

Meeting Date: Tuesday 13 December 2022
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde and Online
Time: 6.00pm

ATTACHMENTS FOR COUNCIL MEETING

Item		Page
5	HOUSEKEEPING REVIEW 2022 PLANNING PROPOSAL - POST EXHIBITION	
Attachment 1	Gateway Letter and Determination - Ryde Housekeeping LEP.....	1
Attachment 2	Planning Proposal - Housekeeping Review 2022 - Post Exhibition.....	5
Attachment 3	Summary of Proposed Changes.....	103
Attachment 4	Response to Submissions - Housekeeping Planning Proposal	104
Attachment 5	National Parks and Wildlife Land.....	114
Attachment 6	History of the Housekeeping Review Planning Proposal	120

ITEM 5 (continued)

ATTACHMENT 1



Department of Planning and Environment

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

Our ref: IRF22/1451

Dear Mr Dedes,

Planning proposal PP-2022-1043 to amend Ryde Local Environmental Plan 2014

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 31 March 2022 in respect of the planning proposal to update and address a range of miscellaneous administrative issues identified in the operation of the plan.

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

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the EP&A Act (3.1 Conservation Zones and 4.1 Flooding) is justified in accordance with the terms of the Direction.

I have determined not to authorise Council to be the local plan-making authority because the planning proposal includes multiple new clauses to be drafted by Parliamentary Counsel.

The amending local environmental plan (LEP) is to be finalised on or before 13 March 2023. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made eight weeks in advance of the date the LEP is projected to be made.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (December 2021) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Karen Lettice to assist you. Ms Lettice can be contacted on (02) 9995 6137.

Yours sincerely



Brendan Metcalfe
Director, North District
Eastern Harbour City

Encl: Gateway determination

ITEM 5 (continued)

ATTACHMENT 1



Department of Planning and Environment

Gateway Determination

Planning proposal (Department Ref: PP-2022-1043): Housekeeping Review 2022

I, the Director, North District at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Ryde Local Environmental Plan 2014* to address a range of miscellaneous administrative issues identified in the operation of the plan should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be amended to:
 - (a) Update all references to the Section 9.1 Ministerial Directions to reflect the current Directions, including removing references to the repealed 'Minister's Planning Principles'
 - (b) Remove proposal to make recreation areas exempt development in the C2 Environmental Conservation zone under the land use table. Replace with proposal to make recreation areas permissible with consent in the C2 Environmental Conservation zone under the land use table
 - (c) Remove the proposal to permit an educational resource recycling facility within Porters Creek Park as an additional permitted use as this mechanism is not supported
 - (d) Remove the proposed wording for clauses 4.3A and 4.4A and replace with a plain English explanation of the proposed changes
 - (e) Provide further information about the proposal to permit signage (including advertising) as exempt development under Schedule 2 to:
 - i. Clearly identify the areas and structures to which the provision will apply
 - ii. Identify whether Council intends to develop an assessment procedure for exempt signage
 - iii. Identify the intent of the proposal in relation to issues relating to illumination, amenity impacts, design compatibility, suitability in heritage conservation areas and residential zones, appropriateness of displayed content, number of advertisements to be permissible on a single structure, safety provisions and relevant guidelines to be complied with
 - iv. Consistency with the Regional Plan and District Plan
 - v. Remove the suggested wording for the proposed new signage clause under Schedule 2 and identify that the wording of the proposed provisions will be subject to drafting by Parliamentary Counsel should the proposal progress to the finalisation stage.
 - (f) include the advice of the Local Planning Panel
 - (g) address the consistency of the proposal to permit areas in C2 Environmental Conservation zones with the District Plan

ITEM 5 (continued)

ATTACHMENT 1

- (h) remove all references to water recycling facilities.
 - (i) update the project timeline to reflect the timeframe allowed to complete the LEP, where appropriate.
2. Prior to community consultation, consultation is required with the NSW Rural Fire Service, in accordance with Ministerial Direction 4.3 Planning for Bushfire Protection.
 3. Prior to community consultation, the planning proposal is to be revised to address conditions 1 and 2 and forwarded to the Department for review and approval.
 4. The planning proposal should be made available for community consultation for a minimum of 20 days.
 5. The planning proposal must be exhibited within 4 months of the date of the Gateway determination.
 6. The planning proposal must be reported to council for a final recommendation 6 months from the date of the Gateway determination.
 7. The timeframe for completing the LEP is to be 10 months from the date of the Gateway determination.
 8. Given the nature of the proposal, Council should not be authorised to be the local plan-making authority.
 9. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 20 days; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).
 10. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:
 - Transport for NSW
 - Environment and Heritage NSW.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 days to comment on the proposal.
 11. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
 12. The Secretary as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the EP&A Act subject to the following:

PP-2020-1043 (IRF22/1451)

ITEM 5 (continued)

ATTACHMENT 1

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
 - (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the EP&A Act or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
13. The LEP should be completed on or before 13 March 2023.

Dated 16th day of May 2022.



Brendan Metcalfe
Director, North District
Eastern Harbour City
Department of Planning and Environment

Delegate of the Minister for Planning and Homes

PP-2020-1043 (IRF22/1451)

ITEM 5 (continued)

ATTACHMENT 2



ITEM 5 (continued)

ATTACHMENT 2

Table of Contents

Part 1 - Objectives or Intended Outcomes.....	3
Part 2 - An Explanation of the Provisions.....	6
Part 3 - Justification.....	16
Section A - Need for the Planning Proposal.....	16
Section B - Relationship to Strategic Planning Framework.....	16
Section C - Environment, Social and Economic Impact.....	19
Section D - Infrastructure (Local, State and Commonwealth)	20
Section E - State and Commonwealth Interests	20
Part 4 - Mapping.....	21
Part 5 - Community Consultation	40
Part 6 - Project Timeline	41
Conclusion	42
Attachment A - Correspondence from Transport for NSW	
Attachment B - Consistency with State Environmental Planning Policies	
Attachment C - Consistency with Ministerial Directions	
Attachment D - Draft LEP Maps	
Attachment E - Evaluation Criteria to be the Local Plan-making Authority	
Attachment F - NSW Rural Fire Service Determination Letter	
Attachment G - Ryde Local Planning Panel Advice and Statement of Reasons	
Attachment H -Transport for NSW Response	
Attachment I - Heritage NSW Response	
Attachment J - Landcom Response	
Attachment K - Biodiversity and Conservation Response	

ITEM 5 (continued)

ATTACHMENT 2

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.

ITEM 5 (continued)

ATTACHMENT 2

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 new provisions for community facilities, recreation areas, advertising and signage to ensure the City of Ryde is able to support the needs of its community.

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. Implement *Planning Ryde: Local Strategic Planning Statement 2020*.
4. 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 with consent 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 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.
3. Amend Schedule 1 Additional Permitted Uses of the LEP as follows:
 - 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.

ITEM 5 (continued)

ATTACHMENT 2

- 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.
 4. Amend Schedule 2 Exempt development of the LEP as follows:
 - a. Allow advertisements on public seats, bus shelters, bins, vehicle parking infrastructure, flagpoles, street lighting, and multi-function poles as exempt development under the LEP in all Business, Industrial, Special Activities and Special Infrastructure zones in the City of Ryde.
 5. 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.
 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

ITEM 5 (continued)

ATTACHMENT 2

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. Rezone lots reserved or acquired under the *National Parks and Wildlife Act 1974* to C1 as per Biodiversity and Conservation NSW's advice.

ITEM 5 (continued)

ATTACHMENT 2

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

No.	LEP Provision	Amendment	Objective (from Part 1)
1	Land Use Table Updates	Community facilities are proposed to be permitted with consent in SP1 Special Activities and SP2 Infrastructure zones to assist government agencies and non-profit community organisations in providing services within additional suitable locations.	2
2	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. Parliamentary Counsel will be asked to draft the proposed amendment if the Planning Proposal progresses to the finalisation stage.</p>	1
3	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) Exceptions to floor space ratio to define a laneway and provide greater clarity on what is necessary to satisfy the clause. Parliamentary Counsel will be</p>	1

ITEM 5 (continued)

ATTACHMENT 2

No.	LEP Provision	Amendment	Objective (from Part 1)
		asked to draft the proposed amendment if the Planning Proposal progresses to the finalisation stage.	
4	Schedule 1 Additional permitted uses - 1	11-13 Pennant Avenue, Denistone 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.	1
5	Schedule 1 Additional permitted uses - 2	607 Blaxland Road, Eastwood 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.	1
6	Schedule 1 Additional permitted uses -7	25-27 Epping Road, Macquarie Park 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.	1
7	Schedule 1 Additional permitted uses - 16	600-640 Victoria Road, Ryde (known as Royal Rehabilitation Centre) The street address in Schedule 1 Additional permitted uses needs to be corrected to 55 and 59 Charles Street, Ryde.	1
8	Schedule 2 Exempt Development - Signage – Council-owned public roads and associated road use land (New clause)	The new provision seeks to simplify and streamline the processes associated with general advertisement and community service signage. Advertisement has the same meaning as in the Act. 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. Advertising structure has the same meaning as in the Act. Advertising structure means a structure used or to be used principally for the display of an advertisement. Under a repealed Environmental Planning Instrument for the City of Ryde, i.e. the <i>Ryde Local Environmental Plan 2010</i> , 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. However, under the RLEP 2014,	5

ITEM 5 (continued)

ATTACHMENT 2

No.	LEP Provision	Amendment	Objective (from Part 1)
		<p>general advertising on the abovementioned structures is prohibited. The existing advertising on current bus shelters benefits from existing use rights under the Act but it is not possible for new bus shelters to contain such signage. The Planning Proposal seeks to permit via exempt development, general advertisement on the following structures: public seats, bus shelters, bins and electric parking vehicle stations. The structures would be required to be situated on council-owned public roads and associated road use land that is adjacent to such a road. Associated road use land, in relation to a road has the same meaning as in the State Environmental Planning Policy (Industry and Employment) 2021. It means land on which road infrastructure associated with the road is located, or land that is owned, occupied or managed by the roads authority for the road and that is used for road purposes or associated purposes (such as administration, workshop and maintenance facilities, bus interchanges and roadside landscaping).</p> <p>Additionally, 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 on the 25 August 2015, it is proposed to permit general advertising on all these structures located in Business, Industrial, Special Activities and Special Infrastructure zones as exempt development.</p> <p>Council does not intend on developing an assessment procedure for exempt signage. If the Planning Proposal progresses to the finalisation stage, Parliamentary Counsel will be asked to draft a provision to ensure exempt signage within the City of Ryde is consistent with the advertisement and road safety requirements in the <i>Transport Corridor Outdoor Advertising and Signage Guidelines</i> approved by the Minister for the purposes of the <i>State Environmental Planning Policy (Industry and Employment) 2021</i> (previously called <i>State Environmental Planning Policy No 64 – Advertising and Signage</i>). In addition, the additional provisions recommended by Transport for NSW (see Attachment H) are to be included. The provision will ensure issues relating to illumination, amenity impacts, design compatibility, suitability in heritage conservation areas and residential zones, appropriateness of displayed content, number of advertisements to be permissible on a single structure and safety provisions are managed. It will also ensure advertising is carried out only by or on behalf of Council which will allow Council to further manage the impact of signage in relation to such issues.</p>	
9	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</p>	1

ITEM 5 (continued)

ATTACHMENT 2

No.	LEP Provision	Amendment	Objective (from Part 1)
10	Schedule 5 Heritage Item - 13	<p>changed from Lot 10 DP 1100767 to Lot 110 DP 1178827.</p> <p>Ryde Park (gazebo)</p> <p>The street address in Schedule 5 Environmental Heritage needs to be corrected to 30 Argyle Street, Ryde.</p>	1
11	Schedule 5 Heritage Item - 16	<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>	1
12	Schedule 5 Heritage Item – 35	<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 389661 to Lot 1 DP 1134170.</p>	1
13	Schedule 5 Heritage Item –46	<p>Northern Suburbs Crematorium</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 DP 1192117.</p>	1
14	Schedule 5 Heritage Item – 47	<p>"Denistone House" and "Trigg House" (Ryde Hospital)</p> <p>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.</p>	1
15	Schedule 5 - Item 49	<p>Obelisk</p> <p>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.</p>	1
16	Schedule 5 Heritage Item – 57	<p>Crowle Home (house)</p> <p>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</p>	1

ITEM 5 (continued)

ATTACHMENT 2

No.	LEP Provision	Amendment	Objective (from Part 1)
		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.	
17	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
18	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
19	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
20	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
21	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
22	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
23	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	1

ITEM 5 (continued)

ATTACHMENT 2

No.	LEP Provision	Amendment	Objective (from Part 1)
24	Schedule 5 Heritage Item - 141	<p>changed to Lots 102 – 104 DP 123572 and Lot 1 DP 724225.</p> <p>House</p> <p>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.</p>	1
25	Schedule 5 Heritage Item - 153	<p>The Retreat (House)</p> <p>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.</p>	1
26	Schedule 5 Heritage Item - 10	<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 to Lot 220 DP 1266103</p>	1

ITEM 5 (continued)

ATTACHMENT 2

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

Table 2 – LEP Maps Proposed to be Amended

No.	Amendment	Objective (from Part 1)
1	<p>6 Halifax Street, Macquarie Park (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
2	<p>62-80 Rowe Street and 20 First Avenue, Eastwood</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
3	<p>45-61 Waterloo Road, Macquarie Park</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
4	<p>Blenheim Road, North Ryde</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

ITEM 5 (continued)

ATTACHMENT 2

No.	Amendment	Objective (from Part 1)
5	<p>Devlin Street and Blaxland Road, Ryde</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>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>	1
6	<p>Heritage Item 49 (Adjacent to 96-98 Blaxland Road, Ryde)</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
7	<p>Heritage Item 57 (74 Belmore Road, Ryde)</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
8	<p>Heritage Item 80 (37 Nancarrow Avenue, Meadowbank)</p>	

ITEM 5 (continued)

ATTACHMENT 2

No.	Amendment	Objective (from Part 1)
	<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 Sheet HER_003 of the LEP. As the building is no longer in existence, it is proposed to delete the item from the map.</p>	1
9	<p>Heritage Item 141 (80 Eltham Street, Gladesville)</p> <p>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.</p>	1
10	<p>Heritage Item 10 (192 Balaclava Road, Macquarie Park)</p> <p>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.</p>	1
11	<p>Heritage Items 59, 60 and 133 (Lane Cove National Park)</p> <p>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.</p>	1
12	<p>Ryde Hospital (Cnr Denistone Road and Florence Avenue, Denistone)</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
13	<p>10 Waratah Street, Eastwood</p> <p>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.</p> <p>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.</p>	1
14	<p>Conservation zones</p>	1,3

ITEM 5 (continued)

ATTACHMENT 2

No.	Amendment	Objective (from Part 1)
	<p>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.</p> <p>Rezone the following lots to C1 National Parks and Nature Reserves as per Biodiversity and Conservation's advice:</p> <ul style="list-style-type: none"> • Lot 10 DP841496 • Lot 1 DP1098517 • Lot 1 DP868255 • Lot 195 DP16042 • Lot 22 DP1003588 • Lot 10 DP843121 • Lot 442 DP711873 • Lot 1 DP214741 • Lot 2 DP409673 • Lot 11 DP712860 • Page Road (no lot or DP) 	

ITEM 5 (continued)

ATTACHMENT 2

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 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 5 (continued)

ATTACHMENT 2

- *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.

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 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.

ITEM 5 (continued)

ATTACHMENT 2

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 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 does not give effect to any actions within the LSPS and is consistent.

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.

ITEM 5 (continued)

ATTACHMENT 2

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)?

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 was referred to the Ryde Local Planning Panel on 10 March 2022 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*. The Panel's recommendation was that Council submit the Planning Proposal for Gateway Determination.

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.

ITEM 5 (continued)

ATTACHMENT 2

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.

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 5 (continued)

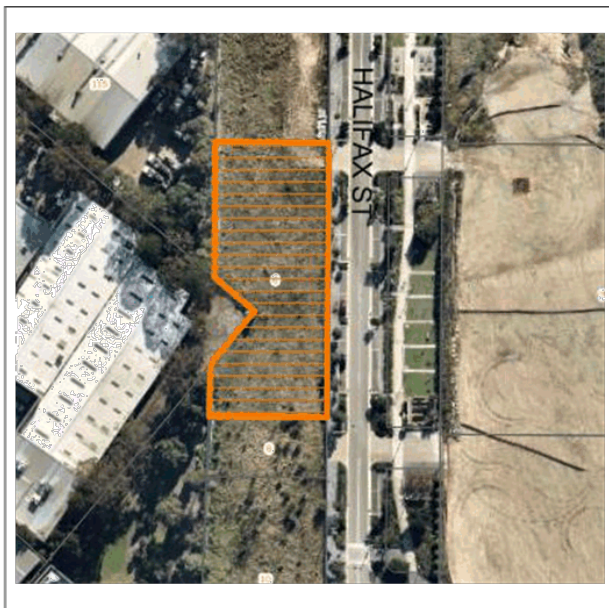
ATTACHMENT 2

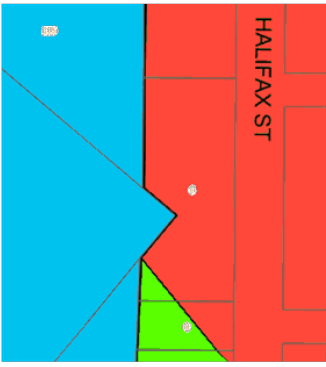
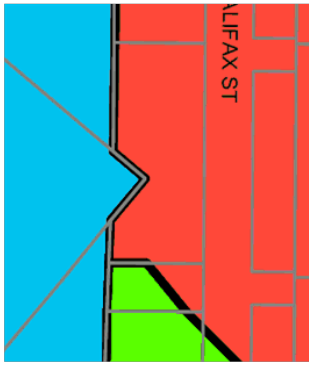
Part 4 – Mapping

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

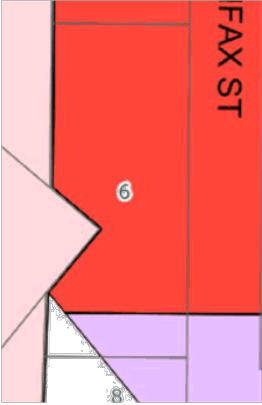
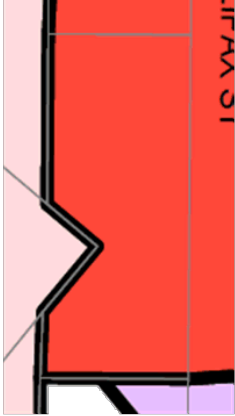
Rezone the small portion of land zoned RE1 Public Recreation to R4 Low Density Residential to correct a zoning anomaly. Additionally, apply a floor space ratio of 3:1 and maximum height of 74 meters across the whole site to be consistent with remainder of site.

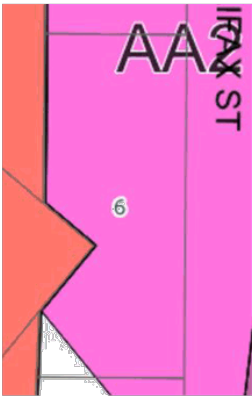
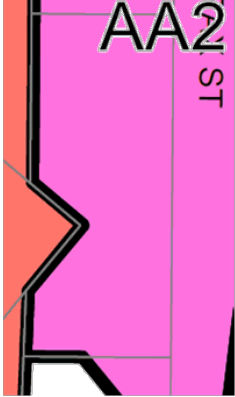


Land Zoning (Map Sheet LZN_009)	
Existing: R4 High Density Residential and RE1 Public Recreation	Proposed: R4 High Density Residential
	

ITEM 5 (continued)

ATTACHMENT 2

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 5 (continued)

ATTACHMENT 2

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

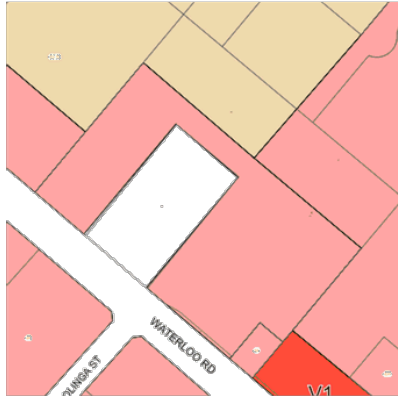
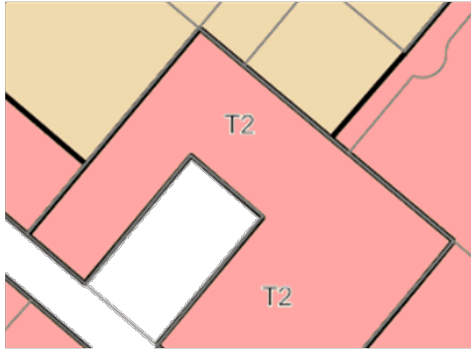
ITEM 5 (continued)

ATTACHMENT 2

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.



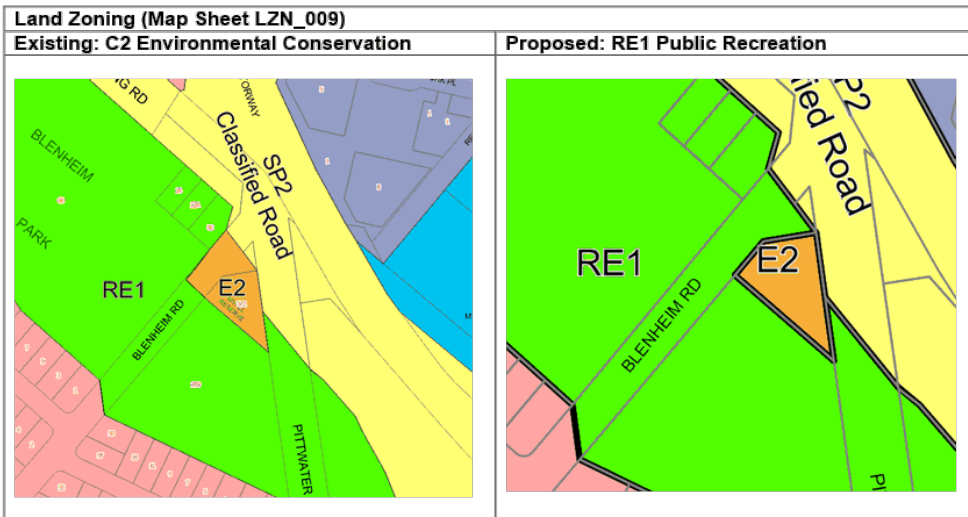
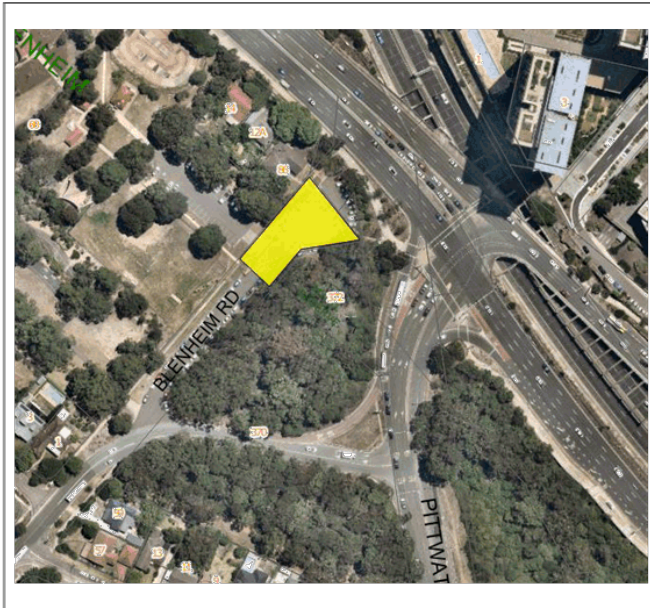
Land Zoning (Map Sheet FSR_004)	
Existing: Maximum floor space ratio of 1:1	Proposed: Maximum floor space ratio of 2.26:1
	

ITEM 5 (continued)

ATTACHMENT 2

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 5 (continued)

ATTACHMENT 2

4.5 Devlin Street and Blaxland Road, Ryde

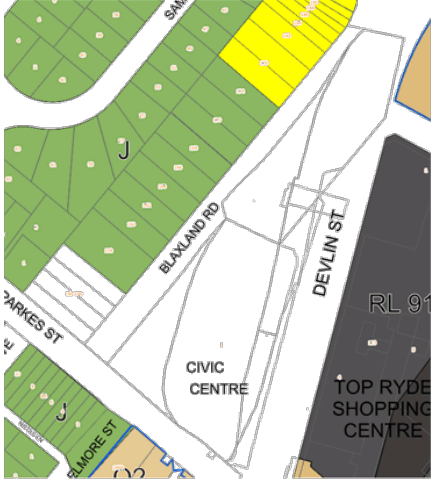
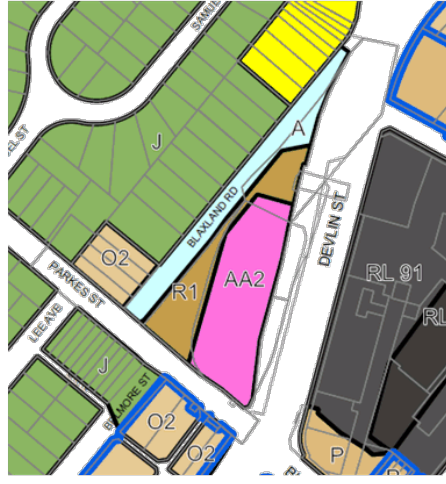
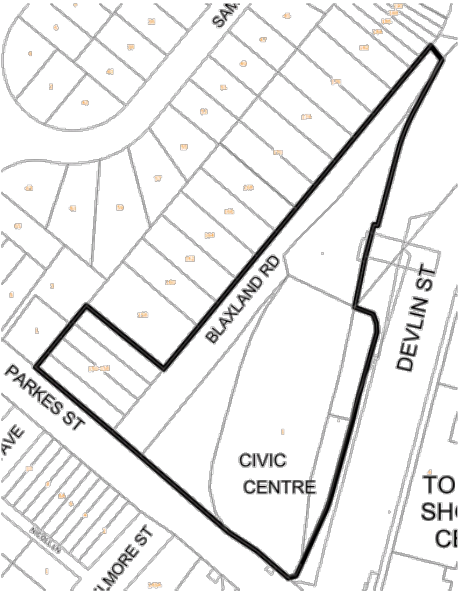

Repeal Ryde Local Environmental Plan 2010 (LEP 2010) so as there is only one LEP applicable to the Ryde Local Government Area. The controls of LEP 2010 will be transferred by zoning the land B4 Mixed Use and providing maximum building heights which currently apply to the land under LEP 2010.



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

ITEM 5 (continued)

ATTACHMENT 2

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

ITEM 5 (continued)

ATTACHMENT 2

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 5 (continued)

ATTACHMENT 2

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 5 (continued)

ATTACHMENT 2

4.11 Heritage Item 80 (37 Nancarrow Avenue, Meadowbank)

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



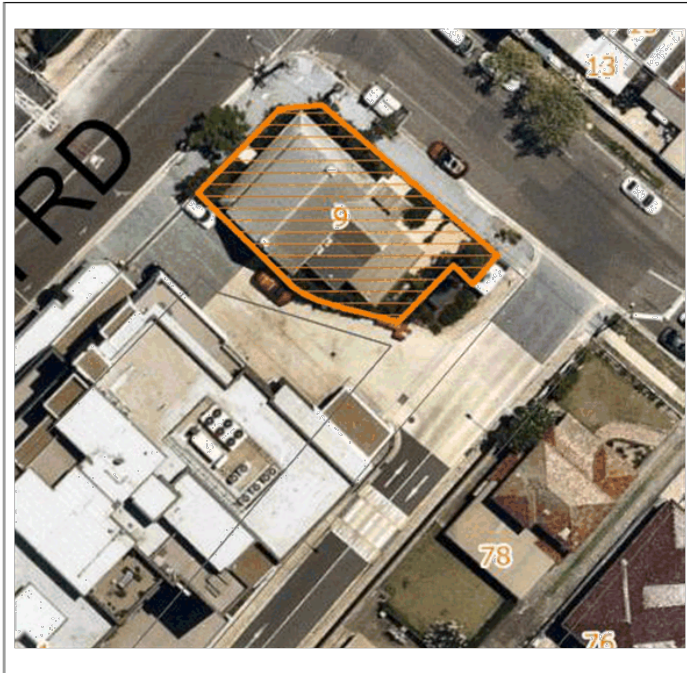
Heritage (Map Sheet HER_003) Existing: Item - General	Proposed: Delete Item - General

ITEM 5 (continued)

ATTACHMENT 2

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.



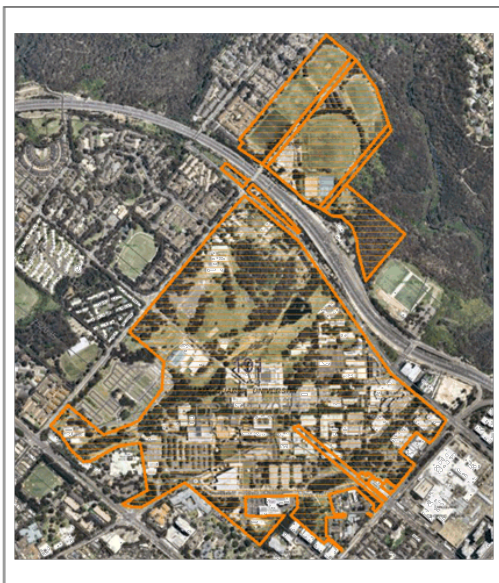
Heritage (Map Sheet HER_006)	
Existing: Item – General	Proposed: Item - General

ITEM 5 (continued)

ATTACHMENT 2

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 5 (continued)

ATTACHMENT 2

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

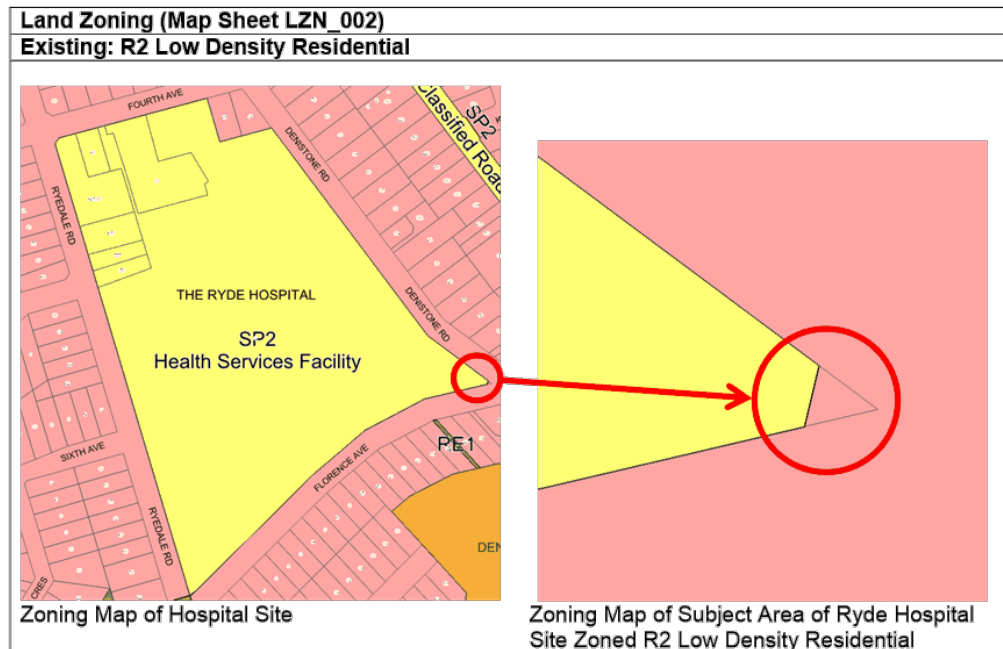
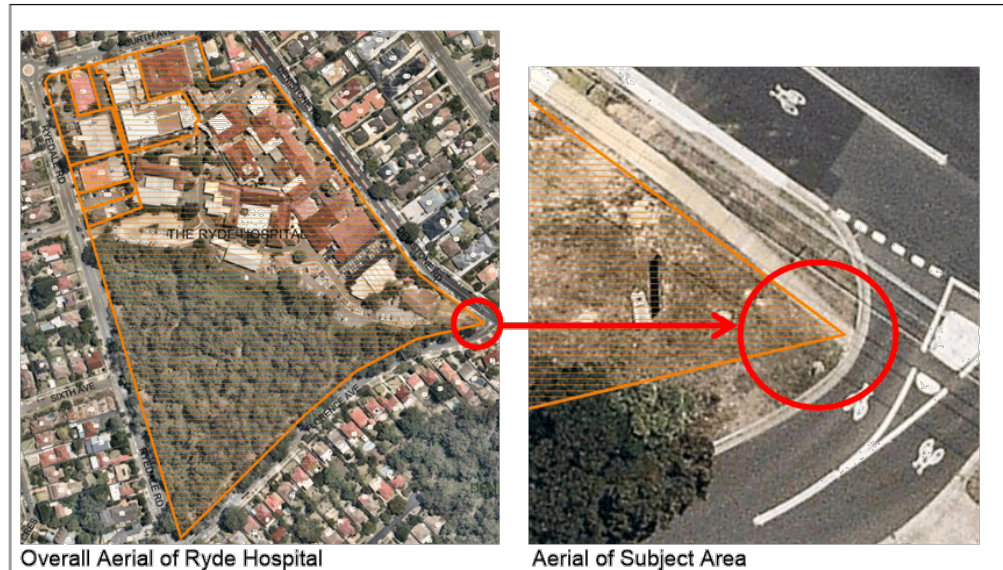
Heritage items 59, 60 and 133 have been removed from Schedule 5. Heritage Maps HER_004, HER_005, HER_006, HER_008, HER_00 and HER_010 have been updated to be consistent with Schedule 5. Refer to Attachment D.

ITEM 5 (continued)

ATTACHMENT 2

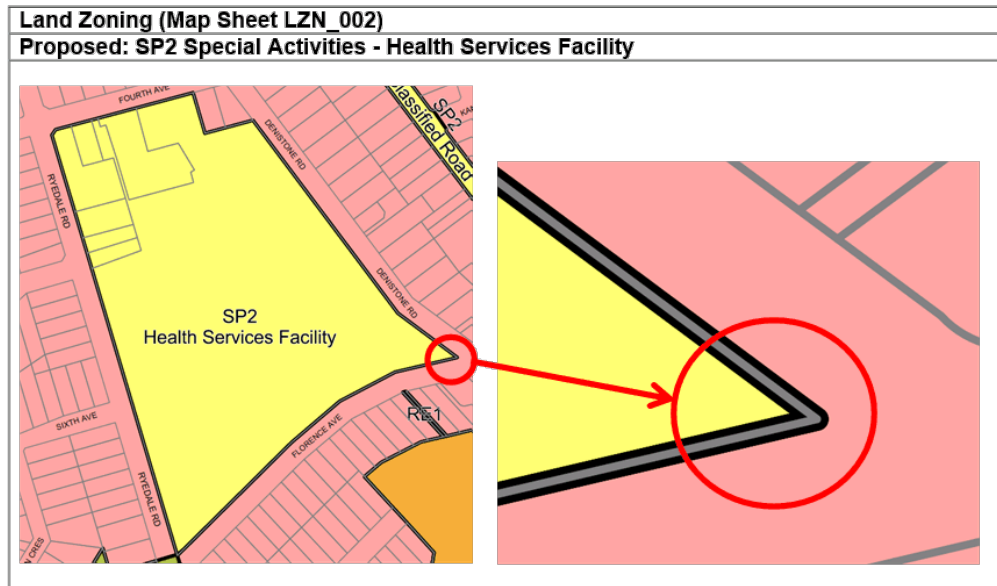
4.15 Ryde Hospital (Cnr Denistone Road and Florence Avenue, Denistone)

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



ITEM 5 (continued)

ATTACHMENT 2

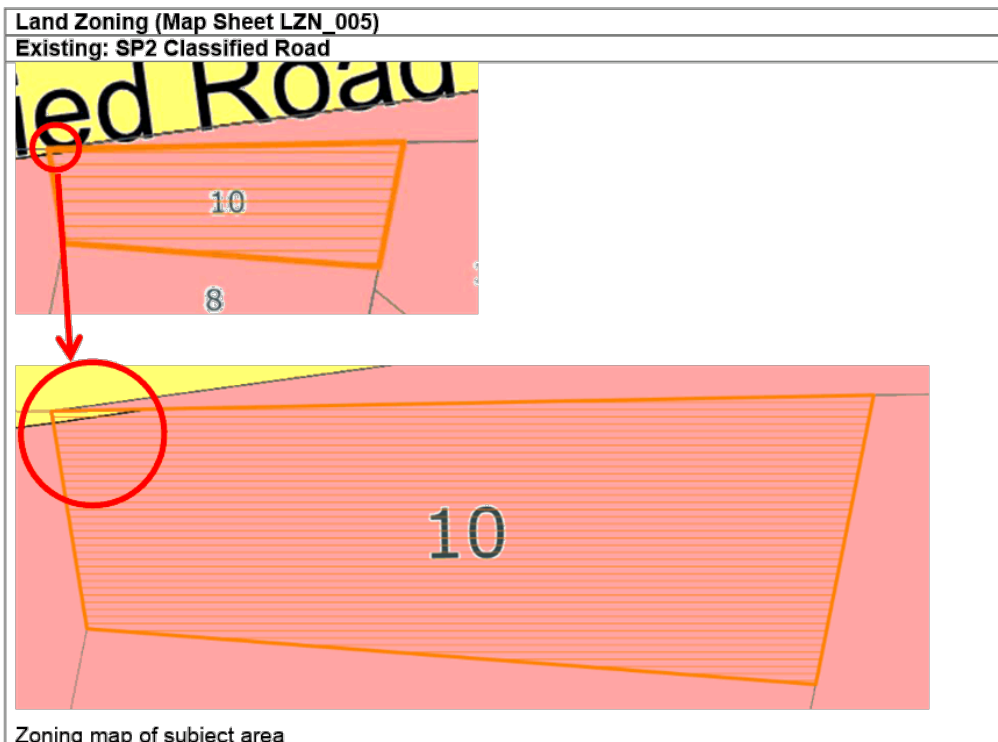


ITEM 5 (continued)

ATTACHMENT 2

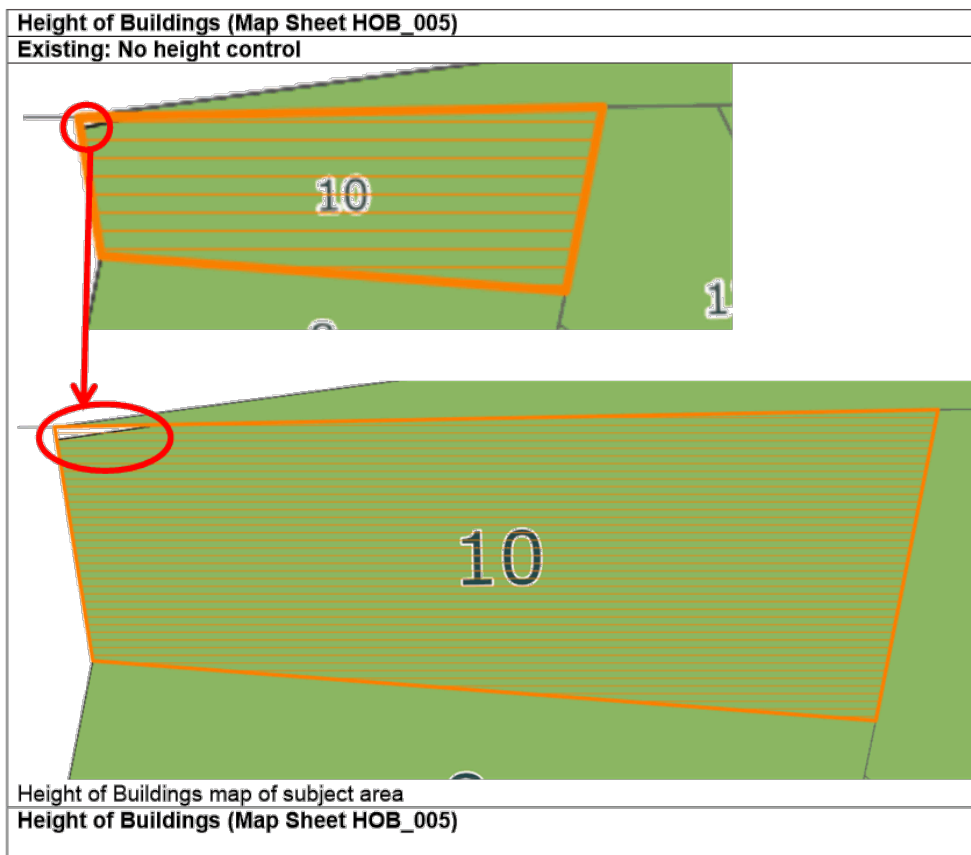
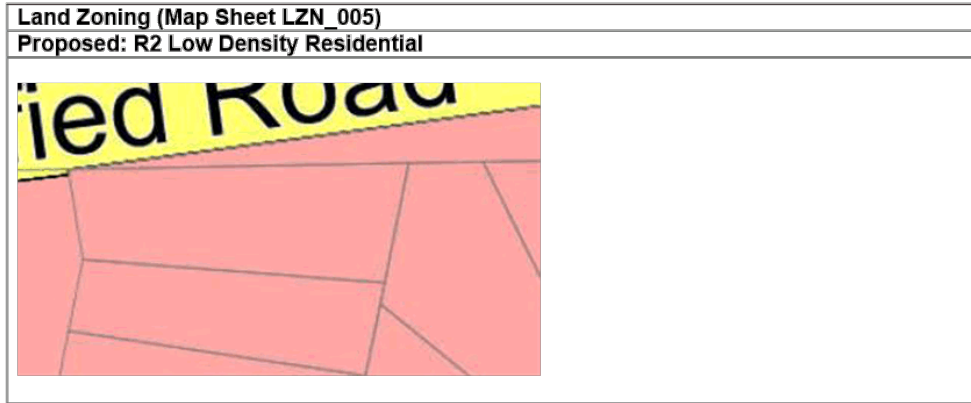
4.16 10 Waratah Street, Eastwood

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, apply a maximum height of 9.5 meters across the whole site.



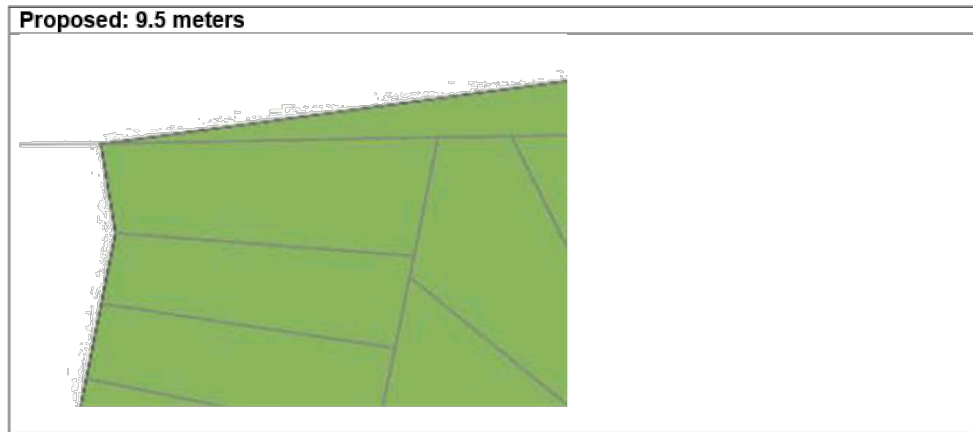
ITEM 5 (continued)

ATTACHMENT 2



ITEM 5 (continued)

ATTACHMENT 2



ITEM 5 (continued)

ATTACHMENT 2

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. Changes were made to LZN_001, LZN_004, LZN_009 and LZN_010 as per Biodiversity and Conservation's advice. Refer to Attachment D.

ITEM 5 (continued)

ATTACHMENT 2

Part 5 - Community and Stakeholder 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.
- In accordance with condition 2 of the Gateway Determination issued by the Department of Planning and Environment and the Ministerial Direction 4.3 Planning for Bushfire Protection, Council has consulted with the NSW Rural Fire Service prior to community consultation. The NSW Rural Fire Service does not object to the subject Planning Proposal. The Determination Letter is provided in Attachment F.

ITEM 5 (continued)

ATTACHMENT 2

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	April 2022
Gateway Determination	May 2022
Community Consultation	August 2022
Outcomes of Community Consultation	October/November 2022
Planning Proposal submitted to Department of Planning and Environment for finalisation	December 2022

ITEM 5 (continued)

ATTACHMENT 2

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.

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 5 (continued)

ATTACHMENT 2

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

ITEM 5 (continued)

ATTACHMENT 2



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.

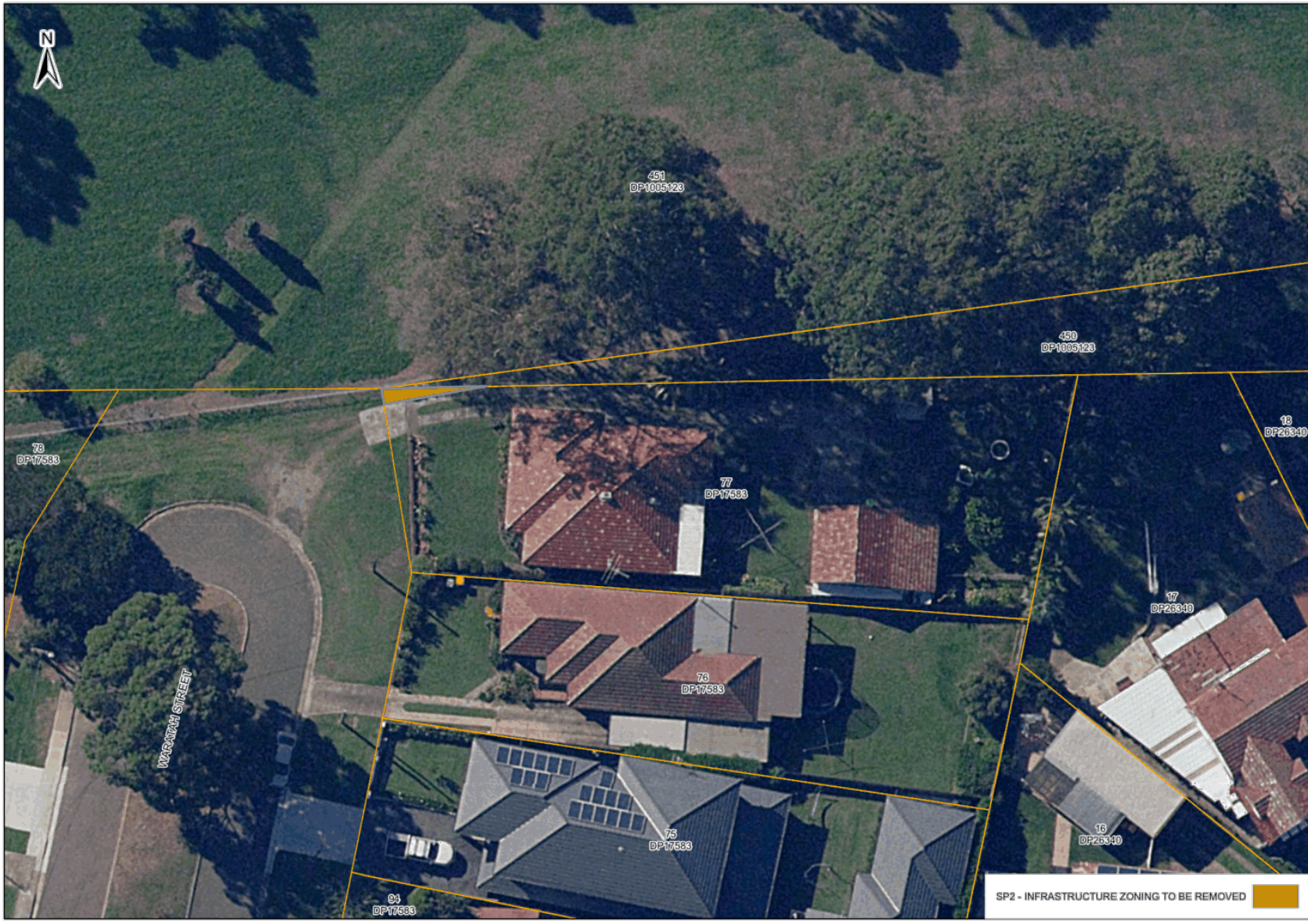
Yours sincerely

Roy Nunes 4/08/2021

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

ITEM 5 (continued)

ATTACHMENT 2



ITEM 5 (continued)

ATTACHMENT 2

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
Deemed SEPPs			
N/A			

ITEM 5 (continued)

ATTACHMENT 2

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 Regional Plans Objective: To give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.			x
1.2 Development of Aboriginal Land Council Land Objective: To provide consideration of development delivery plans prepared under <i>State Environmental Planning Policy (Aboriginal Land) 2019 when Planning Proposals are prepared by a planning proposal authority</i> .			x
1.3 Approval and Referral Requirements Objective: To ensure that LEP provisions encourage the efficient and appropriate assessment of development.			x
1.4 Site Specific Provisions Objective: To discourage unnecessary restrictive site specific planning controls.	x		
Focus area 1: Planning Systems – Place-based			
1.5 Parramatta Road Corridor Urban Transformation Strategy Objectives are: o To facilitate development within the Corridor that is consistent with the <i>Strategy and the Parramatta Road Corridor Implementation Tool Kit and the Parramatta Road Corridor Urban Transformation Implementation Update 2021</i> , o Provide a diversity of jobs and housing, and o Guide the incremental transformation of the Corridor in line with delivery of necessary infrastructure.			x
1.6 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
1.7 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
1.8 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
1.9 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
1.10 Implementation of Western Sydney Aerotropolis Plan Objective: To ensure development within the Western Sydney Aerotropolis is consistent with the Plan dated September 2020.			x
1.11 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
1.12 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
1.13 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
1.14 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

ITEM 5 (continued)

ATTACHMENT 2

Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979	Consistent		N/A
	YES	NO	
<p>1.15 Implementation of the Pyrmont Peninsula Place Strategy</p> <p>Objectives are to:</p> <ul style="list-style-type: none"> o Facilitate development within the Pyrmont Peninsula consistent with the Pyrmont Peninsula Place Strategy (Place Strategy) and the Economic Development Strategy; o 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 o Guide growth and change balanced with character, heritage and infrastructure considerations (amongst others) across the Peninsula under the Place Strategy. 			x
<p>1.16 North West Rail Link Corridor Strategy</p> <p>Objectives are to:</p> <ul style="list-style-type: none"> o Promote transit-oriented development and manage growth around the eight train stations of the North West Rail Link (NWRL); and o Ensure development within the NWRL corridor is consistent with the proposals set out in the NWRL Corridor Strategy and precinct Structure Plans. 			x
<p>1.17 Implementation of the Bays West Place Strategy</p> <p>Objectives are to:</p> <ul style="list-style-type: none"> o Facilitate development within the Bays West precinct that is consistent with the Bays West Place Strategy (Place Strategy) and the Urban Design Framework (which includes the Sustainability Framework and Connecting with Country Framework); o Actively support the consistent delivery of objectives in the Eastern City District Plan and Greater Sydney Region Plan; and o Guide growth and change balanced with character, Indigenous and European heritage, working harbour and infrastructure considerations across the Bays West precinct under the Place Strategy. 			x
Focus area 2: Design and Place			
No directions applicable.			
Focus area 3: Biodiversity and Conservation			
<p>3.1 Conservation Zones</p> <p>Objective: To protect and conserve environmentally sensitive areas.</p>			x
<p>3.2 Heritage Conservation</p> <p>Objective: To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p>			x
<p>3.3 Sydney Drinking Water Catchments</p> <p>Objective: To protect water quality in the Sydney drinking water catchment.</p>			x
<p>3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs</p> <p>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.</p>			x
<p>3.5 Recreation Vehicle Areas</p> <p>Objective: To protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.</p>			x
Focus area 4: Resilience and Hazards			
<p>4.1 Flooding</p> <p>Objectives are to:</p>			x

ITEM 5 (continued)

ATTACHMENT 2

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"> o 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 o 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. 			
4.2 Coastal Management Objective: To protect and manage coastal areas of NSW.			x
4.3 Planning for Bushfire Protection Objectives are to: <ul style="list-style-type: none"> o Protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas; and o Encourage sound management of bush fire prone areas. 			x
4.4 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.			x
4.5 Acid Sulfate Soils Objective: to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.			x
4.6 Mine Subsidence and Unstable Land Objective: to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.			x
Focus area 5: Transport and Infrastructure			
5.1 Integrated Land Use and Transport Objectives are: <ul style="list-style-type: none"> o Improving access to housing, jobs and services by walking, cycling and public transport; o Increasing the choice of available transport and reducing dependence on cars; o Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car; and o Supporting the efficient and viable operation of public transport services, and o Providing for the efficient movement of freight. 			x
5.2 Reserving Land for Public Purpose Objectives are to: <ul style="list-style-type: none"> o Facilitate the provision of public services and facilities by reserving land for public purposes; and o Facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. 			x
5.3 Development Near Regulated Airports and Defence Airfields Objectives are to: <ul style="list-style-type: none"> o Ensure the effective and safe operation of regulated airports and defence airfields; o Ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity; and o Ensure development, if situated on noise sensitive land, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise. 			x
5.4 Shooting Ranges Objectives are to: <ul style="list-style-type: none"> o Maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range; 			x

ITEM 5 (continued)

ATTACHMENT 2

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"> o Reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land; and o identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range. 			
Focus area 6: Housing			
6.1 Residential Zones Objectives are to: <ul style="list-style-type: none"> o Encourage a variety and choice of housing types to provide for existing and future housing needs; o Make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services; and o Minimise the impact of residential development on the environment and resource lands. 			x
6.2 Caravan Parks and Manufactured Home Estates Objectives are to: <ul style="list-style-type: none"> o Provide for a variety of housing types; and o Provide opportunities for caravan parks and manufactured home estates. 			x
Focus area 7: Industry and Employment			
7.1 Business and Industrial Zones Objectives are to: <ul style="list-style-type: none"> o Encourage employment growth in suitable locations; o Protect employment land in business and industrial zones; and o Support the viability of identified centres. 			x
7.2 Reduction in non-hosted short-term rental accommodation period Objectives are to: <ul style="list-style-type: none"> o Mitigate significant impacts of short-term rental accommodation where non-hosted short-term rental accommodation period are to be reduced; and o Ensure the impacts of short-term rental accommodation and views of the community are considered. 			x
7.3 Commercial and Retail Development along the Pacific Highway, North Coast Objectives are to: <ul style="list-style-type: none"> o Protect the Pacific Highway's function, that is to operate as the North Coast's primary inter- and intra-regional road traffic route; o prevent inappropriate development fronting the highway; o protect public expenditure invested in the Pacific Highway; o protect and improve highway safety and highway efficiency; o provide for the food, vehicle service and rest needs of travellers on the highway; and o reinforce the role of retail and commercial development in town centres, where they can best serve the populations of the towns. 			x
Focus area 8: Resources and Energy			
8.1 Mining, Petroleum Production and Extractive Industries 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
Focus area 9: Primary Production			
9.1 Rural Zones Objective: To protect the agricultural production value of rural land.			x
9.2 Rural Lands Objectives are to: <ul style="list-style-type: none"> o Protect the agricultural production value of rural land; o Facilitate the orderly and economic use and development of rural lands for rural and related purposes; o Assist in the proper management, development and protection of rural lands to promote the social, economic and environmental welfare of the State; 			x

ITEM 5 (continued)
ATTACHMENT 2

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"> o Minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses; o Encourage sustainable land use practices and ensure the ongoing viability of agriculture on rural land; and o Support the delivery of the actions outlined in the NSW Right to Farm Policy. 			
9.3 Oyster Aquaculture Objectives are to: <ul style="list-style-type: none"> o Ensure that 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal; and 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. 			x
9.4 Farmland of State and Regional Significance on the NSW Far North Coast Objectives are to: <ul style="list-style-type: none"> o Ensure that the best agricultural land will be available for current and future generations to grow food and fibre; o Provide more certainty on the status of the best agricultural land, thereby assisting councils with their local strategic settlement planning; and o Reduce land use conflict arising between agricultural use and non-agricultural use of farmland as caused by urban encroachment into farming areas. 			x

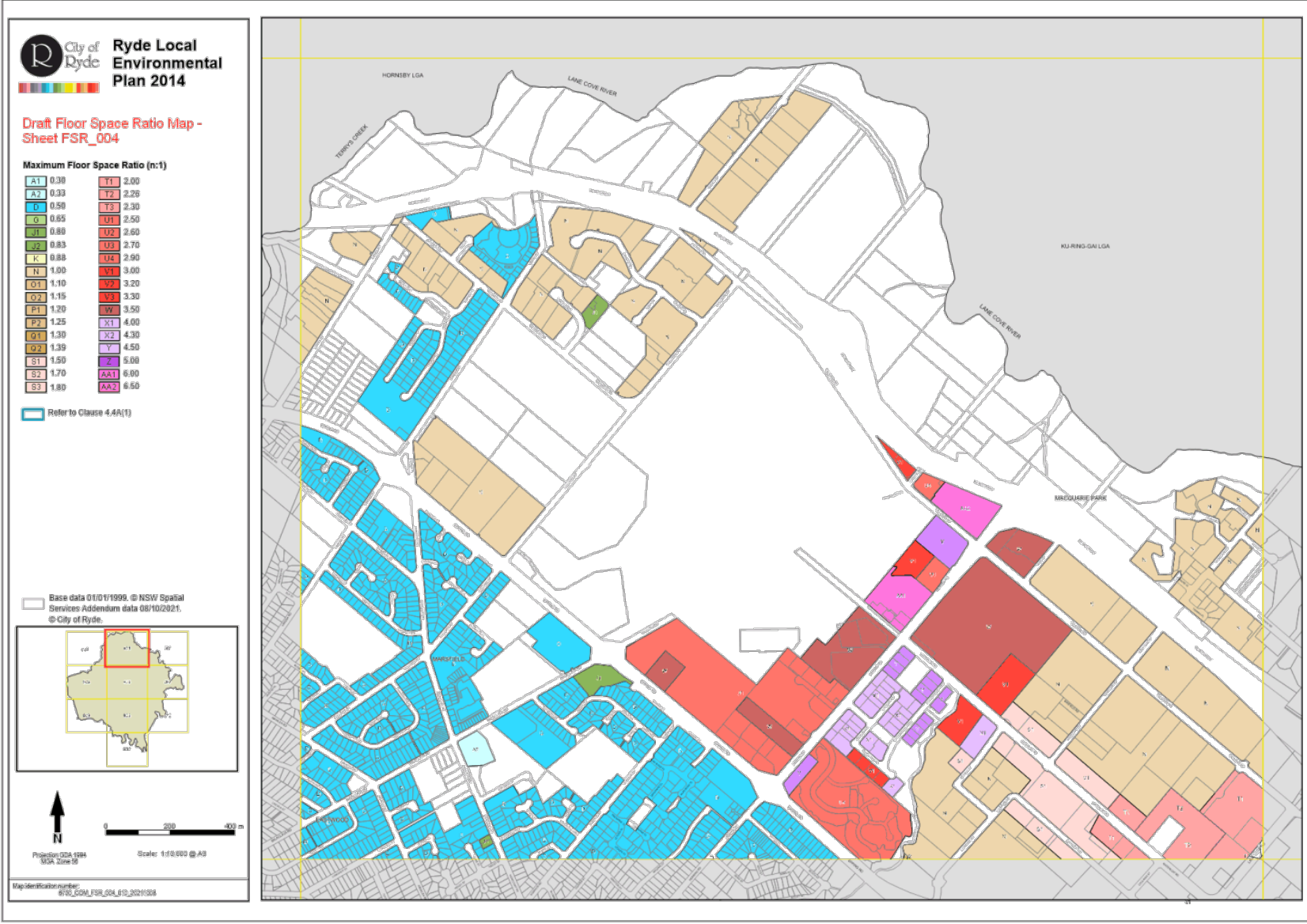
ITEM 5 (continued)

ATTACHMENT 2

Attachment D - Draft LEP Maps

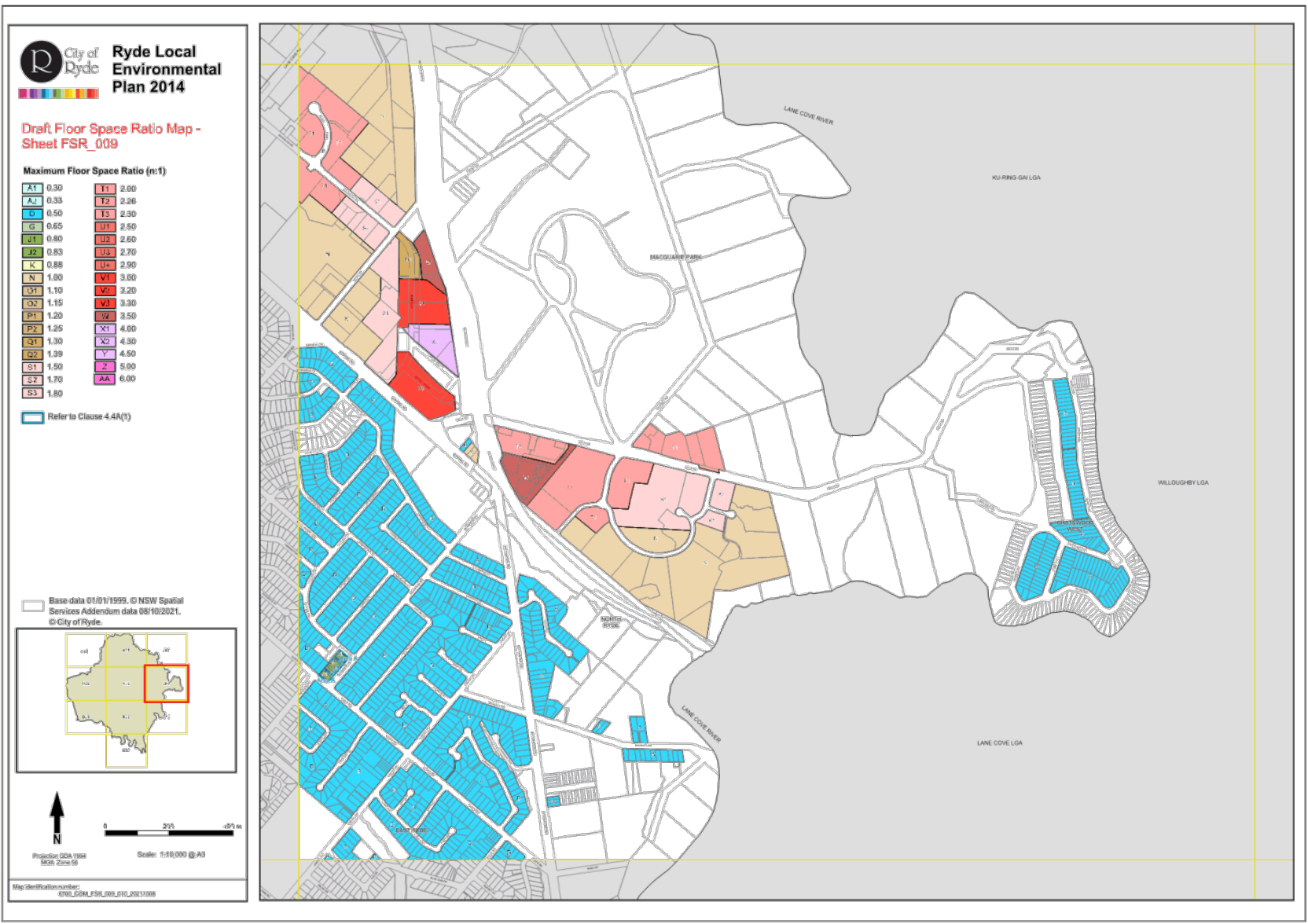
ITEM 5 (continued)

ATTACHMENT 2



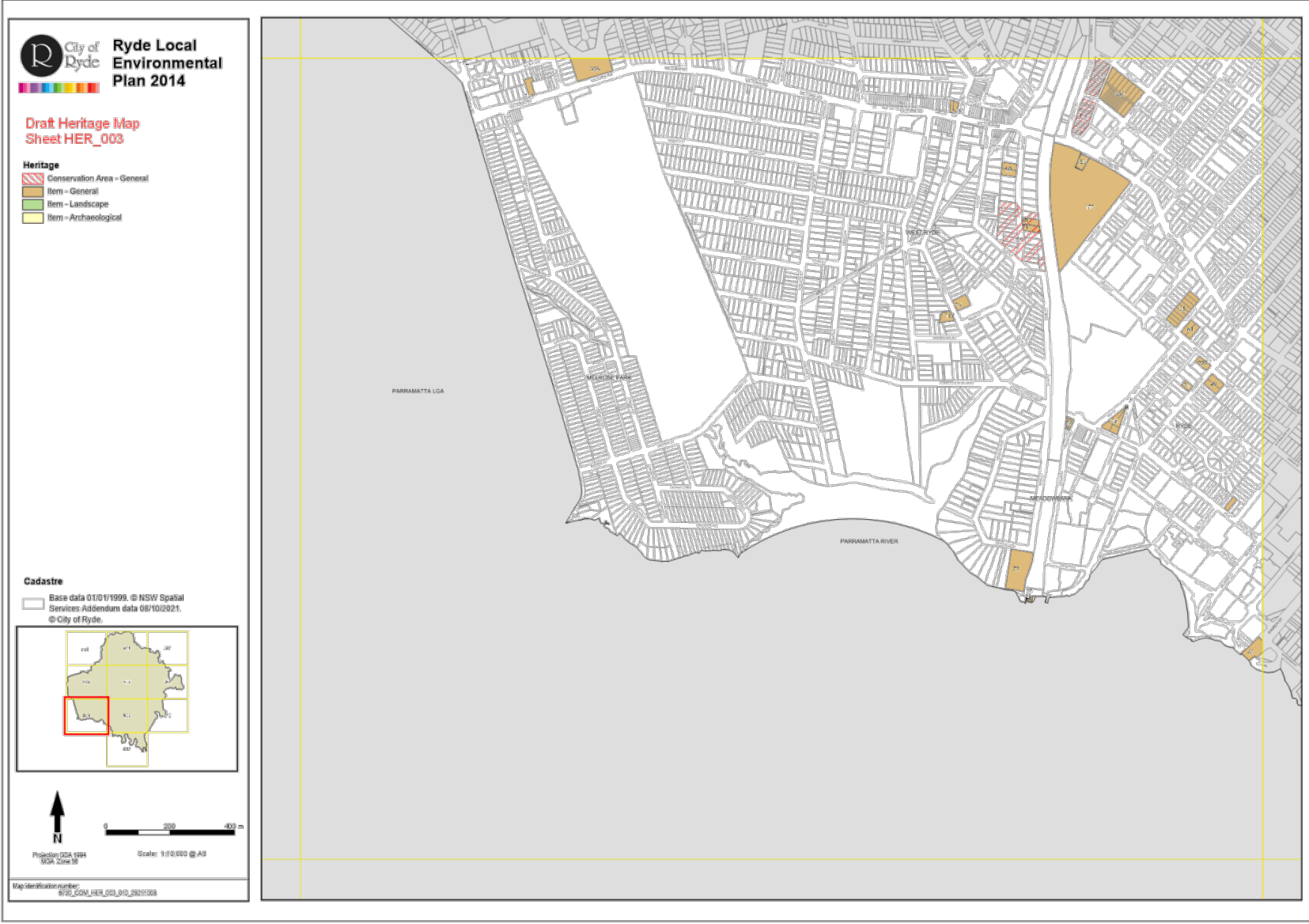
ITEM 5 (continued)

ATTACHMENT 2



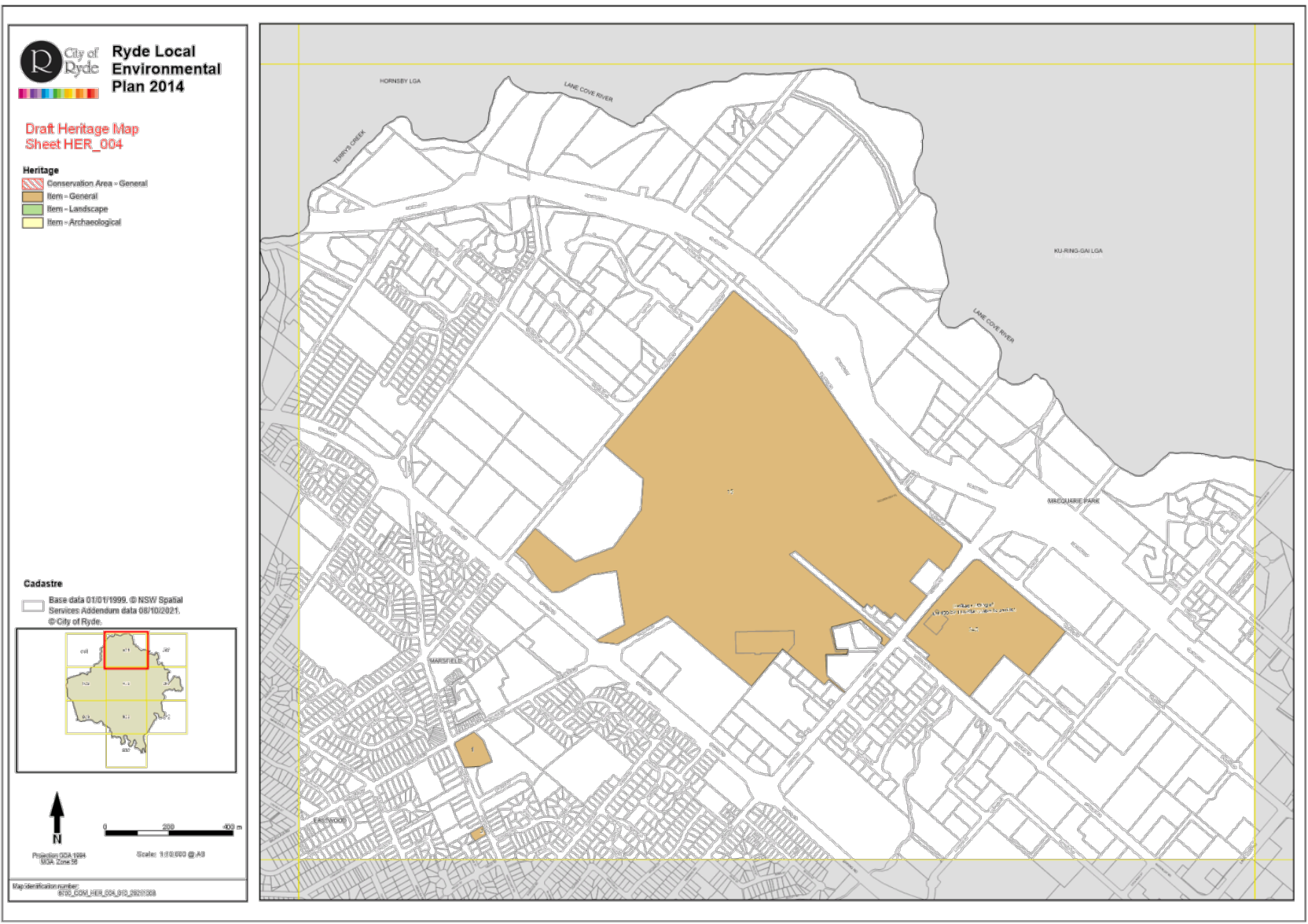
ITEM 5 (continued)

ATTACHMENT 2



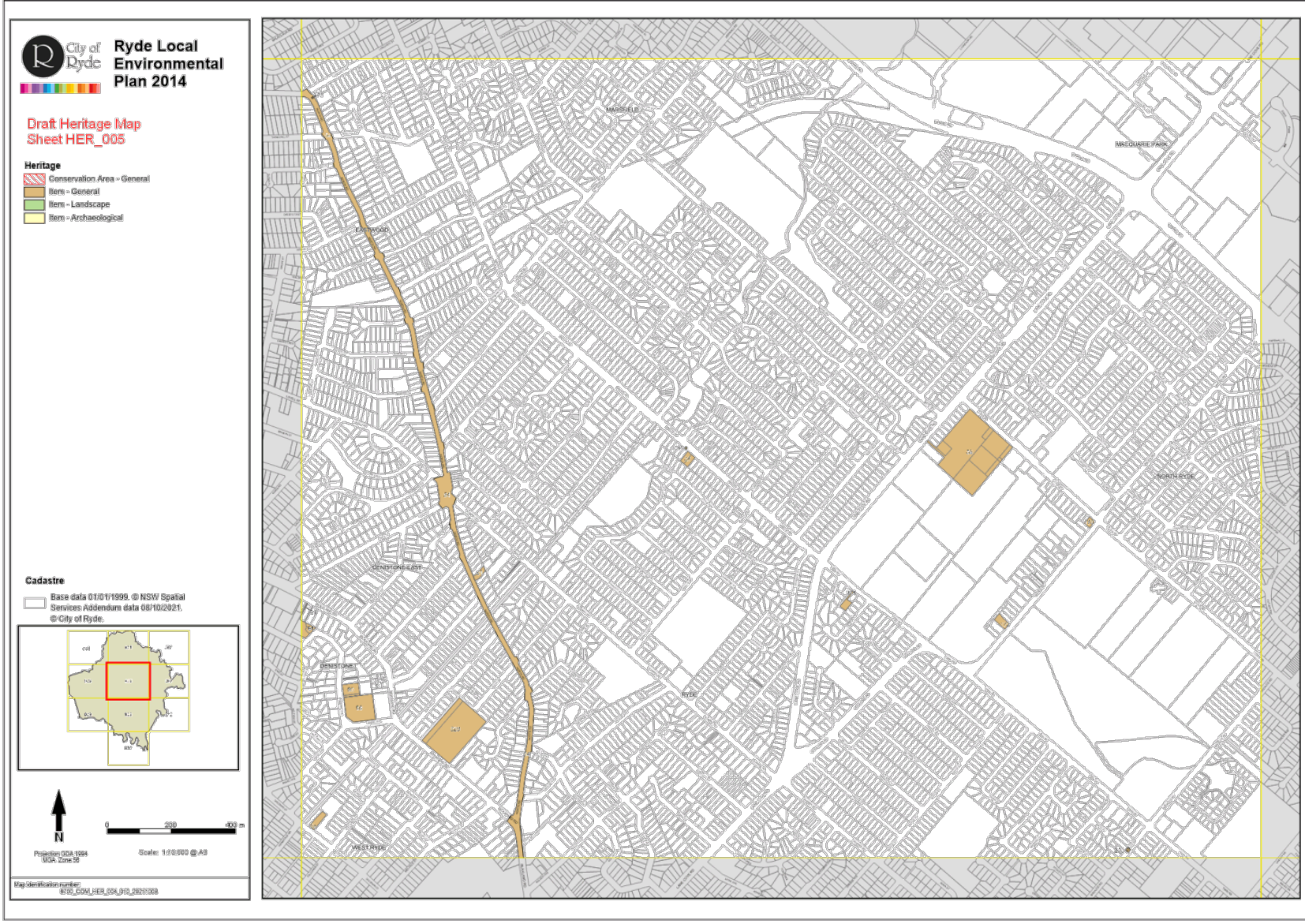
ITEM 5 (continued)

ATTACHMENT 2



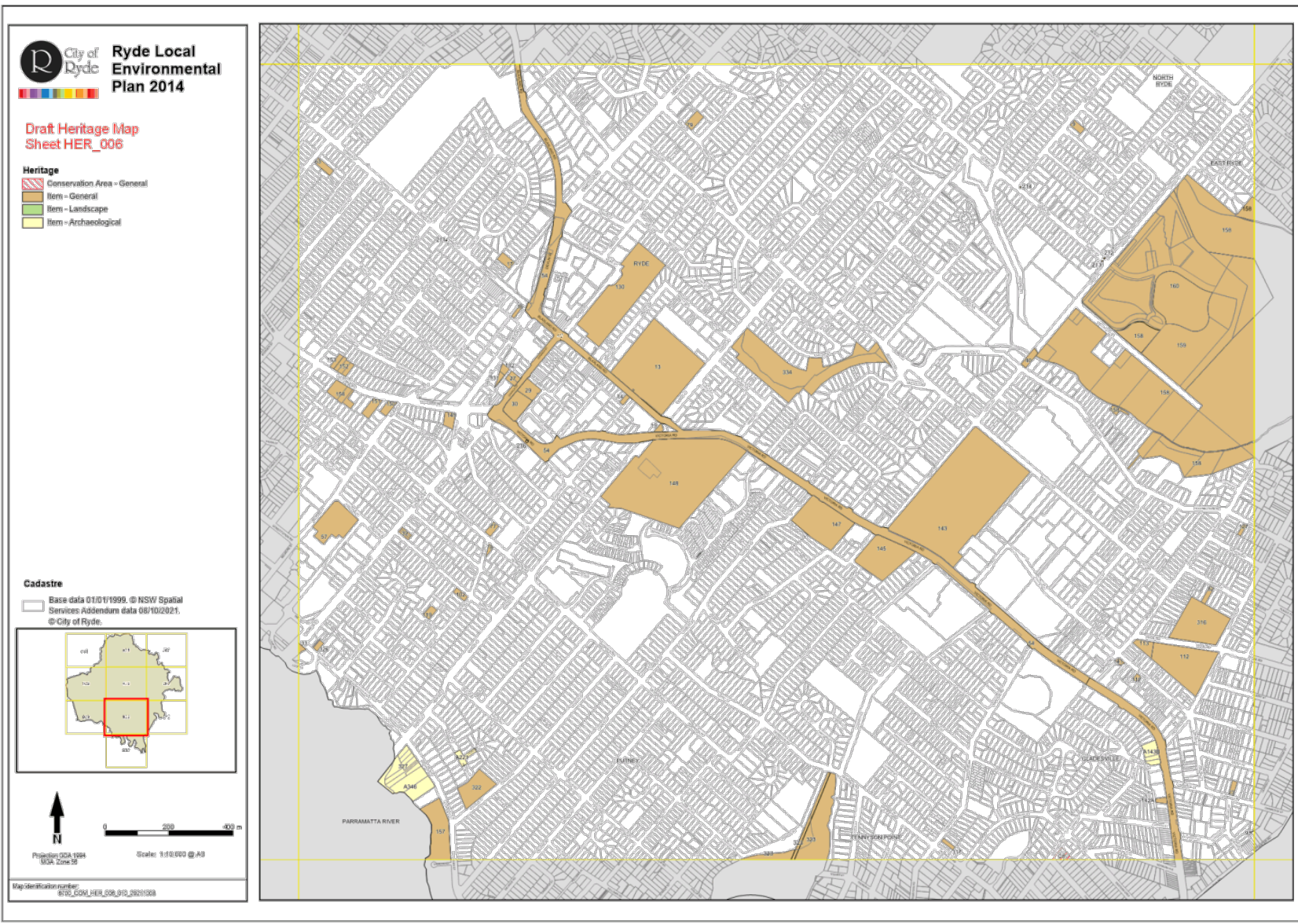
ITEM 5 (continued)

ATTACHMENT 2



ITEM 5 (continued)

ATTACHMENT 2



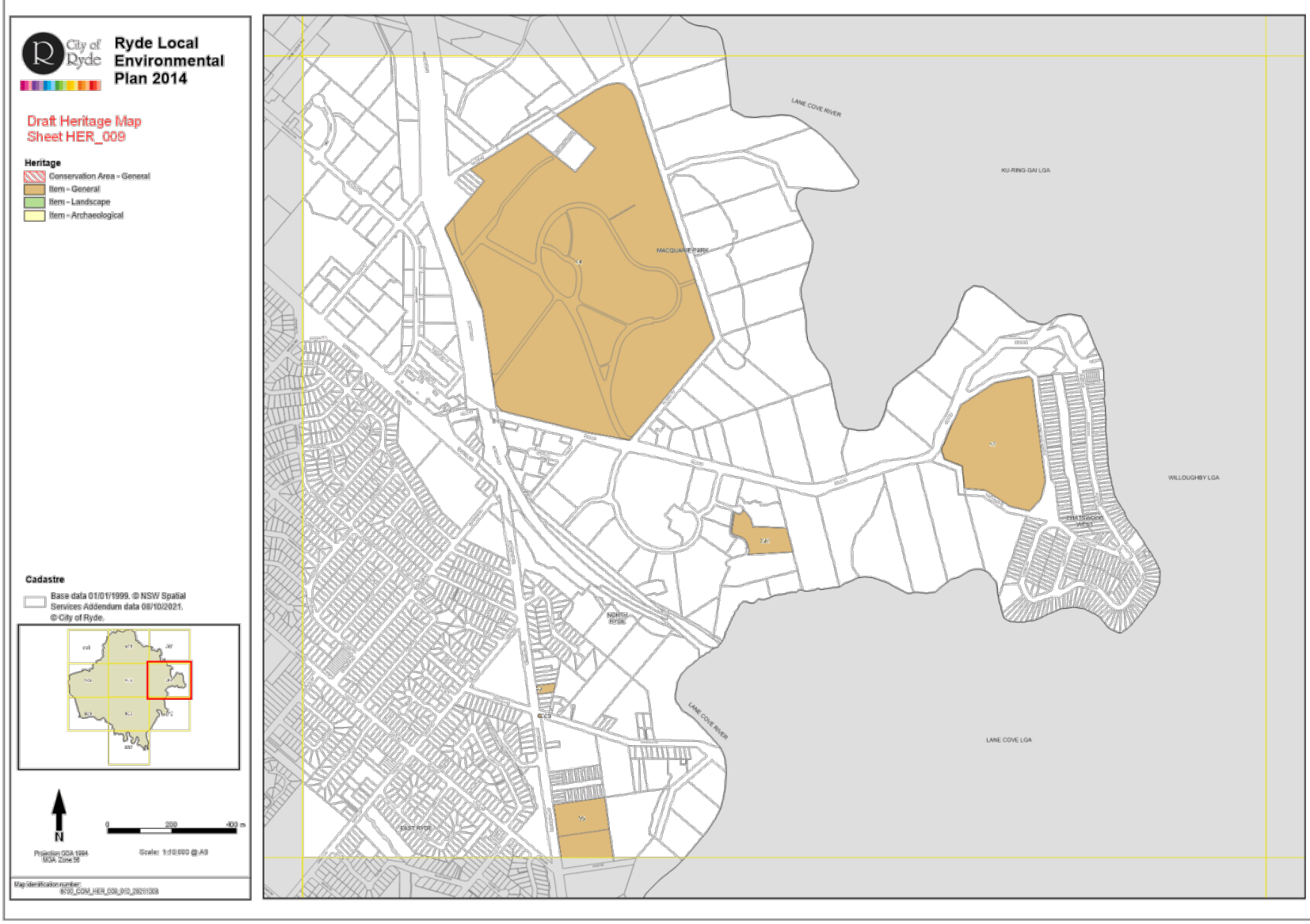
ITEM 5 (continued)

ATTACHMENT 2



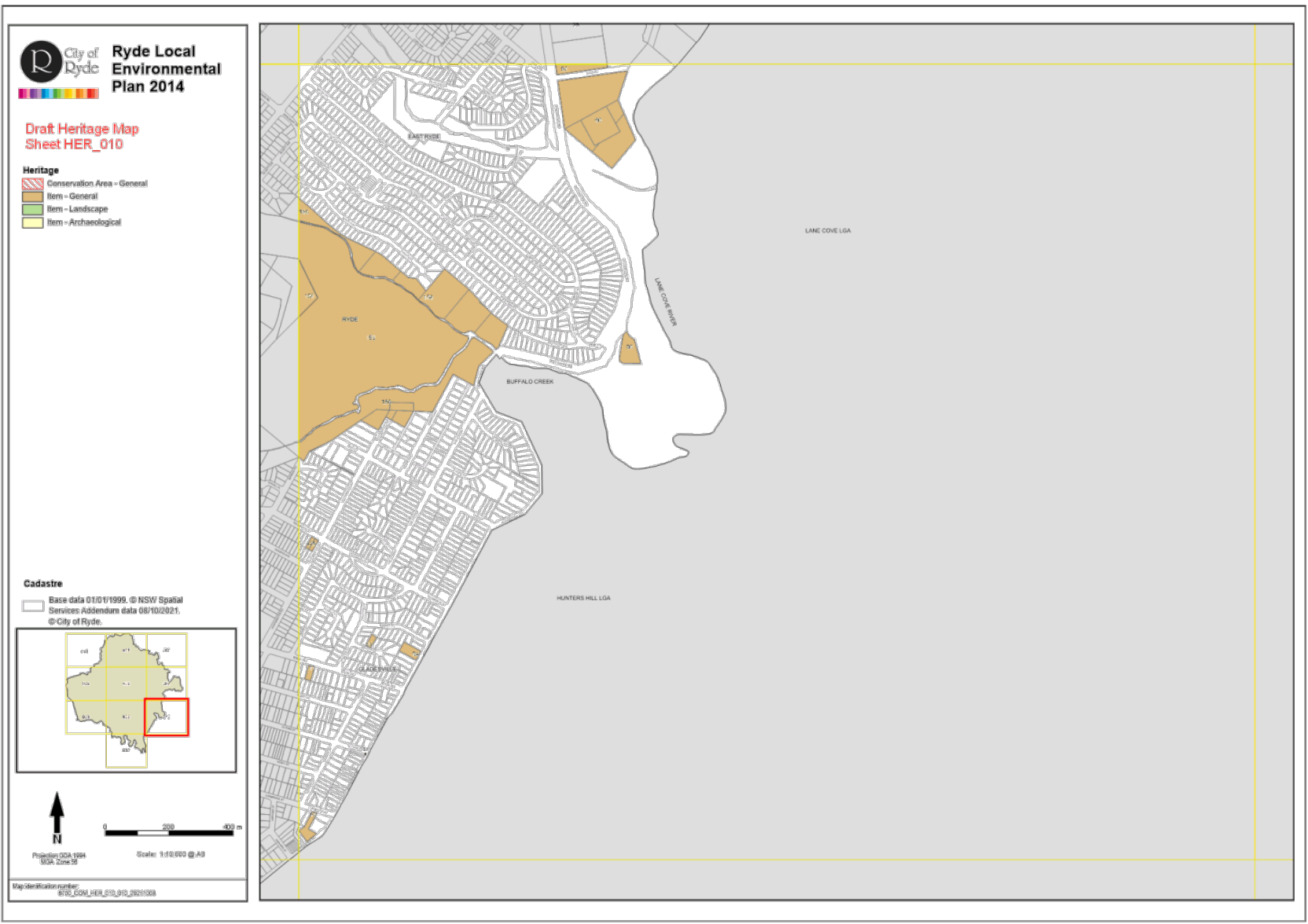
ITEM 5 (continued)

ATTACHMENT 2



ITEM 5 (continued)

ATTACHMENT 2



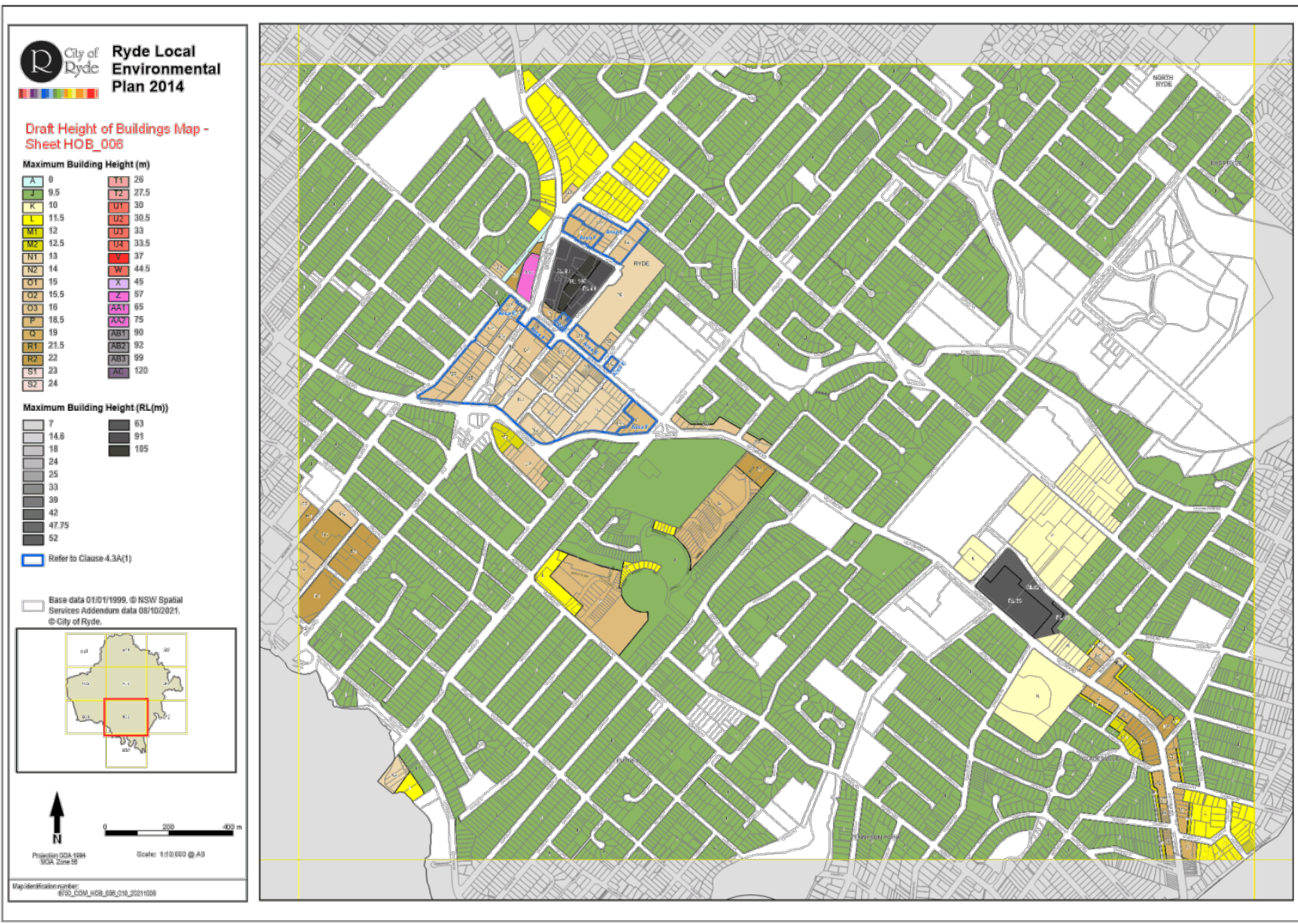
ITEM 5 (continued)

ATTACHMENT 2



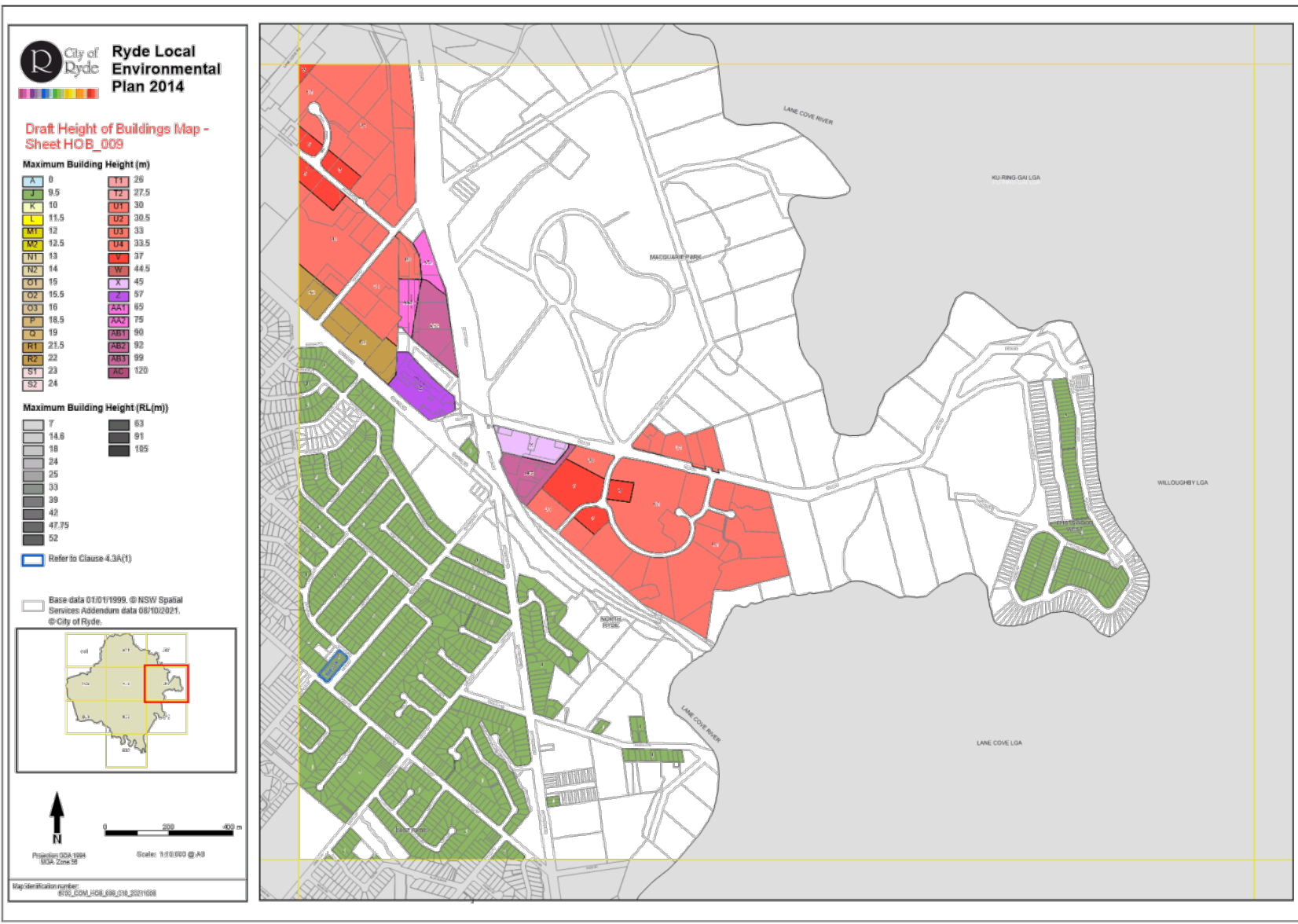
ITEM 5 (continued)

ATTACHMENT 2



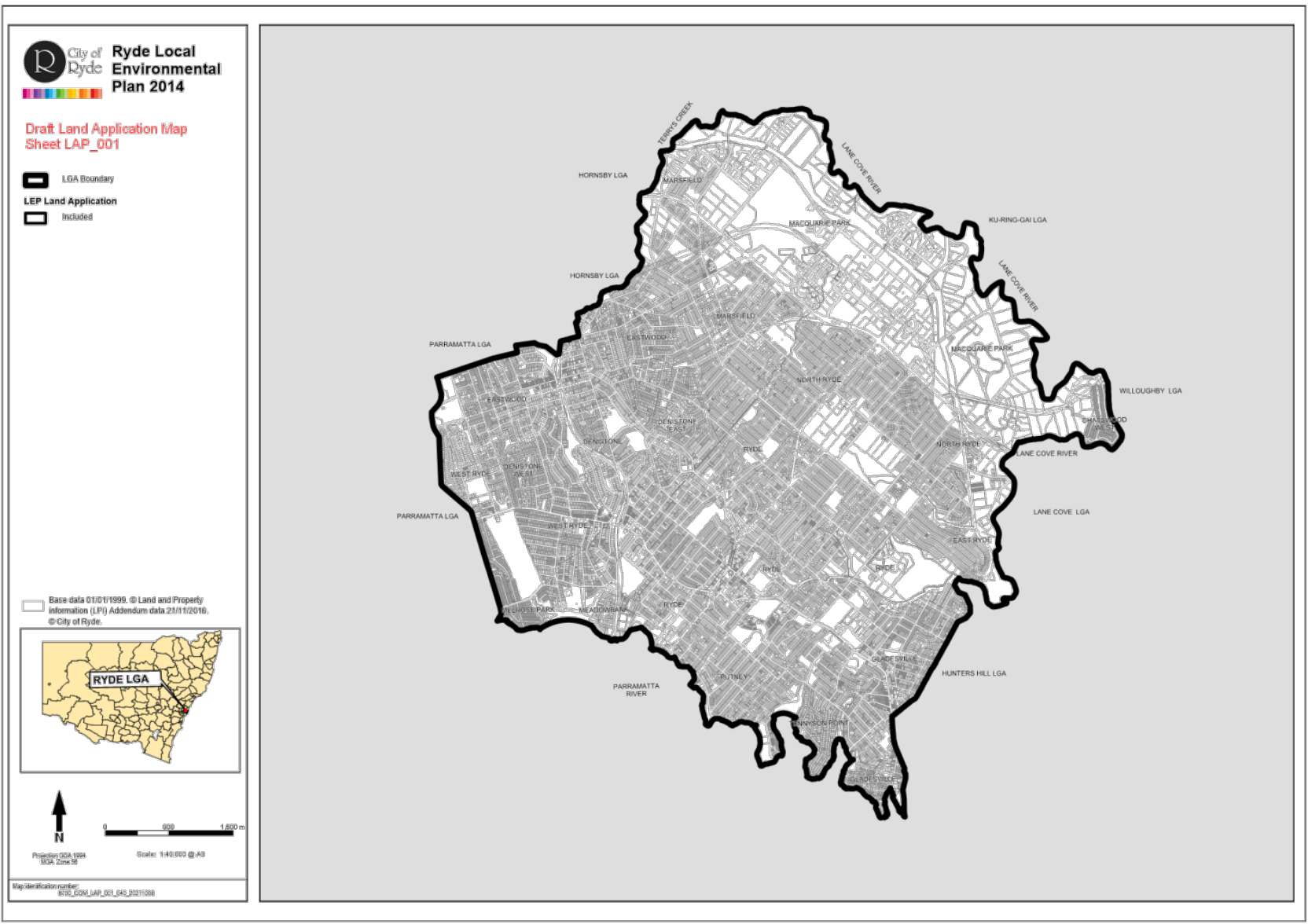
ITEM 5 (continued)

ATTACHMENT 2



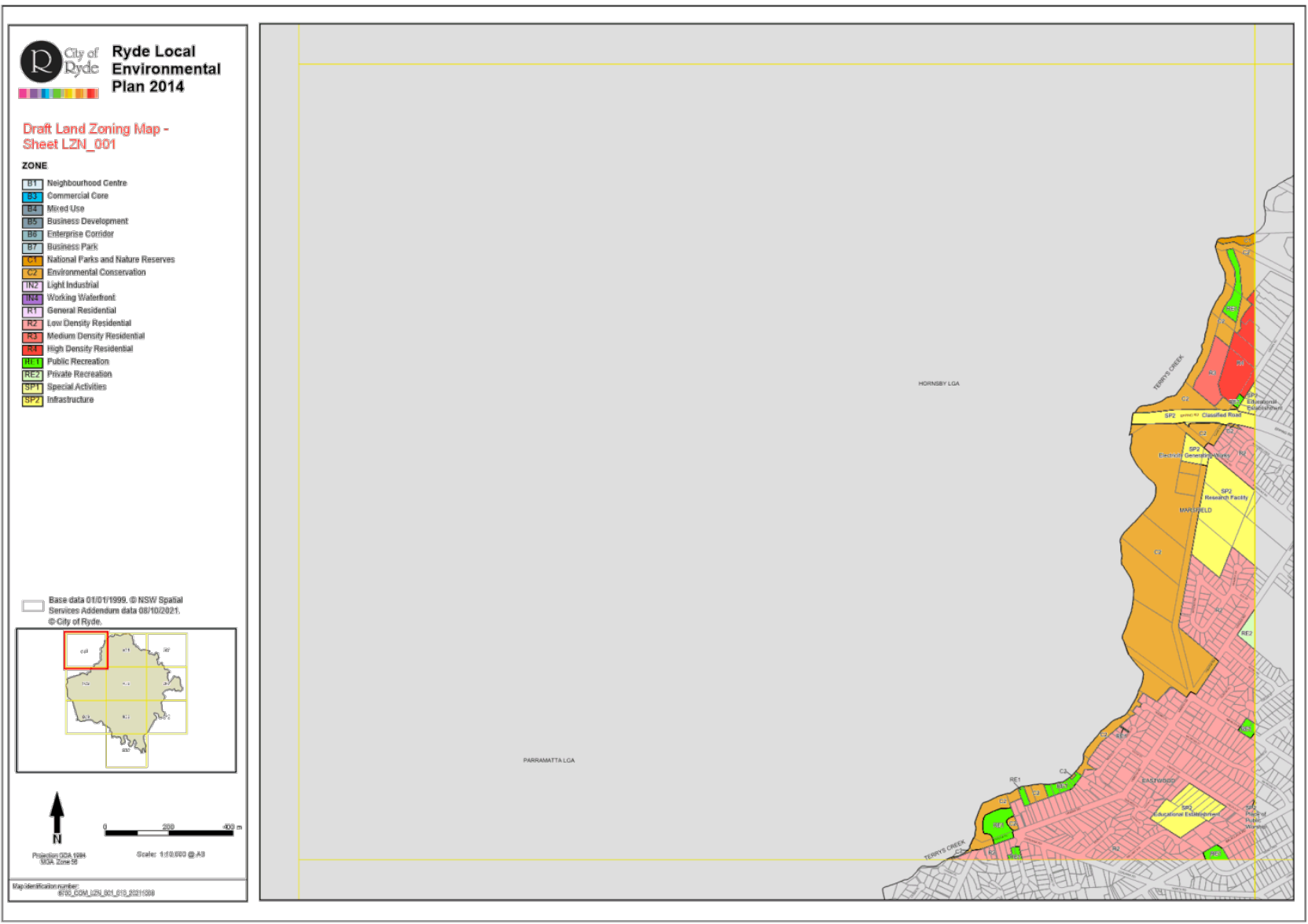
ITEM 5 (continued)

ATTACHMENT 2



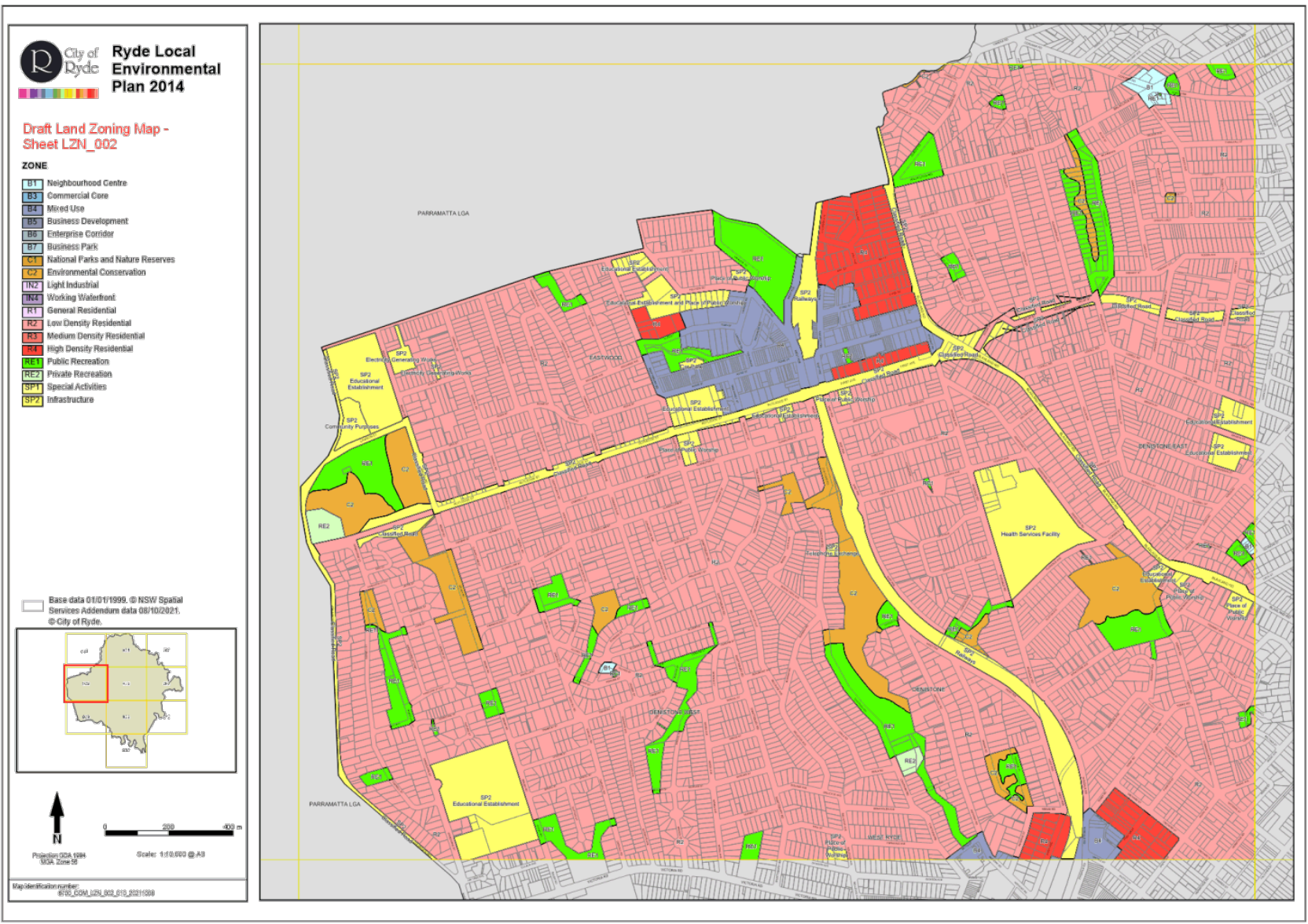
ITEM 5 (continued)

ATTACHMENT 2



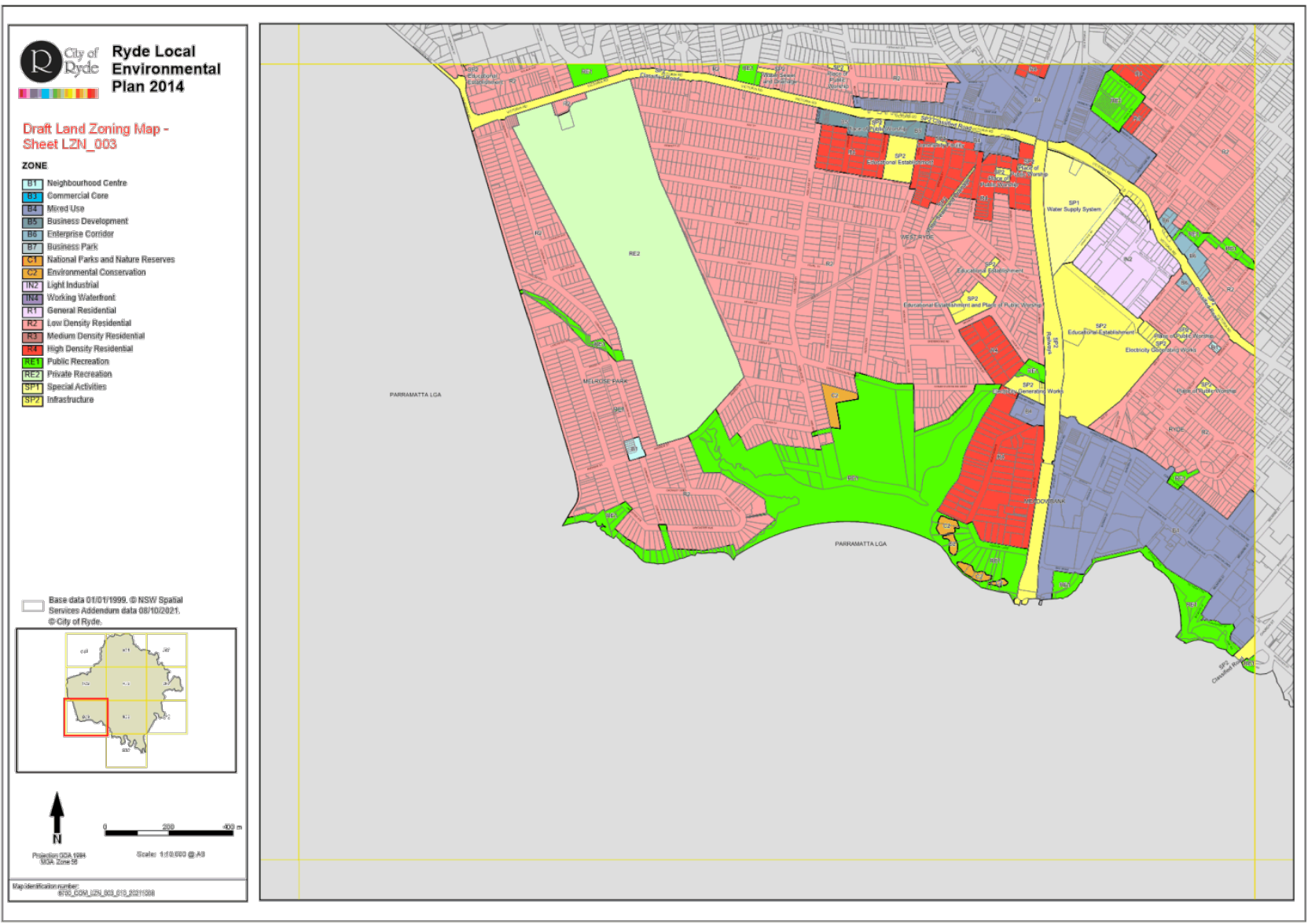
ITEM 5 (continued)

ATTACHMENT 2



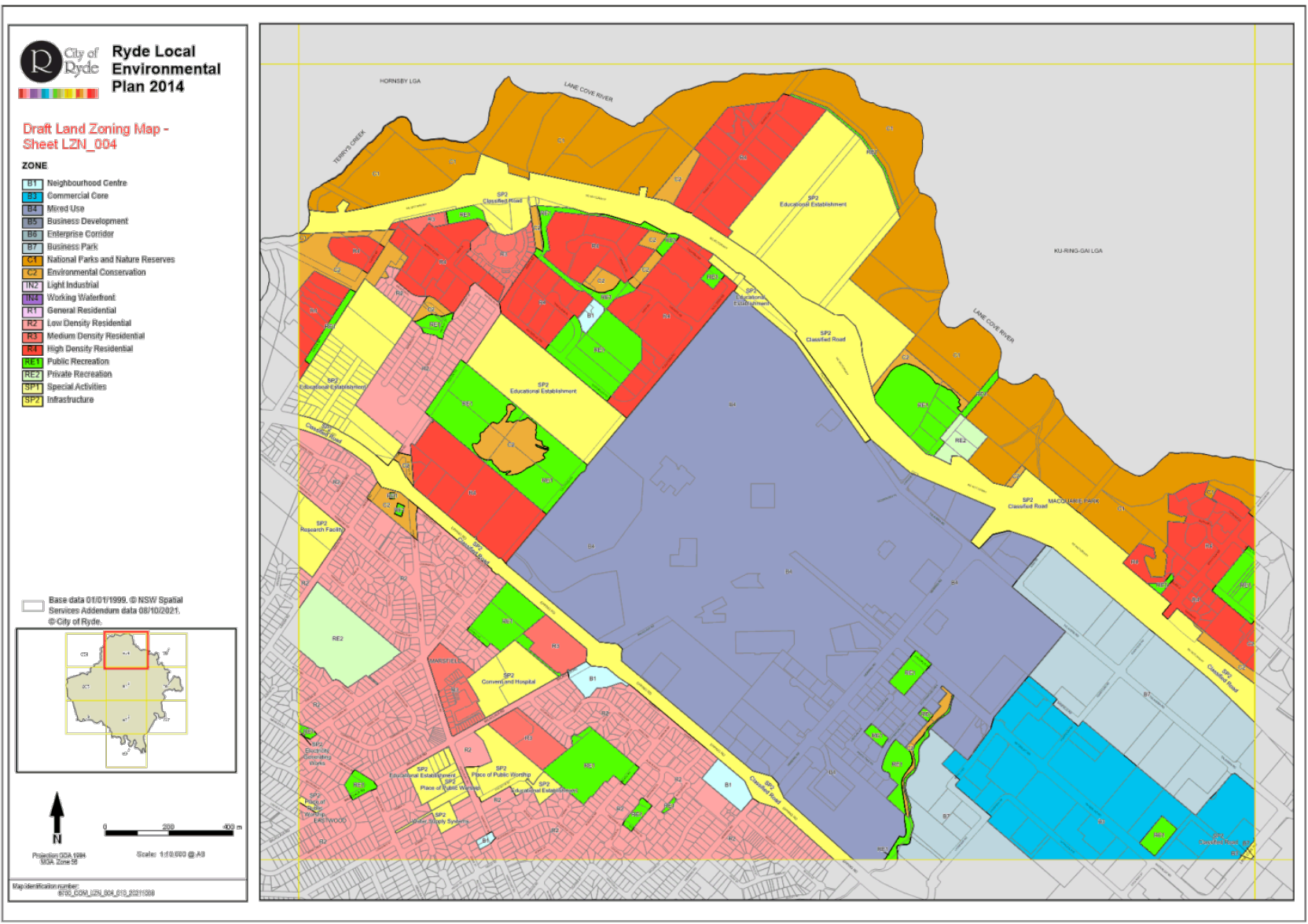
ITEM 5 (continued)

ATTACHMENT 2



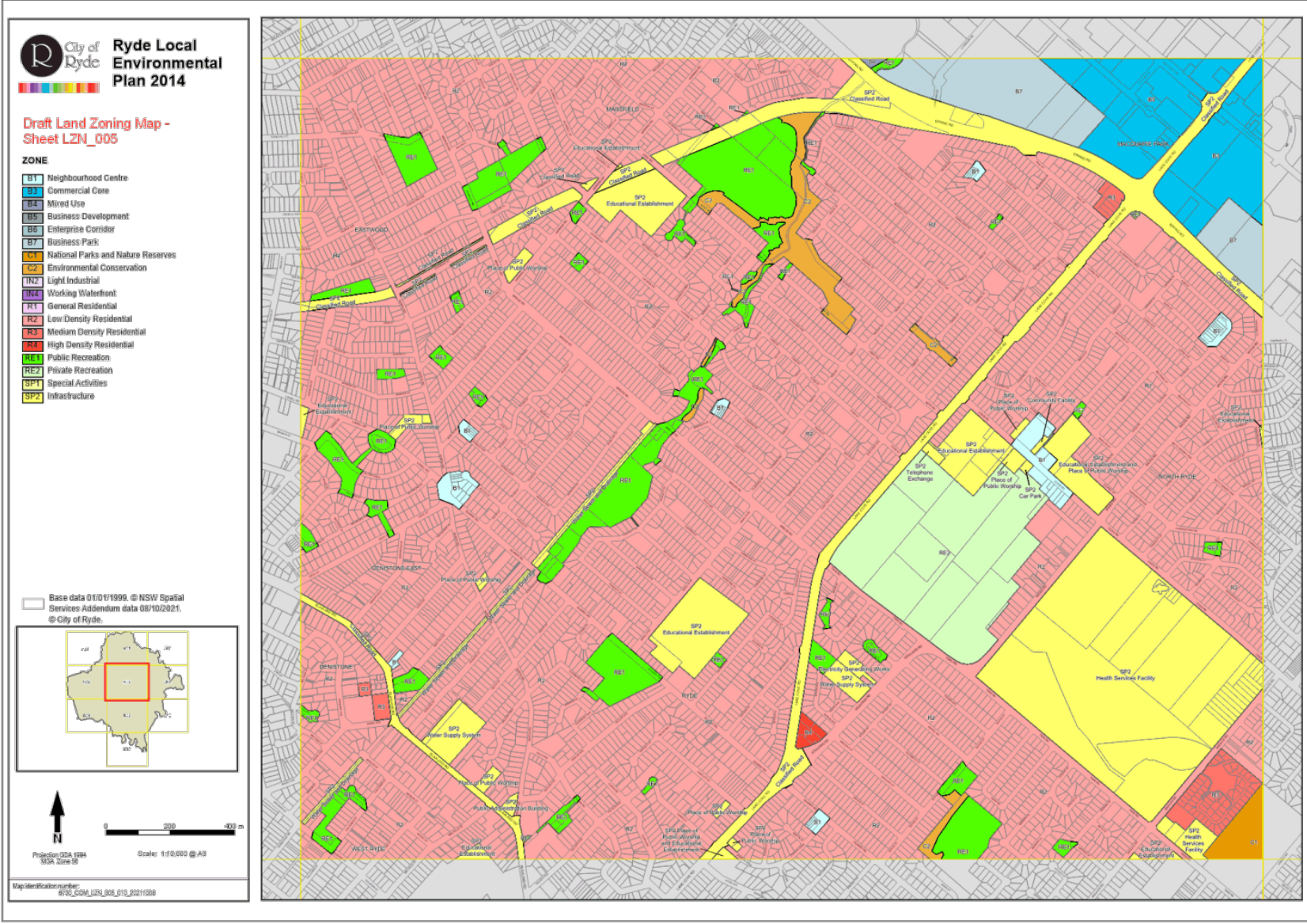
ITEM 5 (continued)

ATTACHMENT 2



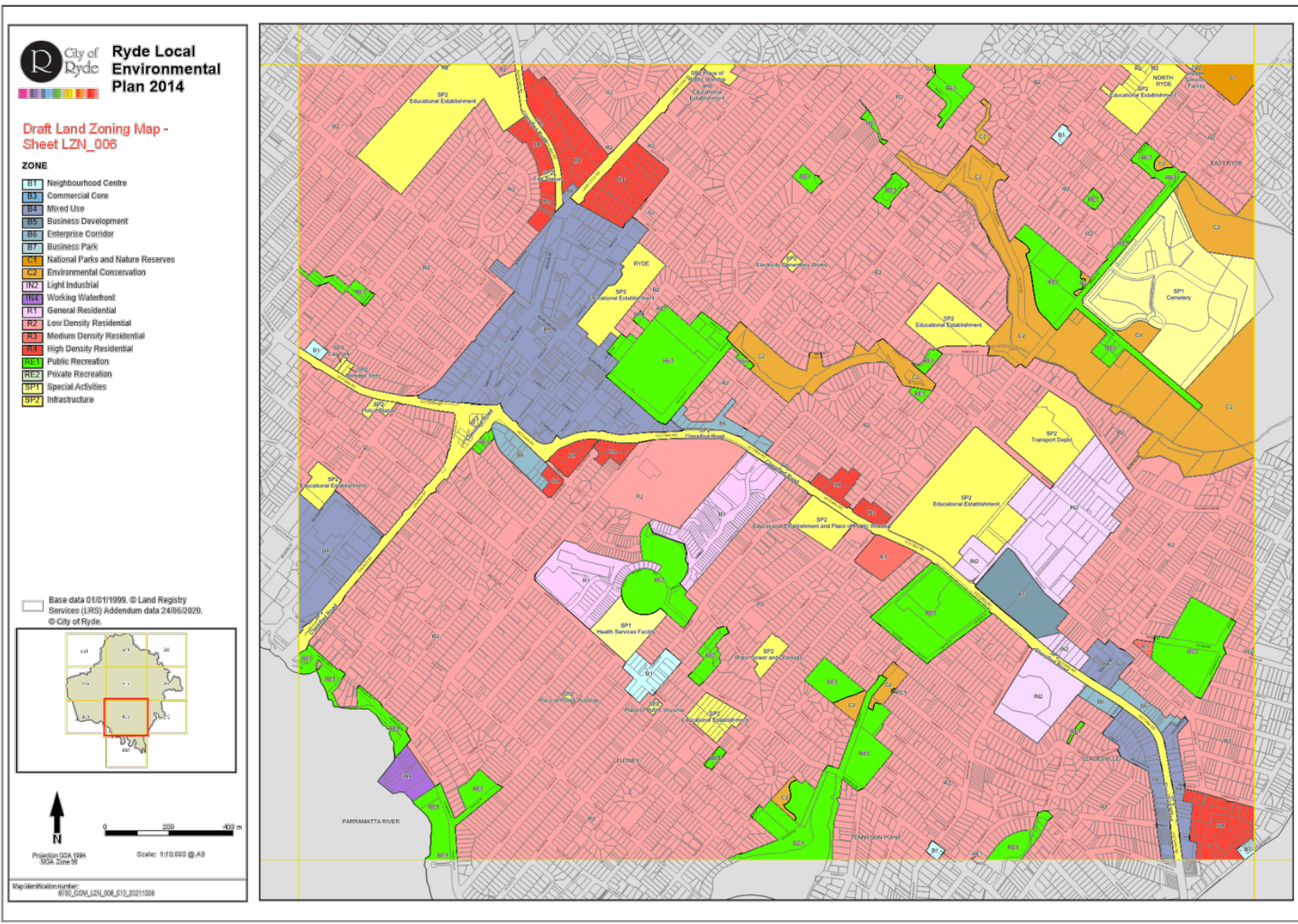
ITEM 5 (continued)

ATTACHMENT 2



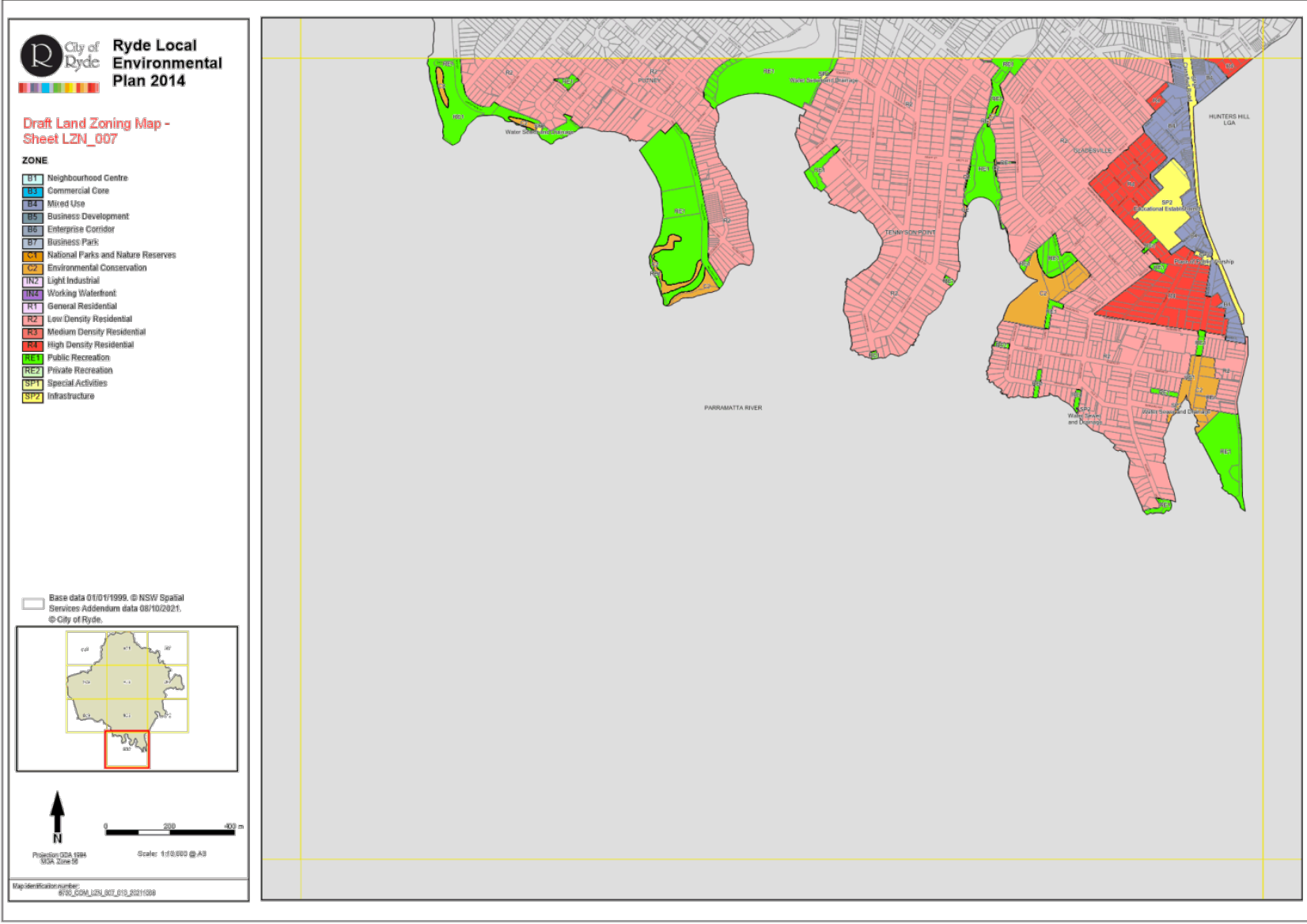
ITEM 5 (continued)

ATTACHMENT 2



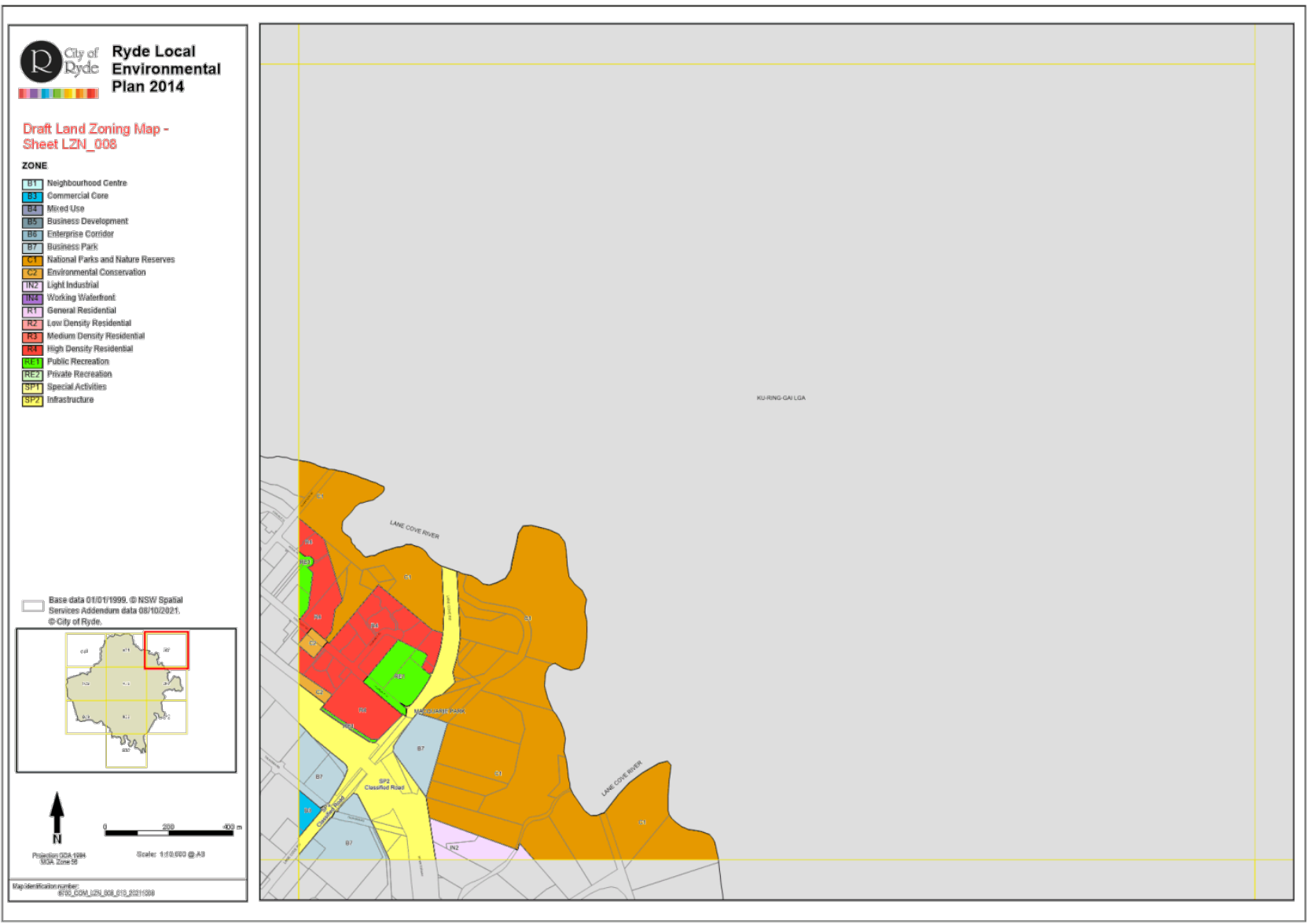
ITEM 5 (continued)

ATTACHMENT 2



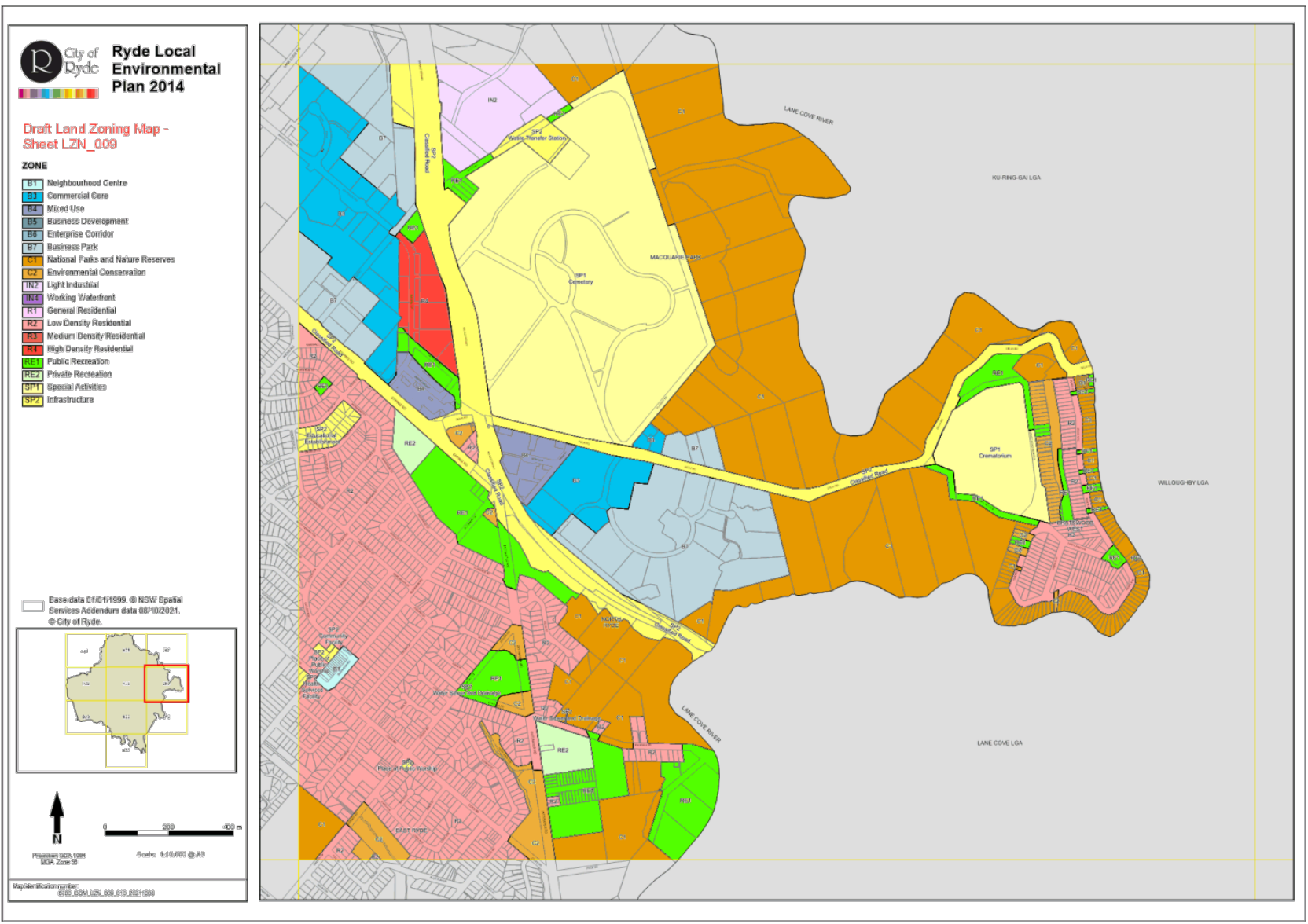
ITEM 5 (continued)

ATTACHMENT 2



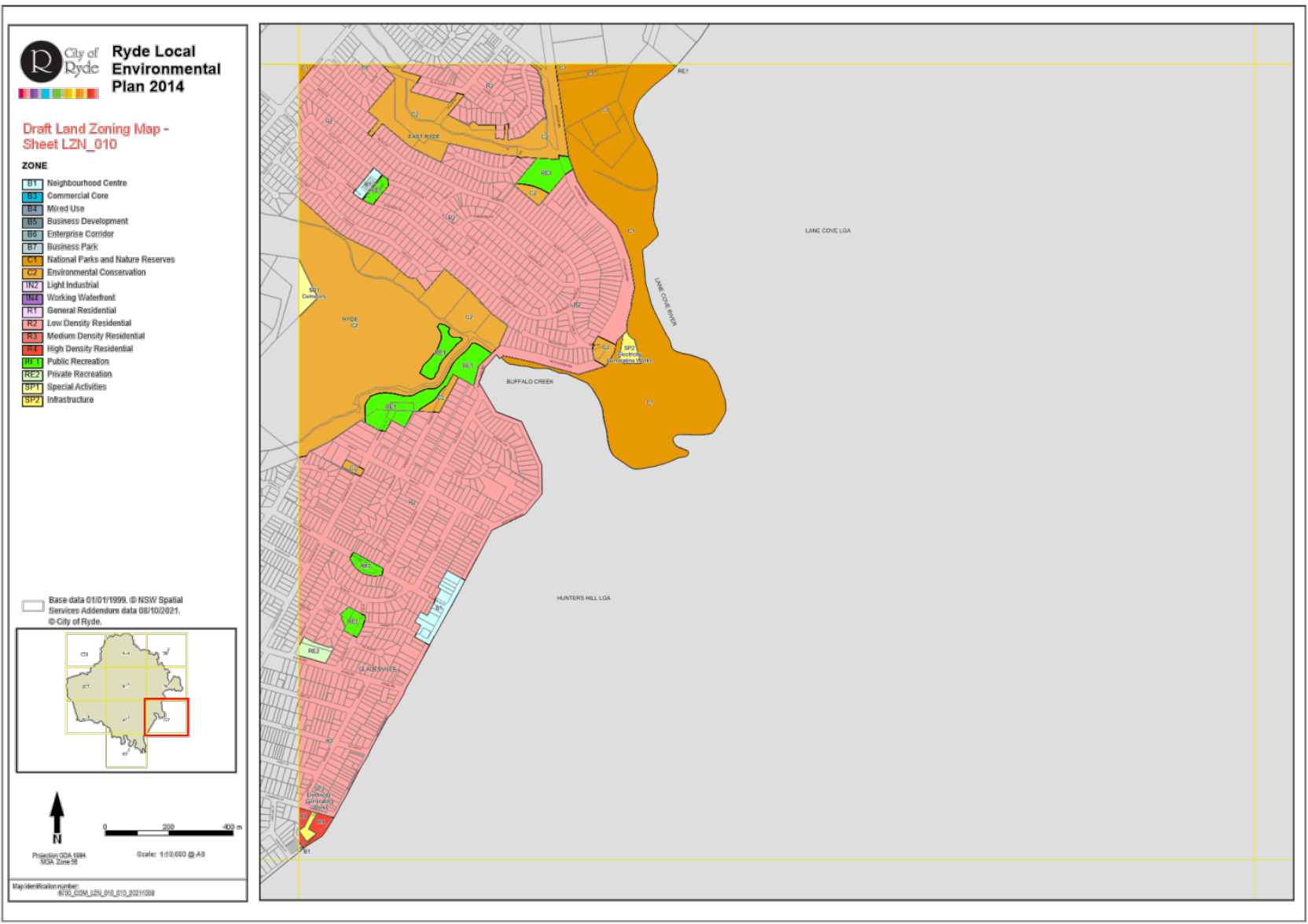
ITEM 5 (continued)

ATTACHMENT 2



ITEM 5 (continued)

ATTACHMENT 2



ITEM 5 (continued)

ATTACHMENT 2

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			
Minor Mapping Error Amendments	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			
Heritage LEPs	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?		√		
Reclassifications	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 5 (continued)

ATTACHMENT 2

(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?		√		
Spot Rezoning	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?		√		
Section 3.22 matters				
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 5 (continued)

ATTACHMENT 2

Attachment F – NSW Rural Fire Service Determination Letter

ITEM 5 (continued)

ATTACHMENT 2



NSW RURAL FIRE SERVICE

Ryde City Council
Locked Bag 2069
NORTH RYDE NSW 1670

Your reference: LEP2021/8
Our reference: SPI20220617000058

ATTENTION: Leslie Kuisma

Date: Tuesday 12 July 2022

Dear Sir/Madam,

**Strategic Planning Instrument
LEP Amendment - Gateway**

Housekeeping Review - Planning Proposal is to amend the Ryde Local Environmental Plan 2014

I refer to your correspondence dated 17/06/2022 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

Future proposals for community facilities in SP1 Special Activities and SP2 Infrastructure zones on Bush Fire Prone Land must address *Planning for Bush Fire Protection 2019 (PBP)*.

Where the floor space area of Community Facility building/s is greater than 500m², they will need to address the same provisions for Special Fire Protection Purpose developments per section 8.3.11 of PBP.

The NSW RFS does not object to the subject Planning Proposal.

For any queries regarding this correspondence, please contact Simon Derevnin on 1300 NSW RFS.

Yours sincerely,

Adam Small
**A/Manager - Planning & Environment Services (East)
Built & Natural Environment**

1

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au



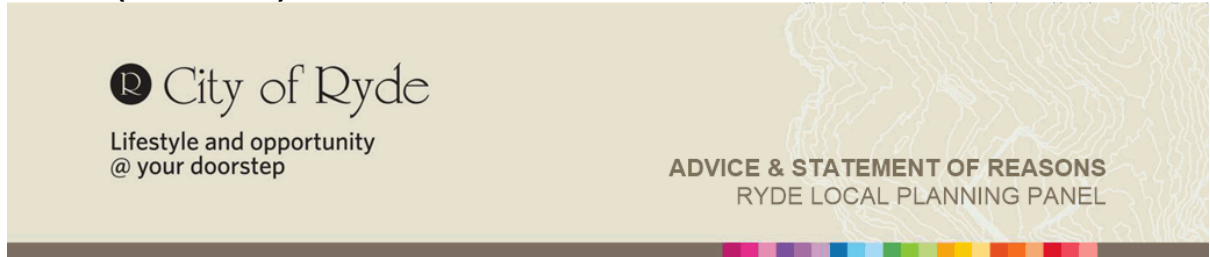
ITEM 5 (continued)

ATTACHMENT 2

**Attachment G – Ryde Local Planning Panel Advice and
Statement of Reasons**

ITEM 5 (continued)

ATTACHMENT 2



Date of Determination	10 March 2022
Panel Members	Steve O'Connor (Chair) Jennifer Bautovich (Independent Expert) Michael Leavey (Independent Expert) Rob Senior (Community Representative)
Apologies	NIL
Declarations of Interest	NIL

Papers circulated electronically on 3 March 2022.

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. It also introduces community facilities and recreation areas in more locations and new advertising and signage provisions to ensure the City of Ryde can support the needs of its community. Additionally, it expands community education and capacity of Council's waste management practices.

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 it supports the Housekeeping Review 2022 Planning Proposal being submitted for Gateway Determination under 3.34 of the *Environmental Planning and Assessment Act 1979*.

The advice was unanimous.

OBJECTIVES OUTLINED IN COUNCIL'S REPORT

The Panel recommends that Council support the Planning Proposal with the below objectives, as outlined in the report:

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.





ITEM 5 (continued)

ATTACHMENT 2

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.

CONDITIONS

Not applicable

PANEL MEMBERS	
Steve O'Connor (Chair)	
Jennifer Bautovich	
Michael Leavey	
Rob Senior	

ITEM 5 (continued)

ATTACHMENT 2

SCHEDULE 1		
1	Application No.	NA
2	Proposal	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. It also introduces community facilities and recreation areas in more locations and new advertising and signage provisions to ensure the City of Ryde can support the needs of its community. Additionally, it expands community education and capacity of Council's waste management practices.
3	Street Address	Numerous private and government agencies (including City of Ryde)
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"> • Council assessment report and below attachments: <ul style="list-style-type: none"> ○ Attachment 1 –Housekeeping Review 2022 Planning Proposal ○ Attachment 2 – Report to Local Planning Panel 13 August 2020 ○ Attachment 3 – Recommendation of Local Planning Panel 13 August 2020 ○ Attachment 4 – Report to Council 22 September 2020 ○ Attachment 5 – Withdrawn Administrative and Update LEP Planning Proposal ○ Attachment 6 – Department of Planning, Industry and Environment Letter 28 April 2021
8	Meetings, briefings and site inspections by the Panel	<ul style="list-style-type: none"> • Site inspection: NA • Briefing: 10 March 2022 Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Steve O'Connor (Chair), Jennifer Bautovich, Michael Leavey, Rob Senior ○ <u>Council staff</u>: Dyalan Govender, Naomi L'Oste-Brown • Papers were circulated electronically on 3 March 2022
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 5 (continued)

ATTACHMENT 2

Attachment H – Transport for NSW Response

ITEM 5 (continued)

ATTACHMENT 2



26 August 2022

TfNSW Reference: Syd22/00899
Council ref: PP-2022-1043

Wayne Rylands
General Manager
City of Ryde Council
Locked Bag 2069
North Ryde NSW 1670

Attention: Tina Wang

Dear Mr Rydlands,

PLANNING PROPOSAL - RYDE HOUSEKEEPING REVIEW 2022

Thank you for referring the above Planning Proposal to Transport for NSW (TfNSW) on the 27 July 2022. TfNSW has reviewed the submitted documentation and notes that the planning proposal seeks to:

- Amend the Ryde LEP 2014 to update and address a range of miscellaneous administrative issues identified in the operation of the plan including the introduction of new provisions for community facilities, recreation areas, advertising and signage to ensure the City of Ryde is able to support the needs of its community.

In relation to advertising and signage, TfNSW notes that Council is seeking to permit via exempt development provisions, general advertisement on new bus shelter structures such as public seats, bus shelters, bins and electric parking vehicle stations noting these will be situated on council-owned public roads and associated road use land adjacent to such a road. It is further noted that provision for exempt signage within the City of Ryde must be consistent with the advertisements and road safety requirements outlined in *SEPP 64 – Advertising and Signage*.

TfNSW notes Council will consider appropriate mechanisms to ensure the design and content of advertising on new bus shelters is consistent with certain provisions of the *Transport Corridor Outdoor Advertising & Signage Guidelines 2017*. To ensure future advertising does not compromise road safety or cause distraction to approaching road users, the following provisions (in addition to Council's recommended provisions) must also be included within *Schedule 2: Exempt development – Signage on Council owned public roads and associated road use land* of Ryde LEP 2014.

b. Signage – Bus Shelter advertising

- Must not obstruct the driver's view of the road, particularly of other vehicles, bicycle riders or pedestrians at crossings;
- Must not be illuminated to a level that has the potential to dazzle or distract drivers;

Transport for NSW
27-31 Argyle Street, Parramatta NSW 2150 | PO Box 973, Parramatta CBD NSW 2124
P 131782 | W transport.nsw.gov.au | ABN 18 804 239 602

ITEM 5 (continued)

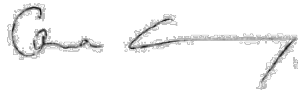
ATTACHMENT 2

- The placement of a sign should not distract a driver at a critical time. In particular, advertising should not obstruct a driver's view of a road hazard, to an intersection, to a prescribed traffic control device (such as a traffic signals, stop or give way signs or warning signs), or to an emergency vehicle access point.

TfNSW raises no objections to the planning proposal subject to the above amendments being incorporated into the proposal in reporting the matter back to Council.

Should you have any questions or further enquiries in relation to this matter, Tricia Zapanta would be pleased to receive your email via development.sydney@transport.nsw.gov.au.

Yours sincerely



Carina Gregory
Senior Manager, Strategic Land Use
Land Use, Network & Place Planning, Greater Sydney

ITEM 5 (continued)

ATTACHMENT 2

Attachment I – Heritage NSW Response

ITEM 5 (continued)

ATTACHMENT 2



Our Reference: DOC22/648534
CNR Reference: REF-1511

Tina Wang
Strategic Planner
Ryde City Council
tinaw@ryde.nsw.gov.au

Planning Proposal – Ryde Housekeeping Review 2022

Dear Ms Wang

Thank you for the opportunity to comment on the planning proposal to make various housekeeping amendments to *Ryde Local Environmental Plan 2014* (LEP).

We understand that the planning proposal is intended to make various administrative amendments to Council's LEP, including amendments to correct errors and anomalies that have been identified in the Heritage Schedule and Heritage Mapping, such as:

- updating heritage category descriptions
- amending property descriptions and street addresses
- boundary adjustments for various heritage items, and
- deleting the Local heritage item 'Factory' (80) at 37 Nancarrow Avenue, Meadowbank, which has been demolished.

Based on the information provided, we understand that there are no identified impacts on:

- Aboriginal objects or places protected under the *National Parks and Wildlife Act 1974*, or
- State Heritage Register items or historic archaeology protected under the *Heritage Act 1977*.

As Local heritage items and Heritage Conservation Areas are protected under Council's LEP, and the *Environmental Planning and Assessment Act 1979*, Council is the consent authority, and amendments to existing Local heritage rests with Council.

While we encourage amendments to LEPs for better greater accuracy and better protection of Local heritage, we note that the Heritage Council of NSW, and Heritage NSW as its Delegate, do not have a role in the approval of changes to Local heritage listings.

If you have any questions, please contact me by email at james.sellwood@environment.nsw.gov.au or by phone on 02 9274 6354.

Yours sincerely



James Sellwood
Senior Planning Officer, Heritage Assessments
Heritage NSW
Department of Planning and Environment
26 August 2022

Level 6, 10 Valentine Ave Parramatta NSW 2150 ■ Locked Bag 5020 Parramatta NSW 2124
P: 02 9873 8500 ■ E: heritagemailbox@environment.nsw.gov.au

ITEM 5 (continued)

ATTACHMENT 2

Attachment J – Landcom Response

ITEM 5 (continued)

ATTACHMENT 2



Creating more affordable
and sustainable communities

landcom.com.au

29 August 2022

George Dedes
 General Manager
 City of Ryde Council
 Locked Bag 2069
 North Ryde NSW 1670

Dear Mr Dedes

Re: Planning Proposal – Housekeeping Review 2022, reference LEP2021/8/8

This submission has been prepared in relation to the City of Ryde Housekeeping Planning Proposal which seeks to amend the *Ryde Local Environmental Plan 2014 (LEP)* to correct a range of administrative anomalies identified in the current version of Ryde LEP 2014.

One of the changes proposed is to Lot 117, DP1224238, 6 Halifax Street, Macquarie Park (the **site**), which Landcom owns. These changes relate to the maximum floor space ratio (**FSR**), maximum height of buildings and the land use zoning. The changes proposed are illustrated within **Figure 1** to **Figure 3** and aim to achieve a consistent planning approach over the site, which Landcom generally supports. However, for the reasons outlined within this submission, Landcom requests Council consider a maximum FSR of 3.5:1 over the site.

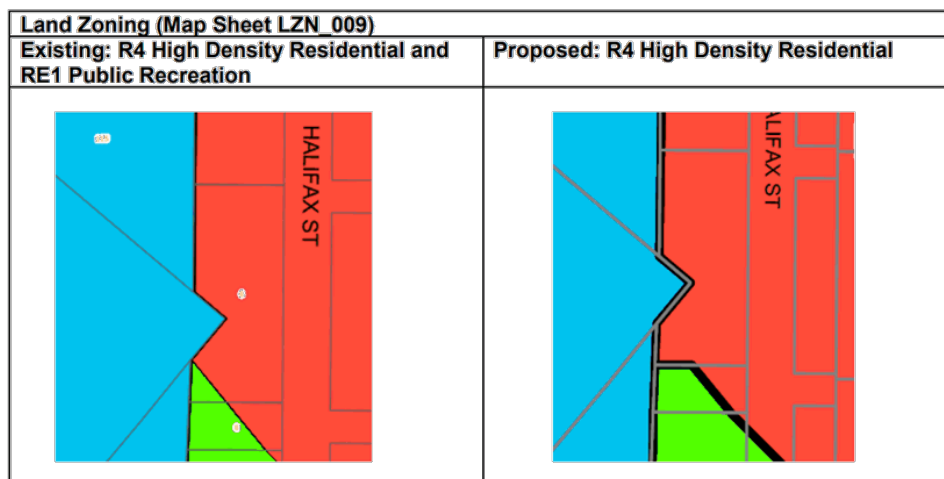


Figure 1 - Existing and proposed land use amendments to Ryde LEP

Level 14, 60 Station Street
Parramatta NSW 2150

PO Box 237
Parramatta NSW 2124

ABN 79 268 260 688

T +61 2 9841 8600
 F +61 2 9841 8688
 E info@landcom.nsw.gov.au



ITEM 5 (continued)

ATTACHMENT 2

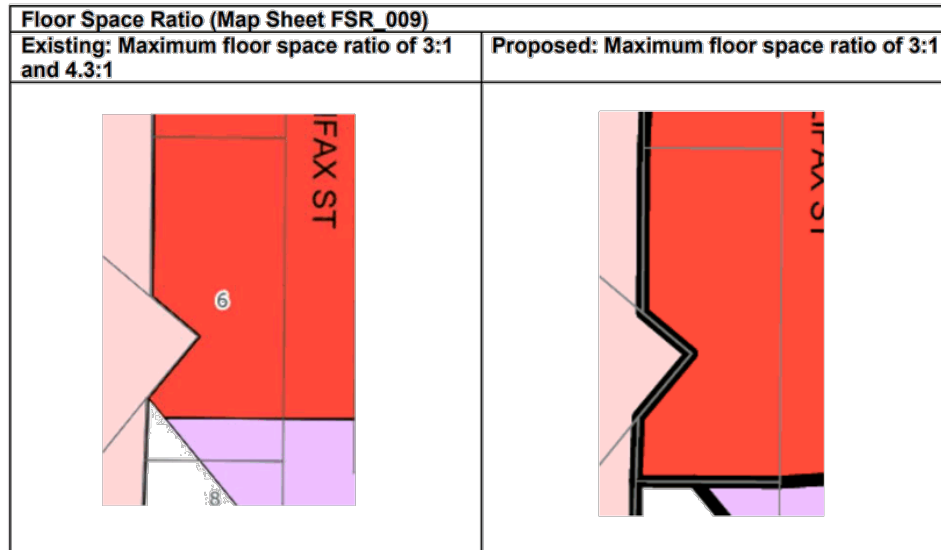


Figure 2 - Existing and proposed FSR amendments to Ryde LEP

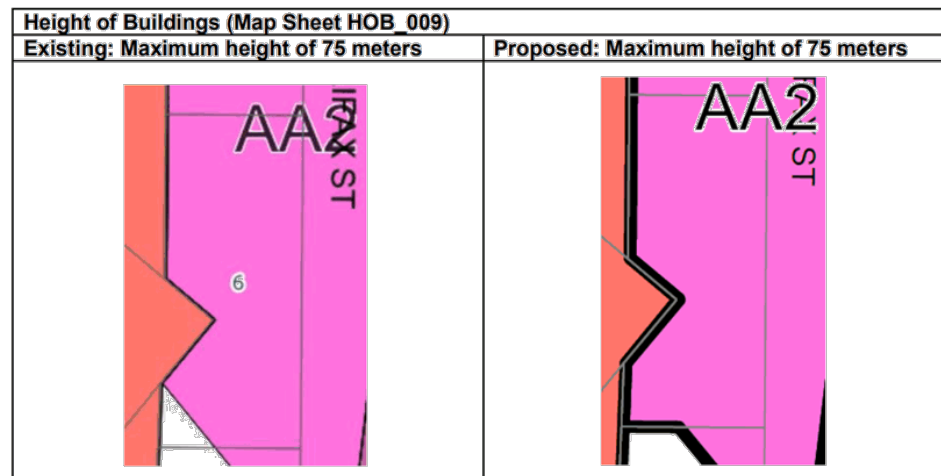


Figure 3 - Existing and proposed building height amendments to Ryde LEP

It is noted from **Figure 2** that the draft housekeeping amendment to the FSR Map effectively deletes the existing 4.3:1 applying to the site and replaces this area together with the new area with only a 3:1 FSR. This reduces the anticipated future FSR for this site achievable if the existing FSR boundaries were extended to complete the logical shapes across the new area, i.e. the 4.3:1 FSR boundary would extend along the rear boundary leaving a small triangle which would be 3:1.

ITEM 5 (continued)

ATTACHMENT 2

Amendment to maximum FSR

This submission focuses on the amendment to maximum FSR relating to the site. It outlines the context and intended future development of this site by Landcom, which is part of a modification currently being considered by DPE in relation to the Concept Application (**SSD 5093**).

Landcom intends to develop the site as an Affordable Housing development in partnership with Link Wentworth, being a registered Community Housing Provider. The development will comprise 100% affordable housing to assist in delivering much needed accommodation to households on very low to moderate incomes. This enables people to continue to live and work within the local community, providing a valuable community asset within the City of Ryde. The site is highly accessible with excellent public transport connections by both rail and bus supporting this development.

The site is currently subject to a maximum GFA under SSD 5093 of 5,413m² plus any bonus GFA permitted under a relevant EPI. However, after undertaking detailed investigations it was identified that the site provided a unique opportunity to deliver up to 10,263m² of GFA for affordable housing with no unacceptable impacts to adjoining properties. This equates to a building height of 14 storeys or 43m which fits visually in the context of building heights for Lachlan's Line and is well below the existing maximum height of buildings control. The opportunity is considered unique noting that appropriate sites to develop that are financially viable, liveable and well located, are increasingly rare to find.



Source: SJB Architects

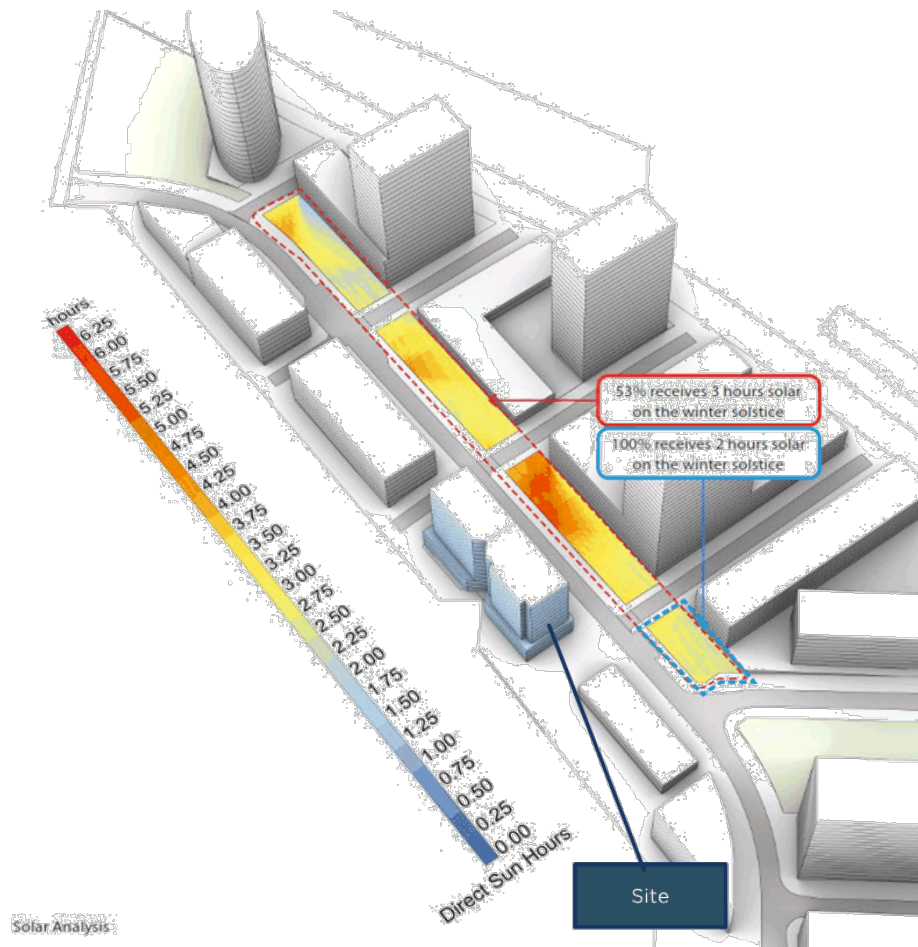
Figure 4 - Preliminary plan showing potential built form over the site

A modification application was therefore lodged with DPE, which is currently being assessed (**SSD 5093 MOD 5**). This modification seeks an amendment to Condition A8 for a maximum GFA of

ITEM 5 (continued)

ATTACHMENT 2

10,263m² if the site is developed for 100% affordable housing. The application considers the likely impact of this scale of development particularly relating to built form, overshadowing and traffic impacts. Analysis was undertaken to ensure there was no adverse shadow impacts to the linear park situated to the east in addition to reviewing the traffic modelling and potential impacts on the surrounding road network and intersections. The modification concludes that the proposal, comprised of 10,263m², is an acceptable development outcome that is consistent with the future anticipated development for the area, having no unacceptable impacts on adjoining properties.



Solar Analysis

Source: SJB Architects

Figure 5 - Solar analysis - Linear Park

When converting the gross floor area (GFA) sought under the modification application, it equates to a maximum GFA of approximately 4.1:1. However, this is based on the site being developed for an affordable housing development and theoretically applying the relevant bonus under State

ITEM 5 (continued)

ATTACHMENT 2

Environmental Planning Policy (Housing) 2021 (Housing SEPP). Currently, the relevant bonus is 20% of the maximum GFA where at least 50% of the GFA is used for affordable housing. Therefore, when discounting the affordable housing bonus, the maximum GFA would be approximately 3.5:1 over the site as detailed within **Table 1**, which generally aligns with the modification.

Table 1 - Calculation of FSR

Site Area	2507m ²
GFA based on 3.5:1 FSR	8,774.5m ²
Bonus GFA allowed under the Housing SEPP	1,754.9m ²
20% of the max. GFA where at least 50% of the GFA will be used for affordable housing and the maximum permissible FSR at the site is more than 2.5:1 - clause 17(b)(i) of the Housing SEPP	
Total GFA	10,529m²
3.5:1 FSR plus bonus under Housing SEPP	

This GFA has been determined after having the opportunity to undertake detailed site investigations and the preparation of preliminary plans to consider what impacts this GFA and resulting building height would have on the surrounding properties to ensure there were no adverse impacts. The modification application contains supporting documentation including solar and traffic analyses.

Therefore, Landcom is of the view that Council's proposal to amend the maximum FSR under Ryde LEP to 3:1 does not adequately reflect the development potential of the site. Having the benefit of undertaking this exercise, Landcom has identified that this site presents a unique opportunity to deliver up to 10,263m² of affordable housing, equating to a maximum FSR of up to 3.5:1 excluding any relevant bonus permitted under the Housing SEPP. While it is noted that the SSD 5093 consent will prevail in the event of any inconsistency with the LEP, Landcom considers that this housekeeping amendment to Ryde LEP 2014 provides a timely opportunity to update this planning control to achieve consistency between the Concept Consent and Ryde LEP.

Landcom would therefore welcome a review by Council of the proposed maximum FSR relating to the site, to a maximum FSR of 3.5:1. This is consistent with the proposed modification being assessed by DPE and the intended future development of the site to deliver affordable housing, which would benefit the local community. It also facilitates a more gradual transition down from the higher density developments situated to the south that have a maximum FSR of 4.3:1.

If you have any questions in relation to this letter, please contact Haydn Dayes, Senior Development Manager, on 0417 789 092.

Yours sincerely

Nicole Woodrow
 Development Director

ITEM 5 (continued)

ATTACHMENT 2

Attachment K – Biodiversity and Conservation Response

ITEM 5 (continued)

ATTACHMENT 2

Department of Planning and Environment



Our ref: DOC22/ 788385

Your reference: PP-2022-1043

Tina Wang
Senior Strategic Planner
Urban Strategy
City of Ryde
Riverside Business Park
North Ryde NSW 2113

27 September 2022

Subject: Request for agency advice – PP-2022-1043 - Ryde Housekeeping Review 2022

Thank you for the email of 6 September 2022 requesting advice for the above planning proposal. Environment and Heritage Group (EHG) has reviewed:

- *City Planning - Planning Proposal Housekeeping Review 2022* dated July 2022 (the planning report).
- *IRF22/1451 Gateway determination report – PP-2022-1043 Ryde Housekeeping Review 2022*, dated May 2022.
- *Gateway Determination Planning proposal (Department Ref: PP-2022-1043): Housekeeping Review 2022*, dated 16 May 2022.

The primary purpose of the proposal is to clarify administrative matters, enact DPE orders and correct errors identified under the *City of Ryde Local Environmental Plan 2014* (LEP) and its affiliated mapping.

Biodiversity considerations

Recreation areas are proposed to be permitted with consent in the C2 Environmental Conservation Zone through an amendment to the Ryde LEP Land Use Table.

EHG notes that concerns were raised by the Department of Planning and Environment over this intention as part of prior consultation. EHG considers that the proposal to amend the allowable use with C2 Environmental Conservation Zones through an amendment to the Land Use Tables would likely result in the expansion and development of new facilities in C2 zones. EHG does not consider that this would be consistent with the stated objectives for C2 zones, namely to:

- protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values
- prevent development that could destroy, damage or otherwise have an adverse effect on those values.

EHG recommends that the City of Ryde Council amend the zoning for specific areas which already contain recreational facilities as a more appropriate method for addressing the existence of recreational facilities in C2 zoned land. EHG notes this would be a consistent approach adopted in rectifying other zoning conflicts and inconsistencies being addressed as part of this planning proposal.

National Parks and Wildlife considerations

EHG has identified several zoning errors relating to land reserved under the *National Parks and Wildlife Act 1974* (NPW Act) (see Table below). EHG recommends that due to their status these parcels should be allocated the new C1 National Parks and Nature Reserves as part of this planning proposal. The Table covers both lands reserved (Part 4) and acquired (Part 11 - pending reservation) under the NPW Act.

ITEM 5 (continued)

ATTACHMENT 2



Department of Planning and Environment

Table - Planning proposal rezoning errors relating to C1 – National parks and Reserves requiring correction

Sheet Reference	Area	Legal description	Status	PP -2022-1043 - Error	Correct LEP Zone
LZN_001 (page 66)	Marsfield	Lot 10 DP841496	Reserved - NPW Act 30 March 2012	Proposed to be rezoned to C2	C1
LZN_004 (page 69)	Macquarie Park	Lot 1 DP1098517	Acquired - NPW Act 11 August 2005	Proposed to be rezoned to C2	C1
		Lot 1 DP868255	Reserved - NPW Act 30 March 2012	Proposed to be rezoned to RE1	C1
LZN_009 (page 74)	North Ryde to East Ryde	Lot 195 DP16042	Reserved - NPW Act 24 April 1992	Proposed to be rezoned to RE1	C1
		Lot 22 DP1003588	Reserve - NPW Act 20 December 2019	Proposed to be rezoned to B7	C1
		Lot 10 DP843121	Reserved - NPW Act 30 March 2012	Proposed to be rezoned to C2	C1
		Lot 442 DP711873	Reserved - NPW Act 30 March 2012	Proposed to be rezoned to C2	C1
		Lot 1 DP214741	Reserved - NPW Act 30 March 2012	Proposed to be rezoned to C2	C1
		Lot 2 DP409673	Reserved - NPW Act 30 March 2012	Proposed to be rezoned to C2	C1
		Lot 11 DP712860	Reserved - NPW Act 30 March 2012	Proposed to be rezoned to RE1	C1
LZN_010 (pg 75)	East Ryde	Page Road (no lot or DP)	Reserved - NPW Act 30 March 2012	Proposed to be rezoned to C2	C1

EHG advises that Heritage NSW has not been consulted and may need to be approached separately.

If you have any queries please contact David Way, Senior Conservation Planning Officer via David.Way@planning.nsw.gov.au or 02 8275 1324.

Yours sincerely,



Susan Harrison
Senior Team Leader Planning
Greater Sydney Branch
Biodiversity and Conservation

ITEM 5 (continued)

ATTACHMENT 3

Housekeeping Review 2022 Planning Proposal - Summary of Changes
Post Public Exhibition

Relevant Sections	Issues Addressed	Proposed Changes
Part 1 - Objectives or Intended Outcomes Part 2 - An Explanation of the Provisions - Land Use Table Updates, Schedule 1 Additional permitted use	<ul style="list-style-type: none"> To address community and agency feedback that the proposal to add "recreation areas" as a permitted with consent use to the C2 Environmental Conservation zone is not supported. The Biodiversity and Conservation branch of the DPE recommended that Council to amend the zoning for specific areas which already contain recreational facilities. 	<ul style="list-style-type: none"> Remove "Amend the Land Use Table to permit recreational areas in the C2 Environmental Conservation Zone (Refer to Table 1 for uses and zones)".
Part 1 - Objectives or Intended Outcomes Part 2 - An Explanation of the Provisions - Land Use Table Updates	<ul style="list-style-type: none"> To clarify the intended outcome of the proposal and to address community feedback. 	Insert "with consent" after "community facilities as permitted".
Part 2 - An Explanation of the Provisions - Schedule 2 Exempt Development - Signage – Council-owned public roads and associated road use land (New clause)	<ul style="list-style-type: none"> To address Transport for NSW's submission that recommended provisions (in addition to Council's recommended provisions) to be included within Schedule 2: Exempt development – Signage on Council owned public roads and associated road use land of Ryde LEP 2014. 	Insert "In addition, the additional provisions recommended by Transport for NSW (see Attachment H) are to be included.
Part 1 - Objectives or Intended Outcomes Part 2 - An Explanation of the Provisions	<ul style="list-style-type: none"> To address the Biodiversity and Conservation branch's recommendation that lands that have been reserved under the <i>National Parks and Wildlife Act 1974</i> should be rezoned to C1 National Parks and Nature Reserve. 	<ul style="list-style-type: none"> Insert under Mapping Changes the lots identified in Biodiversity and Conservation branch's submission and propose that these lots are to be rezoned to C1 National Parks and Nature Reserve. Insert under Conservation Zones that "the lots identified in Biodiversity and Conservation branch's submission are to be rezoned to C1 National Parks and Nature Reserves". Update draft LEP maps to reflect zoning changes

ITEM 5 (continued)

ATTACHMENT 4

Response to Submissions

Housekeeping Review 2022 Planning Proposal

The tables below identify and provide a response to issues and matters raised in submissions received during exhibition of the planning proposal.

Community issues	Council response
1. The planning proposal contains new provisions for community facilities, recreation areas and advertising signage which are not 'housekeeping' matters but would require significant changes.	Noted. The new provisions are minor in nature and intend to facilitate activities that are already taking place. 'Housekeeping' is not an official category of planning proposal. It is a term commonly used by councils to identify planning proposals that focus mostly on correcting administrative anomalies; however, the use of the term does not preclude councils from proposing new provisions in a 'housekeeping' planning proposal. The official category of this planning proposal is 'standard' planning proposal as identified in the Department of Planning and Environment's Gateway Determination.
2. The proposal to permit community facilities in SP1 Special Activities and SP2 Infrastructure zones is not a suitable additional use without consent being required in those two zones across the Ryde LGA.	Agreed. Council's intention is to permit community facilities with development consent. The planning proposal will be amended to clarify this.
3. The Planning Proposal to add "recreation areas" as an additional land use in the C2 Environmental Conservation zone in the Ryde LEP is not supported. Ryde LGA has lost too much of its natural environmental heritage over the last century. This proposed change is not consistent with the objectives of the Conservation Zones which are about conserving the environmental values and natural qualities in the areas where it is applied. Priority must be given to conserving the natural environment and utilising existing Public Open Space land for recreation areas, not Conservation Zones.	Council staff agree that biodiversity values should be protected. The protection of biodiversity values is an important consideration in determining a development application. The objectives of the C2 zone are as follows: <ul style="list-style-type: none"> • To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values. • To prevent development that could destroy, damage or otherwise have an adverse effect on those values. The proposal to add "recreation areas" as permitted with consent use to C2 zones would allow Council to better manage the existing playgrounds in those areas and improve amenities for the community. Further investigation is required to identify C2 zoned areas that have existing playgrounds and other facilities, as such this proposal will be removed from the planning proposal.

ITEM 5 (continued)

ATTACHMENT 4

Response to Submissions

Community issues	Council response
<p>4. The Planning Proposal includes the proposed rezoning of land zoned E2 and proposed Conservation Zoned land at Blenheim Road to RE1 Public Recreation. This proposed zoning must be reconsidered given the noise, disturbance and air pollution impacts from the adjoining Epping Road frontage.</p>	<p>The proposed rezoning of a portion of Blenheim Road, North Ryde from C2 Environmental Conservation to RE1 Public Recreation is to correct a mapping anomaly. The rezoning is proposed on a land parcel that is part of Blenheim Road and has been used as a road. The portion of Blenheim Road to the south of the proposed rezoning land is zoned as RE1 Public Recreation. This proposed rezoning intended to make the zoning consistent with the rest of Blenheim Road immediately to the south. The proposed rezoning does not affect the nearby Myall Reserve which will remain as C2 Environmental Conservation.</p>
<p>5. The Planning Proposal is intended to include provisions in the Ryde LEP to protect Sydney Turpentine Ironbark Forest (STIF) on the former Ivanhoe Estate. This matter requires specialist advice to assist the Council to identify what action is required and whether an LEP provision is the preferred action to assist in the conservation of threatened species.</p>	<p>Noted. This planning proposal does not include provisions to protect the STIF on the former Ivanhoe Estate. This matter will be undertaken separately with future Environmentally sensitive land updates; the current concept approval ensures development will not occur in areas where there are sensitive ecological communities or riparian land.</p>
<p>6. The heritage values of the Lane Cove National Park include Indigenous, Post-European, Natural, Scientific, Research, Educational, Open Space, and Recreational values at State, and regional levels of significance. Ryde Community Alliance requests clarification by the Council of the heritage status of the National Park. When and why has the Lane Cove National Park been deleted from the heritage schedule to Ryde LEP 2014? What community consultation was carried out specifically in relation to the decision?</p>	<p>Agreed that Lane Cove National Park is of heritage significance. Council has sought advice from the Department of Planning and Environment in June 2021 on this matter. The Department advised that it is the Department’s position that National Parks are no longer listed as individual heritage items on Schedule 5 of a Council’s Local Environmental Plan. The Department consider National Parks to be afforded their own statutory protection under the National Parks and Wildlife Act 1974, which provides a statutory framework for the protection and management of cultural heritage within National Parks. Since Lane Cove National Park is not presently identified on Schedule 5 of the Ryde LEP 2014, it is proposed that it be removed from Heritage Map, so they are consistent.</p> <p>Heritage NSW has reviewed the planning proposal and stated that there are no identified impacts on:</p> <ul style="list-style-type: none"> • Aboriginal objects or places protected under the <i>National Parks and Wildlife Act 1974</i>, or • State Heritage Register items or historic archaeology protected under the <i>Heritage Act 1977</i>.

ITEM 5 (continued)

ATTACHMENT 4

Response to Submissions

Community issues	Council response
<p>7. On 1 December 2021, the Dept of Planning and Environment announced it was changing the name of Environment Zones to Conservation Zones in the Standard Instrument - Principal Local Environmental Plan - Land Use Zones. The advice stated that the "Zone objectives and land use tables remain the same across all zones". It also stated that there is no need for councils to update the LEP maps as this will be done within the spatial viewer.</p>	<p>Noted. The proposed amendment is an administrative change intends to ensure consistency across different platforms that display LEP maps. The Department of Planning and Environment's Gateway Determination Report considered this amendment to be consistent with Ministerial Directions.</p>
Agency/Government authority	Council response
<p>1. Transport for NSW Raises no objections to the planning proposal, recommended provisions (in addition to Council's recommended provisions) to be included within Schedule 2: Exempt development – Signage on Council owned public roads and associated road use land of Ryde LEP 2014.</p>	<p>Agreed. Council will amend the planning proposal to instruct Parliamentary Counsel to refer to Transport for NSW's recommended provisions.</p>
<p>2. Heritage NSW (Environment and Heritage Group) Raises no objections to the planning proposal.</p>	<p>Noted.</p>

ITEM 5 (continued)

ATTACHMENT 4

Response to Submissions

Agency/Government authority	Council response
<p>3. Biodiversity and Conservation, Environment and Heritage Group (EHG)</p> <p>The Biodiversity and Conservation unit within EHG does not support the proposal to amend the allowable use with C2 Environmental Conservation Zones. It through an amendment to the Land Use Tables would likely result in the expansion and development of new facilities in C2 zones. EHG does not consider that this would be consistent with the stated objectives for C2 zones. EHG recommends that the City of Ryde Council amend the zoning for specific areas which already contain recreational facilities as a more appropriate method for addressing the existence of recreational facilities in C2 zoned land.</p> <p>EHG has identified several zoning errors relating to land reserved under the National Parks and Wildlife Act 1974 (NPW Act). EHG recommends that due to their status these parcels should be allocated the new C1 National Parks and Nature Reserves as part of this planning proposal.</p>	<p>The proposal to add "recreation areas" as permitted with consent use to C2 zones would allow Council to better manage the existing playgrounds in those areas and improve amenities for the community.</p> <p>Further investigation is required to identify C2 zoned areas that have existing playgrounds and other facilities, as such this proposal will be removed from the planning proposal.</p> <p>Council will amend the planning proposal to correct the zoning errors identified by National Parks and Wildlife Service. It is proposed that these lots will be allocated the C1 National Parks and Nature Reserves zone as they have either been reserved or acquired under the National Parks and Wildlife Act 1974.</p>

ITEM 5 (continued)

ATTACHMENT 4

Response to Submissions

Agency/Government authority	Council response
<p>4. Landcom</p> <p>One of the changes proposed is to Lot 117, DP1224238, 6 Halifax Street, Macquarie Park (the site), which Landcom owns. These changes relate to the maximum floor space ratio (FSR), maximum height of buildings and the land use zoning. Landcom requests Council consider a maximum FSR of 3.5:1 over the site. A modification application was therefore lodged with DPE, which is currently being assessed (SSD 5093 MOD 5). This modification seeks an amendment to Condition A8 for a maximum GFA of 10,263m² if the site is developed for 100% affordable housing.</p>	<p>Council staff do not support this suggested amendment. As the proposed modification is still under assessment by the <i>Department of Planning and Environment</i>, there is no guarantee that the proposed FSR of 3.5:1 will be approved. The Housekeeping Review 2022 Planning Proposal seeks to apply a FSR of 3:1 across the whole site, so it is consistent with the remainder of the site. As the FSR for the remainder of the site has not been increased to 3.5:1, it is premature for Council to make the suggested amendment.</p> <p>Furthermore, Council staff had made a submission on 31 August 2022 to the <i>Department of Planning and Environment</i> for the modification of SSD 6 Halifax Street, Macquarie Park. The proposed modification seeks to amend the maximum gross floor area (GFA) allocated to Lot 117 (known as Lot 206 in the original approval) within Condition A8 of the approval from 5,413m² to 10,263m². This is subject to 100% of development on Lot 117 being affordable housing. Council staff consider that any increase in the GFA on the site should not exceed the maximum permitted GFA under the RLEP 2014 to maintain an appropriate density relationship with existing and future developments in Lachlan's Line. Should any additional GFA be sought on the site, it can be considered at the future Development Application (DA) stage provided that the applicant is able to demonstrate sufficient design merits through Clause 4.6. In addition, council staff recommended further analyses be undertaken to understand overshadowing and traffic impacts.</p>

Response to Submissions

Appendix 1 – Community Submissions

Submission 1

I object to the inclusion of "Recreation Areas" to be permitted with consent in all land zoned c2. The supposed anomaly of existing playgrounds within c2 land is not resolved by opening up more built recreational structures on environmentally sensitive land. It would be more appropriate to relocate playground facilities onto recreationally zoned land if any upgrade is required that cannot be managed as upgrade under existing use. Increased hard stand and any tree removal required for parking or safety is not consistent with c2 zoned land which should be managed for its biodiversity values and preserved to enhance the ecosystem service benefits such land provide. Further I am unclear why land adjoining bushland on the eastern portion of Blenheim Park is being rezoned RE1 presumably to provide for more parking area in Blenheim Park. The section of land adding the road is comprises a section of sensitive water course that should be managed for its natural values and not more piped stormwater that will have a cumulative impact on downstream areas flowing into the National Park. It will also adversely impact the adding remnant bushland area.

Submission 2

This is the Ryde Community Alliance submission to Ryde Council's Planning Proposal.

Ryde Community Alliance

Submission on City of Ryde Planning Proposal – Housekeeping Review 2022.

Ryde Community Alliance is an informal network of local people and groups across the Ryde LGA, the Federal electorates of North Sydney, Parramatta, Bennelong, Bradfield and Reid, and the State electorates of Drummoyne, Willoughby, Lane Cove, Ku-ring-gai, Ryde, and Epping. They have a commitment to the conservation of the environmental heritage of the Greater Sydney Region, and the catchments of Sydney Harbour and Middle Harbour, the Parramatta and Lane Cove Rivers, and the health of these waterways.

The members come from a range of community and professional backgrounds, with several having worked in Local and State Government, in the private sector, and others having volunteered their time for several decades to carry out bush regeneration and support Clean Up Australia campaigns, which has been acknowledged by Ryde Council in it's Volunteer Recognition Awards.

The opportunity to comment on the Planning Proposal is appreciated.

Planning Proposal to Amend Ryde LEP 2014.

Response to Submissions

Are significant changes included within the proposal? The Planning Proposal is described as a Housekeeping Review, but this description, which suggests tidying up and minor maintenance, does not really apply to all of the changes as exhibited. As well as correcting “administrative anomalies”, the exhibited proposal introduces “new provisions for community facilities, recreation areas and advertising signage”.

The proposal to permit community facilities in SP1 Special Activities and SP2 Infrastructure zones is not a suitable additional use without consent being required in those two zones across the Ryde LGA. The range of land uses currently zoned SP1 and SP2 includes roads, railways, bus depots, water supply, churches, and schools. Currently, in Ryde, Sydney Water which has significant land holdings has rejected a proposal for a public pathway link on one of its sites.

If Ryde Council wants to approve community facilities for use by the public, including the young, the vulnerable and the elderly, then the range of compatible land uses must be specified in the LEP and proposals must require development consent, with conditions to ensure the health, safety and wellbeing of those attending the facilities.

On 1 December 2021, the Dept of Planning and Environment announced it was changing the name of Environment Zones to Conservation Zones in the Standard Instrument - Principal Local Environmental Plan - Land Use Zones. The name change was deemed to be necessary to avoid confusion regarding the name Environmental Protection Zone. **The name Conservation Zone is intended to overcome this because it “clearly signals that this zone is about conserving the environmental values and natural qualities in the areas where it is applied”.** Further, the advice stated that the “Zone objectives and land use tables remain the same across all zones”. It also stated that there is no need for councils to update the LEP maps as this will be done within the spatial viewer. The current proposal does not accord with the Department’s stated intentions and published advice, see above, for the Zone name change.

During the consolidation of Ryde’s old planning scheme ordinance and the subsequent preparation of a comprehensive LEP, the conservation of significant bushland and endangered species and ecological communities were a key issue for the community. Over 1,000 submissions to Ryde Council requested that public reserves and public lands with natural bushland be zoned E2 to ensure the protection of the intrinsic natural values and ongoing conservation management for the future.

The draft LEP was soon amended by the Council and public reserves with high conservation values were zoned E2 Environmental zoning, now C2 zoning, and were included in LEP 2010 when it was gazetted. This decision was supported by ecological studies carried out on behalf of the Council, which confirmed the high conservation values of many public reserves in Ryde LGA.

Over the last decade, further field studies and ecological reports have again confirmed that Ryde LGA has areas of natural environmental significance for which Conservation Zoning is the only logical choice of zoning for these areas of distinctive natural bushland and seedbank to protect them from degradation and land clearing for development.

Response to Submissions

The Planning Proposal to add “recreation areas” as an additional land use in the C2 Environmental Conservation zone in the Ryde LEP is a major planning change. In 2022, “recreation areas” are very different from the small pocket parks of previous decades with two swings and a bubbler. Recent examples in Ryde LGA comprise a very substantial area, with paving and soft fall, and equipment suitable for all skills and ages. Additional facilities, such as shelters and toilets are now essential, with the addition of a bike track and cubby structures highly prized. This model is not consistent with the objectives of the Conservation Zones outlined by the Dep’t of Planning & Environment Environmental Zones Circular.

The environmental heritage of Ryde LGA is diverse and of high conservation value. Now it is time for Ryde Council to acknowledge the significance of the natural environment of the LGA, which is bounded by the Parramatta River to the south and the Lane Cove River to the north, Hunters Hill LGA to the east, and Terry’s Creek to the west. Priority must be given to conserving the natural environment and utilizing existing Public Open Space land for recreation areas, not Conservation Zones.

There is a vast amount of cleared and developed land across Ryde LGA that is suited to redevelopment for new community facilities including recreation areas. An entire suburb is being redeveloped at Melrose Park. The North Ryde Urban Activation Precinct was developed on public land that was perfectly located for community, recreation, sporting and cultural facilities, without any provision being included.

The current proposal for recreation areas in Conservation Zones is not acceptable. Ryde LGA has lost too much of its natural environmental heritage over the last century. Further loss of valuable natural bushland on public land should be avoided to protect the character of the LGA and the amenity of the area for the future.

The Planning Proposal includes the proposed rezoning of land zoned E2 and proposed Conservation Zoned land at Blenheim Road to RE1 Public Recreation. This proposed zoning must be reconsidered given the noise, disturbance and air pollution impacts from the adjoining Epping Road frontage. A buffer zone of thick native shrubs and trees would assist to mitigate the adverse impacts and could be achieved by straightening the proposed RE1 lot boundary along the C2 zone boundary and extending the C2 zone along the Epping Road frontage to maintain a substantial buffer zone on the Epping Road frontage.

The Planning Proposal is intended to include provisions in the Ryde LEP to protect Sydney Turpentine Ironbark Forest (STIF) on the former Ivanhoe Estate. The Council’s positive intention is acknowledged. However, the specific provision as proposed fails to address the broader issue for the entire LGA, which has at least six endangered ecological communities that are also under extreme pressure. This matter requires specialist advice to assist the Council to identify what action is required and whether an LEP provision is the preferred action to assist in the conservation of threatened species.

Proposal to delete the Lane Cove National Park as a heritage item from the Heritage Maps in the Ryde LEP.

ITEM 5 (continued)

ATTACHMENT 4

Response to Submissions

The Lane Cove National Park was gazetted as an item of environmental heritage in Ryde LEP 105 on 17 January 2003. This followed a protracted delay by the Council in giving statutory effect to the listing of items of heritage significance identified in the Ryde Heritage Study, funded by the NSW Government in the 1980s. The Study included Inventory Schedules for many of the identified items, including the Lane Cove National Park.

There was strong local support from the community, and also the Ryde Historical Society, Ryde Community Alliance, the Brush Farm Historical Society, and Ryde historian, Mr Greg Blaxell, for the listing of heritage items to ensure their conservation.

The aims of LEP 105 were to protect and conserve the heritage of Ryde, as follows:

“This plan aims:

- (a) to conserve the heritage of the built and natural environment of the properties on the land to which this plan applies, and
- (b) to integrate heritage conservation into the planning and development control processes, and
- (c) to provide for public involvement in matters relating to the conservation of the City of Ryde’s heritage, and
- (d) to ensure that new development does not adversely affect:

(i) the heritage significance of heritage items and conservation areas, and

(ii) the settings, including streetscapes and landscapes, of heritage items and conservation areas, and (iii) the distinctive character that heritage items and conservation areas impart to the City of Ryde’s heritage.”

The schedule of items of environmental heritage in LEP 105 included the following item:

“242 Lane Cove National Park, North Ryde Marsfield Open Space - National and State HC.” The Ryde LEP 105 Heritage maps also identified the Lane Cove National Park as an item of environmental heritage.

Ryde LEP 2010.

When Ryde Council was required by the NSW Government to consolidate all of its planning Amendments, Ryde LEP 2010 was the consolidating environmental planning instrument. The Schedule of items of environmental heritage in LEP 2010, brought forward from LEP 105 included the Lane Cove National Park:

“Marsfield - Open Space - Lane Cove National Park - State (significance) Item 59”. The LEP Heritage Maps also identified the Lane Cove National Park as a heritage item.

ITEM 5 (continued)

ATTACHMENT 4

Response to Submissions

Ryde LEP 2014.

There is no reference in Ryde LEP 2014 in the Schedule of items of Environmental Heritage of the Lane Cove National Park as an item of environmental heritage. It has simply disappeared.

No evidence has been found in any of the many reports to the Council on amendments to the Ryde LEP or in any of the public documents prepared by the Council stating an intention to delete the heritage listing of the Lane Cove National Park from Schedule 5 of the Ryde LEP 2014. The community and Alliance members who participated in the consultations do not recall any discussion of deleting this item from Schedule 5.

What is the current heritage status of the Lane Cove National Park in Ryde LEP 2014?

Ryde Community Alliance requests clarification by the Council of the heritage status of the National Park. When and why has the Lane Cove National Park been deleted from the heritage schedule to Ryde LEP 2014? What community consultation was carried out specifically in relation to the decision? The current Planning Proposal which intends to remove the item from the Heritage Maps of LEP 2014 confirms that it was not an omission but a conscious decision to remove the heritage listing from the Lane Cove National Park. On what basis was this decision made?

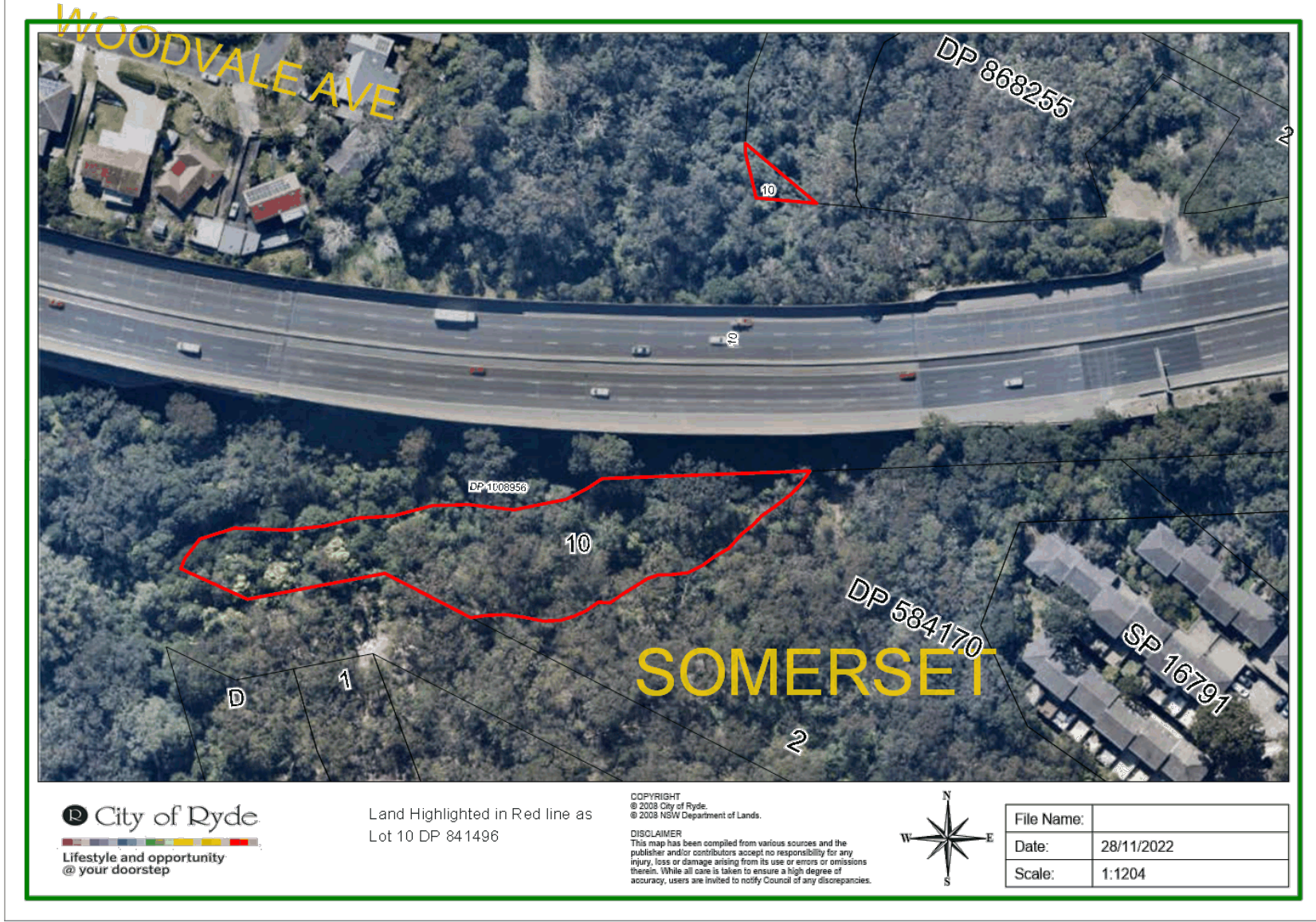
The heritage values of the Lane Cove National Park include Indigenous, Post-European, Natural, Scientific, Research, Educational, Open Space, and Recreational values at State, and Regional levels of significance. Those values have become more significant over time with the increasing population in the Lane Cove River Valley and the pressure of urban development increasing the scale and footprint of new buildings proposed in the catchment. The impacts of global warming and climate change will continue to impact on the Ryde LGA for many decades which makes the protection and conservation of the area's environmental heritage of growing importance. In this regard the Alliance members believe the deletion of the National Park to be unjustified and contrary to the provisions of the Environmental Planning and Assessment Act and it should be reinstated immediately.

For Ryde Community Alliance.

29 August 2022.

ITEM 5 (continued)

ATTACHMENT 5




City of Ryde
 Lifestyle and opportunity
 @ your doorstep

Land Highlighted in Red line as
 Lot 10 DP 841496

COPYRIGHT
 © 2003 City of Ryde.
 © 2008 NSW Department of Lands.

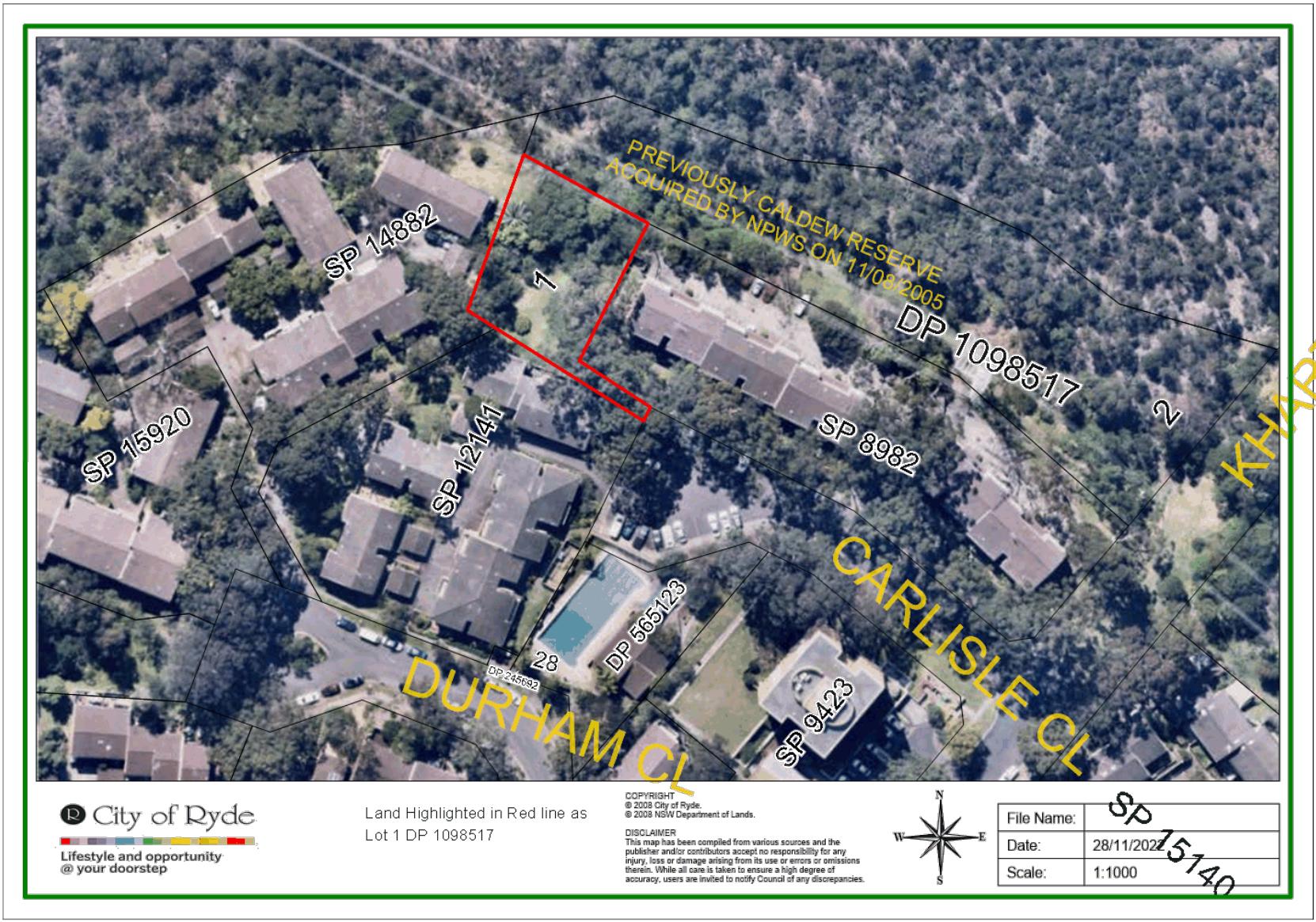
DISCLAIMER
 This map has been compiled from various sources and the
 publisher and/or contributors accept no responsibility for any
 injury, loss or damage arising from its use or errors or omissions
 therein. While all care is taken to ensure a high degree of
 accuracy, users are invited to notify Council of any discrepancies.



File Name:	
Date:	28/11/2022
Scale:	1:1204

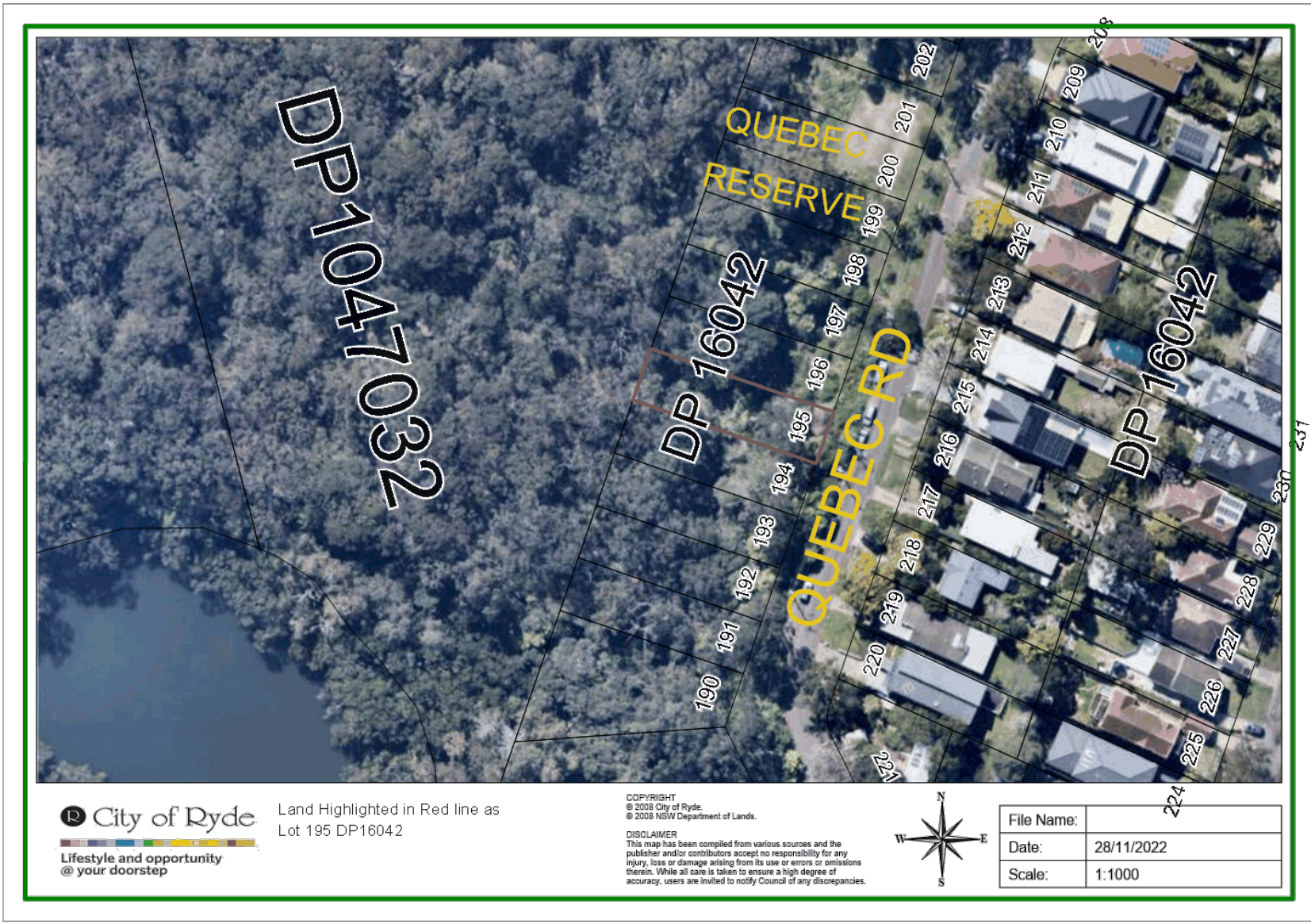
ITEM 5 (continued)

ATTACHMENT 5



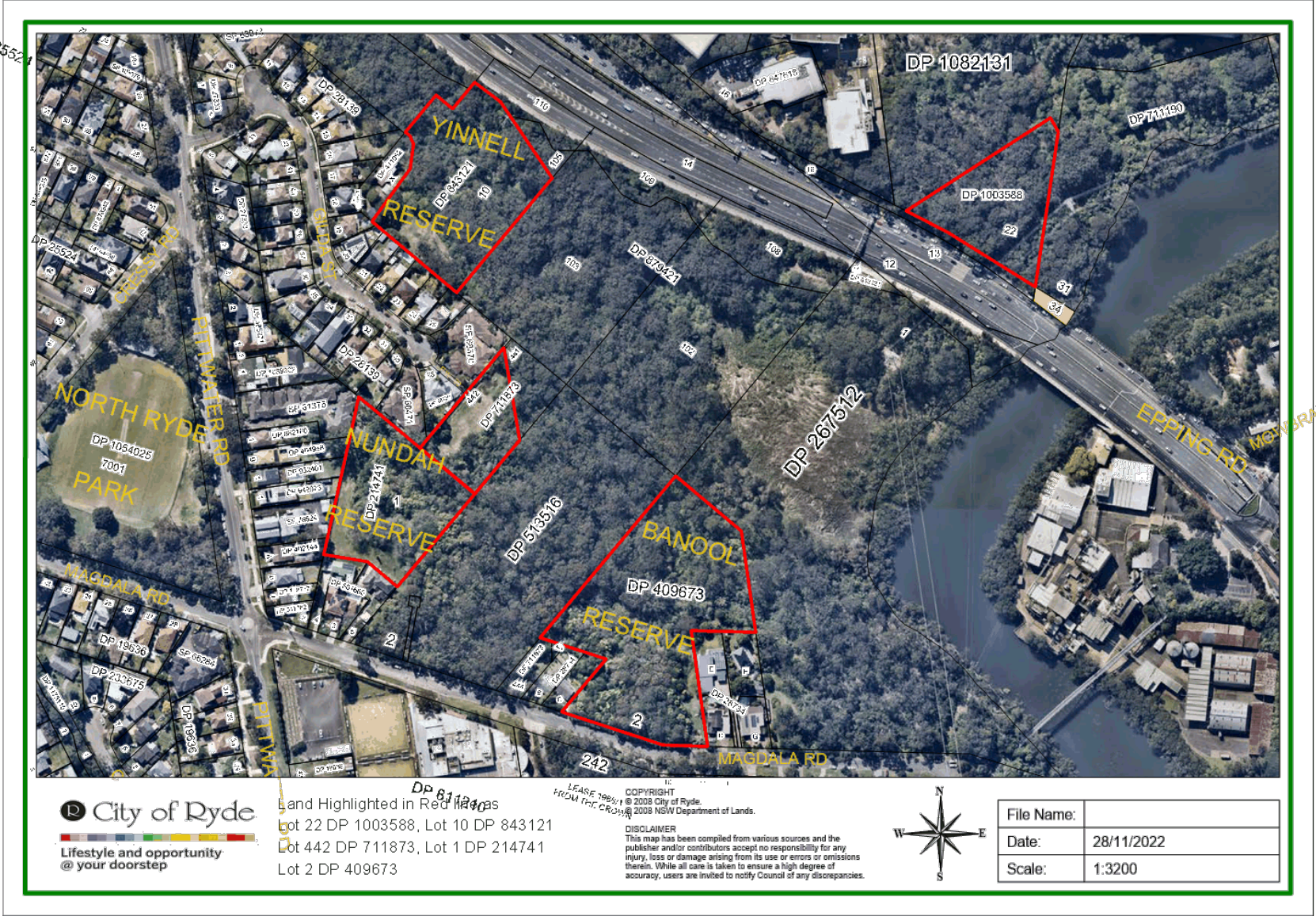
ITEM 5 (continued)

ATTACHMENT 5



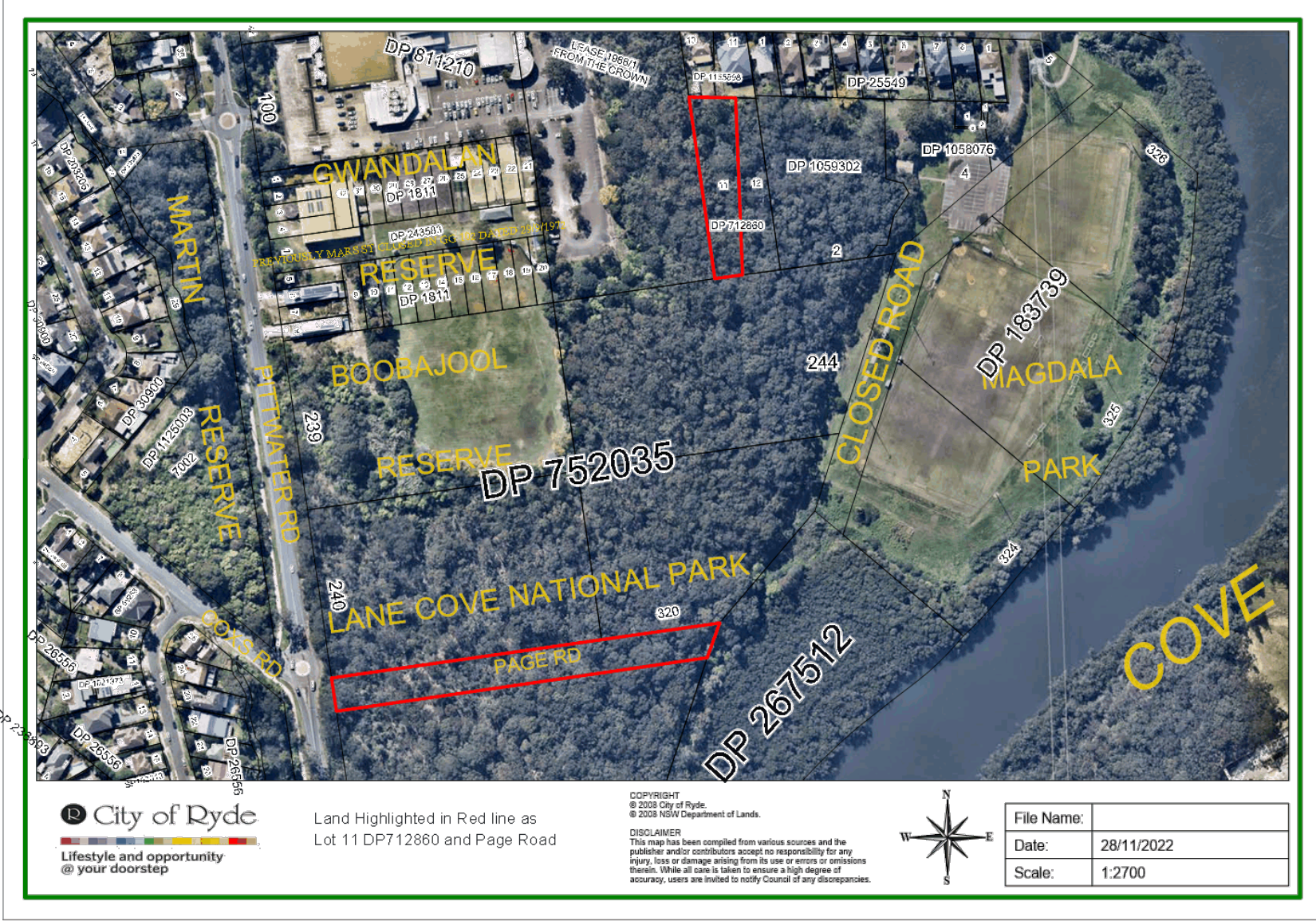
ITEM 5 (continued)

ATTACHMENT 5



ITEM 5 (continued)

ATTACHMENT 5



ITEM 5 (continued)

ATTACHMENT 6

History of the Housekeeping Review Planning Proposal

Proposal to amend C2 Environmental Conservation zone to permit Recreation Areas with consent

The proposal to amend C2 Environmental Conservation zone to permit Recreation Areas was initially supported by the Department of Planning and Environment (the Department) in its letter to Council dated 28 April 2021. Again, no objection was raised in the Gateway Determination issued on the 16 May 2022 (a recommended change was made and was subsequently resolved prior to public exhibition). Upon reviewing submissions received from Government agencies; however, the Department indicated that the proposal is not the preferred approach, and that Council should consider amending the proposal. The table below outlines the various comments provided by the Department regarding the proposal to amend C2 Environmental Conservation zone to permit Recreation Areas and Council's responses.

Dates	Events	Outcomes
13 August 2020	The <i>Planning Proposal: Administrative and Update LEP</i> was considered by the Ryde Local Planning Panel. The Panel raised no objection to the Planning Proposal be submitted for Gateway Determination.	Reported to Council.
22 September 2020	Council resolved to forward the Planning Proposal: Administrative and Update LEP for Gateway Determination.	Forwarded the Planning Proposal to the Department for Gateway Determination.
28 April 2021	The Department recommended Council to withdraw the <i>Planning proposal – Ryde Administrative and Update LEP</i> and resubmit separate proposals, as the Planning Proposal includes amendments that require further information. In relation to the proposal to amend E2 Environmental Conservation to permit Recreation Areas, the department provided the following comments: <ul style="list-style-type: none"> • Supported • Consistent with LSPS • Additional information required to demonstrate consistency with District Plan Priorities. 	A new Planning Proposal (<i>Housekeeping Review 2022</i>) that removed elements that would require separate proposals was drafted. The proposal to amend E2 Environmental Conservation to permit Recreation Areas was included as the Department did not object to it.
10 March 2022	The <i>Housekeeping Review 2022 Planning Proposal</i> was considered by the Ryde Local Planning Panel. The Panel advised that it supports the Planning Proposal to be submitted for Gateway Determination.	Reported to Council.
22 March 2022	Council resolved to forward the <i>Housekeeping Review 2022 Planning Proposal</i> for Gateway Determination.	Forwarded the Planning Proposal to the Department for Gateway Determination.
16 May 2022	Gateway Determination issued by the Department. In relation to the proposal to	As per the Gateway condition, the proposal was amended to

ITEM 5 (continued)

ATTACHMENT 6

Dates	Events	Outcomes
	<p>amend E2 Environmental Conservation to permit Recreation Areas, the Department provided the following comments:</p> <ul style="list-style-type: none"> • Permitting recreation areas as exempt development may have unintended negative consequences on the conservation of these areas. It is recommended the planning proposal is updated to permit recreation areas with consent. <p>In addition, the following Gateway condition was issued:</p> <ul style="list-style-type: none"> • Prior to community consultation, the planning proposal is to be amended to remove proposal to make recreation areas exempt development in the C2 Environmental Conservation zone under the land use table. Replace with proposal to make recreation areas permissible with consent in the C2 Environmental Conservation zone under the land use table. 	<p>make recreation areas permissible with consent in the C2 Environmental Conservation zone. As the conditions were met, the amended Planning Proposal was approved by the Department for public exhibition.</p>
<p>27 September 2022</p>	<p>Submission received from Environment and Heritage Group (EHG) as consultation with them is a Gateway requirement. The following comments were provided:</p> <p><i>“EHG notes that concerns were raised by the Department of Planning and Environment over this intention as part of prior consultation. EHG considers that the proposal to amend the allowable use with C2 Environmental Conservation Zones through an amendment to the Land Use Tables would likely result in the expansion and development of new facilities in C2 zones. EHG does not consider that this would be consistent with the stated objectives for C2 zones, namely to:</i></p> <ol style="list-style-type: none"> <i>1. protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values</i> <i>2. prevent development that could destroy, damage or otherwise have an adverse effect on those values.</i> <p><i>EHG recommends that the City of Ryde Council amend the zoning for specific areas which already contain recreational facilities as a more appropriate method for addressing the existence of recreational facilities in C2 zoned land. EHG notes this would be a consistent approach adopted in rectifying other zoning</i></p>	<p>Council staff sought advice from the Department regarding EHG’s submission.</p>

ITEM 5 (continued)

ATTACHMENT 6

Dates	Events	Outcomes
	<p><i>conflicts and inconsistencies being addressed as part of this planning proposal”.</i></p>	
<p>20 October 2022</p>	<p>The Department provided the following comments and indicated that EHG’s recommended approach is preferable:</p> <p><i>“To support the proposed amendment to Schedule 1 and accommodate recreation areas as an additional permitted use on C2 zoned land, consideration would be dependent on the merits of each site, the location and extent of the proposal etc, to determine whether a recreation area is an appropriate land use for the nominated site, noting the inconsistency of this use with the objectives of the zone ... it is preferred that rather than this broad-brush approach, Council make refined zoning changes to reflect land appropriate as recreation areas with a relevant land use zone (other than C2) similar to the very refined and precise boundaries being applied for zoning changes elsewhere as part of the Housekeeping PP. Division 12 Parks and public reserves of State Environmental Planning Policy (Transport and Infrastructure) 2021 may also be a means of addressing Council’s issue without necessarily needing to make a change to Ryde LEP.”</i></p>	<p>Council staff removed the proposal to amend C2 Environmental Conservation zone to permit Recreation Areas, so the rest of the Planning Proposal can be progressed.</p>