plan states that existing industrial and urban services land should be safe-guarded from competing pressures, through the retain and manage approach, and requires councils to conduct a strategic review of industrial land as part of updating local environmental plans. Consideration should also be given to the Employment Zones Reform currently being undertaken by the Department, of which a key outcome is to ensure employment zones provide clear strategic intent, including clarity around the application and increase of flexibility around land uses.

The Department also recognises the progression of work being undertaken for the Macquarie Park Strategic Investigation Area. Amendments to specific clauses and



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land use zones impacting land predominantly within Macquarie Park should consider the timing of the preparation of this strategy to ensure the proposal is aligned with key objectives and outcomes.

Additional matters such as the proposed biodiversity mapping, changes to flood planning controls and the additional land uses sought across the various land use zones, require further information to justify and give clarity to proposed amendments.

In light of the current Planning Reform Action Plan which includes initiatives to reduce assessment times for planning proposals, the Department recommends that Council withdraw the subject planning proposal and resubmit separate proposals.

A proposal containing the minor amendments sought and those aspects that require a comparatively minor amount of additional supporting information to added, can be processed in the short term. An additional proposal/s can then be submitted for the remaining aspects that require further information to demonstrate consistency with Ministerial Directions, the North District Plan and broader policy issues, such as the Employment Lands Strategy and Macquarie Park Strategic Investigation Area outcomes.

The Department acknowledges the strategic merit of the planning proposal and supports Council's intent to update its LEP and reflect outcomes of community consultation through the preparation of the LSPS. The Department is committed to working with Council to effectively progress these matters.

A table is provided as an attachment to this letter as an overview of the initial assessment undertaken, drawing on key matters to be addressed within future proposals.

If you have any questions in relation to this matter, I have arranged for Ms Karen Lettice to assist you. Ms Lettice can be contacted on 9995 6137.

Yours sincerely



**28 April 2020**  
**Brendan Metcalfe**  
**Director North District**  
**Eastern Harbour City**

Encl: or CC: Attachment A - Summary Table - Ryde Admin and LEP Update PP LEP

**ITEM 8 (continued)**

**ATTACHMENT 6**

**Ryde Administrative and Update LEP Planning Proposal**

**Summary Table – DPIE comments**

Item	Current	Proposed	Council justification	Consistency – District Plan Priorities	Consistency – LSPS	s9.1 Directions	SEPPs	DPIE comment
1	B1 Neighbourhood Centre	Amend B1 Neighbourhood Centre to permit Hospital, Registered clubs	No specific justification provided.	<i>Additional information required</i> Justification required to demonstrate alignment between the objective and the actions within the North District Plan.	<i>Additional information required</i> Action CW4.8 mentions the intent to relocate health services. Justification required to demonstrate alignment with the LSPS.	1.1 Business and Industrial Zones	N/A	<i>Additional information required</i> <ul style="list-style-type: none"> <li>Justification for the proposed amendment required.</li> <li>Demonstrate intended outcomes of the amendment, and appropriateness of the Neighbourhood Centre for the proposed uses.</li> <li>Demonstrate alignment with the Section 9.1 Direction, North District Plan and LSPS.</li> </ul>
2	B3 Commercial Core	Amend B3 Commercial Core to permit Freight transport facilities, Recreation facilities (outdoor)	Freight transport facilities are proposed to be permitted in some additional zones to ensure logistics activity within the City of Ryde can be adequately supported. This responds to submissions to the LSPS from Transport for NSW.	<i>Additional information required</i> Action 33 aims for an improvement to urban amenity in Macquarie Park through a reduction of vehicle movements, a finer grain road network and improvement to public transport connections. Further discussion required on the alignment between the objective and the actions within the priorities.	<i>More discussion required</i> Specific reference to be made to relevant provisions of the LSPS.	Consistent 1.1 Business and Industrial Zones	N/A	<i>Additional information required</i> <ul style="list-style-type: none"> <li>Provide the submission from TINSW</li> <li>Consider the timing of this amendment with the Macquarie Park Strategic Investigation. Significant land use changes are more appropriately timed following the outcome of the Macquarie Park Investigation and Place Strategy, noting the significance of the B3 zoned land within the centre.</li> <li>Address alignment with Action 33 of the North District Plan regarding Freight transport facilities.</li> <li>Provide specific reference to the LSPS</li> <li>Provide justification and intended outcomes for the proposed amendment, including how the B3 Commercial Core operates as an appropriate location for the proposed uses.</li> </ul>
3	B4 Mixed Use	Amend B4 Mixed Use to permit Eco-tourist facilities, Water recycling facilities	Water recycling facilities proposed to be permitted in more zones to implement Council's resilience strategy and water sensitive urban design policies.	<i>Additional information required</i> Reference made to the Planning Priority N21 - Reducing carbon emissions and managing energy, water and waste efficiency. Further discussion required to demonstrate alignment between the objective and the actions within the priority.	Consistent Discussion provided regarding the priorities and goals for this objective.	N/A	N/A	<i>Additional information required</i> <ul style="list-style-type: none"> <li>Demonstrate alignment of strategy/urban design policies and desired outcomes.</li> <li>Provide further discussion around how the intent of these uses address Council policy.</li> <li>Reference made to the Planning Priority N21 - Reducing carbon emissions and managing energy, water and waste efficiency.</li> <li>Further discussion required to demonstrate alignment between the objective and the actions within the priority.</li> </ul>

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Ryde Administrative and Update LEP Planning Proposal

Summary Table – DPIE comments

Item	Current	Proposed	Council justification	Consistency – District Plan Priorities	Consistency – LSPS	s9.1 Directions	SEPPs	DPIE comment
4	B5 Business Development	<p><i>Amend B5 Business Development to permit</i></p> <ul style="list-style-type: none"> <li>Amusement centres,</li> <li>Community facilities,</li> <li>Eco-tourist facilities,</li> <li>Environmental facilities,</li> <li>Plant nurseries,</li> <li>Pub,</li> <li>Recreation facilities (major),</li> <li>Recreation facilities (outdoor),</li> <li>Registered clubs,</li> <li>Restaurants or cafes,</li> <li>Tourist and visitor accommodation,</li> <li>Water recycling facilities</li> </ul>	Ryde LGA has an identified deficit of recreation (indoor and outdoor) space. To address this, indoor and outdoor recreation facilities are proposed to be land uses permitted with consent in the business and light industrial land use zones. This was strongly supported by community feedback to the LSPS.	<p><i>Additional information required</i></p> <p>Reference made to various Planning Priorities focused on productivity. Further discussion required on the alignment between the objective and the actions within the priorities.</p>	<p><i>Consistent</i></p> <p>Discussion provided regarding the priorities and goals for this objective.</p>	<p><i>Consistent</i></p>	<p>N/A</p>	<p><i>Additional information required</i></p> <ul style="list-style-type: none"> <li>The B5 Business Development zone has specific objectives. The proposal's consistency with zone objectives is to be demonstrated.</li> <li>Elaborate on the intended outcomes against the objectives of the zone for the proposed uses, including justification to be extended to consider the introduction of all uses, not just indoor and outdoor recreation facilities.</li> <li>Demonstrate alignment to the LSPS</li> </ul>
5	B7 Business Park	<p><i>Amend B7 Business Park to permit:</i></p> <ul style="list-style-type: none"> <li>Amusement centres,</li> <li>Eco-tourist facilities,</li> <li>Entertainment facilities,</li> <li>Freight transport facilities,</li> <li>Retail premises,</li> <li>Recreation facilities (indoor),</li> <li>Recreation facilities (outdoor),</li> <li>Service station, and</li> <li>Water recycling facilities</li> </ul>	<p>Removing prohibitions in relation to the following uses within the following business and industrial zones is proposed to:</p> <ul style="list-style-type: none"> <li>assist with achieving employment targets</li> <li>make the City of Ryde's employment and urban services more competitive, and</li> </ul> <p>provide for the needs of existing employees, businesses and organisations within the zones.</p>	<p><i>Additional information required</i></p> <p>Broad reference made to various Planning Priorities focused on productivity. Further discussion required on the alignment between the objective and the actions within the priorities.</p>	<p><i>Additional information required</i></p> <p>Discussion provided around the objectives of the <i>Community Strategic Plan</i>. Further discussion required regarding alignment with the LSPS.</p>	<p><i>Inconsistent</i></p> <p><b>1.1 Business and Industrial Zones:</b> This objective proposes uses that could potentially dilute or compromise the existing commercial uses intended for the zone.</p>	<p>N/A</p>	<p><i>Additional information required</i></p> <p>The B7 comprises a significant area within the Macquarie Park Strategic Investigation Area.</p> <ul style="list-style-type: none"> <li>Consider the timing of this amendment. Progression of this amendment has the opportunity to significantly change the character of the area and primary function of the zone. The proposed changes should occur following the outcome of the Macquarie Park Strategic Investigation and Place Strategy, to demonstrate how proposed changes align with outcomes of this work</li> <li>Consideration of the alignment of the proposed changes with the objectives of the zone and the likely dilution of the proposed office, light industrial and employment outcomes.</li> </ul>

ITEM 8 (continued)

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Ryde Administrative and Update LEP Planning Proposal

Summary Table – DPIE comments

Item	Current	Proposed	Council justification	Consistency – District Plan Priorities	Consistency – LSPS	S9.1 Directions	SEPPs	DPIE comment
6	IN2 Light Industry	Amend IN2 Light Industry to permit Commercial premises, Entertainment facilities, Freight transport facilities, Information and education facilities and Recreation facilities (outdoor)	<p>The Planning Proposal considers that the proposal to remove prohibitions in relation to uses within businesses and industrial zones to provide for the needs of employees, visitors, businesses and organisations, will assist in meeting Planning Priorities N8, N10, N11 and N13.</p> <p>The planning proposal references the SGS report: <i>Ryde Creative Enterprise Strategy</i> as a supporting document (though does not give consideration to the objective of this direction).</p> <p>Within the planning proposal, it is noted that:</p> <ul style="list-style-type: none"> <li>Action 15 in the North District Plan is to facilitate opportunities for creative and artistic expression and participation, wherever feasible, with a minimum regulatory burden. This includes arts enterprises and facilities, creative industries, interim and temporary uses and the night-time economy.</li> <li>Creative industries make up 10 per cent of employment within Ryde LGA.</li> <li>Ryde's employment areas and town centres contain a diverse mix of uses with varying opportunities for growth.</li> </ul>	<b>Inconsistent</b> The introduction of Commercial premises in an Industrial zone is considered to be inconsistent with Planning Priority N11 <i>Retaining and managing industrial and urban services land</i> in the North District Plan, where it is noted that "all existing industrial and urban services land should be safeguarded from competing pressures, especially residential and mixed-use zones".	<b>Consistent</b> Discussion provided regarding the priorities and goals for this objective.	<b>Inconsistent</b> 1.1 Business and Industrial Zones	N/A	<p><b>Not currently supported</b></p> <ul style="list-style-type: none"> <li>Ryde is shown in Figure 18 within the 'Retain and Manage' scope of the North District Industrial and urban services approaches.</li> <li>Where a retain and manage approach is being undertaken, councils are to conduct an LGA wide strategic review of employment land as part of updating local environmental plans. The number of jobs should not be the primary objective.</li> <li>Justification as to how the proposal is consistent with Planning Direction 1.1 Business and Industrial Zones requires further work.</li> <li>Justification against the Planning Priority N11 of the District Plan is required.</li> <li>Justification around potential interface conflicts between IN2 Light Industry and the proposed Commercial premises, Entertainment facilities, Freight transport facilities, Information and education facilities and Recreation facilities (outdoor) required.</li> <li>It is noted that the Department hold a meeting with Council and the Greater Sydney Commission regarding options for progressing this part of the planning proposal.</li> </ul>
7	SP1 Special Activities	Amend SP1 Special Activities to permit Community Facilities	<ul style="list-style-type: none"> <li>Community facilities are proposed to be permitted in more zones to assist government agencies and non-profit community organisations in providing services in additional suitable locations.</li> </ul>	Broad reference made to Planning Priorities N1 <i>Planning for a city supported by infrastructure</i> and N3 <i>Providing services and social infrastructure to meet people's changing needs</i> .	<b>Consistent</b> Discussion provided regarding the priorities and goals for this objective.	N/A	N/A	Supported
8	SP2 Special Activities <i>Should this reference SP2 Infrastructure?</i>	Amend SP2 Special Activities to permit Community Facilities	<ul style="list-style-type: none"> <li>Community facilities are proposed to be permitted in more zones to assist government agencies and non-profit community organisations in providing services in additional suitable locations.</li> </ul>	Broad reference made to Planning Priorities N1 and N3.	<b>Consistent</b> Discussion provided regarding the priorities and goals for this objective.	N/A	N/A	Supported



ITEM 8 (continued)

ATTACHMENT 6

Ryde Administrative and Update LEP Planning Proposal

Summary Table – DPIE comments

Item	Current	Proposed	Council justification	Consistency – District Plan Priorities	Consistency – LSPS	s9.1 Directions	SEPPs	DPIE comment
9	E2 Environmental Conservation	Amend E2 Environmental Conservation to permit Recreation areas.	<ul style="list-style-type: none"> <li>Recreation areas to reflect the existence of children's play areas in existing Council owned parks. The permissibility will facilitate the upgrade of these play areas.</li> </ul>	<b>Additional information required</b> Broad reference made to Planning Priorities N1 and N3. Further discussion required regarding alignment between the objective and the actions within the priorities.	<b>Consistent</b> Discussion provided regarding the priorities and goals for this objective.	2.1 Environment Protection Zones	N/A	Supported <ul style="list-style-type: none"> <li>Demonstrate alignment with the LSPS</li> </ul>
10	Clause 4.3A Exceptions to height of buildings	Amend clause 4.3A Exceptions to height of buildings as follows: <i>4.3A Exceptions to height of buildings</i> <i>(1) Exceptions to height of buildings - replace the words 'and provides laneway access' where ever they appear in the clause with 'and dedicates land to Council where required by Council for the purposes of providing or extending part or whole of a Council existing or proposed laneway.'</i>	<p>Greater clarity is required in relation to what constitutes a laneway by the clause as it is not defined in the LEP.</p> <ul style="list-style-type: none"> <li>Legal advice indicates that private driveways may be laneways and used to achieve greater height of building whilst not providing any public benefit. This is not in keeping with the clause objective of encouraging a consolidation pattern and sustainable integrated transport land use and transport development around key public infrastructure (such as laneways).</li> </ul>	N/A	N/A	N/A	N/A	Supported Adequate justification provided
11	Clause 4.4A Exceptions to floor space ratio	<i>4.4A Exceptions to floor space ratio</i> <i>(1) Exceptions to floor space - replace the words 'and provides laneway access' where ever they appear in the clause with 'and dedicates land to Council where required by Council for the purposes of providing or extending part or whole of a Council existing or proposed laneway.'</i>	<p>Greater clarity is required in relation to what constitutes a laneway by the clause as it is not defined in the LEP. The result of this is that private driveways have been laneways and used to achieve greater floor area whilst not providing any public benefit. This is not in keeping with the clause objectives.</p> <ul style="list-style-type: none"> <li>It is noted that one of the objectives of the clause relating to land identified on the Centres Map of the LEP is to consolidate development and encourage sustainable development patterns around key public transport infrastructure such as laneways.</li> </ul>	N/A	N/A	N/A	N/A	Supported Adequate justification provided

**ITEM 8 (continued)**

**ATTACHMENT 6**

**Ryde Administrative and Update LEP Planning Proposal**

**Summary Table – DPIE comments**

Item	Current	Proposed	Council justification	Consistency – District Plan Priorities	Consistency – LSPPs	s9.1 Directions	SEPPs	DPIE comment
12	Clause 4.5B (4) Macquarie Park Corridor	Delete clause.	<p>Clause 4.5B (4) of the LEP restricts development consent for the erection of a building on land in the B7 Business Park in the Macquarie Park Corridor for the purposes of function centre, neighbourhood shop, registered club or restaurant or café.</p> <p>Under the clause, consent will not be granted unless the total floor space of the building will not exceed 500 square metres for each individual land use or an area equivalent to 5% of the site area for each individual land use (whichever is greater).</p> <p>By restricting floor space for the specified land uses, the clause is achieving the opposite of the objectives, i.e. it restricts precinct activation, the night-time economy and does not support the daily convenience needs of employees and visitors, businesses and organisations in the area.</p> <ul style="list-style-type: none"> <li>It is proposed to delete the clause in order to enable the market to determine the amount of floor space required for the above specified uses.</li> </ul>	<b>Additional information required</b> Broad reference made to Planning Priorities N1 and N3. Further discussion required around alignment between the objective and the actions within the priorities.	<b>Consistent</b> Discussion provided regarding the priorities and goals for this objective.	1.1 Business and Industrial Zones	N/A	<b>Additional information required</b> <ul style="list-style-type: none"> <li>Consider the timing of this amendment with the Macquarie Park Strategic Investigation. Amendments to the LEP that impact upon the Macquarie Park Corridor should demonstrate alignment with, and progress following the outcome of the Macquarie Park Strategic Investigation.</li> </ul>
13	Clause 6.3 Flood Planning	<p>Amend existing clause 6.3 Flood Planning as follows:</p> <p>Replace subclause (2)(a) with subclause (2)(b) and delete subclause (2)(b)</p> <p>Delete:</p> <p>(2) This clause applies to:</p> <p>(a) land identified as "Flood Planning Area" on the Flood Planning Map, and</p> <p>(b) other land at or below the flood planning level.</p> <p>Insert:</p> <p>(2) This clause applies to:</p> <p>(a) land at or below the flood planning level.</p>	<ul style="list-style-type: none"> <li>It is proposed to amend the clause to remove all references to flood planning maps and to state that the clause applies to all land at or below the Flood Planning Level (FPL). Under the proposed clause, the FPL will be referred to as land at or below the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 m freeboard.</li> <li>Amending clause 6.3 to apply to all land at or below the FPL will ensure that flood matters continue to be considered in the assessment of DAs based on more recent Council adopted catchment studies.</li> <li>The proposed amendment will also align the LEP with information provided for the flood clauses of the Section 10.7 planning certificates issued under the EP&amp;A Act 1979.</li> <li>Because the studies are more recent and adopted, it is noted that these studies are currently being used in assessment of DAs.</li> <li>The maps are also being proposed to be removed so that information on planning certificates is the same as the assessment approach reducing confusion to applicants in the assessment of DAs.</li> </ul>	N/A	N/A	4.3 Flood Prone Land	N/A	<b>Additional information required</b> <ul style="list-style-type: none"> <li>Demonstrate consistency with Planning Direction 4.3 Flood Prone Land.</li> <li>Council to consider the exhibited Flood Prone Land Package and ensure that any future Planning Proposal aligns with changes resulting from the finalisation of this package, estimated to occur mid-2021.</li> <li>Where maps are not proposed to form part of the LEP, they are still required to be prepared to identify land as Flood Planning Area and be made publicly available.</li> </ul>

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**ATTACHMENT 6**

**Ryde Administrative and Update LEP Planning Proposal**

Summary Table – DPIE comments

Item	Current	Proposed	Council justification	Consistency – District Plan Priorities	Consistency – LSPS	s9.1 Directions	SEPPs	DPIE comment
14	Clause 6.13 Design Excellence	Make the changes underlined or crossed out to Clause 6.13	<ul style="list-style-type: none"> <li>Clause 6.13 is proposed to be amended to apply to all town centres to ensure all future developments demonstrate design excellence. The following existing considerations of the clause have also been strengthened and/or included in order to ensure new developments exhibit design excellence: <ul style="list-style-type: none"> <li>solar access to any land zoned RE1 Public Recreation, RE2 Private Recreation, E1 National Parks or Nature Reserves or E2 Environmental Conservation;</li> <li>the strategic directions of the LSPS;</li> <li>opportunities and constraints relating to heritage and streetscape;</li> <li>interface of proposed development with the public domain; and</li> <li>landscape design and interface between the public domain and built form</li> </ul> </li> <li>The criterion for an architectural design competition has also been altered from a development having a capital value of more than \$5 million to a capital value of \$50 million. This will ensure that only significant developments of a large scale within a town centre will require a design competition.</li> <li>The definition referencing the version of the Ryde Development Control Plan 2014 (DCP) referred to in the clause has also been updated to make sure that the DCP in force at the time of the submission of a DA is used in the assessment. This will ensure that the Design Excellence considerations are always up to date with best practice recommendations.</li> </ul>	N/A	N/A	N/A	Draft Design and Place SEPP	<p><b>Additional information required</b></p> <ul style="list-style-type: none"> <li>Clarify that clause 6.13 (2) refers to land identified within the 'Centres Map' set. CEN_002, CEN_003, CEN_004, CEN_005, CEN_006, CEN_007, CEN_008, CEN_009.</li> <li>'Town' reference should be removed.</li> <li>Consideration of alignment with the draft Design and Place SEPP.</li> <li>Inclusion of a requirement to consider the <i>strategic directions of the LSPS</i> is broad, difficult to test and unnecessary given consistency with the DCP is already drawn on.</li> </ul>

**ITEM 8 (continued)**

**ATTACHMENT 6**

**Ryde Administrative and Update LEP Planning Proposal**

Summary Table – DPIE comments

Item	Current	Proposed	Council Justification	Consistency – District Plan Priorities	Consistency – LSPS	s9.1 Directions	SEPPs	DPIE comment
15	Nil	<p><b>Include new clause 6.14 Advertising Structures (Billboards)</b></p> <p><b>6.14 Advertising structures in Business, Industrial, Special Activities and Special Infrastructure zones</b></p> <p><i>(1) The objective of this clause is to enable public benefit in the form of improved vehicle, pedestrian and cycle safety and facilities to be achieved through the erection of advertising structures in the City of Ryde.</i></p> <p><i>(2) This clause applies to land zoned Business, Industrial, Special Activities and Special Infrastructure.</i></p> <p><i>(3) Despite any other provision of in this Plan, the consent authority may approve an advertising structure on land if satisfied that:</i></p> <p><i>a) it is carried out by or on behalf of Council</i></p> <p><i>b) it is on land that is owned, occupied or managed by the City of Ryde,</i></p> <p><i>c) that there will be a provision for the enhancement of access networks in the City of Ryde,</i></p> <p><i>d) the enhancements to road, public transport, pedestrian and cycle access networks will be appropriate for the purposes of the City of Ryde, and</i></p> <p><i>e) the location and configuration of the enhancements will facilitate connectivity and accessibility within the City.</i></p>	<ul style="list-style-type: none"> <li>Council at its meeting of 25th August 2015 considered a report recommending that in pursuit of accruing public benefits, that outdoor advertising opportunity be explored.</li> <li>Rather than identifying individual locations, this Planning Proposal seeks to amend LEP 2014 to make general advertising and advertising structures permissible on Council owned land in specific zones within the City subject to appropriate controls. This approach will provide Council with flexibility, subject to criteria, in considering appropriate locations, size and illumination for such signage and enable targeted community consultation when a development application for an advertising structure is under consideration.</li> </ul>	N/A	Additional information required Further discussion required regarding alignment with provisions in the LSPS	N/A	SEPP 64	<p><b>Additional information required</b></p> <ul style="list-style-type: none"> <li>Clarification is required as to the intent to permit 'Advertising Structures' within the land use table in the specified land use zones.</li> <li>Where it is not intended to include 'Advertising Structures' within the land use table, Clause 2.5 Additional permitted uses for particular land, is the appropriate clause to be utilised to have effect, despite anything to the contrary in the Land Use Table or other provision of the Plan.</li> <li>In addition, it is noted that should there be an inconsistency between the Ryde LEP and SEPP 64 – Advertising and Signage, SEPP 64 – Advertising and Signage would prevail to the extent of that inconsistency.</li> <li>Further information required regarding the alignment of the proposed amendment with actions in the LSPS and signage DCP controls.</li> <li>Consideration should be given to how proliferation and impact of the proposed structures would be managed, such as size and number of structures.</li> </ul>



ITEM 8 (continued)

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Ryde Administrative and Update LEP Planning Proposal

Summary Table – DPIE comments

Item	Current	Proposed	Council justification	Consistency – District Plan Priorities	Consistency – LSPS	s9.1 Directions	SEPPs	DPIE comment
16	Nil	Insert new clause 6.15 <i>Environmentally Sensitive Land – Terrestrial Biodiversity</i>	<ul style="list-style-type: none"> <li>The benefit of both maps and provisions are:                             <ul style="list-style-type: none"> <li>The intended conservation management outcomes for land can be clearly articulated in LEP 2014; and</li> <li>Areas are clearly defined, and controls streamlined.</li> </ul> </li> <li>The Environmentally Sensitive Land – Terrestrial Biodiversity provisions and maps will provide conservation management outcomes for the most environmentally sensitive terrestrial biodiversity in the City of Ryde including:                             <ul style="list-style-type: none"> <li>Threatened Ecological Communities (Blue Gum and Sydney Turpentine-Ironbark Forests); and</li> <li>Other urban bushland mapped by the Office of Environmental and Heritage, now part of the Environment, Energy and Science Group of the Department of Planning, Industry and Environment, including Shale/Sandstone Transition Forest, Sydney Sandstone Gully Forest, Sydney Sandstone Ridgeline Woodland and Coastal Saltmarsh (Estuarine Complex).</li> </ul> </li> </ul>	N/A	<b>Consistent</b> Discussion provided regarding the priorities and goals for this objective.	2.1 Environmental Protection Zones	N/A	<p><b>Additional information required</b></p> <ul style="list-style-type: none"> <li>Provide vegetation mapping that demonstrates a clear evidence use to inform the proposed maps.</li> <li>Elaborate on analysis undertaken to develop the proposed maps from base data and ensure the specified environmental qualities affecting each lot are clearly identified.</li> </ul>
17	Nil	Insert new clause 6.16 <i>Environmentally Sensitive Land – Riparian Lands and Watercourses</i>	<ul style="list-style-type: none"> <li>The Environmentally Sensitive Land – Riparian Lands and Watercourses provisions and maps will provide conservation management outcomes for:                             <ul style="list-style-type: none"> <li>Riparian land that forms the banks of waterbodies within the City of Ryde and adjacent land it directly affects, including vegetation; and</li> <li>Land affected by the State Environmental Planning Policy (Coastal Management) 2018 area – being land that contains sensitive coastal environments, habitats and natural processes, including coastal wetlands or land near coastal wetlands.</li> </ul> </li> </ul>	N/A	<b>Consistent</b> Discussion provided regarding the priorities and goals for this objective.	2.1 Environmental Protection Zones	N/A	<p><b>Additional information required</b></p> <ul style="list-style-type: none"> <li>Provide vegetation mapping that demonstrates a clear evidence use to inform the proposed maps</li> <li>Elaborate on analysis undertaken to develop the proposed maps and further justify how they reflect the specified environmental qualities.</li> </ul>
18	Nil	Insert new clause 6.17 <i>Environmentally Sensitive Land – Scenic Quality and Natural Landforms</i>	<ul style="list-style-type: none"> <li>The Environmentally Sensitive Land – Scenic Quality and Natural Landform provisions and maps will provide conservation management outcomes for:                             <ul style="list-style-type: none"> <li>Land identified as having slope instability; and</li> <li>Land included in the E1 National Parks and Nature Reserves Zone.</li> </ul> </li> </ul>	N/A	<b>Consistent</b> Discussion provided regarding the priorities and goals for this objective.	2.1 Environmental Protection Zones	N/A	<p><b>Additional information required</b></p> <ul style="list-style-type: none"> <li>Provide vegetation mapping that demonstrates a clear evidence use to inform the proposed maps</li> <li>Elaborate on the analysis undertaken to develop the proposed maps and further justify how they reflect the specified environmental qualities.</li> </ul>

**ITEM 8 (continued)**

**ATTACHMENT 6**

**Ryde Administrative and Update LEP Planning Proposal**

**Summary Table – DPIE comments**

Item	LEP Provision	Current	Proposed	DPIE comment
19	Schedule 1 – Additional Permitted Uses	Use of certain land at 11–13 Pennant Avenue, Denistone (1) This clause applies to land at 11–13 Pennant Avenue, Denistone, being Lot 1, DP 221325. (2) Development of the land in Zone R2 Residential Low Density for the purpose of a road to that part of the land that is in Zone R3 Medium Density Residential is permitted with development consent.	Delete clause	Supported
20	Schedule 1 – Additional Permitted Uses (2)	<b>Use of certain land at 607 Blaxland Road, Eastwood</b> (1) This clause applies to land at 607 Blaxland Road, Eastwood, being part Lot 100, DP 1107491. (2) Development for the purpose of vehicle sales or hire premises is permitted with development consent.	Delete clause	Supported
21	Schedule 1 – Additional Permitted Uses (7)	<b>Use of certain land at 25–27 Epping Road, Macquarie Park</b> (1) This clause applies to the land in Zone RE1 Public Recreation at 25–27 Epping Road, Macquarie Park, being Lots 100 and 101, DP 1131778. (2) Development for the purposes of centre-based child care facilities and commercial premises is permitted with development consent.	Delete clause	Supported
22	Schedule 1 – Additional Permitted Uses (16)	<b>Use of certain land at 600–640 Victoria Road, Ryde (known as Royal Rehabilitation Centre, Sydney)</b> (1) This clause applies to land at 600–640 Victoria Road, Ryde (known as Royal Rehabilitation Centre, Sydney), being Lot 5, DP 1129793 and Lot 9, DP 1185868. (2) On the part of the land in Zone RE1 Public Recreation, development for the purposes of car parks and centre-based child care facilities is permitted with consent. (3) On the part of the land in Zone SP1 Special Activities, development for the purposes of recreation facilities (indoor) and recreation facilities (outdoor) is permitted with development consent.	600-640 Victoria Road, Ryde (known as Royal Rehabilitation Centre)  The street address in Schedule 5 Environmental Heritage needs to be corrected to 55 and 59 Charles Street, Ryde.	<b>Additional information required</b> Clarify if this clause seeks to amend Item 10 under Schedule 1 Additional Permitted Uses and update the street address from 600 – 640 Victoria Road, Ryde to 55 and 59 Charles Street, Sydney. (Not amend Schedule 5 Environmental Heritage as stated in the PP justification).
23	Schedule 2 – Exempt Development Educational resource recycling facility (Confirm if intended to update Schedule 1 Additional Permitted Uses not Schedule 2 as per above?)	Nil	In line with Council's Waste Management Strategy, this Planning Proposal proposes to permit an educational resource recycling facility within Porters Creek Park.  <b>Schedule 1 Additional permitted uses 10B Use of certain land at 152 Wicks Road, Macquarie Park</b> (1) This clause applies to land at 152 Wicks Road Macquarie Park being Lot 16, DP841065 (2) Development for the purpose of a resource recovery facility with community educational signage and displays relating to waste management and disposal.	<b>Additional information required</b> Clarity required as to whether this is sought under Schedule 2 or Schedule 1.

**ITEM 8 (continued)**

**ATTACHMENT 6**

**Ryde Administrative and Update LEP Planning Proposal**

**Summary Table – DPIE comments**

Item	LEP Provision	Current	Proposed	DPIE comment
24	Schedule 2 – Exempt Development – Events	<p><b>Events (community and fundraising)</b></p> <p>(1) Maximum patrons for community and charitable organisations—250.</p> <p>(2) Must not exceed 1 day.</p> <p>(3) If not on community land, only 2 days per year.</p> <p>(4) May only operate between 8.00 am and 9.30 pm.</p> <p>(5) Must have portable water and toilet facilities within 200m.</p> <p>(6) The noise level of any open-air entertainment must not exceed the background noise level by more than 5dB(A) when measured at the nearest residential boundary.</p> <p>(7) Must provide adequate artificial lighting, if necessary, to permit safe movement of patrons.</p> <p>(8) Must have adequate and suitable waste containers for the removal of waste at the conclusion of the event.</p>	<p>Delete:</p> <p><b>Events (community and fundraising)</b></p> <p>Insert:</p> <p><b>Special Events</b></p> <p>(1) For the purposes of development specified for this clause—</p> <p><i>A Special Event means any event (such as ceremonies, cultural celebrations, community events, exhibitions, fetes, fairs, gatherings, markets or sporting events).</i></p> <p>(2) Must take place on a road, school, place of worship, hospital, public land or land that is Zone RE1 Public Recreation or Zone RE2 Private Recreation.</p> <p>(3) Must not be conducted for more than 52 days (up to a maximum of 7 consecutive days) in any period of 12 months.</p> <p>(4) Must ensure plans are in place to provide access emergency vehicle access to the premises.</p> <p>(5) Must not restrict pedestrian access to shops, public facilities or the foreshore unless alternative access is provided.</p> <p>(6) Must provide sufficient toilet facilities and access to water for patrons and staff.</p> <p>(7) Must provide adequate artificial lighting, if necessary, to permit safe movement of patrons.</p> <p>(8) Operator must have arrangements for the collection, by an authorised trade waste contractor, of waste and recyclable materials that are generated by the event or use.</p> <p>(9) Must notify any relevant authorities (such as police, emergency) about the special event.</p> <p>(10) Must have obtained any necessary approval and required documentation to stage the event.</p>	<p>Supported</p> <ul style="list-style-type: none"> <li>Clarify types of noise to be generated and compliance with noise regulations. While compliance and enforcement is under Council's discretion, reference should still be made to the <i>Protection of the Environment Operations Act 1997</i>, and the EPA consulted on this objective if it proceeds to exhibition.</li> </ul>
25	Schedule 2 Exempt Development – Signage on flagpoles, street lighting, multifunction poles, bins and transport related street furniture		<p>Insert:</p> <p><b>Advertisements on flagpoles, street lights, multi-function poles, bins and transport related street furniture</b></p> <p>(1) Must be carried out by or on behalf of Council</p> <p>(2) Must not be located in a residential zone</p> <p>(3) Must not include the display of any advertising which promotes unlawful or illegal goods, services or activities or which is otherwise unlawful, offensive or obscene as determined by Council</p> <p>(4) Must not be illuminated</p>	<p>Supported</p>

**ITEM 8 (continued)**

**ATTACHMENT 6**

**Ryde Administrative and Update LEP Planning Proposal**

**Summary Table – DPIE comments**

Item	LEP Provision	Current	Proposed	DPIE comment
26	Schedule 2 Exempt Development – Signage on bus shelters and electric vehicle charge stations (New Clause)	Nil	<p><b>Insert:</b></p> <p><b>Advertisements on bus shelters and electric vehicle charge Stations</b></p> <p>(1) Must be carried out by or on behalf of Ryde City Council</p> <p>(2) Must not be located in a residential zone</p> <p>(3) Must not project beyond the bus shelter structure</p> <p>(4) No more than two advertisements can be concurrently displayed on each bus shelter</p> <p>(5) Must not include the display of any advertising which promotes unlawful or illegal goods, services or activities or which is otherwise unlawful, offensive or obscene as determined by Council</p> <p>(6) Where illuminated must include at all times an appropriate advertisement or a Ryde City Council logo or community notice or plain sheet to reduce the intensity of the light.</p> <p>(7) Must not obscure or limit the view of the driver of a bus approaching the shelter</p> <p>(8) Must not obscure or limit the view of an approaching bus by persons using the shelter,</p> <p>(9) Must not be more than 2 advertisements displayed on the shelter</p> <p>(10) Must make provision for the safety of persons using the shelter or of pedestrians, cyclists or vehicles using any adjoining public road or footpath,</p> <p>(11) Must not be designed so as to imitate official regulatory signage (such as by using the image of a stop sign) or be capable of being confused with such official signage,</p> <p>(12) Must not include any directions to traffic (such as “turn left now” or “wrong way go back”)</p> <p>(13) Must comply with the Transport Corridor Outdoor Advertising and Signage Guidelines – Assessing development applications under SEPP 64 (2017).’</p>	Supported
27	Schedule 5 – Environmental Heritage – Item 1	Existing Item	<p>Curzon Hall (restaurant)</p> <p>The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect and needs to be changed from Lot 10 DP 1100787 to Lot 110 DP 1178827.</p>	Supported
28	Schedule 5 – Environmental Heritage – Item 10	Existing Item	<p>Macquarie University Ruins</p> <p>The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect and needs to be changed from Part Lot 18 in DP1058188 to Part Lot 191 DP1157041.</p>	Supported
29	Schedule 5 – Environmental Heritage – Item 13	Existing Item	<p>Ryde Park (gazebo)</p> <p>The street address in Schedule 5 Environmental Heritage needs to be corrected to 30 Argyle Street, Ryde.</p>	Supported
30	Schedule 5 – Environmental Heritage – Item 16	Existing Item	<p>Masonic Temple (hall)</p> <p>The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect as a result of minor subdivision and needs to be updated to Lot 1 and 2 DP1148792. The street address in Schedule 5 Environmental Heritage also needs to be corrected to 142 and 142A Blaxland Road, Ryde.</p>	Supported
31	Schedule 5 – Environmental Heritage – Item 35	Existing Item	<p>St Philip's</p> <p>The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect and needs to be changed from Lot A in 389861 to Lot 1 DP 1134170.</p>	Supported



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**ATTACHMENT 6**

**Ryde Administrative and Update LEP Planning Proposal**

**Summary Table – DPIE comments**

Item	LEP Provision	Current	Proposed	DPIE comment
32	Schedule 5 – Environmental Heritage – Item 46	Existing Item	Northern Suburbs Crematorium The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect as a result of minor subdivision and needs to be updated to Lot 1 DP 1162117.	Supported
33	Schedule 5 – Environmental Heritage – Item 47	Existing Item	"Donistone House" and "Trigg House" (Ryde Hospital) The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect and needs to be changed from Lot 1 in DP869614 to Lot 11 DP1183279.	Supported
34	Schedule 5 – Environmental Heritage – Item 49	Existing Item	Obelisk The obelisk is a tramway monument and has been moved from the corner Blaxland Road and Church Street to its original location adjacent to 96-98 Blaxland Road, Ryde. The tramway monument is of historical significance as it commemorates the extension of the tramway system to Ryde in 1908. To better describe the item, it is proposed to change the description in Schedule 5 Environmental Heritage of the LEP 2014 from "Obelisk" to "Tramway Monument" and to change the address to its correct location, i.e. 96-98 Blaxland Road, Ryde.	Supported
35	Schedule 5 – Environmental Heritage – Item 57	Existing Item	Crowie Home (house) Subdivision and redevelopment has resulted in Heritage Item 57, Crowie Home (house), that was previously located at the property address 6 Junction Street, Ryde, becoming part of the property address at 74 Belmore Road, Ryde. As a result of subdivision, the property description also changed to SP 93568. It is proposed to amend Schedule 5 to have the correct property description and address.	Supported
36	Schedule 5 – Environmental Heritage – Item 80	Existing Item	Old Factory Approval for the demolition of an old factory at 37 Nancarrow Avenue, Meadowbank, was part of the NSW State Government's approved Concept Plan for the redevelopment of land at Shepherds Bay. The approval was granted under Section 75O of the <i>Environmental Planning and Assessment Act 1979</i> on 14 September 2011. Demolition was also necessary to implement Council's adopted Ann Thom Flood Risk Management Plan. Subsequently, the building has been demolished to make way for residential redevelopment. The factory is listed in Schedule 5 Environmental Heritage of the LEP 2014. As the building is no longer in existence, it is proposed to remove the item from the schedule.	Supported
37	Schedule 5 – Environmental Heritage – Item 83	Existing Item	House The heritage item is contained within 15 Orange Street Eastwood and as such the address needs to change from 9 Orange Street Eastwood.	Supported
38	Schedule 5 – Environmental Heritage – Item 87	Existing Item	Putney Park (house remains) The street address in Schedule 5 Environmental Heritage needs to be corrected to 55 Pellissier Road, Putney.	Supported
39	Schedule 5 – Environmental Heritage – Item 90	Existing Item	"Wollondilly" The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect and needs to be changed from Lot 1 in 221325 to Lot 45 DP 1144636.	Supported
40	Schedule 5 – Environmental Heritage – Item 121	Existing Item	Shops The street address in Schedule 5 Environmental Heritage needs to be corrected to 113 Tennyson Road, Tennyson Point.	Supported

**ITEM 8 (continued)**

**ATTACHMENT 6**

**Ryde Administrative and Update LEP Planning Proposal**

Summary Table – DPIE comments


Item	LEP Provision	Current	Proposed	DPIE comment
41	Schedule 5 – Environmental Heritage – Item 138	Existing Item	Buildings B00A, B00B and B00D, Gladesville Public School The property description in Schedule 5 Environmental Heritage of the LEP 2014 is incorrect as a result of minor subdivision and needs to be updated to Lot 2 DP 1134170 only.	Supported
42	Schedule 5 – Environmental Heritage – Item 139 and 140	Existing Item	Church and Gates The property descriptions in Schedule 5 Environmental Heritage of the LEP 2014 are incorrect and needs to be changed to Lots 102 – 104 DP 123572 and Lot 1 DP 724225.	Supported
43	Schedule 5 – Environmental Heritage – Item 141	Existing Item	House The land has been subdivided and the heritage item is now contained within 60 Etham Street Gladesville and Lot 101 in DP 1187930. It is proposed to correct the property description and address accordingly.	Supported

**ITEM 8 (continued)**

**ATTACHMENT 6**

**Ryde Administrative and Update LEP Planning Proposal**

Summary Table – DPIE comments

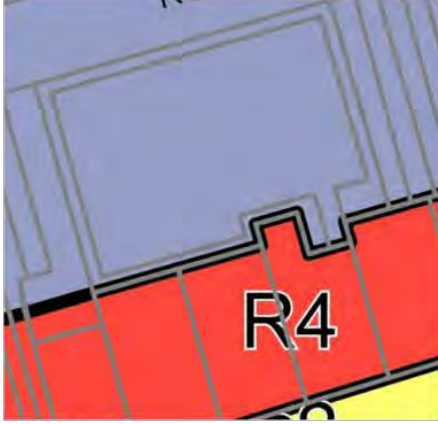
Item	Current	Proposed	Council justification	DPIE comment
44	<p>6 Halifax Street, Macquarie Park (Map Sheet LZN_009)</p>  	<p>Rezone the small portion of land zoned RE1 Public Recreation to R4 High Density Residential to correct a zoning anomaly.</p> 	Zoning anomaly	Supported

**ITEM 8 (continued)**

**ATTACHMENT 6**

**Ryde Administrative and Update LEP Planning Proposal**

Summary Table – DPIE comments

Item	Current	Proposed	Council justification	DPIE comment
45	<p>68-80 Rowe Street and 20 First Avenue, Eastwood (Map Sheet LZN_002)</p>  	<p>68-80 Rowe Street be totally zoned B4 Mixed Use and 20 First Avenue be totally zoned R4 High Density Residential to reflect use and correct zoning anomaly.</p> 	Zoning anomaly	<p><b>More information required</b></p> <ul style="list-style-type: none"> <li>Noting the land use zone impacts upon the built form, further information required confirming the approved use and permissibility under the proposed land use zone.</li> </ul>



**ITEM 8 (continued)**

**ATTACHMENT 6**

**Ryde Administrative and Update LEP Planning Proposal**

Summary Table – DPIE comments


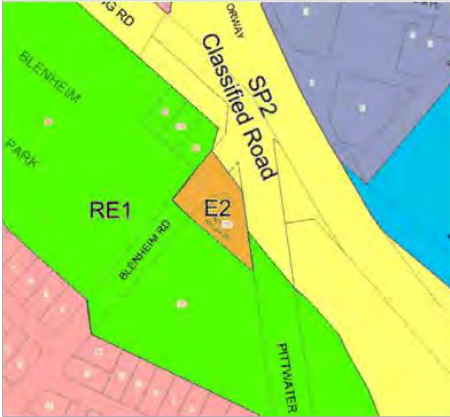
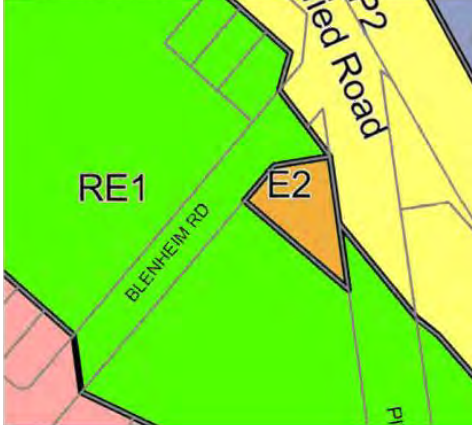
Item	Current	Proposed	Council justification	DPIE comment
46	<p><b>45-61 Waterloo Road, Macquarie Park (Map Sheet FSR_004)</b></p>  <p>Current FSR map – Maximum FSR 1:1</p> 	<p>Apply a floor space ratio of 2.26:1 across the whole site to be consistent with remainder of site and as per a Council resolution of 14 March 2017.</p> <p>Proposed FSR map – Maximum Floor Space Ratio (FSR) 2.26:1</p> 	No justification provided.	<p><b>More information required</b></p> <ul style="list-style-type: none"> <li>Further information and justification is required to support proposed request.</li> </ul>

**ITEM 8 (continued)**

**ATTACHMENT 6**

**Ryde Administrative and Update LEP Planning Proposal**

Summary Table – DPIE comments



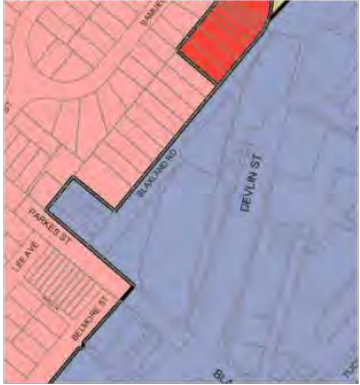

Item	Current	Proposed	Council justification	DPIE comment
47	<p>Blenheim Road, North Ryde (Map Sheet LZN_00X)</p>  <p>Existing zoning map – E2 Environmental Conservation</p> 	<p>Proposed zoning map – RE1 Public Recreation</p> 	<p>Rezone from E2 Environmental Conservation to RE1 Public Recreation to align with its current and future uses as a public park and radio control car club.</p>	<p>Supported</p>

ITEM 8 (continued)

ATTACHMENT 6

Ryde Administrative and Update LEP Planning Proposal

Summary Table – DPIE comments

<p>48</p> <p>Devlin Street and Blaxland Road, Ryde (Map Sheet LAP_001, LZN_006, HOB_006)</p>  <p>Existing zoning map – Deferred Matter (Zoned B4 Mixed Use under LEP 2010)</p>  <p>Existing height of building map – Deferred Matter (Maximum 21.5m and 75m under LEP 2010)</p>	<p>Proposed zoning map –B4 Mixed Use under LEP 2010</p>  <p>Proposed height of building map – Maximum 21.5m and 75m</p>  <p>Proposed Land Application map – LEP 2014 applies to the land</p>	<p>The Civic site is a 'Deferred Matter' under clause 1.3 of the LEP and is designated as such on the LEP 2014 Land Application Map.</p> <p>The controls of the LEP 2010 will be transferred by zoning the land B4 Mixed Use and providing maximum building heights which currently apply to the land under the LEP 2010.</p> <p>It is proposed to repeal the Ryde Local Environmental Plan 2010 (LEP 2010) so as there is only one LEP applicable to the Ryde LGA.</p> <p>Supported</p>
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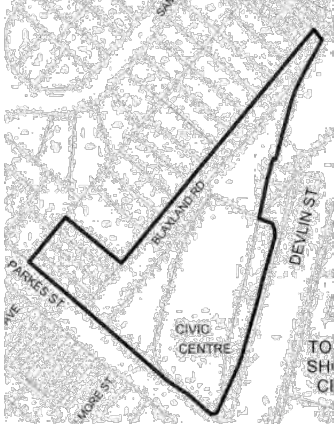
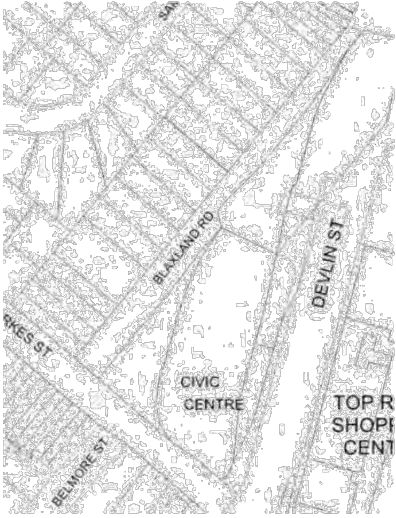


**ITEM 8 (continued)**

**ATTACHMENT 6**

**Ryde Administrative and Update LEP Planning Proposal**

Summary Table – DPIE comments

Item	Current	Proposed	Council justification	DPIE comment
	 <p>Existing Land Application map – Deferred matter from LEP 2010</p> 			


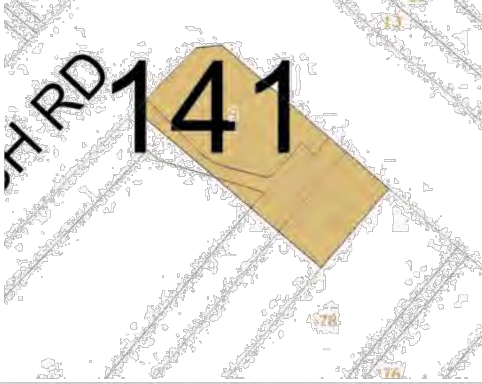



**ITEM 8 (continued)**

**ATTACHMENT 6**

**Ryde Administrative and Update LEP Planning Proposal**

Summary Table – DPIE comments

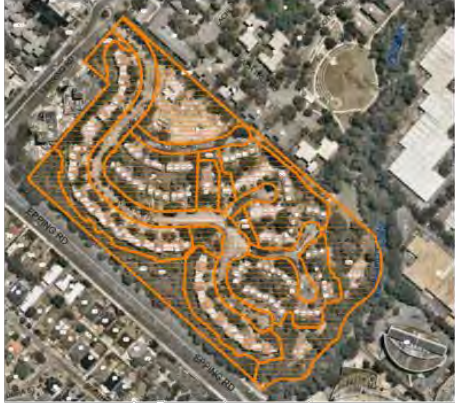



Item	Current	Proposed	Council justification	DPIE comment
49	<p>Heritage Item 141 (80 Eltham Street, Gladesville)</p>  <p>Heritage (Map Sheet HER_003)</p> 	<p>Proposed:</p> 	Minor boundary adjustment	<p>Supported</p> <ul style="list-style-type: none"> <li>Justification required that details existing built form within the land identified as a heritage item, and the built form proposed to be excised from the listing.</li> </ul>

ITEM 8 (continued)

ATTACHMENT 6

Ryde Administrative and Update LEP Planning Proposal

Summary Table – DPIE comments


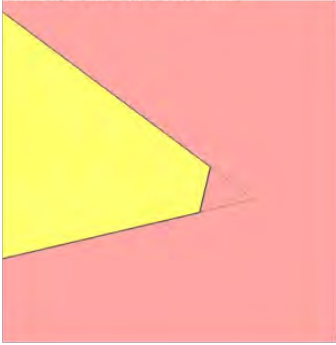
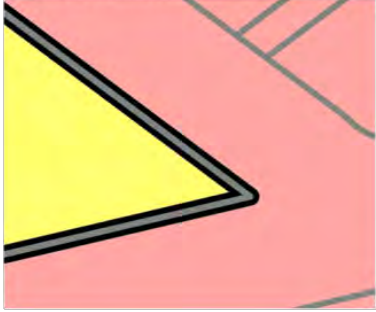
Item	Current	Proposed	Council justification	DPIE comment
50	<p><b>Ivanhoe Estate – E2 Conservation Zone</b></p>  <p>Land Zoning (Map Sheets LZN_004 and LZN_005) Existing: RE1 Public Recreation and B4 Mixed Use</p> 	<p>Proposed: E2 Environmental Conservation</p> <p>LZN_004</p>  <p>LZN_005</p> 	<p>Previous submission on the Ivanhoe Estate Concept Plan from EES attached in appendix as reference. Very little detail provided otherwise.</p>	<p><b>Additional information required</b></p> <p>The concept approval for the Ivanhoe Estate includes impacts to the Sydney Turpentine Ironbark Forest and is balanced with increased setbacks to avoid tree removal and mitigation measures through the development of management plans.</p> <ul style="list-style-type: none"> <li>Development on the subject site must comply with the consent conditions, which request the development of a Biodiversity Management Plan and Vegetation Management Plan.</li> <li>Detailed mapping is required to better discern the areas proposed for E2 zoning.</li> </ul> <p>Shrimplons Creek corridor</p> <ul style="list-style-type: none"> <li>The concept plan approval included a proposed bridge on the northern part of the corridor, alongside broader measures to manage impacts, including the rehabilitation and the broader use of the corridor as a public reserve.</li> <li>Council to reference details of the current approval on the site to confirm proposal does not impact upon the approval.</li> </ul>

**ITEM 8 (continued)**

**ATTACHMENT 6**

**Ryde Administrative and Update LEP Planning Proposal**

Summary Table – DPIE comments

Item	Current	Proposed	Council justification	DPIE comment
51	<p>Ryde Hospital (Cnr Denistone Road and Florence Avenue, Denistone)</p>  <p>Land Zoning (Map Sheet LZN_002) Existing: R2 Low Density Residential</p> 	<p>Proposed: SP2 Special Activities - Health Services Facility</p> 	Minor zoning anomaly	Supported