

Meeting Date: Tuesday 11 December 2012
Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde
Time: 7.30pm

ATTACHMENTS FOR COUNCIL MEETING

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ATTACHMENT 1

Table 1 – Amendments to DLEP 2011

Proposed Amendment	Basis for amendment
1. <i>Wholesale supplies, Building identification signs and Recreation facility (indoor)</i> be added to uses permitted in the IN2 Light Industrial zone.	In response to a submission – see Council report of the 24 July 2012 Draft Ryde LEP 2011 - Submissions.
2. <i>Emergency services facilities</i> be deleted from uses prohibited in the IN2 Light Industrial zone.	In response to a submission – see Council report of the 24 July 2012 Draft Ryde LEP 2011 - Submissions
3. <i>Home business and Home industries</i> be added as a permitted use with Council consent in the R2, R3 and R4 zones.	In response to a submission – see Council report of the 24 July 2012 Draft Ryde LEP 2011 - Submissions
4. Add to <i>Schedule 1 Additional permitted uses</i> 131 & 133 Herring Rd and 208 Epping Road – Development for the purposes of a medical centre is permitted with consent.	In response to a submission – see Council report of the 24 July 2012 Draft Ryde LEP 2011 - Submissions
5. Home based child care centres where permitted without consent in the land use table be made development permitted with consent.	In response to a submission – see Council report of the 24 July 2012 Draft Ryde LEP 2011 - Submissions
6. Schedule 2 Exempt Development – Signage (temporary) Additional condition added (d) Must not be illuminated	In response to a submission – see Council report of the 24 July 2012 Draft Ryde LEP 2011 - Submissions
7. Land Reservation Acquisition Map be amended in line with requested R&MS boundary changes (with corresponding changes to the Land Zoning Map) and that the inclusion of land in Vimiera Rd on the Land Reservation Acquisition (LRA) Map be highlighted to DoPI for their consideration.	In response to a submission – see Council report of the 24 July 2012 Draft Ryde LEP 2011 - Submissions

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Proposed Amendment	Basis for amendment
8. 4.5B(c) Macquarie Park Corridor be expanded to read <i>“To encourage greater public transport and active transport options”</i>	In response to a submission – see Council report of the 24 July 2012 Draft Ryde LEP 2011 - Submissions
9. Amend Clause 1.2(2)(f) to read “ to improve access to the city, minimise vehicle kilometres travelled, facilitate the maximum use of public transport and encourage walking and cycling”	In response to a submission – see Council report of the 24 July 2012 Draft Ryde LEP 2011 - Submissions
10. Clause 6.6 (f) – Environmental Sustainability be expanded to read <i>“Transport initiative to reduce car dependence such as providing bicycle and pedestrian facilities, car share /carpool/small vehicle parking spaces and public transport information and the development of a workplace travel plan.”</i>	In response to a submission – see Council report of the 24 July 2012 Draft Ryde LEP 2011 - Submissions
11. Update the DLEP 2011 Centres map for Ryde Town Centre, West Ryde Town Centre and Gladesville Town Centre .	In response to a submission – see Council report of the 24 July 2012 Draft Ryde LEP 2011 - Submissions
12. Amend the Land Zoning Map for the property 391 Blaxland Rd Ryde to R2.	In response to a submission – see Council report of the 24 July 2012 Draft Ryde LEP 2011 - Submissions
13. Amend the Land Zoning Map for St Michaels Church & School Huges St Meadowbank to SP2 Educational Establishment and Place of Public Worship	In response to a submission – see Council report of the 24 July 2012 Draft Ryde LEP 2011 - Submissions
14. Ryde Town Centre - Amend FSR map to 2:1 for the whole of Precinct 3 and land within the Ryde Town Centre with an FSR 1.8:1 under the Draft Plan.	In response to a submission – see Council report of the 24 July 2012 Draft Ryde LEP 2011 - Submissions

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Proposed Amendment	Basis for amendment
<ul style="list-style-type: none"> - Amend the HOB map for the corresponding area mentioned above to a height of 18.5 m. - Amend HOB Map to make area F as referred to in Clause 4.3(2A) to correspond with area described above. - Amend FSR Map for Ryde Town Centre by combining area H and I into area H. - Amend Clause (4.3)(2A)(f) to 6m for area F - Amend Clause (4.4)(2A) as follows; Subclause (h) amended to read <ul style="list-style-type: none"> - (h) 0.5:1 if the building is in area H and if the building is on a site having an area of at least 900sqm and provides laneway access and is mixed development. - Clause 2 (4.4)(2A) (i) to be deleted. 	
<p>15. Update the DLEP 2011 Ryde Civic Precinct map to include additional areas as identified in Draft DCP 2011 - Part 4.4 Ryde Town Centre</p>	<p>Determination of precincts for Ryde Town Centre completed after submission of DLEP to DoPI . Consistency between LEP and DCP required.</p>
<p>16. Amend clause 4.3 (2C) so that the maximum height for dwellings in both multi dwelling housing and dual occupancy development that do not have frontage to a street is 5m.</p>	<p>The clause at present only applies to multi dwelling housing developments and to ensure consistent controls exist governing the height of all rear dwellings the clause should include dual occupancy developments,</p>
<p>17. Schedule 2 Exempt development - Amend controls for Signage (real estate sign for a residential site)</p>	<p>An error occurred in the Schedule in that the controls for <i>Signage (retail premises windows)</i> was repeated for <i>Signage(real estate sign for a residential site)</i>. It is proposed to reinstate the existing controls under LEP 2010 for <i>Signage(real estate sign for a residential site)</i>.</p>

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Proposed Amendment	Basis for amendment
18. Amend <i>LEP 2011 Heritage Map</i> to be in line with DoPI requirements that Archaeological Heritage Items be identified separately to General Heritage Items	Council has one archaeological heritage item in Gladesville which is identified in <i>Schedule 5 Environmental heritage</i> as an archaeological item but which has been mapped as a general item.
19. Amend LEP 2011 Lot Size Map to delete all areas from the map which are not zoned residential in the Land Zoning Map.	A number of properties have been rezoned in the Land Zoning Map from a residential to a business zone .This change however was not carried through to the Lot Size Map which only relates to residential properties.
20. Amend LEP 2011 Floor Space Ratio Map with respect to 1 Monash Road Gladesville to bring it in line with <i>Ryde LEP (Gladesville Town Centre and Victoria Road Corridor) 2010 Floor Space Ratio Map</i> .	Under Ryde LEP (Gladesville Town Centre and Victoria Road Corridor) 2010 Floor Space Ratio Map the subject property, which is a heritage item has no FSR. An error occurred in the transfer of FSR controls for the site and under DLEP 2011 it has been given a FSR.
21. Amend <i>Schedule 5 Environmental heritage</i> with respect to Item I204 - 36 Hillview Road Eastwood.	To ensure that the entire building is listed as a heritage item, the reference for I204 needs to be expanded to include 34 Hillview Road (Lot 46 DP 8043) and 32 Hillview Road (Lot 47 DP 8043).
22. Add a new clause <i>Macquarie Park Corridor – Serviced apartments in Zone B3 Commercial Core</i> prohibiting the strata subdivision of serviced apartments	In the report of the 27 September 2011 it was stated that Council should make a formal submission to DLEP 2011 once on exhibition requesting the reinstatement of Clause 4.5B(5) in LEP 2010 with respect to prohibiting the subdivision of such developments
23. Amend Clause <i>4.5A(b) Density Controls for Zone R2 Low Density Residential</i> by deleting reference to access to private open space in multi dwelling housing.	The clause requires that separate access to private open space from an unbuilt upon portion of the site. This requirement is more appropriately covered in a DCP in that specific ways of achieving such access such as through a garage can be specified.
24. Upon direction from DoPI amend LEP maps relating to zoning, fsr and height for Macquarie University as required.	The land is identified as a State Significant site under SEPP (Major Development) 2005. Differences exist between the zoning, height and fsr controls for the land under the LEP and the SEPP.

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ATTACHMENT 1

Proposed Amendment	Basis for amendment
<p>25. Amend the land use table for the R1, R2, R3 and R4 zones to include secondary dwellings as being permitted with Council consent.</p>	<p>Secondary dwellings are permitted under SEPP (Affordable Rental Housing) 2009 in all residential zones. To reduce existing administrative procedures and to ensure the provision of design criteria secondary dwellings should be permitted with Council consent in all residential zones.</p>
<p>26. Rezone North Ryde Common from SP2 to RE1 Public Recreation</p>	<p>In response to a submission – Request from NSW Health see Council report of the 24 July 2012 Draft Ryde LEP 2011 - Submissions</p>
<p>27. Rezone 100 – 104 Rowe St Eastwood B4 Mixed Use in line with its current zoning under LEP 2010 and delete the property from the Land Reservation Acquisition Map.</p>	<p>In response to a submission – flooding issues can be dealt with by infrastructure works on the site.</p>
<p>Minor amendments to Written document if necessary to incorporate any changes required by DoPI or identified drafting or description errors</p>	
<p>Minor amendments to Map if necessary to ensure maps are in line with DoPI requirements and to improve legibility of maps.</p>	

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ATTACHMENT 2

TABLE 2 -Formal Exhibition (includes all late submissions) - Summary of DLEP 2011 submissions

Group/Area	No. of submissions received	In support of DLEP	Against changes in DLEP	Request for changes to FSR, Height, Zoning, Land use table	Request for changes to aims/objectives	Objections/Comments Environment/Open Space/Existing Controls/ Specific clauses
Ryde Council	4	0	0	3	1	0
Govt agencies	14	0	0	7	3	4 <i>(2 submissions -no comment)</i>
West Ryde	5	2	0	3	0	0
Eastwood	26	22 <i>(includes Petition)</i>	4 <i>Issues - Shaftesbury Rd rezoning, amenity, traffic & parking</i>	6 <i>(6 support change but requests additional rezoning)</i>	0	0
Meadowbank	14	7	0	14 <i>(7 support plan but request additional height/fsr)</i>	0	0
Macquarie Park	13	0	1 <i>Issue- zoning of roads RE1</i>	9	0	3
Gladesville	119	10	101 <i>26 individual, 16- pro forma 1 57 –pro former 2 Issues - height, traffic , amenity</i>	12 <i>(5 support change but request additional fsr /height)</i>	0	80 <i>(includes pro former letters - 57& 22 objection letters) Issues – height , amenity , traffic</i>
Ryde	13	11 <i>(2 Petitions)</i>	0	1	0	1 <i>Issues - Height of Ryde Civic Centre)</i>
General	37	3	0	18	1(6 Clare St)	15
Dual occupancy	18	13	2 <i>Issues- Lot size and width of block</i>	0	0	5 (2 support) <i>Issues- Lot size and frontage</i>
Total	263	68	108	73 <i>(incl. 18 in support)</i>	5	108 <i>(includes 2 in support and 79 against DLEP)</i>

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ATTACHMENT 2

TABLE 2A - Community Consultation - Summary of DLEP 2011 submissions

Group/Area	No. of submissions received	In support of DLEP	Against changes in DLEP	Request for changes to FSR, Height, Zoning, Land use table	Request for changes to aims/objectives	Objections/Comments Environment/Open Space/Existing Controls/Specific clauses
Ryde Council	1	0	0	0	0	1
Govt agencies	9	0	0	8	0	2 (1 counted in request for changes)
West Ryde	3	0	0	3	0	0
Eastwood	5	4	0	1	0	0
Meadowbank	4	1	0	2	0	1
Macquarie Park	2	0	0	1	0	1
Gladesville	2	1	1	0	0	0
Ryde	213	1	211 (1 individual/pro forma – 210)	1	0	0
General	2756	2	2740 (1 individual and pro forma 2 – 2739)	10	0	4
Dual occupancy/multi dwelling housing	16	10	0	0	0	8 (2 counted in support)
Heritage	1	1	0	0	0	0
Total	3012	20	2952	26	0	14

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TABLE 3 – DLEP 2011 Formal exhibition

Summary of Requests/Council response - changes to fsr zoning, height and land use table

Abbreviations used - LPS – Local Planning Study, CR – Council Resolution ,SD – CoR Strategic Direction

Group /Area	No of submissions requesting changes to fsr, zoning, height & land use table	Planning proposal required	Part of DLEP 2010 (Amend 1)	Change not supported				Change supported
				Not in line with LPS	Not in line with CR	Not in line with SD	DoPI advice	
Ryde City Of Ryde Council	3	2	1	0	0	0	0	0
Govt agencies	7	0	1	0	2	2	0	2 (land use table & zoning to RE1)
West Ryde	3	2	0	0	1	0	0	0
Eastwood	6	0	0	6	0	0	0	0
Meadowbank	14	0	0	12	0	2	0	0
Macquarie Park	9	2	3	0	0	3	1	0
Gladesville	12	3	0	8	0	1		0
Ryde	1	0	0	0	0	0	0	1 (FSR and height changes to Precinct 3 and surrounds - RTC)
General	18	3	0	1	3	4	2 600 Victoria Rd /Bulky goods premise	5 3 submissions re IN2 zoning table(except bulky goods premises) 131 – 133 Herring Rd-Schedule1 amendment 391 Blaxland Rd – reinstate existing zoning

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TABLE 3A – DLEP 2011 – Community Comment

Summary of Requests/Council Response - changes to fsr, zoning, height and land use table

Abbreviations used - LPS – Local Planning Study, CR – Council Resolution ,SD – CoR Strategic Direction

Group /Area	No of submissions requesting changes to fsr, zoning, height & land use table	Planning proposal required	Part of DLEP 2010 (Amend 1)	Change not supported				Change supported
				Not in line with LPS	Not in line with CR	Not in line with SD	DoPI advice	
Ryde City Of Ryde Council	0	0	0	0	0	0	0	0
Govt agencies	8	0	0	0	7	0	1	
West Ryde	3		0	0		3	0	0
Eastwood	1	0	0	1	0	0	0	0
Meadowbank	2	0	0	2	0	0	0	0
Macquarie Park	1	0	1	0	0	0	0	0
Gladesville	0	0	0	0	0	0	0	0
Ryde	1	0	0	1	0	0	0	0
General	10			6		1		3 IN2 land use table(except bulky goods premises) 131 – 133 Herring Rd R2, R3 & R4 landuse table

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**TABLE 4 – DLEP 2011 Formal exhibition
Details of Requests/Council response - changes to fsr zoning, height and land use table**

Abbreviations used LEP – Local Environmental Plan, DCP – Development Control Plan DoPI – Department of Planning and Infrastructure, R&MS – Roads and Maritime Services

Area/Group	No. of Subs	Requested change	Response	Reason
Ryde City Council	3	<ol style="list-style-type: none"> 1. 130 Talavera Rd Macquarie Park – rezone to B4 2. Provide outdoor advertisement/ sponsorship signage on land that is owned by or under the care control and management of Council. 3. Rezone a number of Council properties (some SP2) to residential and business zones. 	<ol style="list-style-type: none"> 1. To be considered as part of LEP 2010(Amendment 1) Macquarie Park. 2. Planning proposal required. 3. Planning proposal required 	<ol style="list-style-type: none"> 1. Planning provisions for Corridor under review – separate process to DLEP 2011. 2. Need for the community to have an opportunity to consider. 3. Need for the community to have an opportunity to consider and Council resolution of 14 February 2012 that DLEP does not rezone any current SP2 land to any other purpose.
Government agencies	7	<ol style="list-style-type: none"> 1. NSW Rural Fire Service Requests Home based childcare be permitted with consent only in all zones. 2. Ausgrid (Formerly Energy Australia).-Requests the 	<ol style="list-style-type: none"> 1. Change supported. 2. Change not supported - 	<ol style="list-style-type: none"> 1. Development is classed by RFS as Special Fire Protection Purpose and requires an assessment under section 100B of the Rural Fires Act 1997. 2. Council resolution 14 February 2012 that DLEP 2011 does not

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Area/Group	No. of Subs	Requested change	Response	Reason
		<p>rezoning of land (which is surplus to needs) from SP2 to R2:</p> <p>3. NSW Transport Roads and Maritime Services – Requests Buffalo Creek, Shrimptons Creek and Kitty’s Creek etc be zoned W2 Environmental Protection.</p> <p>4. NSW Health - Macquarie Hospital – Requests North Ryde zoned more appropriately (RE1).</p> <p>5. NSW Planning and Infrastructure Requests rezoning of M2 surplus land from SP2 to R3 and RE1 and corner Talavera Road and Christie Road B7 to B4.</p> <p>6. State Property Authority - 3A and 3B Smalls Road Ryde -Request the land be rezoned from SP2 to R2.</p>	<p>Council resolution</p> <p>3. Change not supported – Strategic direction</p> <p>4. Change supported – land to be zoned RE1.</p> <p>5. To be considered as part of LEP 2010(Amendment 1) Macquarie Park</p> <p>6. Change not supported – Council resolution.</p>	<p>rezone any current SP2 land to any other purpose.</p> <p>3. Land is zoned E2 which adequately protects the areas.</p> <p>4. Rezoning to RE1 reflective of existing use.</p> <p>5. Planning provisions for Corridor under review – separate process to DLEP 2011</p> <p>6. Council resolution 14 February 2012 that DLEP 2011 does not rezone any current SP2 land to any other purpose.</p>

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Area/Group	No. of Subs	Requested change	Response	Reason
		<p>7. Housing NSW and the Department of Finance & Services (Land and Housing Corporation – requests rezoning of 3 areas from R2 to R3</p>	<p>7. Change not supported – Strategic direction.</p>	<p>7. The DLEP identifies that residential growth should occur in close proximity to centres and services. The 3 nominated precincts are located at some distance from a centre.</p>
West Ryde	3	<p>1. 127, 131, 133 Rydedale Rd, 4,6,10 Terry Rd West Ryde – requests land be rezoned to R4 and changes to fsr and height.</p> <p>2. 8, 10 and 12 Chatham Rd – rezoning of land to mixed retail.</p>	<p>1. Change not supported – Council resolution.</p> <p>2. Planning proposal required</p>	<p>1. Council resolution 3 August 2010 that the land bounded by Rydedale Road and Terry Road be deleted from the Draft West Ryde Masterplan.</p> <p>2. Need for the community to have an opportunity to consider</p>
Eastwood	6	<p>1. Glen Street to be the same zoning rather than two zones as it is already a heavy commercial zone.</p>	<p>1. Change not supported – Local Planning Study</p>	<p>1. Based on recommendations of Local Planning Study</p>
Gladesville	12	<p>1. 2 College Street Gladesville - requests rezoning of land from R2 to B4 Mixed Use and increases in height and fsr</p> <p>2. 142 – 154 Victoria Rd & 1 Meriton St Gladesville.-</p>	<p>1. Planning proposal required.</p> <p>2. Changes not supported – Strategic</p>	<p>1. Need for the community to have an opportunity to consider.</p> <p>2. .A FSR of 3.5:1 is applied to a key site which delivers a plaza space and other community</p>

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Area/Group	No. of Subs	Requested change	Response	Reason
		<p style="color: red;">requests increase in fsr</p> <p>3. 11 – 15 Farm St – requests changes to fsr and height (5 submissions)</p> <p style="color: red;">4. 46 Eltham Street – requests 44,46 & 48 Eltham St be zoned B4 zone and changes to height and fsr (2 separate submissions)</p> <p>5. 2a & 2b Westminster - requests land be rezoned from B6 to B4 with changes to fsr and height and in support of changes to 44-48 Eltham St.</p> <p style="color: red;">6. 2-14 Tennyson Rd – requests zoning change from IN2 to mixed use with increases in fsr and height.</p> <p>7. Requests changes to 78 Eltham to minimise the impact of adjoining</p>	<p style="color: red;">direction</p> <p>3. Changes not supported – Local Planning Study.</p> <p style="color: red;">4. Changes not supported – Local Planning Study.</p> <p>5. Changes not supported – Local Planning Study.</p> <p style="color: red;">6. Planning proposal required.</p> <p>7. Planning proposal required.</p>	<p style="color: red;">benefit. The subject site does not have the capacity to deliver community benefits.</p> <p>3. The DLEP is consistent with the Primrose Hill site height controls as this is 12m (3 storeys) fronting Farm Street.</p> <p style="color: red;">4. Based on Local Planning Study . Expansion of the B4/B6 zone into Eltham St was not considered suitable due to the residential nature of the street.</p> <p>5. Based on recommendation of Local Planning Study .</p> <p style="color: red;">6. Commercial land uses may assist to expand the jobs diversity of the site. .Need for the community to have an opportunity to consider.</p> <p>7. A DA has been approved for a commercial mixed use</p>

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Area/Group	No. of Subs	Requested change	Response	Reason
		development on the land.		development at the corner of Monash and Victoria Rds. The property 78 Eltham which is zoned R2 adjoins to the rear of the DA site.
Meadowbank	14	<ol style="list-style-type: none"> 1. 125 – 135 Church St Ryde – requests fsr and height be increased.(7 submissions) 2. 76 Belmore St and 8 Junction St – requests rezoning to SP1 (Community facilities) 3. 3 – 9 Angus St Meadowbank – requests increase in height and fsr. 4. Land currently the subject of a Part 3A application/determination – requests height increases in line with Part 3A. 5. 21-24 Railway Rd Meadowbank – requests. increases in height and fsr 	<ol style="list-style-type: none"> 1. Change not supported – Local Planning Study. 2. Change not supported – Strategic direction. 3. Changes not supported– Local Planning Study 4. Changes not supported– Local Planning Study 5. Changes not supported– Local Planning Study. 	<ol style="list-style-type: none"> 1. Based on recommendations of Local Planning Study. 2. Land has been zoned B4 Mixed Use since June 2002 and is subject to a Part 3A Concept Plan which has been determined by DoPI . 3. Based on recommendations of Local Planning Study. 4. Based on recommendations of Local Planning Study. 5. Based on recommendations of Local Planning Study.

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Area/Group	No. of Subs	Requested change	Response	Reason
		6. 11-13 Angas St – requests increases to fsr and height.	6. Changes not supported– Local Planning Study	6. Based on recommendations of Local Planning Study
Macquarie Park	9	<p>1. 31 – 33 Waterloo Rd - requests Shop top housing be added to permitted with consent in B3 zone and fsr and height increases.</p> <p>2. 137 – 143 Herring Rd – requests increases to height and fsr.</p> <p>3. 86 Blenheim Rd/12 – 14 Epping Rd -Request rezoning of land from R2 to R4 with increases in height and fsr.</p> <p>4. 120 – 126 Herring Rd - requests increased building heights and FSR.</p>	<p>1. Planning proposal required.</p> <p>2. To be considered in DLEP 2010 (Amendment 1)</p> <p>3. Change not supported – Strategic direction.</p> <p>4. To be considered in DLEP 2010 (Amendment 1).</p>	<p>1. Council resolution of the 12 June 2012 required a residential/commercial mix master plan to be prepared .Need for the community to have an opportunity to consider</p> <p>2. Planning provisions for Corridor under review – separate process to DLEP 2011.</p> <p>3. The site is island site surrounded by parkland and located on Epping Road - the site is not contextually associated with Macquarie park Corridor and not in line with Council’s strategic approach of providing increased densities in Centres.</p> <p>4. Planning provisions for Corridor under review – separate process to DLEP 2011.</p>

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Area/Group	No. of Subs	Requested change	Response	Reason
		<p>5. Macquarie Park Precinct – seeking residential development - encourages a change of zoning to permit mixed use (B4).</p> <p>6. 80 Waterloo Rd and 16 Byfield St – requests site be zoned B4 Mixed Use and changes to height , fsr and parking.</p> <p>7. 1 and 1a Trafalgar Place – increases to fsr and height requested.</p> <p>8. Macquarie University – requests zoning , fsr and heights to reflect SEPP controls over land.</p> <p>9. Recommends that Council adopt the generic definition of ‘Food and Drink Premises’ in the B7 zone</p>	<p>5. Change not supported. – Strategic direction.</p> <p>6. To be considered in DLEP 2010 (Amendment 1)</p> <p>7. Masterplan and planning proposal required.</p> <p>8. Change not supported at this time.</p> <p>9. Change not supported – Strategic direction</p>	<p>5. CoR believes residential development on the fringes of Macquarie Park is appropriate but not at the expense of the Commercial Core (B3) and B7 Business Park zone.</p> <p>6. Planning provisions for Corridor under review – separate process to DLEP 2011.</p> <p>7. Based on recommendations of Local Planning Study.</p> <p>8. DoPI have advised they will liaise with Council should the controls for Macquarie University need to be transferred from the Major Development SEPP into the DLEP 2011.</p> <p>9. Food and Drink premises includes pubs, restaurants and cafes and take away food and drink premises. The B7 zone</p>

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Area/Group	No. of Subs	Requested change	Response	Reason
				permits with Council consent Restaurants and café's. Expansion of such uses could result in the undermining of the intent of the B7 zone.
Ryde	1	1. 120-128 Blaxland Rd. – requests additional FSR and height to address issues relating to feasibility and to ensure that redevelopment occurs that is more in line with the scale of the surrounds	1. Changes supported for all of Precinct 3 and additional surrounding lands.	1. Accepted that base fsr is too low for all properties in Precinct 3 and surrounding land, and a mismatch exists between height and FSR. The incentive height provisions for the area should be increased.
General	18	<p>1. Requests expansion of land uses in IN2 zone to include – bulky goods premises, Recreation facility (indoor) Wholesale supplies Building identification signs, Emergency Service facilities. (3 submissions)</p> <p>2. <i>131 – 133 Herring Rd & 209 Epping Rd – request amendment to Schedule 1 Additional land uses to permit a medical facility on the land.</i></p>	<p>1. Changes supported with the exception of bulky goods premises (based on advice from DoPI).</p> <p>2. <i>Change to supported.</i></p>	<p>1. Land use changes considered appropriate. Bulky goods not permitted based on advice from DoPI.</p> <p>2. <i>Supporting expansion of existing approved use of 133 Herring Rd as a professional consulting room</i></p>

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Area/Group	No. of Subs	Requested change	Response	Reason
		<p>3. 136 – 138 Pittwater Rd Boronia Park. – request increases to fsr and height</p> <p>4. Requests that residential accommodation be allowed on the ground floor B1 zones.(2 submissions)</p> <p>5. 142, 144 – 148, 203 – 213 and 215 Cox’s Rd N Ryde – requests no building height or fsr controls - Council should rely on the master plan that it adopts to control development.</p> <p>6. 391 Blaxland Rd Ryde - Submission requests reinstatement of existing R2.</p>	<p>3. Changes not supported – Council resolution.</p> <p>4. Changes not supported – Strategic direction.</p> <p>5. Changes not supported – Strategic direction.</p> <p>6. Change supported.</p>	<p>3. Council on the 2 November 2010 resolved to remove Boronia Park from the Small Centres Study resulting in no change to the Centre.</p> <p>4. Land use change would undermine objectives of B1 zone.</p> <p>5. Planning provisions for Cox’s Rd under review – a separate process to DLEP .</p> <p>6. Land is currently zoned R2 and is part of a small group of shops on Blaxland Rd. The Local Planning Study recommended the group be zoned B1 in accordance with usage. Owner has advised that the property has been used for a residence only for a number of years .</p>

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Area/Group	No. of Subs	Requested change	Response	Reason
		<p>7. 293 – 299 Quarry Rd 117 – 119 North Ryde Denistone East.- requests an increase in building height , fsr and rezoning of 8 Rocca St from R2 to B1 Vehicle Repair Stations to included in land use table.</p> <p>8. 100 – 104 Rowe St Eastwood Objects to zoning of property RE1.</p> <p>9. St Michaels Church & School Huges St & 47 Gaza Rd Meadowbank -Request the SP2 zone reflect the correct land uses on the site.</p> <p>10.600 Victoria Rd Ryde (RRCS) - Requests that if</p>	<p>7. Planning proposal required.</p> <p>8. Change not supported in report of 24 July 2012 however based on additional information is now supported</p> <p>9. Change in zoning supported for St Michaels. Changes to zoning of 47 Gaza Rd not supported</p> <p>10.Changes not supported – DoPI</p>	<p>7. Need for the community to have an opportunity to consider.</p> <p>8. Submission reviewed by Public Works Group and determined flood issues can be dealt with by infrastructure works on the site.</p> <p>9. Change in zoning in line with current approved use of land.</p> <p>10.DoPI required SEPP controls for the land in LEP 2010. Any</p>

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Area/Group	No. of Subs	Requested change	Response	Reason
		<p style="color: red;">DoPI approves modification the LEP controls be updated to reflect the modified Concept Plan height and FSR controls for the land.</p> <p>11.20 Waterview Street Putney - Request for expansion of uses on the site to include; Residential flat buildings, Food and drink premises.</p> <p style="color: red;">12. "Masters" a hardware chain: requests more land to be zoned B5 or B6 in areas where Council seek to concentrate bulky good uses and IN2 zone to include 'garden centres' as a permissible use.</p> <p>13. 130 – 132 Pittwater Road Gladesville- Request to increase in height from 9.5 to 11.5 and FSR from 0.8:1 to 1.3:1.</p> <p style="color: red;">14. Blenheim Road Small Centre - Merging 3 shops</p>	<p>11. Planning proposal required.</p> <p style="color: red;">12. Planning proposal required</p> <p>13. Changes not supported – Council resolution.</p> <p style="color: red;">14. Changes not supported – Local Planning Study</p>	<p style="color: red;">change should be at the requirement of DoPI.</p> <p>11. Need for the community to have an opportunity to consider.</p> <p style="color: red;">12. The rezoning of land to B5 and B6 and the introduction of bulky goods/garden centres into the IN2 zone requires further research.</p> <p>13. Council on the 2 November 2010 resolved to remove Boronia Park from the Small Centres Study resulting in no change to the Centre.</p> <p style="color: red;">14. The incentive floor space and height have been master planned on the basis of a minimum lot</p>

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Area/Group	No. of Subs	Requested change	Response	Reason
		<p>not achievable – incentive ratio should be 6:1 for 2 shops and 3:1 for a shop developing alone.</p> <p>15. Bulky goods premises – IN2 Light Industrial zone</p>	<p>15. Changes not supported – DoPI</p>	<p>size to achieve a built form outcome. - Not in line with Local Planning Study</p> <p>15. Bulky goods not permitted based on advice from DoPI.</p>
<p>Ryde City Council</p>	<p>0</p>			
<p>Government agencies</p>	<p>8</p>	<p>Sydney Water 22 Henry St Ryde, 20 Goulding Street & 865 Victoria Rd - requests the land be rezoned from SP2 to R2. (5 submissions)</p> <p>Roads and Maritime Services Changes to the Land Reservation Acquisition Map including ;</p> <ul style="list-style-type: none"> - M2 Motorway/Vimiera Rd (area approximately 9 500sqm) to be indicated on the LRA Map - Rezone Devlin Street and Blaxland Road as they pass through Ryde Town Centre SP2 – Classified Road - Zone only existing and proposed Motorways, Transit 	<p>Change not supported – Council resolution</p> <p>Change supported</p> <p>Change not supported – DoPI</p> <p>No change required</p>	<p>Council resolved on 14 February 2012 that DLEP 2011 does not rezone any current SP2 land to any other purpose</p> <p>The land is zoned SP2 Classified Road under DLEP 2011 and owned by DoPI. Change to be highlighted to DoPI.</p> <p>The land has been zoned B4 (or equivalent) since 2006 and is in accordance with DoPI PN 10 – 001. Request should be highlighted to DoPI. Based on a <i>Schedule of Classified Roads and State and Regional Road</i> produced by the RTA and dated 31 January 2011 all roads in DLEP 2011 are appropriately</p>

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Area/Group	No. of Subs	Requested change	Response	Reason
		<p>ways and Classified Road SP2 .- all other roads should adopt the adjacent zone.</p> <p>NSW Land & Property Management Authority Supports rezoning of Small Road Ryde to R2</p> <p>Energy Australia 71 – 85 Constitution Rd Meadowbank requests the land be rezoned from SP2 to R4.</p>	<p>Change not supported – Council resolution</p> <p>Change not supported – Council resolution.</p>	<p>zoned.</p> <p>Council resolved on 14 February 2012 that DLEP 2011 does not rezone any current SP2 land to any other purpose.</p> <p>Council resolved on 14 February 2012 that DLEP 2011 does not rezone any current SP2 land to any other purpose</p>
West Ryde	3	6-8 Wattle St, 80 Anzac Ave, 29 – 33 Herbert St should have the same FSR as properties along Herbert St – 1.25:1. (3 submissions).	Change not supported – Strategic direction.	Based on examination of existing developments in the R4 zone and nature of uses permitted (predominately residential flat buildings) – DLEP FSR considered appropriate.
Eastwood	1	Areas zoned R4 (south of May St to Blaxland Rd and Rowe Lane and on the northern side of First Ave) should be zoned B4 with associated FSR and height. R2 areas adjacent areas to the Centre south of Rutledge St should be zoned R4.	Change not supported (at this time)	A Master Plan for the Eastwood Town Centre is being developed and includes areas of R4 land on the eastern side of Eastwood. Further changes will be addressed in the Master Plan .
Meadowbank	2	21 – 24 Railway Road Meadowbank. Request for height and floor space changes	Change not supported – Local Planning Study.	Based on recommendations of Local Planning Study

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Area/Group	No. of Subs	Requested change	Response	Reason
Macquarie Park	1	Cottonwood and Lachlan Avenue – Increase height of the two areas from 6 to 10 plus storeys similar to the corners next to the train station to encourage development	To be considered in DLEP 2010 (Amendment 1)	Planning provisions for Corridor under review – separate process to DLEP 2011.
Gladesville	0			
Ryde Town Centre	1	46 Gladstone Ave Ryde and adjacent property. Request increase in height to 14m or a minimum 11.5m to capitalise on views and to align with the other side of Victoria Rd.	Change not supported – Local Planning Study.	Based on recommendations of Local Planning Study.
General	10	<p>208 Epping Rd, 131 & 133 Herring Rd . Requests rezoning to permit a medical facility.</p> <p>Food business from a dwelling house – should be permitted</p> <p>DLEP fails to recognise “advertising signage” as a legitimate land use activity. Inconsistency of the Draft LEP with SEPP No.64.</p> <p>Request expansion of land uses in IN2 zone to include;-:</p>	<p>Change supported</p> <p>Change supported.</p> <p>Change not supported – Strategic direction</p> <p>Changes supported with the exception of bulky goods premises.</p>	<p>Supporting expansion of existing approved use of 133 Herring Rd.</p> <p>As all other forms of home business and home industry are permitted by virtue of a SEPP amending the land use table for the R2 , R3 and R4 zones to permit food businesses is considered reasonable. A fact sheet relating to such activities is to be undertaken.</p> <p>Signage as a land use if permitted would allow third party advertising . Such signage is considered unsuitable.</p> <p>Land use changes considered appropriate. Bulky goods not permitted</p>

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Area/Group	No. of Subs	Requested change	Response	Reason
		<p>Bulky goods premises Wholesale supplies Hardware and building supplies Storage premises Recreational facilities – indoor Emergency services facilities</p> <p>Request that Height and FSR for Putney Village area be increased to be Height 3 storeys.FSR :1 1 (many already have such a FSR) (6 submissions)</p>	<p>Change not supported – Local Planning Study</p>	<p>based on advice from DoPI.</p> <p>A Small Centres Master Plan Study was undertaken to consider the long term planning of five small centres one of which was Putney village. As an outcome of the Councillor workshop it was recommended that no changes be made to the existing planning controls for Putney village.</p>

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**TABLE 5 – DLEP 2011 Formal exhibition
Submissions in Support/Against/Other comments**

Area/Group	No. Subs	Issue	Response	Reason
Ryde Council				
Support DLEP	0			
Against DLEP	0			
Existing Controls/ Open Space/ Environment/Other	1	Changes to aims/objectives of zones and certain clauses to emphasis aspects of sustainable development	Change supported where considered appropriate.	Certain changes not possible as part of SI and not necessary as covered sufficiently in DLEP.
Govt agencies				
Support DLEP	0			
Against DLEP	0			
Existing Controls/ Open Space/ Environment/Other	7	<p><i>Health – Northern Sydney Local Health District - New objectives to zones, amend aims of the Plan and clauses to encourage healthy lifestyle and sustainable development.</i></p> <p><i>The Office of Environment and Heritage - recommends that Council has biodiversity mapping in the LEP and that flood studies include modelling of sea level rise coastal inundation and flooding impacts.</i></p> <p><i>Hornsby & Parramatta Councils – No comment</i></p>	<p>Change supported where considered appropriate.</p> <p>No change proposed</p> <p>No response required.</p>	<p>Certain changes not possible as part of SI and/or a state government issue.</p> <p>Council has a series of mapping overlays such as urban bushland, foreshore and waterways , overland flow paths, endangered vegetation that are used as part of the development assessment which is considered adequate until appropriate work in biodiversity areas can be carried out .DLEP 2011 introduces Clause 6.5 Flooding which is supported by DCP 2011 Part 8.6 Floodplain Management.</p>

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Area/Group	No. Subs	Issue	Response	Reason
		<p><i>Dept of Primary Industries -Suggested amendments to the draft LEP and DCP to facilitate the protection and enhancement of waterways, riparian land, groundwater and dependent ecosystems.</i></p> <p><i>NSW Land and Housing Corporation Information on the Ryde Housing Market provided and key issues for Ryde identified.</i></p>	<p>Changes not supported at this time.</p> <p>Comments noted</p>	<p>Existing aims of Plan sufficiently cover the areas requested. Also protection of the environment is a high level aim and as such should not be listed in zoning objectives.</p> <p>Council's Integrated Open Space Strategy is a high level document that will result in the development of management plans to guide the provisions and use of open space including zoning of land and linkages to active transport corridors. Appropriate clauses in support of ecological sustainability and protection of groundwater etc in line with the Strategy will be reviewed in the development of the management plans.</p> <p>The DLEP addresses issues of housing choice through:-</p> <ul style="list-style-type: none"> - strata subdivision of dual occupancy, - additional zoned areas of mixed use development eg West Ryde and Ryde Town Centre. - the use of the SI which mandates that Boarding houses are a permitted use with consent in all residential zones.
West Ryde				
Support DLEP	2			
Against DLEP	0			
Existing Controls/ Open Space/ Environment/Other	0			

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Area/Group	No. Subs	Issue	Response	Reason
Eastwood				
Background information				
Zoning, FSR and height changes are proposed under DLEP 2011 to Glen Street/Lakeside Road/Shafesbury Road Eastwood resulting in 3- 4 storey developments being possible where the amalgamation of sites occur.				
Support DLEP	22			
Against DLEP	4	<p>Objections to</p> <ol style="list-style-type: none"> 1. Rezoning of Shafesbury Road properties from R2 to R4- on the original master plan only 3 properties were identified 2. Notification process – letters sent out did not mention Shafesbury Rd only Glen St /Lakeside Rd. 3. Affect on traffic in surrounding streets 4. Proposed height of 4 storeys 	Change not supported.	<ol style="list-style-type: none"> 1. The Local Planning Study adopted by Council on 7 December 2010 rezoned 173 – 183 Shafesbury Road from R2 to R4 The additional sites (179 – 183 Shafesbury Rd were included in the rezoning as a result of their isolation from other residential areas by school lands. 2. Concerns noted. 3. Traffic impacts were considered as part of the Glen Street/Lakeside Rd Master Plan and each DA submitted will be assessed with respect to traffic and parking issues. 4. A 4 storey transition down to 3 storey in Shafesbury Road is only possible with site amalgamations. The heights are considered appropriate in view of the desired future character of the Eastwood Town Centre.
Existing Controls/ Open Space/ Environment/Other	0			
Gladesville				
Background information				
Ryde LEP (Gladesville Town Centre and Victoria Rd Corridor) 2010 was gazetted in 2010 and resulted in zoning, height and FSRs in the Gladesville Town Centre (GTC). A number of properties on the periphery of the LEP boundary were not included in the LEP because of timing				

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Area/Group	No. Subs	Issue	Response	Reason
<p>and technical issues. In the <i>Local Planning Study - Centres and Corridors</i> it was considered appropriate those properties e.g. 14 – 28 Oxford St should now be included in the Gladesville Town Centre with zoning and development controls similar to the surrounding land in the Centre.</p>				
Support DLEP	10			
<p>Against DLEP</p> <p>(Total of 101 submissions 26 individual 16 pro former 1 57 pro former 2</p>	101	<p>Objections to</p> <ol style="list-style-type: none"> 1. Rezoning of Lady Queen of Peace School (14 – 28)Oxford St from R2 to B4. 2. New heights of 6 and 8 storeys along Victoria Rd and 4 storeys in Farm St - adverse impact on local community due to noise , traffic, road safety, loss of privacy, increased pressure on amenities and public transport and loss of sunlight 3. Plan not in the community interest (particular mention of Gladesville and Victoria Road Precinct.) 4. Victoria Rd /Monash Rd intersection - uses and height not acceptable due to loss of residential amenity. 5. Traffic and parking in Farm St not addressed. 6. Eltham Street - Traffic and on street parking on going issues. 	No change proposed.	<ol style="list-style-type: none"> 1. The Local Planning Study that was adopted by Council on the 7 December 2010 recommended that the subject property be rezoned B4 with a FSR of 1.5:1 and a height of 3 storeys. 2. Changes have resulted from the gazettal of LEP (Gladesville TC & VRC) on 14 January 2010 and the Local Planning Study adopted by Council in December 2010. 3. LEP 2010 involved extensive community consultation with the Local Study involving more targeted consultation (land owners affected by proposed change). 4. Any DA for the subject land would require notification of adjoining owners and traffic and amenity issues would be considered on a individual basis. 5. Residential amenity, traffic management and parking will be addressed as part of any DA. 6. A traffic study was part of the Master Plan work carried out for Gladesville Town Centre and Victoria Rd Corridor. Traffic impact was assessed as being within guidelines and considered acceptable.

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Area/Group	No. Subs	Issue	Response	Reason
Existing Controls/ Open Space/ Environment/Other (all submissions expressing concern over existing controls- 79 counted in Against DLEP)	80	Objections to:- 1. Eltham Street Gladesville - DLEP and DDCP will cause the environmental capacity of Eltham St to be exceeded and significantly reduce amenity of the street. 2. Heights along Victoria Rd and Farm St. 3. Loss of sunlight, visual pollution, traffic, increased noise, road safety, increased pressure on amenities		1. There are no changes proposed to Eltham Street in the DLEP. The DDCP provides details of a potential accessway abutting the rear of properties in Eltham Street. This is a DCP matter and will be reviewed when submissions on the DDCP are presented to Council. 2. See background information. There are no changes proposed to height and floor space for properties along Victoria Rd. 3. Residential amenity, traffic management and parking will be addressed as part of any DA.
Meadowbank				
Support DLEP	7			
Against DLEP	0			
Existing Controls/ Open Space/ Environment/Other	0			
Macquarie Park				
Support DLEP	0			
Against DLEP	1	Concern that Land Zoning Map shows section of Council roadway in Macquarie Estate with a zoning of RE1 Public Recreation.	No change proposed	In line with Council resolution of 5 May 2009 that LEP 2010 Land Zoning Map be amended by zoning the road to RE1 for the length of the boundary that the zone/park abuts that road. The zoning referred to in the submission is a result of this resolution.
Existing Controls/ Open Space/ Environment/Other	3	1. Request incentive for new hotel accommodation within N Ryde and Macquarie Park including –	No change proposed	1. Not considered appropriate for Council to be involved in benefiting specific land uses within in any zone.

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Area/Group	No. Subs	Issue	Response	Reason
		<p>Floor space bonuses.</p> <p>2. Concerns raised are that Clause 4.4B Macquarie Park Floor space ratio has been deleted. The submission requests that an incentive clause be re – instated in the LEP .</p> <p>3. Land use table amended to be clearer that industries and neighbourhood shops are permitted in B3 and B7 zones.</p>	<p>No change proposed</p> <p>No change proposed</p>	<p>2. Planning provisions for Corridor under review – separate process to DLEP 2011.</p> <p>3. Land use table is presented in accordance with DoPI and SI requirements.</p>
Ryde				
Support DLEP	11			
Against DLEP	0			
Existing Controls/ Open Space/ Environment/Other	1	DLEP 2011 has Ryde Civic Precinct at RL130 this was a result of a spot rezoning . Submission requests that height be readjusted to RL90.	No change proposed.	The Height Map indicates heights for the Civic Centre that vary from 75m to 0m. This has been a direct transfer from LEP 2010 (Amendment 2) that was gazetted on 2 March 2012.
General				
Support DLEP	3			
Against DLEP	0			
Existing Controls/ Open Space/ Environment/Other	15	<p>1. Clarification sought re ability to strata subdivide shop and dwelling.</p> <p>2. DLEP does not incorporate zoning for linking and moving between open space areas in Ryde.</p>	<p>No change required</p> <p>No change proposed</p>	<p>1. Strata subdivision of the uses is permitted.</p> <p>2. The provision of linkages is identified in the Integrated Open Space Strategy. This is a high level document that will result in the development of management plans to guide the provisions and use of open space including</p>

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Area/Group	No. Subs	Issue	Response	Reason
		<p>3. Lack of biodiversity mapping, defined landscape requirements and a need to identify riparian zones and provided necessary buffer areas</p>	<p>No change proposed</p>	<p>zoning of land and linkages to active transport corridors..</p> <p>3. Biodiversity mapping has merit in relation to protecting the environment. It requires however a comprehensive consideration and research into defining the biodiversity elements, mapping the corridors in relation to the Councils cadastre/allotment and the introduction of workable/realistic controls on both public and private lands. Council currently has a series of mapping overlays such as urban bushland, overland flow paths , endangered vegetation that are used as part of the development assessment process and defining development /built form outcomes. Local Plans of Management , State and Federal Government Legislation relating to endangered flora and fauna also assist in protecting the Cities environment</p> <p>Landscape requirements are matters contained in the DCP. The request for Council to identify and document riparian zones and buffer areas is noted.</p>
		<p>4. 6 Clare St Gladesville - Requests RE1 zone be amended to include an objective that permits the legal right of access of adjacent properties</p>	<p>No change proposed</p>	<p>4. The matter has now been resolved through the DA process.</p>

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Area/Group	No. Subs	Issue	Response	Reason
		<p style="color: red;">where the RE1 zoned land is a road.</p> <p>5. Comments and objections to:</p> <ul style="list-style-type: none"> - the scale of development that will/is occurring in the City. - Lack of infrastructure planning - Social and environmental impacts - Proposed changes to small centres and along corridors and centres - rezoning for higher development outside main transport links - impact of off street parking associated with train stations - Redevelopment of land on the southern side of Epping Rd, - Development/height of Civic Centre site and rejection of public meeting. - .Issues relating to flood studies, foreshore building lines, protection of urban bushland (particularly Bundara Reserve), consultation process, height of 	<p>No change proposed</p>	<p>5. The DLEP 2011 has been prepared based on the; -</p> <ul style="list-style-type: none"> - provisions of LEP 2010 - amendment to S1 - Recommendations of the Local Planning Study (LPS) adopted by Council on 7 December 2010. <p>The preparation of both the LEP and LPS were researched and involved a range of consultations with the community.</p> <p>The LPS included the Housing and Centres and Corridors Study, which reinforced the Council’s approach that increased residential densities are focused on centres with good public transport.</p> <p>The heights for the Civic Centre vary from 75m to 0m. This has been a direct transfer from LEP 2010 (Amendment 2) that was gazetted on 2 March 2012.</p> <p>Bundara Reserve – the E2 zoning on this area/reserve has been expanded As part of LEP 2010 careful consideration was given to identifying appropriate land uses within the E2 zone. The uses are considered</p>

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Area/Group	No. Subs	Issue	Response	Reason
		<p>buildings</p> <ul style="list-style-type: none"> - Omission of consultation of and respect for the Aboriginal and Torres Strait Islander peoples - Development of controls needs community consultation. - Failure to undertake a comprehensive Heritage Review - The North Ryde Railway Station Precinct needs specific controls prepared with community consultation to protect existing residential areas. <p>6. Presentation of land uses in land use table.</p>		<p>appropriate and are retained in DLEP 2011.</p> <p>The preparation of both the LEP and LPS were research and involved a range of consultations with the community. The preparation of the plans were undertaken in consultation with adjoining councils. – consideration is given to the zoning of land and the need for environmental protection</p> <p>Council has commissioned three comprehensive heritage studies and informed the preparation of the LPS, in addition to consultation undertaken in conjunction with the preparation of the LPS.</p> <p>The North Ryde station precinct is a State Significant development and the planning process for this area is being undertaken by the State Government.</p> <p>6. Land use table has been developed in accordance with the SI and DoPI requirements.</p>
Dual occupancy/ Multi dwelling housing				
Support DLEP	13			
Against DLEP	2	The minimum lot sizes for dual occupancy and multi dwelling are		A 20m frontage requirement does mean that based on existing subdivision patterns certain

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Area/Group	No. Subs	Issue	Response	Reason
		inequitable as it allows numerous developments in one street (eg Miriam Rd) but would be impossible for development to occur in another.		<p>areas of Ryde will capable of being developed than others. However it may require the consolidation of lots to achieve a development that complies.</p> <p>The removal of linear separation for such development from the DCP means that areas such as Miriam Rd (which have large lot subdivision patterns) could result in numerous Das being submitted for such developments</p>
Existing Controls/ Open Space/ Environment/Other	5	<p>1. Lot size and 20m road frontage is prohibitive as there are only a few lots in Ryde that would comply. - Lot size and frontage will greatly limit number of dual occupancy/multi unit dwelling developments in Ryde</p> <p>2. Prefer Torrens title subdivision of dual occupancy developments</p>		<p>1. As part of the Local Planning Study Council on the 7 December 2010 adopted a recommendation to introduce a control to require a minimum street frontage of 20m for duplex developments. The aim of the 20m frontage is to deliver better design outcomes, particularly with regard to compatibility with existing streetscapes. A 20m frontage requirement does mean that based on existing subdivision patterns certain areas of Ryde will capable of being developed than others.</p> <p>2. The definition of a dual occupancy development is 2 dwellings on 1 lot of land. If the land were Torrens title subdivided it would result in 1 dwelling on 1 lot of land and therefore by definition no longer be a dual occupancy development. Also a Torrens title would result in land parcels having a land area of approximately 290sqm. – such a change</p>

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Area/Group	No. Subs	Issue	Response	Reason
		<p>3. Multi dwelling developments – controls should be more flexible and assessed on merit.</p> <p>4. For dual occupancy developments which propose dwellings one behind the other - issues of bulk , scale, overshadowing , privacy, poor open space allocation.</p> <p>5. Concerned that the accessway to a hatched shaped block will be considered to be the road frontage.</p>		<p>could undermine the existing 580sqm required for normal shaped allotments.</p> <p>3. The standards proposed for multi dwelling housing is the same as has been in place for a number of years. Flexibility can occur in design where proven beneficial to the development and surrounding area.</p> <p>4. Clause 4.3(2C) restricts the maximum height of multi dwelling housing which does not have frontage to a street to 5m. To ensure consistent controls exist governing the height of all rear dwellings the clause should include dual occupancy developments.</p> <p>5. .Under DLEP 2011 Clause 4.1C <i>Minimum lot sizes for dual occupancy and multi dwelling housing</i> a minimum road frontage of 20m or greater is required for the development of a dual occupancy development. As such dual occupancy development on a hatchet shaped allotment is prohibited.</p>

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TABLE 5A – DLEP 2011 Community Comment Submissions in Support /Against/Other Comments

Abbreviations used LEP –Local Environmental Plan, DCP – Development Control Plan DoPI – Department of Planning and Infrastructure, R&MS – Roads and Maritime Services

Area/Group	No. Subs	Issue	Response	Reason
Ryde City Of Ryde Council				
Support DLEP	0			
Against DLEP	0			
Existing Controls/ Open Space/ Environment/Other	1	Schedule 2 Exempt development – Signage (temporary signs) - Request that a further condition be added that signs must not be illuminated.	Change supported	A condition prohibiting the illumination of temporary signs will reduce any concerns related to visual distraction for vehicles or pedestrians.
Govt agencies				
Support DLEP	0			
Against DLEP	0			
Existing Controls/ Open Space/ Environment/Other	2	<i>Roads and Maritime Service</i> Land Acquisition Map should show all land zoned SP2 – Classified Rd including land.. Requests additional clause to ensure child care centres, schools etc are effectively prohibited where properties have direct frontage to a classified Road .	Change not supported-DoPI Change not supported-DoPI.	Not in accordance with DoPI Practice Note PN07 – 001 which states that the Land Reservation Acquisition Map is to contain all land reserved for public purposes but not yet acquired. Not in accordance with DoPI advice that such controls should be in DCPs - At the pre s64 review of DLEP 2011 by DoPI Council was required to delete similar Clause from DLEP.

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Area/Group	No. Subs	Issue	Response	Reason
		<p>Amend Part 6.4.1 Precinct 1 – Civic and mixed used to add 3(b)(x) Traffic impacts.</p> <p>Single unified bus priority network through Macquarie Park Corridor needs to be considered.</p> <p>High density and mixed use should be provided around transport infrastructure.</p> <p>Controls need to be provided on development to ensure acoustic privacy.</p> <p>Design considerations found in <i>Designing Places for Active Living</i> should be taken into consideration.</p> <p>NSW Land & Property Management Authority 43 – 61 Waterloo Rd Macquarie Park -</p>	<p>Change not supported-DoPI.</p> <p>To be considered in DLEP 2010 (Amend.1).This should be also a broader whole of government approach to addressing transport issues in the Corridor.</p> <p>No change required.</p> <p>No change required.</p> <p>No change required.</p> <p>To be considered in</p>	<p>Not in accordance with DoPI requirement that Clause 6.4.1 Precinct 1 – Civic and mixed use be deleted.</p> <p>Planning provisions for Corridor under review – separate process to DLEP 2011.</p> <p>All Centres are zoned for mixed use activities and have heights and FSRs appropriate for town centres.</p> <p>This is a matter for consideration at DA stage of a proposal and is covered in areas of draft DCP 2011.</p> <p><i>Designing Places for Active Living</i> - not directly used in the development of the LEP however many of the design issues have been addressed or considered in the development of DCP 2011 particularly with regard to Town Centres.</p> <p>Changes relate to the deletion of the accessway map for the Corridor from DLEP 2011 and the provision of</p>

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Area/Group	No. Subs	Issue	Response	Reason
		Proposed amendment results in down zoning of site.	DLEP 2010 (Amend.1).	heights over areas previously indicated as being required on the accessway map.Planning provisions for Corridor under review – separate process to DLEP 2011
West Ryde				
Support DLEP	0			
Against DLEP	0			
Existing Controls/ Open Space/ Environment/Other	0			
Eastwood				
Support DLEP	4			
Against DLEP	0			
Existing Controls/ Open Space/ Environment/Other	0			
Meadowbank				
Support DLEP	1			
Against DLEP				
Existing Controls/ Open Space/ Environment/Other	1	Land along the Shepherds Bay area has been designated as a long strip of 21m and 15m height buildings which will lead to a long wall of building rather than a stepped plane.	No change supported – Local Planning Study	Draft DCP 2011 – 4.2 Shepherds Bay provides design controls to ensure variation and architectural relief will be provided to individual developments.
Macquarie Park				
Support DLEP	0			
Against DLEP	0			

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Area /Group	No. Subs	Issue	Response	Reason
Existing Controls/ Open Space/ Environment/Other	1	Rectification of previous error with respect to the southern side of Peachtree Rd has failed to eventuate	No change required.	In accordance with the requirements of DoPI changes have been incorporated into DLEP 2011
Area /Group	No. Subs	Issue	Response	Reason
Gladesville				
Support DLEP	1			
Against DLEP	1	Heights within all Precincts are too high – particularly Town Centre Precinct.	No change required – strategic direction.	The heights for the Gladesville area in DLEP 2011 are a straight transfer of heights gazetted in LEP 2010 – Gladesville Town Centre and Victoria Rd Corridor and the adopted Local Planning Study.
Existing Controls/ Open Space/ Environment/Other	0			
Ryde Town Centre				
Support DLEP	1			
Against DLEP	211 - 210 pro forma letters	Objects to height levels along Blaxland Rd. Retain Civic Centre as public land and rebuild if necessary. Objects to two 24 storey towers	No change required – Council resolution. No change supported – strategic direction.	In line with Council resolution and DoPI support the subject properties have reverted to their maximum heights under LEP 2010. Relates to the Planning Proposal for the Ryde Civic Precinct that was considered by Council on 14 February 2012. - DLEP 2011 does not amend the height controls presently available to the subject land under LEP 2010.

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Area /Group	No. Subs	Issue	Response	Reason
Existing Controls/ Open Space/ Environment/Other	0			
General				
Support DLEP	2			
Against DLEP	2740 – 2739 pro forma letterS	<p>Civic Centre should be retained as public land.High rise towers are not supported on the civic centre site.</p> <p>All open space should be kept for parks, gardens, green links , bushland restoration and playing fields.</p> <p>All Special Uses zonings should be retained.</p> <p>All of the Field of Mars Reserve and Wildlife Refuge should be zoned E2.</p>	<p>No change supported – Council resolution.</p> <p>No change supported – Council resolutions.</p> <p>No change required – Council resolution.</p> <p>No change supported – Council resolution</p>	<p>Relates to the Planning Proposal for the Ryde Civic Precinct that was considered by Council on 14 February 2012. - DLEP 2011 does not amend the height controls presently available to the subject land under LEP 2010</p> <p>DLEP 2011 identifies 3 new properties to be acquired for open space purposes. (As 100 – 104 Rowe Street will no longer be required to be acquired the LEP if gazetted will reflect 2 new properties acquired for local open space purposes).</p> <p>Areas where a change in zoning from RE1 to another zone has occurred under DLEP 2011 is;-</p> <p>-160- 162 Wicks Road Macquarie Park (Porters Creek Waste site) Council resolved on the 24/8/2010 to rezone the land IN2 Light Industrial</p> <p>- 55A Pellisier Road Putney (Dwelling house). Council resolved on the 16/11/2004 to zone the subject land to Residential 'A'.</p> <p>Council resolved on 14 February 2012 to not rezone any current SP2 land to any other purpose. DLEP 2011 maintains SP2 zones as per LEP 2010 (not including R&MS requirements).</p>

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				<p><i>Council on the 5 May 2009 resolved to apply E2 zoning to all land categorised as bushland under Section 36 of the Local Government Act, 1993 resulting in Field of Mars Reserve and Wildlife Refuge being predominately zoned E2 .</i></p>
Existing Controls/ Open Space/ Environment/Other	4	<p>Request period for community comment be at least 3 months, formal exhibition 2 months and time to consider staff recommendations.</p> <p><i>Council has supported State Government requirements that SP2 land be rezoned, permitting building within the foreshore building line and zoning all roads residential.</i></p> <p>Will county link road from Eastwood to North Ryde be built?</p> <p><i>Bundara Reserve - R2 zoning should reflect current one storey , single residential dwellings.</i></p> <p>Update Land use matrix.</p>	<p>No change supported.</p> <p><i>No change supported – Council resolution and DoPI.</i></p> <p>No change required.</p> <p><i>No change supported – strategic direction.</i></p> <p>No change required.</p>	<p>Community comment on DLEP was from 19 January 2011 to 29 May 2012 and a formal exhibition period from 30 May to 13 July 2012. A report on submissions was presented to Council 24 July and all submissions writers invited to address Council.</p> <p><i>Council resolved on 14 February 2012 to not rezone any current SP2 land to any other purpose. Foreshore building line controls and zoning of roads in accordance with DoPI requirements.</i></p> <p>The link between Eastwood to Epping Road is under the control of the R&MS and construction is at their discretion.</p> <p><i>Existing land adjoining Bundara Reserve to the east is zoned R2. All of R2 zone allows variety of residential types and buildings of up to 9.5m in height.</i></p> <p>The version of the Matrix that was available during the community comment exhibition period was the relevant matrix to use at that time.</p>

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Area /Group	No. Subs	Issue	Response	Reason
Dual occupancy/multi dwelling housing				
Support DLEP	10			
Against DLEP	0			
Existing Controls/ Open Space/ Environment/Other	8	<p>Controls now greatly limits the potential for duplex buildings –the majority of land in Ryde has a less than 20 metre frontage.</p> <p>The requirements should be reviewed and it is suggested that a block 16m wide and 700sqm is more realistic.</p> <p>Linear separation rules are not fair.</p>	<p>No change supported – Local Planning Study.</p>	<p>The Local Planning Study 2010 – Housing study states the following for dual occupancy developments.</p> <p><i>A slightly higher minimum lot size together with a 20 metre minimum frontage width would deliver better design outcomes, particularly with regard to compatibility with existing streetscapes, landscape and deep soil areas, as well as the placement of garages and other car parking structures.</i></p> <p><i>If an increased minimum lot size for duplex buildings was introduced, the number of sites available for duplex developments would significantly decrease.(P4 – 72).</i></p> <p>Council on the 7 December 2010 adopted the following recommendation from the LPS 2010 <i>Introduce a control to require a minimum street frontage of 20 metres for duplex developments. (P 9-13)</i></p> <p>Linear separation is not an LEP control. It has been deleted from DDCP 2011 as a result of the Council resolutions adopting the Local Planning Study 2010.</p>

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TABLE 6 – Verbal Submissions made at Council Meeting 24 July 2012

Speaker Name	Property /Area addressed	Request/Issues	Response/Comments provided
1. Andy Ludvik (representing Ryde-Eastwood Leagues Club Ltd, Investron Pty Ltd, Alramon Pty Ltd, Enrico Bietola Pty Ltd, Gladesville Industrial Area Land Owners, Rutledge Property Group and Ms V Quek),	1. Ryde Eastwood Leagues Club – Rydedale Road	❖ TerryRoad/Ryedale Road request R2 to R4 zoning	<p>A Draft West Ryde Master Plan was presented to Council on the 3 August 2010 in which land in the north east quadrant of the town centre was to undergo the most significant changes - the area was seen as having better traffic and public transport access, high residential amenity and proximity to shops. The draft master plan rezoned Terry’s Road/Ryedale Road to R4 with similar controls to other areas of the Centre.</p> <p>Council resolved that the sites on Ryedale Road (north of Terry Road) and sites in Terry Road being deleted from the master plan.</p> <p>Recommendation – No change to DLEP 2011.</p>
	2. 2 College Street Gladesville	❖ Concerns over cost of preparing PP to rezone land. ❖ B4 zone requested as land is removed from other dwellings via ROW/access	<p>The property contains a dwelling house and is zoned R2. Land opposite and adjoining to the west is also zoned R2 and contains dwelling houses. Properties to the east of the site are zoned B4 and are commercial premises.</p> <p>In view of the access way separating the property from the dwelling house at 2A College Street and the zoning of land to the south and east, the rezoning of the land B4 is considered reasonable. However to allow community consideration of proposed zoning, FSR and height changes to the land and to enable detailed design criteria to be incorporated into <i>DCP 2011 - Part 4.6 Gladesville Town Centre and Victoria Road Corridor</i> it is considered that a</p>

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Speaker Name	Property /Area addressed	Request/Issues	Response/Comments provided
			<p>Planning Proposal for the site should be submitted to Council.</p> <p>Recommendation – No change to DLEP 2011 and that a planning proposal be lodged with Council for consideration, rezoning the property B4.</p>
	<p>3. Gladesville Industrial Area</p>	<ul style="list-style-type: none"> ❖ Problems of leasing properties ❖ Bulky goods in business zones inappropriate ❖ Council has permitted bulky goods premises at 461 Victoria Rd ❖ B5 is the appropriate zone 	<p>Bulky goods premises is defined as a building used for the sale , hire or display of bulky goods being of such size or weight to require a large handling display area and includes goods such as floor and window supplies , furniture , household electrical goods and swimming pools.</p> <p>The retail nature of bulky goods and its likely impact on reducing the land available for industrial uses is such that they should be considered on an individual basis through a Planning Proposal.</p> <p>DoPI on 20 June 2012 advised Council of the following;</p> <p><i>“Our preference is to exclude bulky goods retail from industrial zones as an additional use across the zone because the inclusion of 'bulky goods' is now considered fundamentally to be a retail use that is likely to reduce the amount of industrial land</i></p> <p><i>The preference now is to either:</i></p> <ol style="list-style-type: none"> <i>1. cluster permissibility of these uses in a suitable area (close to commercial is ideal but may not be achievable) and to give them a B5 zoning or</i> <i>2. allow the use by a Schedule 1 amendment for the particular site based on suitability criteria (less preferable but less damaging to the whole zone)</i> <p><i>In either case the PP should assess the proposal against</i></p>

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Speaker Name	Property /Area addressed	Request/Issues	Response/Comments provided
			<p><i>the Employment Lands Development Program Strategic Assessment checklist</i></p> <p>The retail nature of bulky goods and its likely impact on reducing the land available for industrial uses is such that they should be considered on an individual basis through a Planning Proposal.</p> <p>The owners of the industrial sites at 33- 37 College Street, 39 – 41 College Street , 43 – 51 College Street and 28 and 46- 48 Buffalo Rd Gladesville have made representation and submissions on the need to permit a range of additional land uses in the IN2 zone to address the leasing difficulties being faced by the landowners and to assist in ensuring the viability of the industrial area. To respond to their submissions a number of additional land uses have been added to the IN2 zone (permitted with consent). The uses include hardware and building supplies, wholesale supplies, landscape material supplies, emergency service and recreation facility (indoor).</p> <p>An additional land use requested by the landowners was the inclusion in the land use table of Bulky goods premises. To address Council staff and the Departments concerns over the broad/unlimited introduction of the bulky goods land use in the IN2 zone, these landowners are proposing an approach that would limit the amount of floor space on site that could be used for a bulky goods premises . The landowners have suggested 500sqm or 30% of floor space.</p> <p>The proposal to introduce a bulky goods land use within the Gladesville industrial area requires comprehensive</p>

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Speaker Name	Property /Area addressed	Request/Issues	Response/Comments provided
			<p>consideration in relation to the viability of the industrial area and the impact on the adjoining residential areas in relation to matters such as traffic movements.</p> <p>Recommendation – No change to DLEP 2011.</p>
	<p>4. 31 – 33 Waterloo Rd Macquarie Park</p>	<p>❖ Request consistent controls with adjoining land</p>	<p>Council on the 12 June 2012 resolved in part with respect to 31 – 33 Waterloo Rd</p> <ol style="list-style-type: none"> 1. The landowner be request to prepare a residential commercial mix draft master plan for the land, in accordance with the principles of at transit orientate development to activate the precinct. 2. That the master plan incorporates the principle of high density living, diverse employment opportunities while integrating adjacent public transport infrastructure. 3. If owner agrees to prepare draft master plan at own cost then they be request to present the outcome to Council in October 2012. <p>It is considered that any changes to the land uses permitted or development controls for the site should be subject to a separate planning proposal, which will be considered when the master plan is completed.</p> <p>Recommendation – No change to DLEP 2011 and that a planning proposal be submitted to Council upon a separate master plan being prepared in accordance with Council resolution of 12 June 2012.</p>

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Speaker Name	Property /Area addressed	Request/Issues	Response/Comments provided
	5. Cox's Rd Master Plan	<ul style="list-style-type: none"> - Request removal of FSR & height controls - SP2 zone – no controls but built form is limited by the use to church /school purposes. 	<p>Council on the 24 April 2012 resolved to accept both a landowner's master plan and Council's master plan for public exhibition. The exhibition occurred from the 9 May to the 20 June 2012. The outcomes of the exhibition will be reported to Council later in 2012.</p> <p>The DLEP and the development of the controls for Cox's Road Centre have always been considered two separate processes. Upon a decision being made by Council as to the future controls that should apply to the Centre a planning proposal amending LEP 2010 will be undertaken. It should be noted that as per the RPSO and LEP 2010 land in DLEP 2011 zoned SP2 has no FSR or height controls.</p> <p>The Local Planning Study adopted by Council recommended a height of 9.5m and FSR of 0.8:1 for land zoned B1 (under LEP 2010 a 0.5:1 FSR exists with no height control).</p> <p>The controls of FSR 0.8:1 and building height of 9.5m is appropriate for Cox's Road until the Council makes a decision on the future controls for the Centre.</p> <p>Recommendation – No change to DLEP 2011.</p>
<p>2. Ray Dresdner (representing J Goubran, BA & SR Wilson, PJ Smith, HL & M Dresdner, A & R Zweig, E Kreiger and R</p>	Request bulky goods premises for IN2 zone	❖ Request bulky goods (BG) for IN2 lands	As above for Speaker 1.

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Speaker Name	Property /Area addressed	Request/Issues	Response/Comments provided
<p>Markland,) 3. Graeme Cordiner</p>	<p>Gladesville Area</p>	<ul style="list-style-type: none"> ❖ Process not transparent ❖ Heights of additional 2 storey resulting in 6-8 storeys not supported ❖ Building heights & residents on busy roads not acceptable 	<p>Changes to zoning, height and FSRs in the Gladesville Town Centre (GTC) have resulted from the gazettal of LEP (Gladesville TC & VRC) on 14 January 2011 and the Local Planning Study adopted by Council in December 2010. The LEP involved extensive community consultation with the Local Study involving more targeted consultation (land owners affected by proposed change). The changes identified in the Local Study related to properties on the periphery of the GTC which had been excluded because of timing or technical issues from LEP(Gladesville TC & VRC) and include the following:-</p> <ul style="list-style-type: none"> a. 14 – 20 Oxford St – the subject properties and adjoining land facing Victoria Rd are owned by the Catholic Church, used for school and church purposes and currently zoned R2 and B4. It is considered appropriate planning practice to have one zoning apply to the properties. b. 11- 15 Farm St – 3 sites abutting Primrose Hill. The land owners requested as part of the preparation of the LEP for Gladesville that the land be rezoned and have similar controls to the adjoining Primrose Hill site. c. 1 Stansell St – isolated site containing a dwelling d. 2a and 2b Westminster Rd – industrial building rezoned to B6 to reflect its use. <p>The purpose of the changes are to facilitate the revitalisation of the GTC as a vibrant, attractive and safe urban environment with a diverse mix of land uses.</p>

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Speaker Name	Property /Area addressed	Request/Issues	Response/Comments provided
			<p>No changes are proposed to Eltham Street in the DLEP. Parking provision for future developments will be considered at DA stage.</p> <p>Recommendation – the proposed amendments to land abutting the Gladesville Town Centre and Victoria Road Corridor proceed as exhibited under DLEP 2011.</p>
<p>4. Peter Lubrano (representing Strata Plan 5991),</p>	<p>Peach Tree Rd Macquarie Park</p>	<p>❖ Roads zoned RE1 – requests rezoning of roads to B4</p>	<p>DoPI Practice note PN10 – 001 requires all roads to be zoned in an LEP. Council on the 5 May 2009 in resolving to proceed with the gazettal of LEP 2010 further resolved to amend the zoning of roads to RE1 for the length of the boundary that land zoned RE1 abutts a road.</p> <p>Recommendation – No change to DLEP 2011.</p>
<p>5. Estelle Shields - Friends of Crowle Homes</p>	<p>Crowle Homes Meadowbank</p>	<p>❖ Reconsideration of the zoning of part of the site to maintain care accommodation</p>	<p>The land has been zoned B4 Mixed Use (or equivalent) since June 2002. The land is subject to a Part 3A Concept Plan which was approved by DoPI in November 2012.</p> <p>Recommendation – No change to DLEP 2011.</p>
<p>6 Diane Erickson (representing herself and Dorothy Kennedy),</p>	<p>Civic Centre site</p>	<p>❖ Over development of the land</p>	<p>Ryde LEP 2010 (Amendment 2) which was gazetted on 2 March 2012 amended the Height of Buildings Map with respect to the Ryde Civic Precinct to a maximum height of 75m and reduced the nett usable floor area permitted in the Precinct from 100 000sqm to 60 000sqm (<i>Schedule 6 Planning controls for Ryde Town Centre precincts</i>). With respect to DLEP 2011 the following is to be noted:</p> <ol style="list-style-type: none"> 1. DLEP 2011 does not amend the height controls presently available to the subject land under LEP

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Speaker Name	Property /Area addressed	Request/Issues	Response/Comments provided
			<p>2010.</p> <p>2. DoPI required that the floor space (FS) controls for Ryde Town Centre be provided as a floor space ratio (FSR) on the FSR Maps rather than a floor area defined by square metres. As a result the nett usable floor areas specified for Precincts 1 and 2 in LEP 2010 (60 000sqm & 150 000sqm respectively) were converted to a gross floor area and then converted into a ratio on the FSR Maps. It should be noted that Precinct 1 is divided into 3 FSR areas which are:-</p> <ul style="list-style-type: none"> - 150 – 156 Blaxland Rd (carpark sites) – 2.2:1 - 1 Devlin Street – 4.37:1 and - 1 Devlin Street (area containing access ramps) 0:1 (no development permitted) <p>Council on 13 November 2012 as part of a Mayoral Minute 16/12 , in relation to the Civic Centre Site, resolved in part to rezone the Civic Centre site SP2 Community use and RL 91.</p> <p>Recommendation – The amendment to the height and zoning of Precinct 1 be dealt with as a planning proposal – No amendment to DLEP 2011.</p>
<p>7. Denise Pendleton - (representing Residents for Ryde),</p>	<p>Ryde Town Centre</p>	<ul style="list-style-type: none"> ❖ Concerns of the community not addressed in relation to heights and FSR in the RTC ❖ LEP should not be 	<p>Development of DLEP 2011 involved a 3 stage process since 2005.</p> <p>All stages involved community consultation – master planning and reviewing of controls</p> <p>The DLEP approach is for the focus of development to remain in Centres.</p>

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Speaker Name	Property /Area addressed	Request/Issues	Response/Comments provided
		rushed through – consideration of Green Paper should be made.	Refer to comments for Speaker 6 with respect to the Ryde Civic Centre site. Recommendation – No change to DLEP 2011.
8. Ellen Robertshaw - (representing Morling College),	120 Herring Rd Macquarie Park	❖ Given approvals of Part 3As adjoining the land requests an increase in controls on site to - 2.5:1 & 48m in height - 2:1 and 21.5/27m height	The site is located in the Macquarie Park Corridor – the planning provisions for the corridor and currently under review and are being considered separately to DLEP 2011. The issue raised in the submission will be considered as part of the review of the existing controls in the Corridor (review of DLEP 2010 Amendment 1) this was reported to Council on 27 November 2012. Recommendation - No change to DLEP 2011.
9. Jennifer Rollo (representing Friends of Crowle Home Inc),	Crowle Homes Meadowbank		Refer to comments under Speaker 5
10. Gordana Vasic	Dual Occupancy – strata subdivision	❖ In support of strata subdivision of dual occupancy developments	Comments noted
11 Patricia Bloomfield	Gladesville – Primrose Hill area	❖ LEP in proposing heights of - 22m Victoria Rd - 12m Farm St Will wreck the area	Refer to comments under Speaker 3
12 Kevin Bevitt (representing Charles	363 – 371 Victoria Rd Gladesville (abutting	❖ Opposes the retaining of R2	The planning provisions for Gladesville Town Centre and Victoria Road Corridor were reviewed as part of the Local

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Speaker Name	Property /Area addressed	Request/Issues	Response/Comments provided
Dawborn)	Eltham Street (44 – 46)	zone on 44 – 48 Eltham Street – requests a B4 zone for land.	Planning Study. Expansion of the B4/B6 zone into Eltham St was not considered as part of the study due to the residential nature of the street and the approach that the non residential use be contained to Victoria Rd. Recommendation - No change to DLEP 2011.
13 Angela Penklis (representing June Madden and Friend of Crowle Home Inc)	Crowle Homes Meadowbank	<ul style="list-style-type: none"> ❖ Part of the site should remain SP2 ❖ Part of the site should be B4 	Refer to comments under Speaker 5
14 Tim Flett (representing Pirasta Pty Ltd),	Land zoned B7	<ul style="list-style-type: none"> ❖ Supports Council approach to not allowing serviced apartments to be strata subdivided. ❖ Not in support of residential land uses for the B7 zone ❖ Bonus FSR for access 	Comments noted.
15 Stephen Abolakian - (representing HyCorp),	120 – 128 Blaxland Rd Ryde	<ul style="list-style-type: none"> ❖ FSR and height controls do not match ❖ Request FSR up to 5:1 	The arguments for increased height and FSR in relation to scale and feasibility carry some weight. It is accepted that the base FSR is low and results in a mismatch with height. It is proposed to raise this from 1.8:1 to 2:1 but keep the maximum incentive FSR of 2.5:1 as was proposed by the DLEP 2011

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Speaker Name	Property /Area addressed	Request/Issues	Response/Comments provided
			<p>The height should also be amended. It is suggested that the base height of 18.5:1 be retained but that the height incentive is amended from 3m to be 6m. This may create taller building forms but will not add to the floor space capacity of the centre (and therefore the traffic generation).</p> <p>To ensure equity the same height and FSR controls should be applied across the whole of Precinct 3 – Main Street (generally retail parts of Blaxland Rd of Church St and areas in Ryde Town Centre presently with an FSR of 1.8:1.</p> <p>The height incentives (if taken up) are in the central part of the Top Ryde and will not affect the low density residential areas surrounding the centre.</p> <p>Recommendation - The following amendment be made to the DLEP 2011:</p> <ul style="list-style-type: none"> o Amend FSR map to 2:1 for the whole of Precinct 3 and land within the Ryde Town Centre with an FSR 1.8:1 under the Draft Plan. o Amend the HOB map for the corresponding area mentioned above to a height of 18.5 m. o Amend HOB Map to make area F as referred to in Clause 4.3(2A) to correspond with area described above. o Amend FSR Map for Ryde Town Centre by combining area H and I into area H. o Amend Clause (4.3)(2A)(f) to 6m for area F

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Speaker Name	Property /Area addressed	Request/Issues	Response/Comments provided
			<ul style="list-style-type: none"> o Amend Clause (4.4)(2A)(h) to read as follows; (h) 0.5:1 if the building is in area H and if the building is on a site having an area of at least 900sqm and provides laneway access and is mixed development. o Clause 2 (4.4)(2A) (i) to be deleted.
<p>16 Shaun Gilchrist</p>	<p>DDCP 2011 – Linear separation</p>	<ul style="list-style-type: none"> ❖ Concerns about the removal of linear separation and the impact it will have 	<p>A recommendation of The Local Planning Study which was adopted by Council in December 2010 is the removal of existing linear separation requirements for dual occupancy and linear separation. However an LEP control introduced a 20m frontage for multi dwelling housing and dual occupancy developments.</p> <p>The Housing Study (a component of the Local Planning Study) identified the removal of the control as helping address the housing needs of future residents by delivering smaller dwelling types which offer opportunities for:</p> <ul style="list-style-type: none"> - ageing households <ul style="list-style-type: none"> - Lone persons households and - young families. <p>Within the City the following number of allotments have been identified as capable of :- Multi dwelling development - 815 Dual occupancy (attached) development – 2125.</p> <p>Recommendation - No change to DLEP 2011.</p>
<p>17 Lee Cummings</p>	<p>Ryde Civic Centre</p>	<ul style="list-style-type: none"> ❖ Mishandling of Civic Centre site ❖ No trust in the 	<p>Refer to comments under speaker 6</p>

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Speaker Name	Property /Area addressed	Request/Issues	Response/Comments provided
		councillors to make a sound decision on DLEP /DDCP	
18 Sherrie Barton	Ryde Town Centre	❖ Issues around Civic Centre site and changes in Ryde Town Centre	Refer to comments under speaker 6
19 Aaron Lynch	44 – 48 Eltham St/373 Victoria Rd Gladesville	<ul style="list-style-type: none"> ❖ Request B4 zoning for properties in Eltham St ❖ B4 zoning for 373 Victoria Rd ❖ Request similar controls to Primrose Hill/Monash Road – 2.3:1 	Refer to comments under speaker 12
20 Tod Anderson (representing himself and Taleen Tashjian),	6 Clare Street Putney	❖ Request RE1 zone permits legal access to properties .	<p>Roads are a mandated use in the RE1 zone. Council on the 5 November 2002 resolved that it agrees in principle with the provision of vehicular access from Clare St onto the southern side of the property. As the zoning of land under LEP 2010 did not impact on Council's resolution no further action was taken. Legal opinion was received and the matter has been dealt with under the DA process.</p> <p>Recommendation - No change to DLEP 2011.</p>
21 Kevin Page	Pro forma letters	❖ Letters not given sufficient weight	A total 3022 Proforma letters covering a range of issues including Civic Precinct proposal

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Speaker Name	Property /Area addressed	Request/Issues	Response/Comments provided
			<p>Loss of open space Heights and inappropriate development in Gladesville were received throughout the “Community Comment” and “Formal Exhibition” process - No lesser weight was given to the submissions in their representation/presentation to Council.</p> <p>Recommendation - No change to DLEP 2011.</p>
<p>22 Jennie Minifie (representing Ryde Community Alliance and Ryde Environment Group),</p>	<p>Number of concerns</p>	<ul style="list-style-type: none"> ❖ Proformas – important points raised ❖ Residents not aware of the change to medium density controls ❖ DLEP – 90% development 10% environment ❖ No comprehensive heritage study done ❖ Built form controls 	<p>In response to comments made:</p> <ul style="list-style-type: none"> - For proforma letters refer to comments under speaker 21. - Changes to strata subdivision and linear separation controls were identified in 3 of the 4 DLEP public notices as well as highlighted on Council’s webpage and during information sessions. - The DLEP incorporates new controls around flooding, sustainable development and stormwater . It also focuses on maintaining development within Centres. - A comprehensive Heritage Study was undertaken in 1988 and a subsequent heritage review in 2000. Draft Heritage Study 2010 which was commenced in 2003 when members of the Heritage Advisory Committee sought heritage nominations from the Community groups they represent. Council on the 17 August 2010 resolved to include, delete and amend a number of heritage items in draft LEP 2011. Council also resolved that it would not pursue compulsory heritage listing of any property unless

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Speaker Name	Property /Area addressed	Request/Issues	Response/Comments provided
			<p>the land owner of the property applies for a heritage listing of the property.</p> <ul style="list-style-type: none"> - Built form controls are dealt with in detail in Draft DCP 2011 which has yet to be presented to Council. <p>Recommendation - No change to DLEP 2011.</p>
23 Justin Kucic	Eltham Street Gladesville	<ul style="list-style-type: none"> ❖ All traffic with the redevelopment of Victoria Rd behind Westminster & Monash go through Eltham Street. ❖ Environmental capacity of the street – impacts increasing due to developments ❖ Close Eltham St to protect pedestrians and amenity of the street . 	<p>Monash Road/ Victoria Rd development standards were gazetted in January 2011 and are not proposed to change as part of DLEP 2011.</p> <p>The concerns relating to the traffic issues resulting from surrounding development are noted.</p> <p>There are no changes proposed to Eltham Street in the DLEP. Traffic and Parking provision for future developments will be considered at DA stage .</p> <p>Recommendation - No change to DLEP 2011.</p>
24 Marian Higgins	11 – 13 Angus Street Meadowbank	<ul style="list-style-type: none"> ❖ Request for increases in <ul style="list-style-type: none"> - height to 29.6m - FSR to 3.2:1 	<p>When considering the Ryde Local Planning Study, Council directed that the LEP building heights in Shepherd's Bay should accommodate 6 storeys maximum. The council adopted Local Planning Study formed the basis of DLEP 2011. The DLEP FSRs were derived from the height envelopes and previous master plan studies.</p> <p>Recommendation - No change to DLEP 2011.</p>

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ATTACHMENT 7

6 DRAFT RYDE LEP 2011 - SUBMISSIONS

Report prepared by: Strategic Planner

Report dated: 28/05/2012

File No.: LEP2008/22/007 - BP12/643

REPORT SUMMARY

This report provides information on the exhibition of draft Ryde Local Environmental Plan (LEP) 2011 and on the outcomes of that community consultation process.

A total of 3 259 submissions were received during the exhibition of draft LEP under both 'Community Comment' which occurred from the 19 January 2011 to the 29 May 2012 and the formal exhibition of the Plan under the Environmental Planning and Assessment Act 1979 from the 30 May to the 13 July 2012.

The principal issues raised in submissions were;

- Requests for increased floor space and height provisions for certain sites within Centres and local business zones.
- Deleting Clause 4.1C (d) (b) which requires a minimum road frontage of 20m for dual occupancy and multi dwelling housing developments.
- Requests from State authorities that land zoned SP2 which is surplus to their needs be rezoned to an adjoining zoning.
- Concern over the viability of the IN2 zone and inclusion of additional land uses "permitted with consent".
- Retention of all open space land
- Objection to blanket prohibitions that exist within DLEP which fail to recognise "advertising signage" as a legitimate land use activity.

A summary of points raised in submissions, Council's response to those points and proposed actions are presented in Table 1 – Community Consultation Submissions and Table 2 – Formal Exhibition Submissions.

It is proposed to amend the draft LEP to address a number of the issues raised in submissions, the principal changes include:

1. Wholesale supplies, Building identification signs and Recreation facility (indoor) being added to uses permitted in the IN2 Light Industrial.
2. Home business and Home industries being added as a permitted use in the R2, R3 and R4 zones.
3. Land Reservation Acquisition Map being amended in line with requested RTA boundary changes.

Further amendments to the draft Plan are also proposed to bring the plan in line with changes in supporting documents such as the Draft DCP 2011 and to correct identified omissions and errors. All such changes are identified in TABLE 3 – Amendments to DLEP 2011.

The report recommends that Council amends the draft Plan in accordance with Table 3 and that the plan be forwarded to the Department of Planning and Infrastructure (DoPI) with a Section 68 report requesting that the Minister make the Plan.

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RECOMMENDATION:

- (a) That Council amend Draft Ryde LEP 2011 in accordance with the changes identified in *Table 3 – Amendments to LEP 2011* attached to this report titled Draft LEP 2011 – Submissions.
- (b) That Council forward to the Department of Planning and Infrastructure draft LEP 2011 as amended with a Section 68 report requesting that the Minister make the Plan.
- (c) That the General Manager write to the Minister for Planning seeking flexibility for the City of Ryde to develop boarding house controls that reflect local character and affordable housing.

ATTACHMENTS

- 1 Ryde City View - CIRCULATED UNDER SEPARATE COVER
- 2 Notification Areas - CIRCULATED UNDER SEPARATE COVER
- 3 Table 1 - Community Submission Table - 5 June - CIRCULATED UNDER SEPARATE COVER
- 4 Table 2 - Formal Submissions - CIRCULATED UNDER SEPARATE COVER
- 5 Table 3 - Changes to DLEP - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

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Report Approved By:

Meryl Bishop
Manager - Urban Planning

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Group Manager - Environment & Planning

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History

Council resolved on the 11 December 2007 to prepare a comprehensive LEP in accordance with the Standard Instrument and based on the City of Ryde Local Planning Study.

Council adopted with amendments the City of Ryde Local Planning Study 2010 on the 7 December 2010 and resolved that the consultation process with Government agencies, required by Section 62 of the EP&A Act for draft Ryde LEP 2011 be carried out.

Council on 14 December 2010, after consideration of the comments from the government agencies, resolved that the Director General of the Department of Planning and Infrastructure (DoPI) be requested under Section 65 of the Environmental Planning and Assessment Act, 1979 to certify that the draft Plan, as amended, may be publicly exhibited.

The draft LEP as submitted to DoPI was placed on the Council website for "Community Comment" on the 19 January 2011. Details of the "Community Comment" exhibition of the draft Plan are provided later in this report.

A conditioned Section 65 Certificate was issued by the Director General of DoPI on the 5 September 2011.

Council resolved on the 27 September 2011 to hold a Council Workshop prior to resubmission of Draft LEP 2011 back to the Department of Planning and Infrastructure to seek a reissuing of the Section 65 Certificate.

The Council Workshop was held on the 8 November 2011 and covered the following areas: -

- Section 65 Conditions relating to open space,
- Rezoning of land at 158 – 194 Blaxland Road Ryde under DLEP 2011,
- Rezoning of SP2 land to the zoning of adjoining land.

A report on the outcomes of the Councillor Workshop was presented to Council on 13 December 2011. Council resolved the following with respect to the matters covered in that report:

- (a) *That the Director General of the Department of Planning and Infrastructure be requested to amend the Section 65 Certificate issued on 5 September 2011 for draft LEP 2011 in accordance with the following:*
- *158 – 194 Blaxland Road Ryde - Add a new condition reverting the zoning, height and floor space controls for 158 – 194 Blaxland Rd Ryde to those that apply under LEP 2010 i.e. zoning 158 – 180 Blaxland Rd R2 Low Density Residential and 182 – 194 Blaxland Rd R4 High Density Residential.*
 - *Cudal Reserve - Delete Condition 12 (b) rezoning Cudal Reserve from SP2 to R2 Low Density Residential and add a new condition requiring the rezoning of the land to RE1 Public Recreation.*
 - *390 Pittwater Road North Ryde - Delete Condition 12(d) rezoning 390 Pittwater Road from E2 and R2 to SP2 Classified Road.*

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- (b) *That a submission is made to the Department of Planning and Infrastructure and State Property Authority expressing Council's concern about the possible sale of land associated with Small's Road Ryde School and requesting that the Small's Road Ryde School land be retained either as a school site or dedicated open space.*
- (c) *That the rezoning of Kitty's Creek Reserve adjacent to 46 Jeanette Street Ryde from an E2 zone to a R2 zone not proceed.*

A letter requesting the above amendments and expressing Council's concerns with respect to Small's Road School was sent to the Director General of the Department of Infrastructure and Planning on the 15 December 2011.

In response to Council's letter of the 15 December 2011 an amended Section 65 Certificate dated 20 December 2011 was issued by DoPI. The Certificate addressed all of Council's issues with the exception of the following;

- The rezoning of Cudal Reserve to RE1 Public Recreation (Note: Cudal Reserve was to remain SP2).
- Rezoning a small area of Kitty's Creek Reserve from R2 Low Density Residential to E2 Environmental Conservation and the subsequent deleting of the proposed reclassification of the subject land to operational.

Council on the 14 February 2012 resolved in part:

1. that an amended Section 65 Certificate be requested that did not rezone any current SP2 land to other purposes and that such zoning be reflected in the Draft LEP for public exhibition.
2. That Council authorise that Draft Ryde Local Environmental Plan 2011 be placed on exhibition in accordance with the requirements for the exhibition of draft local environmental plans as specified by the Environmental Planning and Assessment act 1979.

Council forwarded to DoPI on 5 April 2012 draft LEP 2011 amended in accordance with the conditions of the Section 65 Certificate dated 20 December 2011, previous Council resolutions not addressed in Section 65 Certificate i.e. Kitty's Creek Reserve and amended maps reflecting the reinstatement of the SP2 zones.

Council on the 23 April 2012 received an unconditional Section 65 Certificate from the DoPI to exhibit draft Ryde LEP 2011.

Discussion

Draft LEP 2011 was placed on Community Comment from the 19 January 2011 to the 29 May 2012.

The "Community Comment" exhibition of the draft Plan included the following;

1. Information on Council's webpage including;
 - a. DLEP 2011 written document and maps
 - b. Background information on LEPs , DCPs , City of Ryde Planning Study and DLEP 2011
 - c. Key documents e.g. Council reports , table of changes, land use matrix
 - d. An invitation to make submission

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2. Hard copy of documents placed in all libraries
3. Information on 149 Certificates issued as to the zoning, heritage status etc of a property under the draft Plan and where to view the draft plan.

The draft LEP was placed on formal exhibition from the 30 May to 13 July 2012 and included the following;

- a. A public notice of the exhibition in each Ryde City View edition during the 6 week period. Specific aspects of the DLEP were identified in each edition. Copies of the advertisements that appeared in the four editions of the Ryde City View are **CIRCULATED UNDER SEPARATE COVER**.
- b. Use of Council Kiosks or computers in each of Council's libraries providing internet access to Ryde LEP 2010 and draft LEP 2011 for information and comparison purposes. Statutory information and background information was also provided. Similar computer access was also available to customers within the Civic Centre and Council's Business and Advisory Centre.
- c. Hard copies of both Ryde LEP 2010, draft LEP 2011 and key support and statutory information was on display within each library, the Civic Centre and Ryde Planning and Business Centre.
- d. A3 Information posters were displayed within each library, the Civic Centre and Ryde Planning and Business Centre advising of the exhibition.
- e. Brochures on the draft LEP and DCP were available at all areas where the LEP was on exhibition.
- f. Approximately 3 000 letters and brochures were sent out advising of the DLEP to various groups including ;
 - o land owners and adjoining landowners where a change in zoning, height and floor space is to occur in the following areas;
 - Ryde Town Centre
 - Meadowbank Urban Village
 - West Ryde Town Centre
 - Blenheim Road Shopping Centre
 - Glen Street /Lakeside Road Eastwood
 - Gladesville Town Centre

Maps identifying the areas notified are **CIRCULATED UNDER SEPARATE COVER**.

- o Land owners where land under the DLEP is;
 - zoned B1 Business Neighbourhood and a change in FSR and Height occurs.
 - zoned IN2 Light Industrial and a change in height controls occur
 - rezoned to B1 Business Neighbourhood
 - newly identified on the Land Reservation Map as being required by Roads and Maritime Services for classified road or by Ryde Council for open space purposes
 - newly identified as a heritage item in Schedule 5 Environmental Heritage
 - returned to an SP2 zoning as a result of Council's resolution of the 14 February 2010

ITEM 12 (continued)

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- was reinstated to its zoning under LEP 2010 (158 – 194 Blaxland Rd Ryde – Council resolution 13 December 2011)
- changes to car parking requirements has occurred e.g. areas of Macquarie Park
 - o Chamber of Commerce and Progress Associations
 - o State and Federal Members of Parliament
 - o State authorities and organisations that submitted a submission at the S62 stage.
 - o Adjoining Councils were notified. Ku-ring-gai Council was provided with specific information and maps relating to Porters Creek (a proposed rezoning of 160 – 162 Wicks Road from RE1 Public Recreation to IN2 Light Industrial) and a draft letter to be circulated to those Ku-ring-gai residents that the Council believed would be interested in the rezoning.

Council is to note that as advised in previous reports only the Body Corporate of a strata group was notified not the individual owners of strata units with respect to all letters.

- Information sessions were provided to the following groups;
 - o Council Advisory Committees – Heritage , Economic Development and Climate Change and Sustainable Development
 - o Community Groups – Meadowbank and West Ryde Progress Association
 - o Targeted areas in and adjoining the centres of Ryde, Meadowbank, Eastwood, Blenheim Road and West Ryde.
 - o Internal Council business units – Environment, Assessment, Property, Community Life, Public Works.
- Drop in information sessions were available at West Ryde, North Ryde and Ryde libraries.
- All internal Council business units were consulted through e-mail advising them of the exhibition, where to view the draft Plan and an invitation to comment on the draft Plan.

The consultation was in accordance with COR Engagement Matrix.

This report reviews the submissions received during Community Comment and Formal Exhibition separately.

“Community Comment” exhibition

By the close of business on the 29 May 2012 a total of 3012 submissions (including 2949 pro forma submissions) were received from the community to the exhibition of the draft Plan as submitted to DoPI on the 23 December 2010. The below table groups the submissions based on the geographic or subject area they relate to or the authority group they come from.

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Area	No. Submissions Received
Ryde Council	1
State authorities	9
West Ryde Town Centre	3
Eastwood Town Centre	5
Gladesville Town Centre	2
Meadowbank Urban Village	4

Area	No. Submissions Received
Macquarie Park	2
Ryde Town Centre	213 (includes 3 individual and 210 Pro forma Letters)
General/Multiple areas	2756 (includes 17 individual and 2739 Pro forma Letters)
Dual Occupancy Multi dwelling housing	16
Heritage	1

A summary of points raised in the submissions, Council response to those points and proposed action is provided in *Table 1 Community Consultation Submissions* which is **CIRCULATED UNDER SEPARATE COVER**.

Submission issues raised and identified in *Table 1 Community Consultation Submissions* include:

Ryde Council - 1 submission

Issue

Schedule 2 Exempt development – Signage (temporary sign for a cultural, educational, political, recreational, religious or social event). Request that a further condition be added that signs must not be illuminated

Response

- It is considered that a condition prohibiting the illumination of temporary signs would reduce any concerns related to visual distraction of vehicles or pedestrians.

Recommended action

Schedule 2 Exempt Development – Signage (temporary)
 Additional condition added – (d) Must not be illuminated

State Authorities – 9 submissions

Issue 1- Roads and Maritime Services (only part of submission)-

- The following changes are required to the Land Reservation Acquisition Map;
 - M2 Motorway/Vimiera Rd (area approximately 9 500 sqm) is to be indicated on the LRA Map
 - Minor boundary changes to land identified on the LRA Map for SP2 Classified Road as per information provided by R&MS

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- The R&MS requests amendment to DLEP to ensure child care centres, schools and places of worship and meeting halls are effectively prohibited where such properties have direct frontage to a classified Road.

Response

- In the development of LEP 2010 the R&MS requested that an area of land (M2 Motorway /Vimiera Rd) be indicated for acquisition on the Land Reservation Acquisition. DoPI by letter dated 22 August 2007 requested that as the land was owned by them that it be removed from the LEP 2010 Land Reservation Acquisition Map. The land was deleted from the subject map but retained as SP2 Classified Road on LEP 2010 Land Zoning Map
- As a result of a submission by the then RTA to LEP 2010 requesting that access for child care centres from classified roads be prohibited Clause 6.8 Access for child care centre must not be to a classified road was included in the LEP. At the pre s64 review of DLEP 2011 DoPI advised Council to delete the Clause from the draft Plan and include it into a DCP.

Recommended Actions

1. Land Reservation Acquisition Map be amended in line with requested R&MS boundary changes (Council should note that DoPI requires all land identified on the Land Reservation Acquisition Map to be zoned on the Land Zoning Map according to its future use and as a result minor changes to the Land Zoning Map will also be required) and that the inclusion of land in Vimiera Rd on the Land Reservation Acquisition Map be highlighted to DoPI for their consideration.
2. That DCP 2011 be amended to include a condition where relevant that access for child care centres, schools, meeting halls and places of public worship must not be to a classified road.

Issue 2- Sydney Water

The SP2 zoning of 22 Henry St Ryde , 20 Goulding Street Ryde and 865 Victoria Rd West Ryde is in conflict with the Site Compatibility Certificates issued by DoPI .The LEP should be amended so the land is given the adjoining zoning.

Response

- Council resolved on 14 February 2012 that an amended s65 Certificate be requested from DoPI that does not rezone any current SP2 land to any other purpose. This request was supported by DoPI.
As such it is not considered that Council should support the rezoning of the lands to R2.

No amendment to the DLEP 2011 required.

West Ryde Town Centre – 3 submissions

Issue

Properties located at 6-8 Wattle St, 80 Anzac Ave, 29 – 33 Herbert St should have the same FSR as properties along Herbert St – 1.25:1.

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Response

- In the development of the draft LEP DoPI advised Council that the existing residential flat development density controls in LEP 2010 were no longer acceptable (they had been a transfer from the Ryde Planning Scheme into LEP 2010) and that it would be necessary to replace such controls with an FSR. Based on examination of existing developments in the R4 zone a FSR of 1:1 was determined to be an appropriate based on the nature of uses permitted in the zone (predominately residential flat buildings). The land referred to in Herbert Street is zoned B4 – Mixed Business and permits a large variety of different land uses. An FSR of 1.25:1 applies to all land at West Ryde with a zoning of B4. The FSR proposed within the draft Plan for the subject properties is considered appropriate in view of the zoning of the land.

No amendment to the DLEP 2011 required.

Eastwood Town Centre – 5 submissions

Issue 1

Eastwood should be given same development potential as Ryde Town Centre and divided into Precincts like Ryde Town Centre.

Response

- A new Master Plan for the Eastwood Town Centre is presently being developed and includes areas of R4 land on the eastern side of Eastwood Town Centre. Based on the Small Centres Master Plan the commercial area of Eastwood has been expanded in DLEP 2011 to the northern side of Glen Street and Lakeside Road and has resulted in the rezoning of land to B4 and R4. Further changes to Eastwood will be addressed in the Master Plan presently being developed.

No amendment to the DLEP 2011 required.

Issue 2

Supports proposed changes to Eastwood – regeneration of accommodation at the edge of the commercial area is needed.

Response

- Submission in support of DLEP changes to the Eastwood Centre

No amendment to the DLEP 2011 required.

Gladesville Town Centre – 2 submissions

Issue 1

Heights within all Precincts are too high – particularly Town Centre Precinct. Comments relating to DCP including traffic and pedestrian safety issues with respect to Gladesville Public School, traffic management and access to Victoria Rd. The Centre has insufficient green space for the imposition of a corridor of 6 and 8 storey buildings

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Response

- The heights for the Gladesville area in DLEP 2011 are a straight transfer of heights gazetted in LEP 2010 – Gladesville Town Centre and Victoria Rd Corridor. A separate report on submissions relating to Draft DCP 2011 is to be presented to Council. The submission has been referred to the relevant person to be considered in that report.

No amendment to the DLEP 2011 required.

Issue 2

Commends Council on retaining R2 zoning for 44, 46 & 48 Eltham St Gladesville

Response

- Supports DLEP 2011 amendments.

No amendment to the DLEP 2011 required.

Meadowbank Urban Village – 4 submissions

Issue 1

Concerned that the land along the Shepherds Bay area has been designated as a long strip of 21m and 15m height buildings which will lead to a long wall of building rather than a stepped plane.
A central open parkland area which links the River to the land behind and which would provide for overflow drainage for the land behind should be considered.
Developers if allowed will maximise the height of their development and have no concern for those further up the hill.

Response

- Draft DCP 2011 – 4.2 Shepherds Bay provides design controls to ensure variation and architectural relief will be provided to individual developments. Also the DCP requires setbacks and landscaping within all such developments.

No amendment to the DLEP 2011 required.

Issue 2

21 – 24 Railway Road Meadowbank.
A 10 storey building form is suitable for the site as it would provide a sense of solidity to strengthen the corner of the existing building fabric. Draft LEP proposed height control of 21.5m equates to 6 storeys – this is inconsistent with the most recent recommended heights for the land of 9 storeys. DLEP recommends a FSR for MEA – these have not been subject to any comprehensive study. The proposed FSRs are based on an approximated Precinct – wide FSR approach – this level of testing is considered to be too basic. The site is located within the Station Precinct which is comprised of small sites with little opportunity for amalgamation. A precinct wide FSR with low building heights will not encourage future development of smaller sites.

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Response

- When considering the Ryde Local Planning Study, Council directed that the LEP building heights in Shepherd's Bay should accommodate 6 storeys maximum. The council adopted Local Planning Study formed the basis of DLEP 2011. The DLEP FSRs were derived from the height envelopes and previous master plan studies.

No amendment to the DLEP 2011 required.

Macquarie Park – 2 Submissions

Issue 1

Rectification of previous error with respect to the southern side of Peach Tree Rd has failed to eventuate.

Response

- Council resolved to include changes to both the FSR and Parking requirements for Peach Tree Rd in draft LEP 2010 – Amendment 1 Macquarie Park. In accordance with the requirements of DoPI housekeeping matters in DLEP 2010 (Amendment 1) were required to be incorporated into DLEP 2011. DLEP 2011 Floor Space Ratio Map and Macquarie Park Parking Restrictions Map incorporate the amendments to Peach Tree Rd.

No amendment to the DLEP 2011 required.

Issue 2

Cottonwood and Lachlan Avenue – Council should consider rezoning the two areas from 6 storeys to 10 plus storeys similar to the corners next to the train station to encourage development.

Response

- A review of the planning controls in the Macquarie Park Corridor is currently being undertaken (Draft LEP 2010 (Amendment 1)). The submission will be addressed as part of this process.

No amendment to the DLEP 2011 required.

Ryde Town Centre – 213 submissions (includes 3 individual and 210 pro forma letters)

Issue 1

Submission supports rezoning of properties 3 Parkes Rd and 158 – 186 Blaxland Rd Ryde to B4 Mixed Business.

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Response

- Council on 13 December 2011 resolved with respect to 158 – 194 Blaxland Road Ryde to request an amended s65 Certificate from DoPI reverting the zoning, height and floor space controls for 158 – 194 Blaxland Road Ryde to those that apply under LEP 2010. DoPI supported the request and the subject properties have reverted in DLEP 2011 to their zoning under LEP 2010 i.e. R2, SP2 and R4 and related FSR and Height controls.

No amendment to the DLEP 2011 required.

Issue 2 (210 Pro forma letters)

Pro forma 1 – Total number of submissions 209

Retain Civic Centre as public land and rebuild if necessary. Objects to two 24 storey towers.

Response

- This is a matter that related to the Planning Proposal for the Ryde Civic Precinct that was considered by Council on 14 February 2012. It should be noted that Ryde LEP 2010 (Amendment 2) which was gazetted on 2 March 2012 amended the Height of Buildings Map with respect to the Ryde Civic Precinct to a maximum height of 75m and reduced the nett usable floor area permitted in the Precinct from 100 000sqm to 60 000sqm (*Schedule 6 Planning controls for Ryde Town Centre precincts*).
With respect to DLEP 2011 the following is to be noted:
 1. DLEP 2011 does not amend the height controls presently available to the subject land under LEP 2010.
 2. DoPI required that the floor space (FS) controls for Ryde Town Centre be provided as a floor space ratio (FSR) on the FSR Maps rather than a floor area defined by square metres. As a result the nett usable floor areas specified for Precincts 1 and 2 in LEP 2010 (60 000sqm & 150 000sqm respectively) were converted to a gross floor area and then converted into a ratio on the FSR Maps. It should be noted that Precinct 1 is divided into 3 FSR areas which are:-
 - 150 – 156 Blaxland Rd (carpark sites) – 2.2:1
 - 1 Devlin Street – 4.37:1 and
 - 1 Devlin Street (area containing access ramps) 0:1 (no development permitted)

The matter of the sale of public land is not a matter relevant to DLEP 2011.

No amendment to the DLEP 2011 required.

General – 2756 submissions (17 individual and 2739 pro forma letters)

Issue 1

Present controls prevent operating food business from a dwelling house – controls should be changed.

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Response

Home businesses and Home industries are defined as a business and industrial activity respectively that is carried out in a dwelling used by one or more permanent residents of the dwelling that does not involve:

- the employment of more than 2 people other than the residents,
- the sale of items (except for those produced at the dwelling) ,
- interference with the amenity of the neighbourhood
- exposure of unsightly matter
- the exhibition of any signage

A Home occupation is an occupation carried out in a dwelling that does not involve the employment of persons other than residents.

Home occupations are permitted without consent in all residential zones however home industries and home businesses are prohibited under the land use table in all residential zones except R1 General Residential.

Under SEPP (Exempt and Complying Development Codes) 2008 home businesses, home industries and home occupations that do not involve the manufacture of food products or skin penetration procedures is exempt development.

Council has received numerous enquiries with respect to being able to carry out cake making and other food preparation activities which are defined as a home industry and prohibited under the land use table and not permitted as exempt development.

It is considered that as all other forms of home business and home industry are permitted by virtue of the SEPP the land use table for the R2 , R3 and R4 zones should be amended to include both home industries and home businesses. It is also considered that a policy document such as a fact sheet relating to such activities should be undertaken.

Recommended Action

1. Home business and Home industries be added as a permitted with Council consent in the R2, R3 and R4 zone and permitted under the SEPP - Exempt and Complying Development Code

Issue 2

Concern over viability of IN2 zone because of the difficulty in leasing industrial buildings as a result of industrial uses relocating to western Sydney seeking more affordable premises. The submission requests that Council review the range of uses permitted in the zone and consider including the following as uses permitted with consent;

- Bulky goods premises
- Wholesale supplies
- Hardware and building supplies
- Storage premises
- Recreational facilities – indoor
- Emergency services facilities

Response

- Bulky goods premises is defined as a building used for the sale , hire or display of bulky goods being of such size or weight to require a large handling display area and includes goods such as floor and window supplies , furniture ,

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household electrical goods and swimming pools. Under *Schedule 1 Additional permitted uses* a bulky goods premises is permitted at 461 Victoria Rd. This was based on a submission to and a recommendation of the Ryde Local Planning Study that was adopted by Council on 7 December 2010.

DoPI on 20 June 2012 advised Council of the following with respect to bulky goods retail;

“Our preference is to exclude bulky goods retail from industrial zones as an additional use across the zone because the inclusion of 'bulky goods' is now considered fundamentally to be a retail use that is likely to reduce the amount of industrial land

The preference now is to either:

- 1. cluster permissibility of these uses in a suitable area (close to commercial is ideal but may not be achievable) and to give them a B5 zoning or*
- 2. allow the use by a Schedule 1 amendment for the particular site based on suitability criteria (less preferable but less damaging to the whole zone)*

In either case the PP should assess the proposal against the Employment Lands Development Program Strategic Assessment checklist

The retail nature of bulky goods and its likely impact on reducing the land available for industrial uses is such that they should be considered on an individual basis through a Planning Proposal.

No amendment to the DLEP 2011 required.

- Under DLEP 2011 the IN2 zone permits with consent a number of new land uses such as funeral homes, hardware and building supplies, landscaping material supplies and storage premises. Under SEPP (Infrastructure) emergency service facilities are permitted in the zone (the use is listed as *prohibited* in the land use table and should be deleted to be in accordance with the SEPP).

Wholesale supplies which are defined as a building or place used for the display sale or hire of goods by wholesale only to business that have an ABN registered under a 1999 Tax Act is considered to be very similar in nature to a *warehouse or distribution centre* (defined as a building used for the sorting or handling items pending their sale but from which no retail sales are made). As such it is considered to be a suitable use with council consent in the IN2 zone.

A number of indoor recreation facilities exist within the industrial areas of Ryde and are considered a use that should be permitted with Council consent in the zone.

Recommended Action

Wholesale supplies and *Recreation facility (indoor)* be added to uses permitted in the IN2 Light Industrial zone.

Emergency services facility be deleted from the prohibited list of land uses for the IN2 Light Industrial zone.

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Issue 3 – (2739 Pro forma letters) A number of general matters were identified including;

- Civic Centre should be retained as public land. Do not want high rise towers on civic centre site.
- All open space should be kept for parks, gardens, green links, bushland restoration and playing fields.
- All Special Uses zonings should be retained so that the people of Ryde have a real say in the future of land presently used for schools, hospitals, churches and other community uses.
- All of the Field of Mars Reserve and Wildlife Refuge should be zoned as E2 Environmental Conservation. Council must fully restore the Reserve and remove the RE1 zoning that allow playing fields and other such development in part of the Reserve

Response

- For comment on the Ryde Civic Site refer to comments above re Ryde Town Centre.
- DLEP 2011 identifies 3 new properties to be acquired by Council for open space purposes one of which is 28 Argyle Avenue Ryde within the Ryde Town Centre. Areas where a change in zoning from RE1 to another zone has occurred under DLEP 2011 are;-
 - 160 - 162 Wicks Road Macquarie Park (Porters Creek site) Council resolved on the 24 August 2010 to rezone the land IN2 Light Industrial
 - 55A Pellisier Road Ryde . Council resolved on the 16 November 2004 to zone the subject land to Residential 'A'(R2).All other RE1 and E2 zoned land is to retain its zoning.
- Council resolved on 14 February that an amended s65 Certificate be requested from DoPI that does not rezone any current SP2 land to any other purpose. This request was supported by DoPI.
As such all land zoned SP2 in LEP 2010 has been maintained in DLEP 2011 with the exception of SP2 land subject to a Council resolution that related to land at 390 Pittwater Rd and minor SP2 Classified Road changes requested by the RTA.
- Council on the 5 May 2009 resolved in part to draft LEP 2010 the following with respect to the E2 zoning.
*(c) That Draft Ryde Local Environmental Plan 2008 be amended as follows:
.....(iii) to apply E2 zoning to all land in the City of Ryde categorised as bushland under Section 36 of the Local Government Act, 1993.*

Field of Mars Reserve and Wildlife Refuge has been predominately zoned E2 in accordance with the above resolution. Council is to note that the Field of Mars Plan of Management that was adopted by Council on 9 September 2009 identifies that for the majority of the land categorisation under the Local Government Act is not required as the land in the ownership of the Crown. The areas which are categorised are indicated as Natural Area – Bushland, Natural Area – Wetland and Parks. The area zoned RE1 in DLEP 2011 equates to the area indicated as Park in the Plan of Management for the areas that require categorisation. Additional areas which are categorised as Park under the generic Plan of Management for the Field of Mars (which are identified as not

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requiring classification under the 2009 Plan) are also zoned RE1 Public Reserve in DLEP 2011. They represent a small percentage of the overall area of the Park.

Based on the land categorisation in the Plan of Management the land zones in DLEP 2011 are considered to be appropriate.

No amendment to the DLEP 2011 required.

Dual occupancy/Multi dwelling housing – 15 submissions

Issues The issues raised in relation to the provisions for dual occupancy and multi dwelling housing are outlined as;

- The wording is confusing regarding whether existing approved dual occupancies can be strata subdivided – do they need a 20m frontage?
- Strata subdivision of dual occupancy is supported
- The 20 m frontage is onerous and greater land area or width of block does not equal good design
- The 20m frontage requirements should be reviewed – a more realistic provision would be 16m frontage and 700sqm minimum land size.

Response

- Clause 4.1B of DLEP 2011 permits the subdivision of dual occupancy development or duplex buildings in the R2 zone subject to the land being a minimum 580sqm. This clause makes no reference to a minimum frontage. The minimum area of 580sqm has been in place as a control for the development of dual occupancy developments for many years and it is intended to continue to support *Clause 4.1C Minimum lot sizes for dual occupancy and multi dwelling housing* of DLEP 2011. Previously approved dual occupancy or duplex developments would be capable of being subdivided subject to the land being the minimum area of 580sqm.
- The Ryde Planning Study 2010 – Housing study states the following with respect to the requirement of a 20m frontage for dual occupancy developments.
A slightly higher minimum lot size together with a 20 metre minimum frontage width would deliver better design outcomes, particularly with regard to compatibility with existing streetscapes, landscape and deep soil areas, as well as the placement of garages and other car parking structures. If an increased minimum lot size for duplex buildings was introduced, the number of sites available for duplex developments would significantly decrease.(P4 – 72).

The 20m frontage should be retained.

No amendment to the DLEP 2011 required.

Heritage – 1 submission

Issue

The submission supports the removal of 32 Gaza Road West Ryde from Maxim Street Heritage Conservation Area

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Response

- No response required.

No amendment to the DLEP 2011 required.

Public “Formal” exhibition of DLEP 2011

The draft LEP was placed on formal exhibition from the 30 May to 13 July 2012. By the close of business on the 13 July 2012 a total of 247 submissions (including 2 petitions of 26 names and 47 names and 71 pro forma letters) were received from the community to the exhibition of the draft Plan as approved by DoPI on the 23 April 2012 for exhibition. The below table groups the submissions based on the geographic or subject area they relate to or the authority group they come from.

Area	No. Submissions Received	Area	No. Submissions Received
Ryde Council	4	Macquarie Park	13
State authorities	11	Ryde Town Centre	12 (11 individual and 1 petition of 47 names)
West Ryde Town Centre	4	General/Multiple areas	33
Eastwood Town Centre	25(24 individual and 1 petition of 26 names)	Dual Occupancy Multi dwelling housing	15
Gladesville Town Centre	117 (includes 45 individual and 71 Pro forma letters)	Meadowbank Urban Village	13

A summary of points raised in the submissions, Council response to those points and proposed action is provided in *Table2 Formal Exhibition Submissions* which is **CIRCULATED UNDER SEPARATE COVER.**

Submission issues raised and identified in Table 2 Formal Exhibition Submissions include:

Ryde Council

Issue 1 Public Works Group - 130 Talavera Rd Macquarie Park

Under DLEP 2011 the land is zoned B7 Business Park as is the land immediately adjoining the site to the south east. All other land to the south east and south west is proposed to be zoned B4 Mixed Use.

The submission requests the rezoning of the land to B4 Mixed Use for the reasons that the proposed B7 zoning will isolate the land from the rest of the B4 zone and there appears to be no planning justification for this. FSR and heights proposed for the land are consistent with the adjoining B4 zone.

A mixed use zoning i.e. B4 would be more appropriate and allow suitable uses such as:

- Tourist and visitor accommodation.’
- Bulky goods development
- Student housing.

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Response

- The land is;
 - Zoned B7 Business Park under DLEP 2011
 - A deferred matter under LEP 2010 and
 - Zoned Open Space under the Ryde Planning Scheme (RPS).

As a result of the construction of the M2 portion of Christie Park (130 Talavera Rd) was severed off from the main area of the park. The severed land adjoins the land owned by DoPI who approached Council to do a joint rezoning of the land with a view to disposing of both parcels. This action would necessitate the need for the reclassification of the land to Operational.

A public hearing was held on 12 November 2004 in respect of the reclassification and Council on the 14 December 2004 resolved in part that the public be invited to participate in the development of options for the use of the land.

Council on the 4 October 2005 resolved that the subject land be rezoned 3(f) Business Special (Research and Development). Under the RPS the majority of the lands adjoining the subject site was zoned 3(f) - this was considered the most appropriate zone. The 3(f) zone is equivalent to the B7 zone in the SI and reclassified to Operational Land.

In view of the level of community involvement in the decision made on the zoning of the land from RE1 to B7, the reclassification of the land and the connection of the land to the adjoining DoPI owed site it is not considered appropriate to rezone the land B4 as part of DLEP 2011.

The land is located in the Macquarie Park Corridor and the planning provisions for the corridor and currently under review and are being considered separately to DLEP 2011.

The requested rezoning will be considered as part of the review of the existing controls in the Corridor (review of DLEP 2010 Amendment 1) this will be reported to Council later in 2012/2013.

No amendment to the DLEP 2011 required.

Issue 2 The Public Works submission also requested the rezoning of a number of other parcels of council land located throughout the City. The requests relate to matters such as rezoning SP2 land to residential/business and up zoning residential land to high density residential or a business zone.

Response

- It is considered that a planning proposal should be lodged to allow comprehensive consideration of the rezoning. Such a process would enable community consultation on the proposed rezonings.

No amendment to the DLEP 2011 required.

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Issue 3 - Submission wishes to ensure that the LEP will allow for Council to provide outdoor advertisement/sponsorship signage on land that is owned by or under the care control and management of Council. At present the blanket prohibition of general advertising is considered to inflexible.

Providing such signage will allow Council to make a financial return that can support council facilities and services

Submission requests

- *Schedule 1 Additional permitted uses* be amended to allow signage on Council land permissible with consent and
- an amendment is sought to SEPP 64 which prohibits such signage from land zoned RE1 Public Recreation.

Staff and Management are aware of the need for such signage to be carefully controlled and as such would look to the preparation of a policy or code to manage such development

Response

- All residential, business, industrial and recreation zones within DLEP 2011 allow for either business identification signs or building identification signs, all other signage is prohibited i.e. third party or general advertising.

It is considered for the community to have an opportunity to consider an expansion of land uses on Council owned land to permit general advertising a planning proposal (pp) should be submitted. Prior to such a pp Council should request advice from DoPI with respect to any proposed exemption it may require to overcome constraints that exist though
SEPP 64- Advertising and Signage.

No amendment to the DLEP required.

State Authorities – 11 submissions

Issue 1- Rural Fire Service

Concerned with Home based childcare being permitted without consent in the land use table. This type of development is classed by RFS as Special Fire Protection Purpose and requires an assessment under section 100B of the Rural Fires Act 1997. Home based childcare should be permitted with consent only.

Response

- Home based child care centres are considered exempt development under the SEPP (Exempt and Complying) Codes except if the use is proposed to occur on bushfire prone land. Under DLEP 2011 the use is permitted without consent in all residential zones and a number of business zones. It is considered to satisfy the requirements of the RFS home based child care centres should be listed as *permitted with consent* in all zones.

Recommended Actions

1. Home based child care centres where “permitted without consent “in the land use table be made development “permitted with consent”.

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Issue 2 – NSW Health – Northern Sydney Local Health District (only part of submission)

Requests amendments to the following;

- Clause 4.5B(c) Macquarie Park Corridor to be expanded to read
“To encourage greater public transport and active transport options”
- Clause 6.6 (f) – Environmental Sustainability be expanded to include the need for a workplace travel plan
- Schedule 2 – Exempt Development for signage- a new control stating advertisements for fast food or unhealthy food outlets etc are not visible for child care centres, pre- schools and schools.

Response

- The requested changes to the objectives associated with off street car parking development controls for Macquarie Park and Clause 6.6 (f) are considered appropriate.
- General advertising is not permitted under DLEP 2011 and therefore any sign must be reflective of the land use or building type of where it is located. It is considered that control over the location of signs associated with unhealthy food or lifestyle choices is a State Government issue and should be directed to DoPI for their consideration.

Recommended Actions

1. Clause 4.5B(c) Macquarie Park Corridor be expanded to read
“To encourage greater public transport and active transport options”
2. Clause 6.6 (f) – Environmental Sustainability be expanded to read
“Transport initiatives to reduce car dependence such as providing cycle facilities, car share, small vehicle parking spaces and the development of a workplace travel plan.”

Issue 3 – NSW Planning and Infrastructure

The submission requests rezoning of M2 surplus land as follows;

- 3 lots corner of Talavera and Busaco Rds Marsfield SP2 Classified Rd to R3 and RE1
- Corner Talavera Road and Christie Road B7 to B4

Response

- The sites are located either in the Macquarie Park Corridor or adjacent to it – the planning provisions for the corridor and currently under review and are being considered separately to DLEP 2011.

The issues raised in the submission will be considered as part of the review of the existing controls in the Corridor (review of DLEP 2010 Amendment 1) this will be reported to Council later in 2012/2013.

No amendment to the DLEP required.

West Ryde Town Centre – 4 submissions

Issue 1

Supports the changes made under the draft Plan in particular the rezoning of the property at 2A Mellor Street West Ryde to B6.

Response

- Supports DLEP 2011 amendments.

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No amendment to the DLEP required.

Issue 2

127, 131, 133 Rydedale Rd, 4,6,10 Terry Rd West Ryde – There is the potential for listed properties to be developed with 129, 135 & 137 Rydedale Road and 8 Terry Road for higher density residential development.

This would:

- provide a sense of closure to the West Ryde Town Centre
- be consistent with Metro Plan, principles of transit orientated development and contemporary town planning practice.

The properties comprise an area of 7500sqm and are zoned R2 under the DLEP.

The submission requests

- Land be rezoned to R4
- FSR Map be amended to permit a FSR varying from 1.1 to 1.5:1 (per plans contained in Urban Design's report.

Height Map be amended to permit building a height varying from 9.5m to 15.m. There is potential for the subject properties to be developed with 129, 135 & 137 Ryedale Rd and 8 Terry Rd for higher density residential development.

Response

- A Draft West Ryde Master Plan was presented to Council on the 3 August 2010 in which land in the north east quadrant of the town centre was to undergo the most significant changes - the area was seen as having better traffic and public transport access, high residential amenity and proximity to shops. The draft master plan rezoned Terry's Road/Ryedale Road to R4 with similar controls to other areas of the Centre.

Council resolved that the sites on Ryedale Road (north of Terry Road) and sites in Terry Road being deleted from the master plan

No amendment to the DLEP required.

Eastwood Town Centre – 25 submissions (including 1 petition of 26 names)

Issue 1

Eastwood has undergone change in the last 10 years. Council needs to create more car parking for the community.

Response

- Car Parking is identified as an issue in the Eastwood area. The proposed change in zoning to Glen St/Lakeside Rd will enable formalised development with the necessary car parking on site being provided.

No amendment to the DLEP required.

Issue 2

Support the draft plan however it should allow the whole of Glen Street to be the same zoning rather than split it. It is already a heavy commercial zone.

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Response

- The proposed zoning of the land in Glen Street/Lakeside Road/Shafesbury Road corresponds largely to the zoning of land, existing land uses and built form which is located opposite i.e. those properties zoned B4 are opposite land zoned B4 which is developed as part of the Eastwood Shopping Centre whilst land zoned R4 is largely opposite land zoned RE1 Public or R2 Low Density Residential.
It should be noted that the R4 zone does permit a number of retail uses such as shop top housing, neighbourhood shops and health consulting rooms (which are permitted under the Infrastructure SEPP).
The proposed zoning of land is considered appropriate in view of adjacent land use activities.

No amendment to the DLEP required.

Issue 3 Petition (signed by 26 people)

In support of the LEP including the Small Centre (Glen St & Lakeside Rd Eastwood because it will bring the following benefits:

- reduce the parking problems in the area
- meet the state government guideline to develop near stations
- create more professional service suites for the community
- create more community facilities
- increase business opportunities and job opportunities
- create better commercial and residential environments in Eastwood.

Response

- Supports DLEP 2011 amendments

No amendment to the DLEP required.

Issue 4 100 – 104 Rowe St Eastwood

The submission objects to zoning of property RE1 as it

- adversely impacts on family
- prejudicial as nearby properties have similar flood issues
- recent developments have reduced flood risk to Rowe St
- Rezoning of land will not address flood risk in area.

Response

- The Public Work Group advised that in past discussion with the owners of the site - the owner has refused for storm water amplifications works through his property. The design was completed. The site was recommended for acquisition
- A report to Council dated 4 May 2010 titled *Potential Property Acquisitions – S94 Funding* prepared by Manager – Building and Property outlined a process to be adopted for future acquisitions of land for open space purposes. The subject property was one of 11 properties identified as being of a high priority in terms of future Council acquisition.
- Council on the 18 May 2010 resolved that all such properties be included in *the Land Reservation Acquisition Map in the comprehensive Local Environmental Plan 2011 and marked as “Local Open Space.*

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- Council on the 21 June 2011 reviewed the properties proposed to be acquired and resolved that 8 of them be deleted from DLEP 2011 and their previous zonings reinstated. The resolution reinforced Council's previous resolution to rezone the subject property for open space purposes.

No amendment to the DLEP required.

Gladesville – 117 submissions (includes 45 individual and 71 Pro forma letters)

Issue 1

Supports DLEP 2011 with respect to proposed changes to the zoning of properties 11 – 15 Farm Street.

Response

- Supports DLEP 2011 amendments.

No amendment to the DLEP required.

Issue 2

2 College Street Gladesville. - Land adjoins B4 zoned properties to the south – east and south – west. The land is separated from residential properties to the west in College St by a 3.66m right of carriageway over the adjoining property 2A College Street. The carriageway which provides vehicular access to 2,4,6 and 6A Monash Rd is paved and has a 1.8m high fence each side. The shape of the allotment being 30.5m wide 20.3m deep would result in any new residential building being out of character.

Submission requests

- rezoning of land from R2 to B4 Mixed Use
- FSR of 1.8:1 – reflects ratio applying to 10 Monash Rd
- Height 12 – 13m – reflecting adjoining properties

Response

- The property contains a dwelling house and is zoned R2. Land opposite and adjoining to the west is also zoned R2 with other properties zoned B4. In view of the access way adjoining to the west separating the property from 2A College Street and the zoning of land to the south and east the rezoning of the land is considered reasonable. However to allow community consideration of proposed zoning, FSR and height changes to the land and to enable detailed design criteria to be incorporated into *DCP 2011 - Part 4.6 Gladesville Town Centre and Victoria Road Corridor* it is considered that a Planning Proposal for the site should be submitted to Council.

No amendment to the DLEP required.

Issue 3

Submission objects to the rezoning of Lady Queen of Peace School (14 – 28) Oxford St from R2 to B4. The existing zoning permits the operation of the school and does not unreasonably limit any alterations and permits other development that is appropriate to the street. If the school was closed it could be redeveloped for commercial uses which could diminish the character of the street and

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amenity of residents. The street which currently receives through traffic cannot take 2 way traffic will on street parking. Permitting develop that will increase traffic flow with adversely affect safety of street. Rezoning is inconsistent with aims of LEP.

Response

- The Local Planning Study that was adopted by Council on the 7 December 2010 recommended that the subject property be rezoned B4 with a FSR of 1.5:1 and a height of 3 storeys.
Ryde LEP (Gladesville Town Centre and Victoria Rd Corridor) 2010 was gazetted in 2011. A number of properties on the periphery of the LEP boundary were not included in the LEP because of timing and technical issues. In the Centres and Corridors Study it was considered appropriate those properties e.g. 14 – 28 Oxford St should now be included in the Gladesville Town Centre with zoning and development controls similar to the surrounding land in the Centre.
Any DA for the subject land would require notification of adjoining owners and traffic and amenity issues would be considered on an individual basis.

No amendment to the DLEP required.

Issue 4 – 44 - 46 – 48 Eltham Street and 2a and 2b Westminster

The submissions request that 2a and 2b Westminster be rezoned from B6 to B4 and 44 – 48 Eltham be rezoned from R2 to B4 as retaining the existing zoning will result in undue conflict particularly with regard to residences.

The rezoning of corner to B4 would be in line with zoning along Monash Rd and adjacent corner.

The submissions also request an increase in the FSRs and heights for the site

Response

- The planning provisions for Gladesville Town Centre and Victoria Road Corridor were reviewed as part of the Local Planning Study. Expansion of the B4/B6 zone into Eltham St was not considered as part of the study due to the residential nature of the street and the approach that the non residential use be contained to Victoria Rd.
- The B6 zoning applying to 2a & 2b Westminster is considered appropriate and is to be retained.

No amendment to the DLEP required.

Issue 5 (Pro forma letters 71)

DLEP 2011 does not meet the community interest in Gladesville in particular increased height limits along Victoria Rd and surrounding residential streets e.g. Farm St and Gladesville & Victoria Rd precinct.

New heights of 6 and 8 storeys along Victoria Rd and 4 storeys in Farm St will have adverse impact on local community due to noise, traffic, road safety, and loss of privacy, increased pressure on amenities and public transport and loss of sunlight.

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Maximum heights of 4 storeys along Victoria Rd and 2 storeys in surrounding residential streets e.g. Farm St more appropriate.

Response

- Changes to zoning, height and FSRs in the Gladesville Town Centre (GTC) have resulted from the gazettal of LEP (Gladesville TC & Victoria Road Corridor) and the Local Planning Study adopted by Council in December 2010. The LEP involved extensive community consultation with the Local Study involving more targeted consultation (land owners affected by proposed change). The purpose of the changes is to facilitate the revitalisation of the GTC as a vibrant, attractive and safe urban environment with a diverse mix of land uses.

No amendment to the DLEP required.

Meadowbank – Submissions 12

Issue 1 125 – 135 Church St Ryde

Generally supportive of changes however FSR and height controls could be increased on the site with no adverse impacts – particularly corner of Wells and Church St which would be suitable for a signature landmark building.

Response

- Under DLEP 2011 a height of 21.5m (6 storeys) with a FSR of 2:1 is proposed.
- Heights and FSRs for all of Meadowbank were reviewed in Ryde Local Planning Study 2010 - Centres and Corridors that was adopted by Council on 7 December 2010. The controls within DLEP 2011 for the site reflect the recommendations of the Study and are considered appropriate for the area.

No amendment to the DLEP required.

Issue 2 - 21-24 Railway Rd Meadowbank.

DLEP 2011 proposes an FSR of 2.3:1 and a height of 21.5m for 21-24 Railway Rd Meadowbank. The submission argues for an FSR of 4.5:1 and height of 8-9 storeys (27.5m – 33.5) based on existing development heights and FSRs and proposed Part 3A heights and FSRs

Response

- When considering the Ryde Local Planning Study, Council directed that the LEP building heights in Shepherd's Bay should accommodate 6 storeys maximum. The council adopted Local Planning Study formed the basis of DLEP 2011. The DLEP FSRs were derived from the height envelopes and previous master plan studies.

No amendment to the DLEP required.

Issue 3 -11-13 Angus St Meadowbank

The submission relates to 11-13 Angus St and argues on the basis of state and regional plans encouraging growth and residential development near rail stations that the FSR should be increased from 2.5:1 to 3.2:1 and that the height should be

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increased from DLEP 2011 HOB 21.5m to 29.6m. A number of DCP matters are also raised.

Response

- When considering the Ryde Local Planning Study, Council directed that the LEP building heights in Shepherd's Bay should accommodate 6 storeys maximum. The council adopted Local Planning Study formed the basis of DLEP 2011. The DLEP FSRs were derived from the height envelopes and previous master plan studies.

No amendment to the DLEP required.

Macquarie Park – Submissions 13

Issue - 31 – 33 Waterloo Rd Macquarie Park

Land is zoned B3 – the only form of residential development permitted is “serviced apartments”. This is contrary to

- Metro Plan for Sydney 2036
- Principles of transit orientated development
- Strategies proposed by Transport for NSW for land adjacent to railways
- Contemporary town planning practice.

Height and FSR for the land under DLEP 2011 is not in keeping with the future character of the area in view of development recently approved at 396 Lane Cove Rd and 1 Giffnock Avenue

Submission requests

1. Shop top housing be added to permitted with consent in B3 zone to facilitate housing in the areas surrounding railway stations
2. FSR for the land be increased to 5:1
3. Height Map be amended to permit buildings ranging from 37m and 70m (per urban design analysis prepared for the site)

Response

- Council on the 12 June 2012 resolved in part with respect to 31 – 33 Waterloo Rd
 1. The landowner be request to prepare a residential commercial mix draft master plan for the land, in accordance with the principles of at transit orientate development to activate the precinct.
 2. That the master plan incorporates the principle of high density living, diverse employment opportunities while integrating adjacent public transport infrastructure.
 3. If owner agrees to prepare draft master plan at own cost then they be request to present the outcome to Council in October 2012.

It is considered that any changes to the land uses permitted or development controls for the site should be subject to a separate planning proposal, which will be considered when the master plan is completed.

No amendment to the DLEP required

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Ryde – Submissions 12 (11 individual and 1 petition of 47 names)

Issue 1 - Club Ryde X

The LEP will enable the club to develop facilities and incorporate new community infrastructure helping to improve and integrate the Southern Commercial edge of the Ryde Town Centre. The DLEP is seen as crucial in moving the Town Centre and Ryde into the 21st century.

Response

- Comments in support of DLEP 2011 amendments are noted.

No amendment to the DLEP required

Issue 2 Precinct 3 Ryde Town Centre

The DLEP provides for an FSR of 1.8:1 and height of 18.5m (5 storeys) on 120-128 Blaxland Rd. FSR and height incentives will allow max development of 2.5:1 and 3m if a laneway is provided. Submission argues for increased development potential up to 4.8:1 and height of 30m (9 storeys)

Argues that additional FSR and height should be considered on this site to address issues relating to feasibility and to ensure that redevelopment occurs that is more in line with the scale of the surrounds.

Response

The arguments for increased height and FSR are based in part on a misreading of the DDCP 2011. This is not accepted.

Arguments in relation to scale and feasibility carry some weight. The FSR was set low so the incentive would be attractive. It is accepted that the base FSR is too low and proposed to raise this from 1.8:1 to 2:1 but keep the maximum FSR of 2.5:1 as was proposed by the DLEP 2011

The height should also be amended. It is suggested that the base height of 18.5:1 be retained but that the height incentive is amended to be 6m. This may create taller building forms but will not add to the floor space capacity of the centre (and therefore the traffic generation).

To ensure equity the same height and FSR controls should be applied across the whole of Precinct 3 – Main Street (generally retail parts of Blaxland Rd of Church St and areas in Ryde Town Centre presently with an FSR of 1.8:1.

The height incentives (if taken up) are in the central part of the Top Ryde and will not affect the low density residential areas surrounding the centre.

Recommended Action

The following amendment by made to the DLEP 2011:

- Amend FSR map to 2:1 for the whole of Precinct 3 and land within the Ryde Town Centre with an FSR 1.8:1 under the Draft Plan.

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- Amend the HOB map for the corresponding area mentioned above to a height of 18.5 m.
- Amend HOB Map to make area E as referred to in Clause 4.3(2A) to correspond with area described above.
- Amend FSR Map for Ryde Town Centre by combining area H and I into area H.
- Amend Clause (4.4)(2A) as follows;
 - Subclause (h) amended to read:
 - (h) 0.5:1 if the building is in area H and if the building is on a site having an area of at least 900sqm and provides laneway access and is mixed development.
- Clause 2 (4.4)(2A) (i) to be deleted

General –Submissions 32

Issue 1

Requests a workshop so that representatives for owners of industrial land at 33 -51 College St and 28 & 48 Buffalo Road Gladesville can address Councillors with respect to the widening of land uses in IN2 zone. Principles behind the widening of land uses in zone are;

- To ensure the promotion and co – ordination of the orderly and economic development of the land in accordance with EP& A Act
- To establish any use for which there maybe local community demand which is compatible and appropriately located in IN2 zone.

Analysis has identified following uses are appropriate for the zone:-

- *Bulky goods premises* – the site needs and characteristics of the use make it inappropriate in a Business zone – only suitable zone where the use can be accommodated is IN2 zone.
- *Wholesale supplies* – use virtually identical to warehouse or distribution centre which is permitted in the IN2 zone. Such a use generally needs large sites. There is a local demand for such uses which can be satisfied in IN2 zone.
- *Recreation Facilities (Indoor)*. Such facilities have been permitted in the IN2 zone. The site needs and characteristics of the use make it inappropriate in business zones.
- *Emergency Service Facilities* – there is demand for these facilities and no reason to prohibit them from IN2 zone.
- *Building identification signs* there is no rationale town planning reason to prohibit such signs in IN2 zone.
- *Storage premises* should be identified in the land use table as permitted with consent.

Response

- A number of meetings have occurred between the Council staff and the author of the submission and other landowners to discuss their issues and land use matters relating to the IN2 zone. It is considered that proposed amendments to the IN2 land use table will address many of the concerns of the submissions. Council should note that a similar submission was made to the “Community Consultation” of the Draft LEP with respect to these issues and matters relating to the inclusion of some of the listed additional land uses in the IN2

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zone have been addressed in the “Community Consultation” section of this report. In that section the following recommendation was made:-

Wholesale supplies and Recreation facility (indoor) be added to uses permitted in the IN2 Light Industrial zone.

Emergency services facility be deleted from the prohibited list of land uses for the IN2 Light Industrial zone.

Two additional land uses not requested in the submission to the *Community Consultation* were Business Identification signs and Storage premises.

- Storage premises are not listed as a prohibited use in the IN2 land use table and as such are permitted with consent. No further listing of the land use is required.
- A building identification sign is a sign that identifies the names a building, the street name and number of a building and a logo but does not include general advertising of products etc. Such signs are permitted in the principle business zones and are most in evidence in the Macquarie Park. The introduction of such signage into the IN2 zone is considered reasonable.
- Bulky goods premises, which is discussed earlier in this report is not supported in the IN2 zone as the retail nature of bulky goods and its likely impact on reducing the land available for industrial uses is such that they should be considered on an individual basis through a Planning Proposal. This approach is support by DoPI.

Recommended Actions

1. That Building identification signs be added to IN2 zone *Permitted with consent*. Council should note that based on the submission to the *Community Consultation and the Formal Exhibition the following changes to the land use table for the IN2 zone will occur:*

Land uses to be added to IN2 zone *Permitted with consent*

- Recreation facility (indoor)
- Wholesale supplies
- Building identification signs

2. Land use be deleted from IN2 zone *Prohibited*
 - Emergency Service facilities

Issue 2

Submission is seeking a rezoning of properties 131 – 133 Herring Rd & 209 Epping Rd to establish a medical facility on the basis that such a facility will play an important role when approved as it will fill a major need for a primary care centre in area – particularly with projected growth in housing in the area. (A submission to the community consultation of the Draft LEP was also submitted with respect to this issue.)

Response

- Approval was given by Council in 1999 for use of the property 133 Herring Rd Marsfield as a *professional consulting room*. Access to parking on the site is via Herring Road in close proximity to the intersection of Herring and Epping Roads. Adjoining properties 131 Herring Rd and 208 Epping Rd contain dwelling houses.

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The property opposite is presently used as a hotel and a planning proposal has been submitted for the expansion of uses on the site to include a retail outlet. Whilst a rezoning of the land is not supported, the expansion of uses on the three properties to include a medical centre is considered reasonable in that:

- Part of the land is presently being used with Council consent as a doctor's surgery
- Development of all three sites would result in a better traffic and parking outcome in that access could be relocated further away from the intersection of Epping and Herring Rds.

Recommended Action

1. Add to *Schedule 1 Additional permitted uses*

131 & 133 Herring Rd and 208 Epping Road – development for the purposes of a medical centre is permitted with consent.

Issue 3 - 86 Blenheim Rd/12 – 14 Epping Rd

Request the rezoning of subject land from R2 to R4 with an increase in planning controls from height 9.5m to 25m and FSR 0.5:1 to 2.8:1.

The site has an area of over 2000sqm and is occupied by dwelling houses. The land abuts Blenheim Park

The site is located in proximity to North Ryde Station and the State Government land, which are the subject of a re – development proposal by the TCA.

Response

- The site is considered an island site being surrounded by parkland and located on Epping Road.
- It is recommended that the R2 zone associated planning controls are retained as:
 - The site is not contextually associated with Macquarie Park Corridor.
 - the surrounding area is zoned R2 and parkland (RE1)
 - a high density residential development may have an adverse impact on Blenheim Park.
 - community concerns with the Part 3a development known as Allengrove, which was recently refused by the Planning Assessment Commission.
- Council's strategic approach is that the increased housing densities be provided for within our existing centres. Council is to note that CoR can meet the State Government housing targets through its current planning frameworks.

No amendment to the DLEP is required.

Issue 4 - 142, 144 – 148, 203 – 213 and 215 Cox's Rd N Ryde

The submission outlines that Council is considering two master plans for the redevelopment of the Centre and surrounding Council land.

Both master plans involve significant variations to height and FSR proposed in DLEP 2011.

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In these circumstances no building height or FSR controls should be applied to the land and Council should rely on the master plan that it adopts to control development. This is consistent with

- the approach taken for church and council owned land in the Centre under DLEP 2011
- consistent with no building heights under LEP 2010
- consistent with no FSR in the Eastwood Town Centre under LEP 2010 and DLEP 2011.

FSR and height controls should be included in a Centre specific DCP after Council has determined the master plan for redevelopment of centre.

215 Coxs Rd is zoned SP2 under DLEP 2011 – land is not required for a place of public worship and as it adjoins 203 – 213 Coxs Rd it should be zoned B1.

Response

- Council on the 24 April 2012 resolved to accept both a landowner's master plan and Council's master plan for public exhibition. The exhibition occurred from the 9 May to the 20 June 2012. The outcomes of the exhibition will be reported to Council later in 2012.
- The DLEP and the development of the controls for Cox's Road Centre have always been considered two separate processes. Upon a decision being made by Council as to what controls should apply to the Centre a planning proposal amending LEP 2011 will be undertaken.
- It should be noted that as per the RPSO and LEP 2010 land in DLEP 2011 zoned SP2 has no FSR or height controls.
- The Local Planning Study adopted by Council recommended a height of 9.5m and FSR of 0.8:1 for land zoned B1 (under LEP 2010 a 0.5:1 FSR exists with no height control).
- The controls of FSR 0.8:1 and building height of 9.5m is appropriate for Cox's Road until the Council makes a decision on the future controls for the Centre. FSR controls for Eastwood are currently being developed through a master plan process. The draft master plan should be reported to Council in late 2012.
- Eastwood Town Centre under LEP 2010 and DLEP 2011 has no FSR controls - development is controlled through height and design criteria. The FSR controls are currently being developed as part of a master planning process for the Centre. The draft master plan will be reported to Council later in 2012.

No amendment to the DLEP is required.

Dual occupancy/Multi dwelling housing – Submissions 15

Issue 1– The issues raised in relation to the provision for dual occupancy are the same as those identified from the “community consultation” i.e.

- Supports strata subdivision
- Minimum 20m road frontage is too prohibitive as there are only a few lots in Ryde that would comply.

Response

- Refer to “Community consultation” response on page 16 of this report.

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No amendment to the DLEP is required.

Issue 2

Land was recently subdivided with the intent of building a dual occupancy on the hatched shaped lot. The submission expresses concern that the access way to the hatched shaped block will be considered to be the road frontage, making a dual occupancy development prohibited.

Response

- Under the Ryde Planning Scheme Ordinance a duplex building was defined as being 2 dwellings each of which is designed so that its front door faces a street. As a result of the definition duplex buildings were prohibited on hatchet shaped allotments.

Under LEP 2010 there are no restrictions preventing a dual occupancy on a hatchet shaped allotment, no approvals however for such development has occurred since the gazettal of LEP 2010 in June of 2010.

Under DLEP 2011 Clause 4.1C *Minimum lot sizes for dual occupancy and multi dwelling housing* a minimum road frontage of 20m or greater is required for the development of a dual occupancy development. As such dual occupancy development on a hatchet shaped allotment is prohibited.

No amendment to the DLEP is required.

Summary of Proposed Changes to Draft LEP 2011

As a result of consideration of submissions received during the community consultation and the formal exhibition period the following changes are proposed to Draft LEP 2011;-

1. The addition of *Wholesale supplies, Building identification signs* and *Recreation facility (indoor)* to uses permitted with Council consent in the IN2 Light Industrial zone.
2. The deletion of *Emergency services facilities* from uses prohibited in the IN2 Light Industrial zone.
3. The addition of *Home business* and *Home industries* to uses permitted with Council consent in the R1, R2, R3 and R4 zones.
4. Clause 4.5B(c) Macquarie Park Corridor amended to read "*To encourage greater public transport and active transport options*"
5. Clause 1.2(2)(f) amended to read "to improve access to the city, minimise vehicle kilometres travelled, facilitate the maximum use of public transport and encourage walking and cycling"
6. Clause 6.6 (f) – Environmental Sustainability amended to read "*Transport initiative to reduce car dependence such as providing bicycle and pedestrian facilities, car share /carpool/small vehicle parking spaces and public transport information and the development of a workplace travel plan.*"
7. Amendment to the Centres Map to include land now part of Ryde Town Centre, West Ryde Town Centre and Gladesville Town Centre.

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8. Amendment of the Land Reservation Acquisition Map to be in line with requested R&MS boundary changes (with corresponding changes to the Land Zoning Map) and that the inclusion of land in Vimiera Rd on the Land Reservation Acquisition Map be highlighted to DoPI for their consideration.
9. *Schedule 2 Exempt development* – The addition of new condition to - *Signage (temporary sign for a cultural, educational, political, recreational, religious or social event) (4)* Must not be illuminated
10. *Schedule 1 Additional permitted uses* - The addition of the following - :
Use of certain land at 131 & 133 Herring Rd and 208 Epping Road –
Development for the purposes of a medical centre is permitted with consent.
11. Amendment of the Land Use Table so that *Home based child care centres* where listed in a zone are permitted only with Council consent.
12. Amendment to the Land Zoning Map to rezone the property at 391 Blaxland Road Ryde from B1 to R2.
13. Amendment to the wording on Land Zoning Map to identify St Michaels Church and School as SP2 Educational Establishment and Place of Public Worship.
14. Amendment to the planning provisions in Ryde Town Centre:
 - Amend FSR map to 2:1 for the whole of Precinct 3 and land within the Ryde Town Centre with an FSR 1.8:1 under the Draft Plan.
 - Amend the HOB map for the corresponding area mentioned above to a height of 18.5 m.
 - Amend HOB Map to make area E as referred to in Clause 4.3(2A) to correspond with area described above.
 - Amend FSR Map for Ryde Town Centre by combining area H and I into area H.
 - Amend Clause (4.4)(2A) as follows;
 - Subclause (h) amended to read:
(h) 0.5:1 if the building is in area H and if the building is on a site having an area of at least 900sqm and provides laneway access and is mixed development.
 - Clause 2 (4.4)(2A) (i) to be deleted

Other amendments to DLEP 2011

A number of minor updates are needed to DLEP 2011 to bring it into line with DoPI requirements and Council changes that occurred after the submission of the draft LEP in December 2010 to DoPI as well as to rectify minor errors and omissions that have occurred. The changes which are detailed in Table 3 – Amendments to DLEP 2011(**CIRCULATED UNDER SEPARATE COVER**) include;

- Amendment to Ryde LEP 2011 Centres Map with respect to the areas identified as :
 - Ryde Town Centre
 - West Ryde Town Centre
 - Gladesville Town Centre

Reason - As a result of land being rezoned adjacent to the three centres *Ryde LEP 2011 Centres Map* needs to be amended to include such land.

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- Amend LEP 2011 Heritage Map to be in line with DoPI requirements that Archaeological Heritage Items be identified separately to General Heritage Items.
Reason - Council has one archaeological heritage item in Gladesville which is identified in *Schedule 5 Environmental heritage* as an archaeological item but which has been mapped as a general item.
- Amend Clause 4.5A(b) *Density Controls for Zone R2 Low Density Residential* by deleting reference to access to private open space.
Reason – The clause requires that separate access to private open space from an unbuilt upon portion of the site. This requirement is more appropriately covered in a DCP in that specific ways of achieving such access such as through a garage can be specified.
- Amend LEP 2011 Lot Size Map to delete all areas from the map which are not zoned residential on the Land Zoning Map.
Reason- The Lot Size Map specifies the minimum lot size for residential subdivision. A number of properties have been rezoned in the Land Zoning Map from a residential to a business zoning. This change was not carried through to the Lot Size Map and as such the Lot Size Map should be amended
- Update LEP 2011 Ryde Civic Precinct Map to include additional areas as identified in Draft DCP 2011 - Part 4.4 Ryde Town Centre
Reason - The new precinct areas were identified after the submission of the DLEP into DoPI.
- Amend LEP 2011 Floor Space Ratio Map with respect to 1 Monash Road Gladesville to bring it in line with LEP Ryde LEP (Gladesville Town Centre and Victoria Road Corridor) 2010 Floor Space Ratio Map
Reason - Under 2010 the subject property, which is a heritage item has no FSR. An error occurred in the transfer of FSR controls for the site and under DLEP 2011 resulting in the property being given an FSR.
- Amend Clause 4.3 (2C) so that the maximum height for dwellings in both multi dwelling housing and dual occupancy (attached) developments that do not have frontage to a street is 5m. The clause at present only relates to multi dwelling housing developments. To ensure consistent controls exist governing the height of all rear dwellings the clause should include dual occupancy developments.
- Schedule 2 – Exempt development - Amend conditions for *Signage (real estate sign for a residential site)*
Reason - An error occurred in the Schedule in that the conditions for *Signage (retail premises windows)* were inadvertently repeated for *Signage (real estate sign for residential sites)*. It is proposed to reinstate the existing conditions under LEP 2010 for *Signage (real estate sign for residential sites)*.

Other matters related to draft LEP 2011

There are a number of other matters that the Council should consider in relation to DLEP and land within the City.

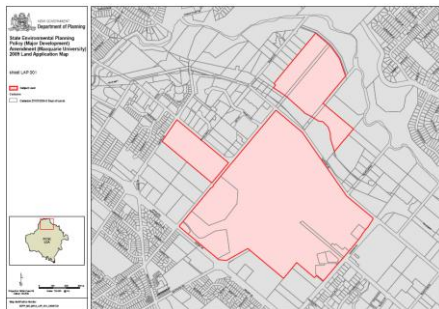
1. Macquarie University

In September 2009 Macquarie University was identified under SEPP (Major Development) 2005 in *Schedule 3 State Significant Sites*. Under the SEPP the site (Figure 1) is zoned SP2 Educational establishment and B4 Mixed Use. The SEPP also specifies a Gross Floor Area Map and a Height of Buildings

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Map for the site. The zoning, FSR and height maps are significantly different to both LEP 2010 and the draft LEP.



(Figure 1)

The DoPI have advised the following with respect to the differences between the zoning of land and controls in DLEP 2011 and the SEPP for the site.

- *The Department does not expect Council to update the maps to incorporate the Major Development SEPP controls for Macquarie University into the DLEP at this stage. However, the Department may seek Council's assistance at a later date.*
- *No action is necessary in relation to LEP 2010.*
- *The Department will liaise with Council should the controls for Macquarie University need to be transferred from the Major Development SEPP into the DLEP 2011. Council's assistance with map changes may be required.*

Recommended Action

It is considered that unless directed by DoPI there is no requirement to amend the Draft LEP to bring it in line with its zoning, FSR or height under the SEPP.

2. 461 Victoria Road Gladesville

Under *Schedule 1 Additional permitted uses* a bulky goods premises is permitted at 461 Victoria Rd Gladesville. This was based on a recommendation of the Ryde Local Planning Study that was adopted by Council on 7 December 2010. The Local Planning Study comprised a number of individual studies including the Centres and Corridors Study. A report on the community consultation and submissions received to that study was submitted to Council on the 2 November 2010 where it was identified that a submission had been received from the landowner of 461 Victoria Road Gladesville seeking bulky goods premises as an additional land use on the site. The request was supported as the lands are identified as strategic employment lands in the Inner North Sub regional Strategy.

Council has recently received a planning proposal for the site which is seeking a rezoning for additional land uses, including '*bulky goods premises, garden centre and hardware and building supplies*' under Ryde Local Environmental Plan 2010. The proposal also includes an amendment to the Ryde Height of Buildings Map to include maximum RL's over the subject site. It is anticipated that a report on the Planning Proposal will go to Council in October 2012.

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3. Boarding Houses

Council on the 17 July 2012 considered a report on a media release posted by Bankstown City Council regarding two class 1 appeals to the Land and Environment court heard in May 2012 against Bankstown City Council's refusal of two DA s for boarding house developments on land in the Residential 2 (a) zone under Bankstown LEP 2001. At this meeting the Council in part resolved:

(d) That Council amend its LEP to reflect the zoning that articulates boarding houses as a 'prohibited land use' in the residential R2(a) land use zone.

Council is to note that this part of the resolution is subject to a Notice of Rescission.

In relation to the Bankstown case - as the LEP prohibited boarding houses in the 2(a) zone approval was sought for the developments under SEPP (Affordable Rental Housing) 2009. The SEPP identifies zones within the Standard Instrument (SI) within which boarding houses may be carried out. The SEPP also states that for Councils that do not yet have a LEP under the SI it applies to land within a land use zone that is equivalent to the listed SI zones.

The Court found there were no equivalent zones within the Bankstown LEP (which is not under the SI) and as such the SEPP did not apply. Both cases were dismissed in favour of Bankstown Council.

LEP 2011 is under the SI and boarding houses are a mandated use permitted with Council consent in the R1, R2, R3 and R4 residential zones. It unlikely that the Department would support the removal of this mandated land use.

Council should also note that the SEPP (Affordable Rental Housing) 2009 prevails over the provisions of a local planning instrument and any inconsistencies.

However it is recognised that the City Of Ryde has already done extensive work in developing a policy and DCP controls for boarding houses. This report includes a recommendation to have this work recognised by the Minister for Planning.

4. Macquarie Park – Serviced Apartments

Under the Standard Instrument (SI) a *Serviced apartment* is defined as a building containing self contained tourist and visitor accommodation. *Serviced apartments* are the only type of residential development permitted in the B3 Commercial Core zone.

In a report dated 27 September 2011 Council was advised that DoPI required *Clause 4.5B (5) Macquarie Park Corridor – Serviced apartments in Zone B3 Commercial Core* to be deleted from the LEP. The clause required that serviced apartments in the B3 zone comprise at least 2 serviced apartments and that all serviced apartments were on the same lot (that is, not on a separate strata or other title).

By deleting clause 4.5B (5) serviced apartments can now be strata subdivided. This is considered undesirable as by permitting the separate ownership of

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dwellings, *Serviced apartments* (which will inevitably be used as permanent residential accommodation) will become a more desirable development type in the zone. This may result in undermining the corridor as a commercial precinct.

In the report of the 27 September 2011 it was stated that Council should make a formal submission to DLEP 2011 once on exhibition requesting the reinstatement of Clause 4.5B(5) with respect to prohibiting the subdivision of such developments. As such it is considered that DLEP 2011 should be amended by adding the Clause prior to submission to the Minister for gazettal of the LEP.

5. Under draft LEP 2011 secondary dwellings which are defined in the SI as a *self-contained dwelling that:*

(a) is established in conjunction with another dwelling (the principal dwelling), and

(b) is on the same lot of land (not being an individual lot in a strata plan or community title scheme) as the principal dwelling, and

(c) is located within, or is attached to, or is separate from, the principal dwelling.

are prohibited in all residential zones. However under SEPP (Affordable Rental Housing) 2009 secondary dwellings are permitted in all residential zones as either complying development or with Council consent.

At present if a development does not satisfy complying conditions a DA is required and approval given by Council under the SEPP to the secondary dwelling. This is procedurally complicated and difficult to assess as there are no design criteria for secondary dwellings (as they are prohibited under the LEP).

Recommended Action

It is considered that to provide relevant design standards for secondary dwellings the use should be permitted with Council consent in all residential zones as per the SEPP and that DCP 2011 –Part 3.3 Dwelling houses and dual occupancy amended to incorporate setback, landscaping requirements etc.

Consultation

The consultation undertaken with respect to draft LEP 2011 has been detailed in the body of the report

Draft Development Control Plan 2011

Draft Development Control Plan 2011 was exhibited with the DLEP 2011. The draft Plans key amendments relate to:

- supporting provisions in the DLEP 2011
- implementing the recommendation of the LPS
- administrative updates

The exhibition process and the issues raised in submissions received will be reported to Council at a later date.

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Context

The following deadlines are required to be met:

Under State Governments timetabling for the development of a comprehensive LEP for all Council areas within NSW the Ryde LEP 2011 - a comprehensive plan for the City of Ryde was to be completed by March 2011. No formal extension to this period has been given by DoPI. The March deadline has not being met due to:-

- the delay in the gazettal of LEP 2010 (Stage 1 of the 3 Stage process towards a comprehensive LEP for the City of Ryde) by the Minister for DoPI.
- the delay in receiving the S65 Certificate for draft LEP 2011 and
- the changes to the Standard Instrument by DoPI that occurred in February 2011.

The Department is now requesting that we finalise the LEP by the end of 2012.

Financial Implications

Should Council resolve to adopt Draft LEP 2011 upon the gazettal of the Plan Council policy is to place an advertisement in the local paper. The cost of such an ad would be \$1 000 and this is within the current budget Urban Planning budget for 2011/2012.

Policy Implications

The recommendation is consistent with the requirements of the Environmental Planning and Assessment Act 1979.

Other Options

1. Council has an option not to proceed with DLEP 2011 - This option would result in the proposed changes to centres, small centres, residential choice and sustainability not being available to the community.

Outcomes

- Redevelopment and revitalisation opportunities of Centres and Small Centres not realised.
 - Residential development and choice not being expanded through the strata subdivisions.
 - Flood, stormwater and sustainability controls not being applied through an LEP
 - Numerous Planning Proposals being submitted to Council for land which under the DLEP was indicated for zoning floor space or height changes
 - City of Ryde not being in compliance with the State Governments directions that all Council in NSW have a comprehensive LEP in place.
 - LEP 2010 being maintained as the principle planning instrument for the City of Ryde.
2. Council has an option to defer consideration of the draft LEP - It should be noted that the process has already been underway for more than 5 years and it is considered that further significant delay in finalising the LEP has the potential to precipitate State Government involvement in Council's plan making functions.

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**ATTACHMENT 4
Draft LEP 2011 – Advertisements Ryde City View**

<p>WEDNESDAY 30 MAY 2012 Vol 5 No 23</p>	<p>WEDNESDAY 27 JUNE 2012 Vol 5 No 25</p>
<p>Have Your Say</p> <p>Draft Ryde Local Environmental Plan (LEP) 2011 Draft Ryde LEP 2011 is based on the City of Ryde Local Planning Study 2010 and will guide the growth and development of Ryde for the next 10 years. The draft Plan has been prepared in response to the State Government requirement for the City of Ryde to have a comprehensive Local Environmental Plan in place.</p> <p>On 23 April 2012 the Department of Planning and Infrastructure certified that the draft Plan may be publicly exhibited under section 66 of the Environmental Planning and Assessment Act.</p> <p>Draft Ryde LEP 2011 applies to all land within the City of Ryde with the exception of certain sites in Macquarie Park/North Ryde which are identified as Deferred Matter on the Draft Ryde LEP 2011 Land Application Map.</p> <p>Draft Ryde LEP 2011, as submitted to the Department in December 2010, has been on 'Community Comment' since January 2011. All submissions received by Council during the 'Community Comment' period will be given the same weight and reported to Council together with submissions received during the formal exhibition period.</p> <p>Draft Ryde Development Control Plan (DCP) 2011 The Ryde Draft DCP 2011 applies to all land within the City of Ryde and contains detailed planning and design</p> <p>guidelines that complement the controls of Draft Ryde LEP 2011.</p> <p>Draft Ryde DCP 2011 has been based on the City of Ryde Local Planning Study 2010 and supports the provisions of Draft Ryde LEP 2011.</p> <p>Draft Ryde DCP 2011 comprises 10 chapters which are divided into a number of parts. The draft Plan contains a number of new parts and makes substantial amendment to a number of existing parts of the DCP, particularly:</p> <ul style="list-style-type: none"> • 4.1 Eastwood Town Centre - new section relating to Glen Street/ Lakeside Avenue, Eastwood • 4.2 Shepherds Bay Meadowbank • 4.3 West Ryde Town Centre • 4.4 Ryde Town Centre • 5.4 Blenheim Road Small Centre • 8.5 Public Civil Works • 8.6 Floodplain Management Plan. <p>Exhibition of Draft Ryde LEP 2011 and Draft Ryde DCP 2011 In accordance with Section 66(1)(a) of the Act notice is given that Draft Ryde LEP 2011 is on exhibition from 30 May - 13 July 2012 and can be viewed along with Draft Ryde DCP 2011 which is also on exhibition during that time.</p> <p>As an opinion has not been issued by Parliamentary Counsel that the plan may be legally made, the draft Plan may be changed to satisfy legal drafting requirements.</p> <p>Make a submission You are invited to consider the draft Plans and have your say before the Council decides whether they should be adopted.</p> <p>You can view copies of the draft Plans at www.ryde.nsw.gov.au at any of our five libraries during normal library hours (see www.ryde.nsw.gov.au/library for details), at the Customer Service Centre at the Civic Centre (8.30am - 4.30pm, Monday to Friday) or at the Ryde Planning and Business Centre at Top Ryde City shopping centre (9.00am - 5.00pm, Monday to Friday).</p> <p>Submissions must be in writing. They should be addressed to the General Manager and sent by post, email, fax or delivered in person to the Civic Centre or Ryde Planning and Business Centre (all details on the back page).</p> <p>Or you can save time and make your submission online at www.ryde.nsw.gov.au/haveyoursay.</p> <p>Submissions for both the Draft LEP and Draft DCP must be received by 4.30pm on Friday 13 July 2012.</p> <p>It is Council policy that all submissions in relation to draft plans will be publicly accessible on request. Supply of personal information is voluntary, however anonymous submissions may be given less weight.</p> <p>Find out more Keep an eye on the website for details about upcoming 'drop-in' information sessions, or for further information call 9952 8222.</p> <p>For further information go to www.ryde.nsw.gov.au or call 9952 8222.</p>	<p>Reminder: public exhibition of draft Ryde LEP 2011 and draft Ryde DCP 2011</p> <p>The draft Ryde Local Environmental Plan (LEP) 2011 and draft Ryde Development Control Plan (DCP) 2011 are currently on public exhibition. You are invited to view the documents and make a written submission by Friday 13 July 2012.</p> <p>Some of the changes incorporated into draft LEP 2011 and draft DCP 2011 include:</p> <ul style="list-style-type: none"> • strata subdivision of dual occupancy developments being permitted with Council consent • linear separation controls deleted from Part 3.3 Dwelling Houses and Dual Occupancy and Part 3.5 Multi-Dwelling Housing • zoning, floor space and height changes within Ryde Town Centre and adjoining areas including: <ul style="list-style-type: none"> - Club Ryde X - Hunter Holden - Argyle Avenue - Gospel Pianos (Cnr of Blaxland and Lane Cove Roads). <p>You can view the draft LEP and draft DCP at www.ryde.nsw.gov.au/haveyoursay, at any of our five libraries, at the Ryde Planning and Business Centre in Top Ryde City shopping centre or at the Customer Service Centre at the Civic Centre.</p> <p>For further information call 9952 8222.</p>
<p>WEDNESDAY 13 JUNE 2012 Vol 5 No 24</p>	<p>WEDNESDAY 11 JULY 2012 Vol 6 No 1</p>

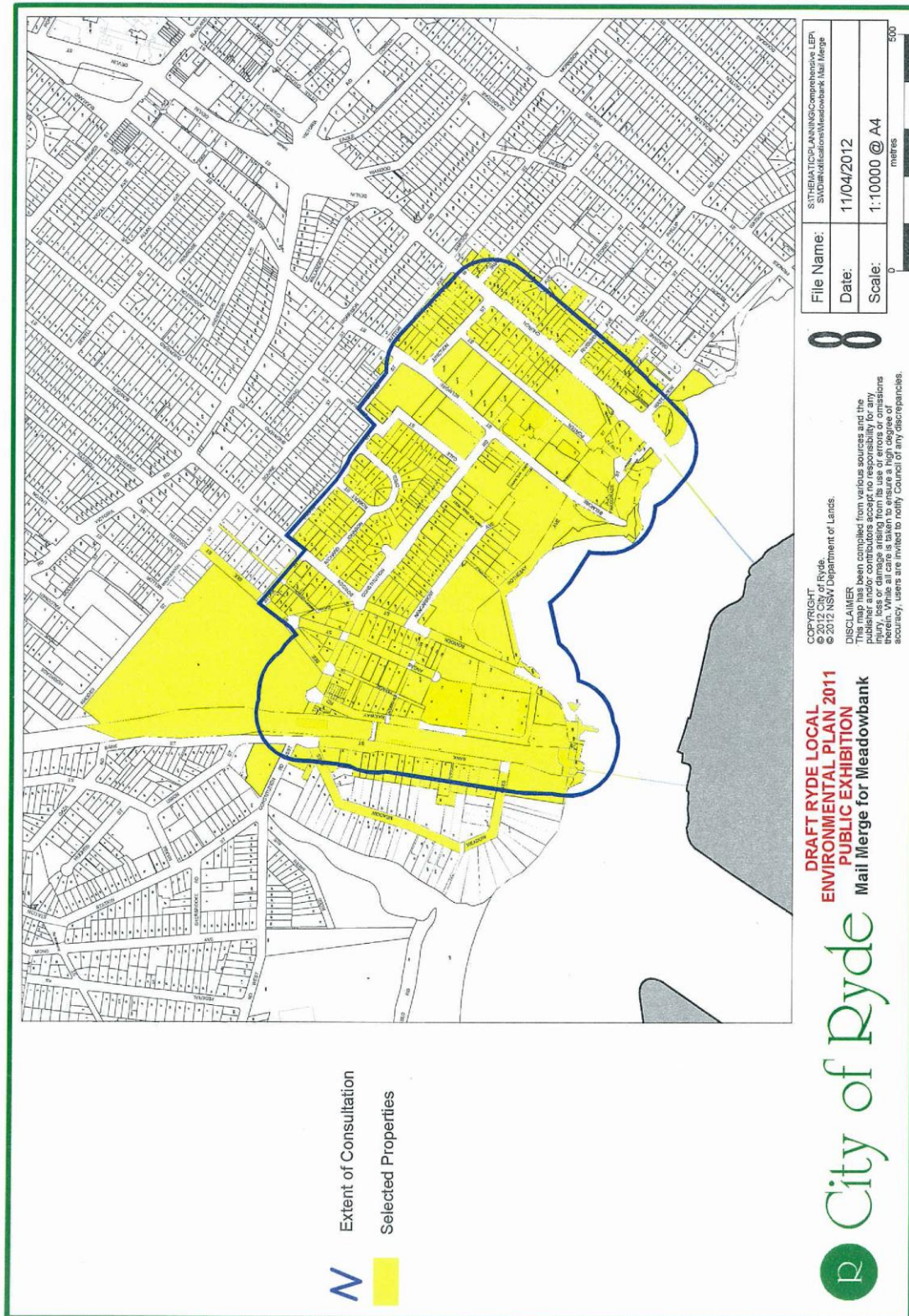
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<p>Reminder: public exhibition of draft LEP and DCP</p> <p>The draft Ryde Local Environmental Plan (LEP) 2011 and draft Ryde Development Control Plan (DCP) 2011 are currently on public exhibition. You are invited to view the documents and make a written submission by Friday 13 July 2012.</p> <p>Some of the changes incorporated into draft LEP 2011 and draft DCP 2011 include:</p> <ul style="list-style-type: none"> ▪ strata subdivision of dual occupancy developments being permitted with Council consent ▪ linear separation controls deleted from Part 3.3 Dwelling Houses and Dual Occupancy and Part 3.5 Multi-Dwelling Housing ▪ new clauses relating to flooding, environmental sustainability and stormwater. <p>You can view the draft LEP and draft DCP at www.ryde.nsw.gov.au/haveyoursay, at any of our five libraries, at the Ryde Planning and Business Centre in Top Ryde City shopping centre or at the Customer Service Centre at the Civic Centre.</p> <p>For further information call 9952 8222.</p>	<p>Reminder: public exhibition of draft Ryde LEP 2011 and draft Ryde DCP 2011</p> <p>The draft Ryde Local Environmental Plan (LEP) 2011 and draft Ryde Development Control Plan (DCP) 2011 are currently on public exhibition. You are invited to view the documents and make a written submission by Friday 13 July 2012.</p> <p>Some of the changes incorporated into draft LEP 2011 and draft DCP 2011 include:</p> <ul style="list-style-type: none"> ▪ strata subdivision of dual occupancy developments being permitted with Council consent ▪ linear separation controls deleted from Part 3.3 Dwelling Houses and Dual Occupancy and Part 3.5 Multi-Dwelling Housing ▪ zoning, floor space and height changes to Glen Street and Lakeside Road, Eastwood ▪ floor space and height changes to Meadowbank Urban Village ▪ floor space and height incentive clauses for Blenheim Road Shopping Centre (see also draft DCP 2011, Part 5.4 Blenheim Road Small Centre) ▪ the addition in <i>Schedule 1 Additional permitted uses</i> of the following: <ul style="list-style-type: none"> - 461 Victoria Road Gladesville: development for the purposes of bulky goods premises is permitted with consent - 455 - 459 Victoria Road Gladesville: development for purpose of vehicle sales or hire premises is permitted with consent. <p>You can view the draft LEP and draft DCP at www.ryde.nsw.gov.au/haveyoursay, at any of our five libraries, at the Ryde Planning and Business Centre in Top Ryde City shopping centre or at the Customer Service Centre at the Civic Centre.</p> <p>For further information call 9952 8222.</p>
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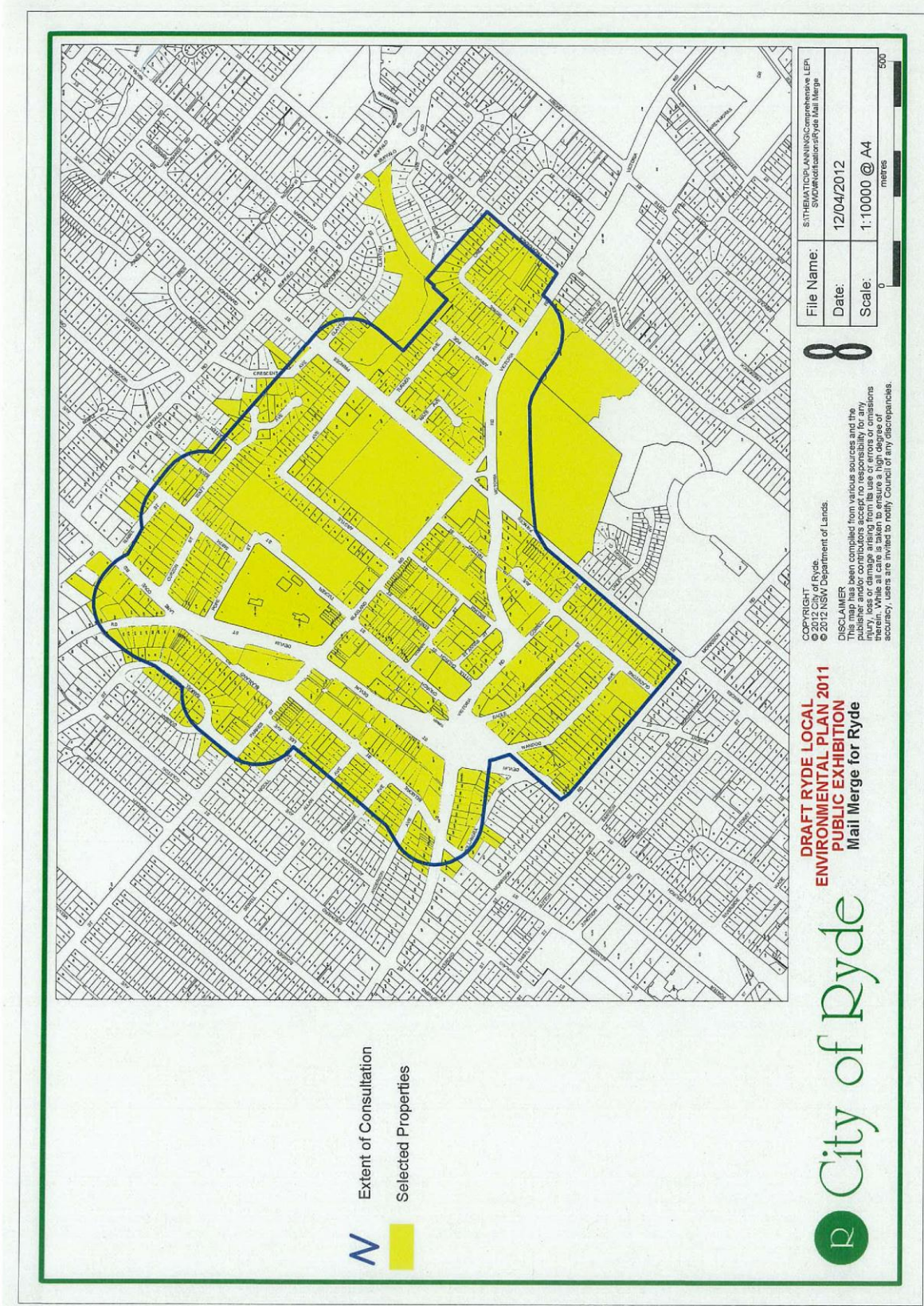
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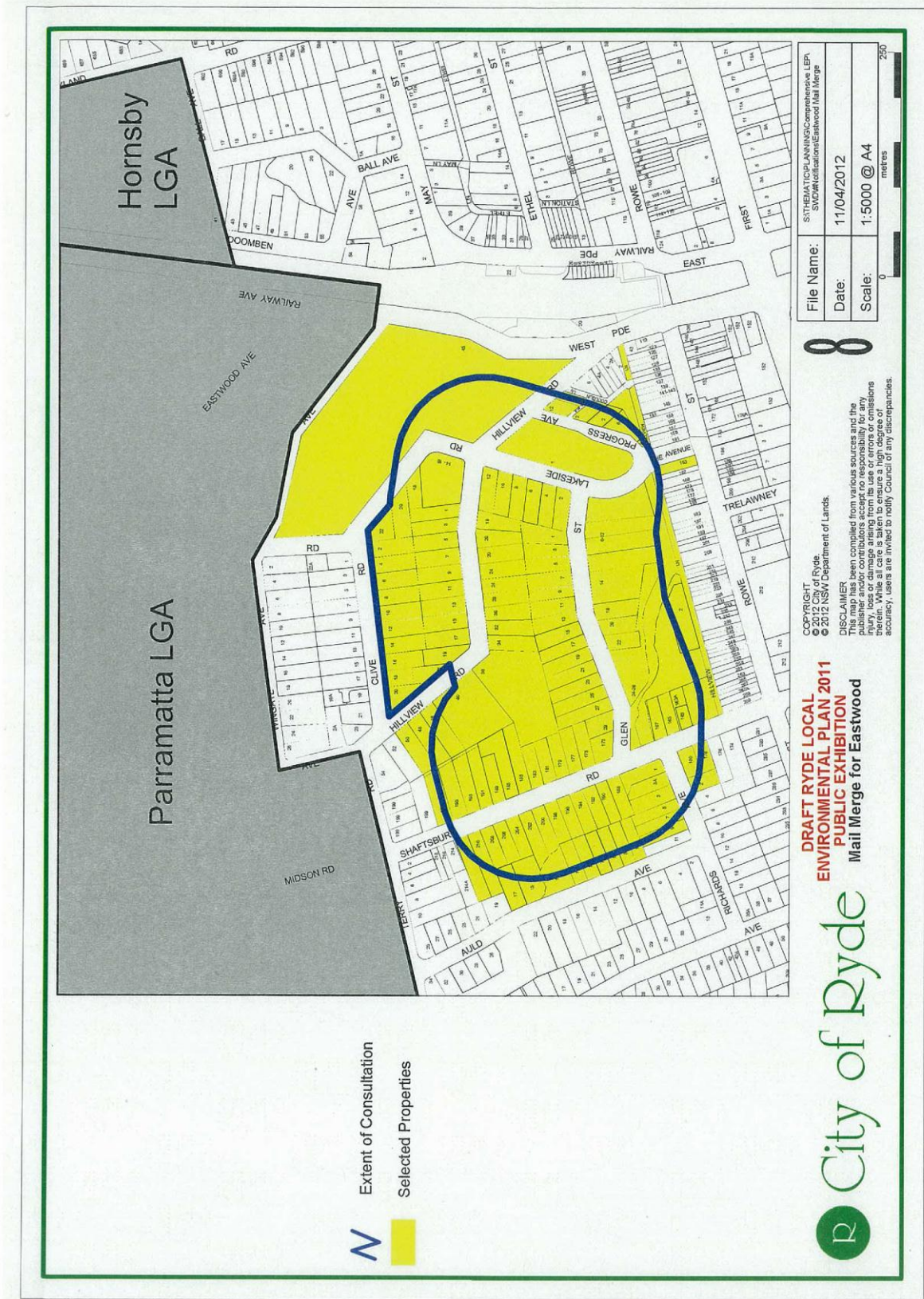
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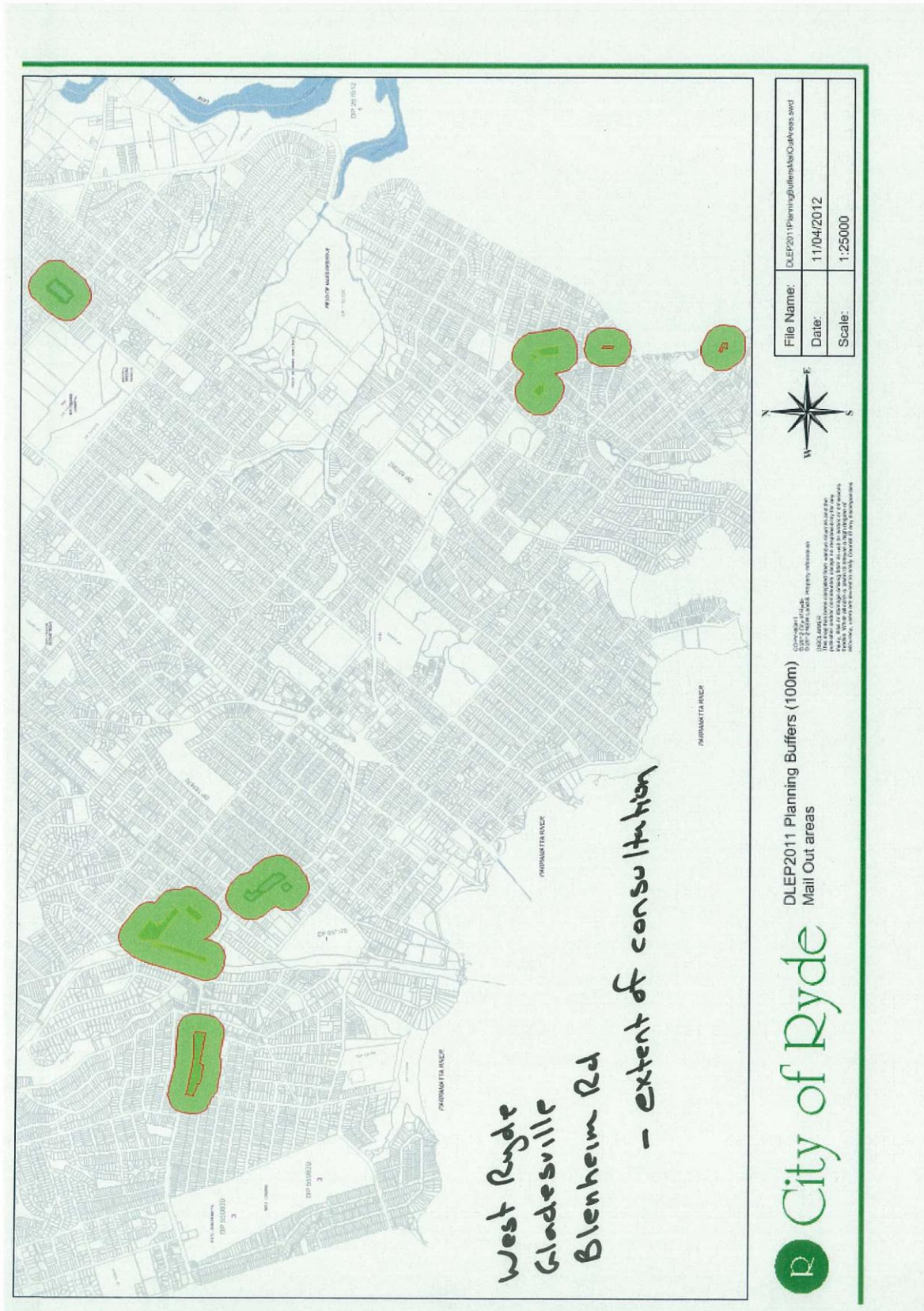
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Table 1 –Community Consultation Submissions – 19 January 2011 – 29 May 2012

Notification Submission – Summary

Total Number of Submissions received

- 3012 Submissions including 2 Pro forma submissions
- Pro forma 1 – 210
- Pro forma 2 - 2739

Notification Submission – Summary

Abbreviations used

LEP –Local Environmental Plan

DCP – Development Control Plan

DoPI – Department of Planning and Infrastructure

R&MS – Roads and Maritime Services

Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
	Ryde City Council			
1	D12/40718	Schedule 2 Exempt development – Signage (temporary sign for a cultural , educational , political , recreational, religious or social event) Request that a further condition be added that signs must not be illuminated.	Temporary signs are exempt development subject to the following conditions: -Must not include advertising of a commercial nature - Must not be displayed more than 14 days before the event - Must be removed within 7 days after the event.	Recommended Action 1. Schedule 2 Exempt Development – Signage (temporary) Additional condition added (d) Must not be illuminated

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
			It is considered that a condition prohibiting the illumination of temporary signs will reduce any concerns related to visual distraction for vehicles or pedestrians.	
	Government Agencies			
2	D11/7477	<p>Sydney Water Zoning of 22 Henry St Ryde SP2 is in conflict with the Site Compatibility Certificate issued by DoPI . LEP should be amended to reflect a zoning of R2 for that portion of the site to be used for residential.</p>	The property is known as Cudal Reserve and is zoned SP2. Council resolved on 14 February 2012 that an amended s65 Certificate be requested from DoPI that does not rezone any current SP2 land to any other purpose. This request was supported by DoPI. As such it is not considered that Council should support the rezoning of the land to R2.	
3	D11/7482	<p>Zoning of 20 Goulding Street Ryde SP2 is in conflict with Site Compatibility Certificate issued by DoPI. LEP should be amended to reflect a zoning of R2</p>	Same as above comment.	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
4 5	D11/17383 D12/32340	<p>zoning. Zoning of 865 Victoria Rd SP2 is in conflict with the Site Compatibility Certificate issued by DoPI – SCC support a zoning compatible with its surrounding use , that is “ Use of allotment (398.4sqm) for residential purposes”.</p> <p>Land is surplus to Sydney Water Requirements and a zoning that is reflective of its surrounding use in now applicable in accordance with DoPI LEP Practice Note “ Six principles for zoning of Infrastructure”</p> <p>Requests land be zoned for residential purposes</p>	Same as above comment.	
6	D12/32338	<p>The SP2 zoning of Sydney Water’s land at Goulding Road Ryde is inappropriate as part of the land is surplus to requirements. A zoning that is reflective of its surrounding residential use is applicable to part of the site in accordance with DoPI LEP Practice Note “ Six principles for zoning of Infrastructure”</p> <p>Also the approval by the Minister for Planning of Sydney Water’s Subdivision</p>	Same as above comment	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
		<p>Plan is evidence that the land is compatible and suitable for the residential use proposed in the Site Compatibility Certificate. A future rezoning application is an unreasonable and unnecessary impost. Requests that part of the land be rezoned R2.</p>		
7	D11/16917	<p>Roads and Maritime Services The following changes are required to the Land Reservation Acquisition Map;</p> <ul style="list-style-type: none"> - M2 Motorway/Vimiera Rd (area approximately 9 500sqm) is to be indicated on the LRA Map - Minor boundary changes to land identified on the LRA Map for SP2 Classified Road as per information provided by R&MS. 	<p>In the development of LEP 2010 the R&MS requested that an area of land (M2 Motorway /Vimiera Rd) be indicated for acquisition on the Land Reservation Acquisition. DoPI by letter dated 22 August 2007 requested that as the land was owned by them that it be removed from the LEP 2010 Land Reservation Acquisition Map. The land was deleted from the subject map but retained as SP2 Classified Road on LEP 2010 Land Zoning Map.</p> <p>The land is zoned SP2 Classified Road under DLEP 2011.</p>	<p>Recommended Action</p> <ol style="list-style-type: none"> 1. Land Reservation Acquisition Map be amended in line with requested RTA boundary changes and that the inclusion of land in Vimiera Rd on the Land Reservation Acquisition Map be highlighted to DoPI for their consideration. 2. That DCP 2011 - 3.2 Child Care Centres be amended to include a condition that <i>Access for child care centre</i>

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
		<p>Rezone Devlin Street and Blaxland Road as they pass through Ryde Town Centre SP2 – Classified Road</p>	<p>It is considered that all requested boundary changes (including M2/Vimiera Rd) should be undertaken as requested and that the inclusion of land in Vimiera Rd on the Land Reservation Acquisition Map be highlighted to DoPI for their consideration.</p> <p>Council should note that all such changes are required by DoPI to be also indicated on the Land Zoning Map.</p> <p>The subject road has been zoned B4 Mixed Use and prior to that was zoned Business (Town Centre). Under DoPI PN 10 – 001 a classified road that passes through a major retail centre is required to be zoned using the appropriate business zone for the adjoining land. This is to provide a planning framework for considering potential development over or below roads and on footpaths. As the land has been zoned B4 (or equivalent) since 2006 it is</p>	<p><i>must not be to a classified road.</i></p>

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
		<p>Only existing and proposed Motorways, Transit ways and Classified Road are to be zoned SP2 . All other roads should adopt the adjacent zone including any Classified Regional Roads</p> <p>Land Acquisition Map should show all land zoned SP2 – Classified Rd including land which has already been acquired by the RTA and /or dedicated as public road.</p>	<p>considered that there should be no change to the zoning of the road however the R&MS request should be highlighted to DoPI.</p> <p>Based on a <i>Schedule of Classified Roads and State and Regional Road</i> produced by the RTA and dated 31 January 2011 all roads in DLEP 2011 are appropriately zoned. The only road not mentioned in the schedule is the proposed link road between Epping Road and Eastwood but as land for the road is identified in the Land Reservation Acquisition Map as SP2 Classified Road it is required to be zoned SP2 Classified Road as per DoPI mapping requirements.</p> <p>DoPI Practice Note PN07 – 001 states that the Land Reservation Acquisition Map is to contain all land reserved for public purposes but not yet acquired. As such it is not appropriate to include land acquired or dedicated as public road.</p>	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
		<p>Requests amendment to DLEP to ensure child care centres, schools and places of worship and meeting halls are effectively prohibited where such properties have direct frontage to a classified Road .</p> <p>Amend Part 6.4.1 Precinct 1 – Civic and mixed used to add 3(b)(x) Traffic impacts.</p> <p>Single unified bus priority network through Macquarie Park Corridor needs to be considered .This may require the dedication of land for bus layovers and bus lanes. To achieve this infrastructure may result in developments having height and /or floor space ratios in excess of controls specified in the draft LEP. The LEP should make</p>	<p>As a result of a similar request made by the RTA to LEP 2010 <i>Clause 6.8 Access for child care centre must not be to a classified road</i> was included. At the pre s64 review of DLEP 2011 by DoPI Council was required to delete the Clause from the draft Plan and advised to include it into a DCP. Draft DCP 2011 should be amended as requested.</p> <p>DoPI on the 20 December 2011 required that Clause 6.4.1 Precinct 1 – Civic and mixed use be deleted.</p> <p>Draft LEP 2010 (Amendment 1) – Macquarie Park is presently being developed .The submission has been referred to the relevant area for consideration.</p>	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
		<p>an allowance for this. High density and mixed use should be provided around transport infrastructure.</p> <p>Controls need to be provided on development to ensure acoustic privacy.</p> <p>Design considerations found in <i>Designing Places for Active Living</i> should be taken into consideration in preparation of any LEP or major rezoning.</p>	<p>All Centres i.e. Eastwood, Ryde, West Ryde, Meadowbank and Gladesville are zoned for mixed use activities such as residential, commercial and retail and have heights and FSRs appropriate for town centres.</p> <p>This is a matter for consideration at DA stage of a proposal and is covered in areas of draft DCP 2011.</p> <p><i>Designing Places for Active Living</i> is divided into seven design focus areas:</p> <ul style="list-style-type: none"> • Cities, towns and neighbourhoods • Walking and cycling routes • Public transport • Streets 	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
			<ul style="list-style-type: none"> • Open Space • Retail areas • Workplaces <p>For each focus area, there is a design objective and some design considerations Although not directly used in the development of the LEP many of the design issues such as making public transport an ease option, plan and construct legible connected walking and cycling routes, slow traffic for safe and streets and roads, provide open space within safe, comfortable walking distance have been addressed or considered in the development of DCP 2011 particularly with regard to Town Centres.</p>	
8	D11/17888	NSW Land & Property Management Authority Supports rezoning of Small Road Ryde	Council resolved on 14 February that an amended s65 Certificate be requested from DoPI that does not	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
9	D11/21209	<p>to R2</p> <p>43 – 61 Waterloo Rd Macquarie Park</p> <ul style="list-style-type: none"> - Objects to reduction in FSR on the site due to the site access network provisions being deleted. - Objects to reduction in height over the area indicated as proposed public park under the DCP (reduced to 9.5m) - SPA does not agree with size or location of the park as nominated in DCP 2010. As such it is premature to reduce height as part of LEP 2011 as area has not been agreed upon. - Proposed amendment results in down zoning of site. 	<p>rezone any current SP2 land to any other purpose. This request was supported by DoPI.</p> <p>As such Small's Rd school was supported by DoPI to revert back to its zoning of SP2 under LEP 2010. Council has been in discussion with the State Property Authority as how best to address their concerns with respect to the future use of the land.</p> <p>Under clause 4.4B of LEP 2010 Council can consent to development in Macquarie Park that results in an fsr that exceeds the FSR Map if the land contains part of the proposed access network shown on Macquarie Park Corridor Proposed Access Network Map. The excess fsr cannot however exceed the equivalent of the site area of the proposed access way. Both the Accessway Map and related clause have been deleted from DLEP 2011. The mechanisms to establish and implement the infrastructure are currently being reviewed as part to the research undertaken on the</p>	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
			<p>planning controls will consultants.</p> <p>The fsr available to the site has not changed between LEP 2010 and DLEP 2011.</p> <p>LEP 2010 HOB Map for the site indicates no maximum height limits in the areas where the accessway under LEP 2010 was required. As a result of the Accessway Map no longer being part of DLEP 2011 the HOB map was amended to provide a height on the entire site. A 9.5m height limit was placed on the area of the site identified as being required for open space purposes.</p> <p>The submission has been referred to the relevant staff for consideration in the development of LEP 2010 (Amendment 1) Macquarie Park and draft DCP 2011.</p>	
10	D11/103803	<p>Energy Australia 71 – 85 Constitution Rd Meadowbank Under the draft Plan the property is</p>	<p>Council resolved on 14 February that an amended s65 Certificate be requested from DoPI that does not</p>	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
		zoned SP2. As the land is no longer required for electricity infrastructure purposes and the intention is to sell the land it is requested that the land be rezoned R4 in line with adjoining properties.	rezone any current SP2 land to any other purpose. This request was supported by DoPI. As such it is not considered that Council should support the rezoning of the land to R4.	
	Other submissions			
	West Ryde Town Centre			
11	D11/5260	Properties located at 6-8 Wattle St, 80 Anzac Ave, 29 – 33 Herbert St should have the same FSR as properties along Herbert St – 1.25:1.	In the development of the draft LEP DoPI advised Council that the existing residential flat development density controls in LEP 2010 were no longer acceptable (they had been a transfer from the Ryde Planning Scheme into LEP 2010) and that it would be necessary to replace such controls with an FSR. Based on examination of existing developments in the R4 zone a FSR of 1:1 was determined to be an appropriate based on the nature of uses permitted in the zone (predominately residential flat buildings). The land referred to in	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
12	D11/6631	Properties fronting Anzac Park should have the same FSR as 4 storey units along Herbert St.	Herbert Street is zoned B4 – Mixed Business and permits a variety of different land uses .An FSR of 1.25:1 applies to all land at West Ryde with a zoning of B4. The FSR proposed for the subject sites (6-8 Wattle St, 80 Anzac Ave, 29 – 33 Herbert St) within the draft Plan is considered appropriate in view of the zoning of the land. The same comment as above. Note; Properties fronting Anzac Park are zoned R4 whilst properties on the southern side of Herbert Street is zoned B4 Mixed Use.	
13	D11/7248	Re consider and amend FSR to 1.25:1 for properties along Anzac Ave to make it the same as the FSR for Herbert St.	The same comment as above.	
	Eastwood Town Centre			
14	D11/5745	Not sure what relevance the Eastwood Town Centre Master Plan Review has with LEP 2011 – The Master Plan boundaries should be expanded to	A new Master Plan for the Eastwood Town Centre is presently being developed and includes areas of R4 land on the eastern side of	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
		<p>areas now zoned R4 (south of May St to Blaxland Rd and Rowe Lane and on the northern side of First Ave) – these areas should be zoned B4 with associated FSR and height. Consideration should be given to rezoning the R2 areas adjacent areas to the Centre south of Rutledge St to R4. Eastwood should be given same development potential as Ryde Town Centre and divided into Precincts like Ryde Town Centre.</p>	<p>Eastwood. Based on the Small Centres Study the commercial area of Eastwood has been expanded in DLEP 2011 to the northern side of Glen Street and has resulted in the rezoning of land from R2 to B4 and R4. Further changes to Eastwood will be addressed in the Master Plan presently being developed</p>	
15	D11/17019	<p>Inclusion of Lakesid Rd and Glen St in Eastwood Town Centre gives Eastwood a natural way to grow .</p>	<p>Comments in support of DLEP 2011 amendments are noted.</p>	
16	D11/34751	<p>The new addition to the Eastwood Area within the draft Plan could highly enhance lifestyle of local area by improving the issue of parking around Eastwood and developing a better environment (both commercial and residential).</p>	<p>Comments in support of DLEP 2011 amendments are noted.</p>	
17	D11/37510	<p>Parking in Lakeside is difficult – area</p>	<p>Comments in support of DLEP 2011</p>	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
18	D11/43818	will benefit from expanding the commercial precinct. Support changes to Eastwood – regeneration of the accommodation at the edge of the commercial are is needed.	amendments are noted. Comments in support of DLEP 2011 amendments are noted.	
	Gladesville Town Centre			
19	D11/12126	Commend Council on retaining R2 zoning for 44, 46 & 48 Eltham St Gladesville.	Comments in support of DLEP 2011 amendments are noted.	
20	D12/14912	Heights within all Precincts are too high – particularly Town Centre Precinct. Comments relating to the provisions in the DCP including traffic and pedestrian safety issues with respect to Gladesville Public School, traffic management and access to Victoria Rd and insufficient green space for the imposition of a corridor of 6 and 8 storey buildings	The heights for the Gladesville area in DLEP 2011 are a straight transfer of heights gazetted in LEP 2010 – Gladesville Town Centre and Victoria Rd Corridor. Issues relating to Draft DCP 2011 have been included in the report to Council on the review of that Plan.	
	Meadowbank Urban Village			
21	D11/28237	21 – 24 Railway Road Meadowbank.	Under LEP 2010 the property has a maximum height of 15.5m (4	
22	D11/54697	A 10 storey building form is suitable for		

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
23	D11/30379	<p>the site as it would provide a sense of solidity to strengthen the corner of the existing building fabric. Draft LEP proposed height control of 21.5m equates to 6 storeys – this is inconsistent with the most recent recommended heights for the land of 9 storeys. DLEP recommends a FSR for MEA – these have not been subject to any comprehensive study. The proposed FSRs are based on an approximated Precinct – wide FSR approach – this level of testing is considered to be too basic. The site is located within the Station Precinct which is comprised of small sites with little opportunity for amalgamation. A precinct wide FSR with low building heights will not encourage future development of smaller sites</p> <p>Supports proposed LEP controls in relation to land bounded by Railway Rd, Constitution Rd, Faraday Lane and Underdale Land. A development proposal for 1- 18 Railway Rd Meadowbank is provided and includes a</p>	<p>storeys) and no FSR control. Under DLEP 2011 the maximum permitted height is 21.5m (6 storeys) with a FSR of 2.3:1.</p> <p>Heights and FSRs for all of Meadowbank were reviewed in Ryde Local Planning Study 2010 - Centres and Corridors that was adopted by Council on 7 December 2010.</p> <p>When considering the Ryde Local Planning Study, Council directed that the LEP building heights in Shepherd's Bay should accommodate 6 storeys maximum. The council adopted Local Planning Study formed the basis of DLEP 2011.</p> <p>Comments in support of DLEP 2011 amendments are noted.</p>	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
24	D12/8778	<p>traffic assessment and stormwater disposal assessment.</p> <p>Concerned that the land along the Shepherds Bay area has been designated as a long strip of 21m and 15m height buildings which will lead to a long wall of building rather than a stepped plane. A central open parkland area which links the River to the land behind and which would provide for overflow drainage for the land behind should be considered. Developers if allowed will maximise the height of their development and have no concern for those further up the hill.</p>	<p>Draft DCP 2011 – 4.2 Shepherds Bay provides design controls to ensure variation and architectural relief will be provided to individual developments. Also the DCP requires setbacks and landscaping within all such developments.</p>	
	Macquarie Park			
25	D11/29320	<p>Rectification of previous error with respect to the southern side of Peachtree Rd has failed to eventuate.</p>	<p>Council resolved to include changes to both the FSR and Parking requirements for Peach Tree Rd in draft LEP 2010 – Amendment 1</p>	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
26	D11/51183	Cottonwood and Lachlan Avenue – Council should consider rezoning the two areas from 6 storeys to 10 plus storeys similar to the corners next to the train station to encourage development ..	<p>Macquarie Park . In accordance with the requirements of DoPI housekeeping matters in DLEP 2010 (Amendment 1) were required to be incorporated into DLEP 2011. DLEP 2011 Floor Space Ratio Map and Macquarie Park Parking Restrictions Map incorporate the amendments to Peach Tree Rd.</p> <p>A review of the planning controls in the Macquarie Park Corridor is currently being undertaken (Draft LEP 2010 (Amendment 1)).The submission will be addressed as part of this process</p>	
	Ryde Town Centre			
27	D11/30377	Submission supports rezoning of properties 3 Parkes Rd and 158 – 186 Blaxland Rd Ryde to B4 Mixed Business.	Council on 13 December 2011 resolved that in relation to 158 – 194 Blaxland Road Ryde to request an amended s65 Certificate from DoPI reverting the zoning, height and floor space	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
28	D11/71454	46 Gladstone Ave Ryde and adjacent property is zoned R4 with a 9.5m maximum height . Height should be increased to 14m or a minimum 11.5m to capitalise on views and to align with the other side of Victoria Rd . Increased height would increase development potential.	<p>controls for 158 – 194 Blaxland Road Ryde to those that apply under LEP 2010 i.e. zoning 158 – 180 Blaxland Road R2 Low Density Residential and 182 – 194 Blaxland Road R4 High Density Residential.</p> <p>DoPI supported the request and the subject properties have reverted to their zoning under LEP 2010 i.e. R2. SP2 and R4 and related FSR and Height controls.</p> <p>Under the Ryde Planning Scheme the subject area and surrounds was zoned 2(c1) and a maximum of a 2 storey building was permitted on all such land. This was converted to a maximum height of 9.5m under LEP 2010 and has been maintained in DLEP 2011. Adjoining properties to the rear and to the south of the site are zoned R2 with a 9.5m height limit. Zoning, heights and FSRs for all of Ryde Town Centre were reviewed in</p>	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
29	D11/100801	Raising height levels along Blaxland Rd is an attack on the lifestyle of the people who live in adjoining streets such as Dunbar, Colston, Hinkler and Samuel. Residents in Samuel Street have very small backyards and will be faced with a concrete jungle.	<p>Ryde Local Study 2010 - Centres and Corridors that was adopted by Council on 7 December 2010. The controls within DLEP 2011 for the site reflect the recommendations of the Study.</p> <p>Council on 13 December 2011 resolved with respect to 158 – 194 Blaxland Road Ryde to request an amended s65 Certificate from DoPI reverting the zoning, height and floor space controls for 158 – 194 Blaxland Road Ryde to those that apply under LEP 2010 . DoPI supported the request and the subject properties have reverted to their maximum heights under LEP 2010 i.e. maximum height for 158 – 174 Blaxland Road 9.5m and 182– 194 11.5m.</p>	
30	<p>D11/103540 D11/103544 D11/106145 D11/106155 D11/112469</p>	<p>Pro forma 1 – Total number of submissions 210 Retain Civic Centre as public land and rebuild if necessary. Objects to two 24 storey towers.</p>	<p>This is a matter that related to the Planning Proposal for the Ryde Civic Precinct that was considered by Council on 14 February 2012. It should be noted that Ryde LEP 2010 (Amendment 2) which was gazetted</p>	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
			<p>on 2 March 2012 amended the Height of Buildings Map with respect to the Ryde Civic Precinct to a maximum height of 75m and reduced the nett usable floor area permitted in the Precinct from 100 000sqm to 60 000sqm (<i>Schedule 6 Planning controls for Ryde Town Centre precincts</i>).</p> <p>With respect to DLEP 2011 the following is to be noted:</p> <ol style="list-style-type: none"> 1. DLEP 2011 does not amend the height controls presently available to the subject land under LEP 2010. 2. DoPI required that the floor space (FS) controls for Ryde Town Centre be provided as a floor space ratio (FSR) on the FSR Maps rather than a floor area defined by square metres. As a result the nett usable floor areas specified for Precincts 1 and 2 in LEP 2010 (60 000sqm & 150 000sqm respectively) were converted to a gross floor area and then converted into a ratio on the 	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
			<p>FSR Maps. It should be noted that Precinct 1 is divided into 3 FSR areas which are:-</p> <ul style="list-style-type: none"> - 150 – 156 Blaxland Rd (carpark sites) – 2.2:1 - 1 Devlin Street – 4.37:1 and - 1 Devlin Street (area containing access ramps) 0:1 (no development permitted) <p>The matter of the sale of public land is not a matter relevant to DLEP 2011.</p>	
31	General D11/9867	<p>Request period for community comment be at least 3 months from February 2011 and including 2 months for formal exhibition under EP& A Act.</p> <p>The finalisation of the LEP should not be at the cost of adequate community consultation</p>	<p>The exhibition process and community consultation that was undertaken for DLEP 2011 has been discussed in the report .</p> <p>As a result of the original s65 having a number of conditions which Council was unprepared to support and discussions with DoPI to review</p>	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
		<p>Council has gone along with State Government requirements that SP2 land be rezoned to the adjoining zoning, permitting building within the foreshore building line and zoning all roads residential without significant objection.</p> <p>Council is remiss in its obligation for community consultation unless it provides at least 3 months for the community to consider the Draft LEP and staff recommendation, including workshops , community kiosks, and public meetings.</p>	<p>such conditions the exhibition of DLEP 2011 was unable to commence until 30 May 2012. DoPI are requesting that the draft Plan be finalised as soon as possible.</p> <p>Council resolved on 14 February that an amended s65 Certificate be requested from DoPI that does not rezone any current SP2 land to any other purpose. This request was supported by DoPI.</p> <p>As such all land zoned SP2 in LEP 2010 has been maintained in DLEP 2011 with the exception of SP2 land under a specific resolution such as 390 Pittwater Rd and SP2 Classified Road changes requested by the RTA.</p> <p>The exhibition process and community consultation that was undertaken for DLEP 2011 has been discussed in the report.</p>	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
32	D11/19473	“Will country link road from Eastwood to North Ryde be built? Will the development at Whiteside for Urbis affect the possible road being built and who is responsible for traffic flow?”	<p>The link between Eastwood to Epping Road is under the control of the R&MS and construction is at their discretion. All required land for the construction of the link would have been identified by the RTA for inclusion in the Land Reservation Acquisition Map.</p> <p>The development at Whiteside Avenue is under Part 3A of the EP&A Act and DoPI is the determining body.</p>	
33	D11/12073	<p>Request that 208 Epping Rd , 131 & 133 Herring Rd by rezoned to permit a medical facility.</p> <p>The current property 133 Herring Rd is a medical centre with one practitioner – vision is to use the adjoining properties to redevelop as a health centre with 6 or more doctors.</p>	<p>Approval was given by Council in 1999 for use of the property 133 Herring Rd Marsfield as a <i>professional consulting room</i>. Access to parking on the site is via Herring Road in close proximity to the intersection of Herring and Epping Roads.</p> <p>Adjoining properties 131 Herring Rd and 208 Epping Rd contain dwelling houses.</p> <p>The property opposite is presently used as a hotel and a planning proposal has been submitted for the</p>	<p>Recommended Action Add to <i>Schedule 1 Additional permitted uses</i> 131 & 133 Herring Rd and 208 Epping Road – development for the purposes of a medical centre is permitted with consent.</p>

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
			<p>expansion of uses on the site to include a retail outlet. The expansion of uses on the three properties to include a medical centre is considered reasonable in that:</p> <ul style="list-style-type: none"> ➤ Part of the land is presently being used with Council consent as a doctor's surgery ➤ Development of all three sites would result in a better traffic and parking outcome in that access could be relocated further away from the intersection of Epping and Herring Rds. 	
34	D11/14222	Property owner in Glen Street Eastwood agrees with Plan.	No response required.	
35	D11/14224	Property owner in Glen Street Eastwood agrees with Plan.	No response required.	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
36	D11/48053	<p>Objects to blanket prohibitions that exist within DLEP which fail to recognise “advertising signage” as a legitimate land use activity. Inconsistency of the Draft LEP with SEPP No.64</p> <p>Draft LEP places unreasonable restraint of trade on Outdoor Media Association members and that such restraints cannot be substantiated under competition policy in a free enterprise economy.</p>	<p>All zones within DLEP 2011 allow for either business identification signs or building identification signs, all other signage is prohibited. Signage as a land use if permitted would allow third party advertising (advertising not related to the land use or the building that the sign is located on) <i>SEPP 64- Advertising and Signage</i> does not override a prohibition on the display of signage that is contained in another environmental planning instrument such as DLEP 2011(other than clause 16 which relates to Transport Corridors). Third party advertising is considered unsuitable within areas other transport corridors because of visual amenity issues.</p>	
37	D11/74903	<p>Present controls prevent operating food business from a dwelling house – controls should be changed.</p>	<p>Home businesses and Home industries are defined as a business and industrial activity respectively that is carried out in a dwelling used by one or more permanent residents of the dwelling that does not involve: - the employment of</p>	<p>Recommended Action Home business, Home industries be added as permitted with Council consent in the R2, R3 and R4 zone.</p>

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
			<p>more than 2 people other than the residents, - the sale of items (except for those produced at the dwelling) , - interference with the amenity of the neighbourhood - exposure of unsightly matter - the exhibition of any signage</p> <p>A Home occupation is an occupation carried out in a dwelling that does not involve the employment of persons other than residents. Home occupations are permitted without consent in all residential zones however home industries and home businesses are prohibited under the land use table in all residential zones except R1 General Residential.</p> <p>Under SEPP (Exempt and Complying Development Codes) 2008 home businesses, home industries and home occupations that do not involve the manufacture of food products or skin penetration</p>	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
38	D12/11286	390 Pittwater Rd – Bundara Reserve Supports zoning of land to R2 and E2 - R2 should be upgraded to reflect current one storey , single residential dwellings.	<p>procedures is exempt development. Council has received numerous enquiries with respect to being able to carry out cake making and other food preparation activities which are defined as a home industry and prohibited under the land use table and not permitted as exempt development.</p> <p>It is considered that as all other forms of home business and home industry are permitted by virtue of the SEPP the land use table for the R2 , R3 and R4 zones should be amended to include both home industries and home businesses. It is also considered that a policy document such as a fact sheet relating to such activities should be undertaken.</p> <p>Existing land adjoining Bundara Reserve to the east is zoned R2 the same as part of 390 Pittwater Rd. The zone allows dwelling houses, multi dwelling developments and dual occupancy (attached) buildings of up to 9.5m in height.</p>	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
39	D12/12255	<p>Concern over viability of IN2 zone. Council should review the prohibited list. Uses that should be allowed with consent include:</p> <ul style="list-style-type: none"> Bulky goods premises Wholesale supplies Hardware and building supplies Storage premises Recreational facilities – indoor Emergency services facilities 	<p>Under DLEP 2011 the IN2 zone permits with consent a number of new land uses such as funeral homes, hardware and building supplies, landscaping material supplies and storage premises. Under SEPP (Infrastructure) emergency service facilities are permitted in the zone (the use is listed as <i>prohibited</i> in the land use table in DLEP 2011 and should be deleted to be in accordance with the SEPP).</p> <p><i>Wholesale supplies</i> which are defined as a building or place used for the display sale or hire of goods by wholesale only to business that have an ABN registered under a 1999 tax Act is considered to be very similar in nature to a <i>warehouse or distribution centre</i> (defined as a building used for the sorting or handling items pending their sale but from which no retail sales are made). As such it is considered to be a suitable use with council</p>	<p>Recommended Action <i>Wholesale supplies</i> and <i>Recreation facility (indoor)</i> be added to uses permitted in the IN2 Light Industrial zone. <i>Emergency services facility</i> be deleted from the prohibited list of land uses for the IN2 Light Industrial zone.</p>

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
			<p>consent in the IN2 zone.</p> <p>Bulky goods premises is defined as a building used for the sale , hire or display of bulky goods being of such size or weight to require a large handling display area and includes goods such as floor and window supplies , furniture , household electrical goods and swimming pools. Under <i>Schedule 1 Additional permitted uses</i> a bulky goods premises is permitted at 461 Victoria Rd. This was based on a submission to and a recommendation of the Ryde Local Planning Study that was adopted by Council on 7 December 2010 . DoPI on 20 June 2012 advised Council of the following; <i>“Our preference is to exclude bulky goods retail from industrial zones as an additional use across the zone because the inclusion of 'bulky goods' is now considered fundamentally to be a retail use that is likely to reduce the amount of industrial land</i> <i>The preference now is to either:</i></p>	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
			<p><i>1. cluster permissibility of these uses in a suitable area (close to commercial is ideal but may not be achievable) and to give them a B5 zoning or</i></p> <p><i>2. allow the use by a Schedule 1 amendment for the particular site based on suitability criteria (less preferable but less damaging to the whole zone)</i></p> <p><i>In either case the PP should assess the proposal against the Employment Lands Development Program Strategic Assessment checklist”</i></p> <p>The retail nature of bulky goods and its likely impact on reducing the land available for industrial uses is such that they should be considered on an individual basis through Planning Proposal.</p> <p>A number of indoor recreation facilities exist within the industrial areas of Ryde and are considered a use that should be permitted with Council consent.</p>	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
40 41 42 43 44 45	D12/12261 D12/12263 D12/12262 D12/12265 D12/12264 D12/12267	<p>Recommend that Height and FSR for Putney Village area be increased .</p> <p>Many existing properties are already at a FSR of 1:1. The building height in the Village should be increased to 3 storeys.</p> <p>The increase in development potential is justified as the development of Ryde Rehab Centre will increase demand on existing shops.</p>	<p>As part of the Ryde Local Planning Study 2010, a Small Centres Master Plan Study was undertaken by a consultant to consider the long term planning of five small centres one of which was Putney village.</p> <p>A preliminary analysis of these centres was presented to a Councillor workshop on 26 June 2010. As an outcome of the Councillor workshop it was recommended that no changes be made to the existing planning controls for Putney village and Denistone Station. This was supported at the Committee of the Whole meeting 3 August 2010 when the preliminary draft master plan study was presented to Council.</p> <p>An overall increase in floor space for all small centres from 0.5:1 to 0.8:1 to reflect existing built form was part of the recommendations of the Ryde Local Planning Study adopted by Council in December 2010.</p>	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
46	D12/8286	Update Land use matrix by using July 2011 version 3 of the DPI Land Use Matrix	The version of the Matrix that was available during the community comment exhibition period was the relevant matrix to use at that time. The matrix on formal exhibition is in accordance with latest version released from DoPI known as <i>Land Use Matrix DOP version 3.0</i> .	
47	D11/112603	The submission strongly objects to rezoning of SP2 land for housing, commercial etc. This effects the playing fields at Small Road Ryde which are currently used by the community for a variety of recreational activities.	Council resolved on 14 February that an amended s65 Certificate be requested from DoPI that does not rezone any current SP2 land to any other purpose. This request was supported by DoPI. As such all land zoned SP2 in LEP 2010 has been maintained in DLEP 2011 with the exception of SP2 land under a specific resolution such as 390 Pittwater Rd , North Ryde and minor SP2 Classified Road boundary changes requested by the RTA.	
48	D11/100559 D11/100570	Pro forma 2 - Total number of submissions 2739. The	See comments for Submission No. 30..	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
	D11/100641 D11/100660 D11/101548 D11/101555 D11/101562 D11/102121 D11/102129 D11/102134 D11/102813 D11/103557 D11/103635 D11/103637 D11/103639 D11/104644 D11/104658 D11/105765 D11/105770 D11/105883 D11/105900 D11/105922 D11/105927 D11/105944 D11/105962 D11/105969 D11/105975 D11/105980 D11/105990 D11/105993	<ul style="list-style-type: none"> - Civic Centre should be retained as public land. High rise towers are not supported on the civic centre site. - All open space should be kept for parks, gardens , green links , bushland restoration and playing fields. - All Special Uses zonings should be retained so that the people of Ryde have a real say in the 	<p>DLEP 2011 identifies 3 new properties to be acquired by Council for open space purposes one of which is 28 Argyle Avenue Ryde within the Ryde Town Centre.</p> <p>Areas where a change in zoning from RE1 to another zone has occurred under DLEP 2011 is;- -160- 162 Wicks Road Macquarie Park (Porters Creek Waste site) Council resolved on the 24/8/2010 to rezone the land IN2 Light Industrial - 55A Pellisier Road Putney (Dwelling house). Council resolved on the 16/11/2004 to zone the subject land to Residential 'A'.</p> <p>Council resolved on 14 February that an amended s65 Certificate be requested from DoPI that does not</p>	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
	D11/105997 D11/106002 D11/106005 D11/106008 D11/106011 D11/106015 D11/106019 D11/106035 D11/106036 D11/106040 D11/106065 D11/106074 D11/106112 D11/106118 D11/106124 D11/106155 D11/106163 D11/106449 D11/106451 D11/106474 D11/106476 D11/106572 D12/14979 D12/14972 D12/14970 D12/14966 D12/14961 D12/14960	<p>future of land presently used for schools, hospitals, churches and other community uses.</p> <p>- Request that all of the Field of Mars Reserve and Wildlife Refuge be zoned E2 Environmental Conservation. Council must fully restore the Reserve and remove the zoning that allows playing fields and other such development in part of the Reserve.</p>	<p>rezone any current SP2 land to any other purpose. This request was supported by DoPI.</p> <p>As such all land zoned SP2 in LEP 2010 has been maintained in DLEP 2011 with the exception of SP2 land under a specific resolution such as 390 Pittwater Rd and SP2 Classified Road changes requested by the RTA.</p> <p>Council on the 5 May 2009 resolved in part with respect to the then draft LEP 2010 the following with respect to the E2 zoning.</p> <p><i>(c) That Draft Ryde Local Environmental Plan 2008 be amended as follows:(iii) to apply E2 zoning to all land in the city of Ryde categorised as bushland under Section 36 of the Local Government Act, 1993.</i></p> <p>Field of Mars Reserve and Wildlife Refuge has been predominately zoned E2 in accordance with the above resolution. Note: The Field of Mars Plan of Management that was</p>	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
	D12/5106 D12/5100 D12/5093 D12/880 D12/8493 D12/8660 D11/109466 D11/112298 D11/112443 D11/112444 D11/112465 D11/112783 D11/113694 D11/114022 D11/114648 D11/115094 D11/115096 D11/115098 D12/823 D12/880 D12/5093 D12/5106 D12/6799 D12/7743 D12/8493 D11/109468 D11/111132 D11/111133		<p>adopted by Council on 9 September 2009 identifies that for the majority of the land categorisation under the Local Government Act is not required as the land in the ownership of the Crown . The areas which are categorised are indicated as Natural Area – Bushland , Natural Area – Wetland and Parks. The area zoned RE1 in DLEP 2011 equates to the area indicated as Park in the Plan of Management for the areas that require categorisation. Additional areas which are categorised as Park under the generic Plan of Management for the Field of Mars (which are identified as not requiring classification under the 2009 Plan) are also zoned RE1 Public Reserve in DLEP 2011. They represent a small percentage of the overall area of the Park. The E2 and RE1 zoning of the Field of Mars under DLEP 2011 will be retained.</p>	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
	D11/111165 D11/111167 D11/111169 D12/824 D12/830 D12/832			
	Dual Occupancy (attached)			
49	D11/17055	The submission agrees with strata subdivision of duplex sites but states that it is impossible to find sites which are 20m wide – the requirements should be reviewed and it is suggested that a block 16m wide and 700sqm is more realistic.	The Ryde Planning Study 2010 – Housing study states the following with respect to the requirement of a 20m frontage for dual occupancy developments. <i>A slightly higher minimum lot size together with a 20 metre minimum frontage width would deliver better design outcomes, particularly with regard to compatibility with existing streetscapes, landscape and deep soil areas, as well as the placement of garages and other car parking structures.</i> <i>If an increased minimum lot size for</i>	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
50 51	D11/21257 D11/28657	The submission supports separate title for duplex buildings	<p><i>duplex buildings was introduced, the number of sites available for duplex developments would significantly decrease.</i>(P4 – 72).</p> <p>Council on the 7 December 2010 adopted the following recommendation from the RPS 2010 <i>Introduce a control to require a minimum street frontage of 20 metres for duplex developments. (P 9- 13)</i></p> <p>It is recommended that the control for 20m street frontage for dual occupancies be retained.</p> <p>Comments in support of the DLEP 2011 amendments are noted.</p>	
52	D11/28575	<p>The proposed controls for dual occupancy and multi dwelling housing are no different from those in the current DCP.</p> <p>Linear separation has been removed but controls now greatly limit smaller duplex buildings – Council is very aware that the majority of land in Ryde has a</p>	<p>Same as comment to D11/17055 (Submission No. 49).</p>	

ITEM 12 (continued)

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
53	D11/38808	<p>less than 20 metre frontage.</p> <p>Do the LEP provisions for duplex subdivision and minimum lot size for dual occupancy and multi dwelling housing mean that all duplex approved between 1996 and the adoption of the new rules will be able to be strata titled or only those with 20m frontages. – the wording is confusing and should be changed.</p> <p>All duplex past , present future should be able to be subdivided.</p> <p>Greater land area of width of block does not equal good design.- objects to statement in clause 4.1C.</p>	<p>Clause 4.1B of DLEP 2011 permits the subdivision of dual occupancy development or duplex buildings in the R2 zone subject to the land being a minimum 580m². There is no reference to a minimum frontage. The minimum area stipulated has been in place as a control for the development of dual occupancy developments for many years and is intended to support <i>Clause 4.1C Minimum lot sizes for dual occupancy and multi dwelling housing</i> of DLEP 2011. The clause requires a minimum area of 580m² for a dual occupancy development. Previously approved dual occupancy or duplex developments would be capable of being subdivided subject to the land being the minimum area of 580m².</p> <p>Under <i>Clause 4.6 Exemptions to development standards</i> of DLEP 2011 Council can consider a variation to the 580m2 requirement</p>	

ITEM 12 (continued)

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
54	D11/40487	Supports amendment to enable strata subdivision of dual occupancy (attached) developments.	on a case by case situation.	
55	D11/54188	Supports amendment to enable strata subdivision of dual occupancy units.	Comments in support of the DLEP 2011 amendments are noted.	
56	D11/72921	Supports amendment to enable strata subdivision of dual occupancy developments.	Comments in support of the DLEP 2011 amendments are noted.	
57	D11/55840	Supports amendment to enable strata subdivision of dual occupancy developments. However does not support requirement for a 20m frontage for future dual occupancy developments. Potential for dual occupancy development will be substantially dropped by the introduction of a 20m frontage. This does not help young couples or older people to resolve housing problems.	See comment to D11/17055 (Submission No.49) .	
58	D11/94124	Supports amendment to enable strata subdivision of dual occupancy developments – it will attract more developments in the area and ease the high demand of housing.	Comments in support of the DLEP 2011 amendments are noted.	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
59	D11/98005	Minimum frontage of 20m is excessive – should be reduced to 16m which will put it in line with SEPP (Exempt and Complying Developments).	See comment to D11/17055 (Submission No.49)	
60	D12/5840	Supports amendments to enable strata subdivision of dual occupancy developments. It is a practical and achievable outcome that affordable and improved housing choices which blend in with the local environment, natural bush setting and developed formal setting.	Comments in support of the DLEP 2011 amendments are noted	
61	D11/42403	Supports strata subdivision of existing duplexes	Comments in support of the DLEP 2011 amendments are noted	
	Multi dwelling housing			
62	D12/11779	74 Marsden Rd Ryde Current DCP does not allow multi dwelling housing on site because of an existing adjoining development. Current	Linear separation is not a control within DLEP 2011 or LEP 2010. Linear Separation is a control applying to multi dwelling housing	

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
63 64	D12/3813 D12/3816	<p>linear separation rules are not fair.</p> <p>11 & 15 Vimiera Rd Eastwood Land cannot be developed for multi dwelling housing as it is subject to the linear separation control. Request Council considers removal of linear separation because:</p> <ul style="list-style-type: none"> -the land represents the only two blocks that have the potential to be developed between Blaxland Rd and Bertram St. -Adjoining properties of duplexes and villa homes -Size of two blocks are out of character with adjoining lands due to large size - All amenities within walking distance t 	<p>and dual occupancy developments under Development Control Plan 2010. Based on the recommendations of the Local Planning Study adopted by Council in December 2010 the control has been deleted from Draft DCP 2011 with respect to both multi dwelling housing and dual occupancy developments.</p> <p>See comment above.</p>	
	Heritage			

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Sub No.	Subject/ Trim Ref	Issue	Comments	Recommended Action
65	D12/33787	Supports the removal of 32 Gaza Road West Ryde from Maxim Street Heritage Conservation Area	Comments in support of the DLEP 2011 amendments are noted.	

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Table 2 –Formal Exhibition Submissions – 30 May – 13 July 2012

Notification Submission – Summary

Total Number of Submissions received

- 247 Submissions including 71 Pro forma letters and 2 petitions

Notification Submission – Summary

Abbreviations used

LEP –Local Environmental Plan

DCP – Development Control Plan

DoPI – Department of Planning and Infrastructure

R&MS – Roads and Maritime Services

Submission to Formal exhibition

	Trim No/ Subject	Issue	Comments	Recommended Action
	Ryde City Council			
	D12/51859 D12/53019	Public Works Group 130 Talavera Rd Macquarie Park Under DLEP 2011 the land is zoned B7 Business Park as is land immediately adjoining to the south east. All other land to the south east and south west is proposed to be zoned B4 Mixed	The land is; <ul style="list-style-type: none"> ➤ Zoned B7 Business Park under DLEP 2011 ➤ A deferred matter under LEP 2010 and ➤ zoned Open Space under the RPS. As a result of the construction of the	

ITEM 12 (continued)

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>Use.</p> <p>The submission requests the rezoning of the land to B4 Mixed Use as the proposed B7 zoning will isolate the land from the rest of the B4 zone and there appears to be no planning justification for this . FSR and heights proposed for the land are consistent with the adjoining B4 zone.</p> <p>A mixed use zoning ie B4 would be more appropriate and allow suitable uses such as Tourist and visitor accommodation.'</p> <p>Bulky goods development Student housing.</p>	<p>M2 portion of Christie Park (130 Talavera Rd) was severed off from the main area of the park. The severed land adjoins land owned by DoPI who approached Council to do a joint rezoning of the land with a view to disposing of both parcels. (this would necessitate the reclassification of the land to Operational).</p> <p>A public hearing was held on 12 November 2004 in respect of the reclassification and Council on the 14 December 2004 resolved in part that the public be invited to participate in the development of options for the use of the land.</p> <p>Disposal of the land was deemed the most suitable option with the land being rezoned in line with the zoning of the adjoining DoPI land ie equivalent B7 zoning. Council on the 4 October 2005 resolved that the subject land be rezoned 3(f) Business Special (Research and Development) . The 3f</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
			<p>zone was considered the appropriate zone for the site as it was the dominant zoning in this area of the corridor. The 3f is equivalent to the B7 zone in the SI and reclassified to Operational Land.</p> <p>In view of the level of community involvement in the decision made on the zoning the land from RE1 to B7, reclassification of the land and the connection of the land to the adjoining DoPI owed site it is not considered appropriate to rezone the land B4 as part of DLEP 2011.</p> <p>The land is located in the Macquarie Park Corridor and the planning provisions for the corridor and currently under review and are being considered separately to DLEP 2011. The requested rezoning will be considered as part of the review of the existing controls in the Corridor (review of DLEP 2010 Amendment 1)</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/53001 D12/53000	<p>Public Works Group Submission wishes to ensure that the LEP will allow for Council to provide outdoor advertisement/sponsorship signage on land that is owned by or under the care control and management of Council. At present the blanket prohibition of general advertising is considered to inflexible.</p> <p>Providing such signage will allow Council to make a financial return that can support council facilities and services</p> <p>Submission <i>requests</i> - <i>Schedule 1 Additional permitted uses</i> be amended to allow signage on Council land permissible with consent and - an amendment is sought to SEPP 64 which prohibits such</p>	<p>this will be reported to Council later in 2012/2013.</p> <p>All residential, business, industrial and recreation zones within DLEP 2011 allow for either business identification signs or building identification signs, all other signage is prohibited ie third party or general advertising. It is considered for the community to have an opportunity to consider an expansion of land uses on Council owned land to permit general advertising a planning proposal (pp) should be submitted. Prior to such a pp Council should request advice from DoPI with respect to any proposed exemption it may require to overcome constraints that exist though <i>SEPP 64- Advertising and Signage</i>.</p>	

ITEM 12 (continued)

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	Trim No/ Subject	Issue	Comments	Recommended Action
	<p>D12/52964 D12/52900</p>	<p>signage from land zoned RE1 Public Recreation.</p> <p>Staff and Management are aware of the need for such signage to be carefully controlled and as such would look to the preparation of a policy or code to manage such development.</p> <p>Public Works Group Request for the rezoning of a number of Council properties to residential and business zones and the increase in permitted height on Council's Operations Centre in Constitution Rd Meadowbank</p>	<p>The properties that have been identified for rezoning are zoned under DLEP 2011 SP2, R2, B1, and RE1. Council resolved on 14 February 2012 that an amended s65 Certificate be requested from DoPI that does not rezone any current SP2 land to any other purpose. This request was supported by DoPI.</p> <p>Based on the Council resolution the rezoning of SP2 land is not supported. It is considered that to enable comprehensive consideration of the rezoning of council land and to allow appropriate community comment a planning proposal should be submitted</p>	

ITEM 12 (continued)

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/52489	<p>Environment Group Request changes to the following clauses 1.2 Aims of Plan (e) to improve access to the City, facilitate the maximum use of public transport and encourage walking and cycling” add “... minimise vehicle kilometres travelled ...” Amend objectives for B3 and B4 zoned to include ““... minimise vehicle kilometres Travelled. Amend objective of B6 zone “ To promote sustainable development including public transport use, living and working environments” to include reference to <i>minimised</i></p>	<p>for all other requested rezoning and changes to existing development standards.</p> <p>The proposed amendment relates to the use of car pooling and working from home and is considered appropriate.</p> <p>The subject objectives are mandated under the SI and cannot be amended.</p> <p>It is considered the requested amendment is too detailed and covered by the wording in the objective which makes reference to such land comprising living and working environments.</p>	<p>Amend Clause 1.2(2)(f) to read “ to improve access to the city, minimise vehicle kilometres travelled, facilitate the maximum use of public transport and encourage walking and cycling”</p>

ITEM 12 (continued)

ATTACHMENT 7

	Trim No/ Subject	Issue	Comments	Recommended Action
		<p><i>vehicle kilometres travelled, maximised public transport patronage and walking and cycling.</i></p> <p>Amend Clause 6.6 (f) <i>Environmental Sustainability</i> to include more examples of transport initiatives to reduce car dependence.</p>	<p>The proposed amendment is considered reasonable.</p>	<p>Amend Clause 6.6 (f) to read <i>“Transport initiative to reduce car dependence such as providing bicycle and pedestrian facilities, car share /carpool/small vehicle parking spaces and public transport information and the development of a workplace travel plan.”</i></p>
	Govt. Agencies			
	D12/45533	<p>NSW Rural Fire Service Raises concern with respect to Home – based childcare being permitted without consent in the land use table. This type of development is classed by RFS as Special Fire Protection Purpose and requires an</p>	<p>Home based child care centres are considered exempt development under the SEPP (Exempt and Complying) Codes except if the use is proposed to occur on bushfire prone land. Under DLEP 2011 the use is permitted without consent in all residential zones</p>	<p>Home based child care centres where permitted without consent in the land use table be made development permitted with consent.</p>

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	Trim No/ Subject	Issue	Comments	Recommended Action
		assessment under section 100B of the Rural Fires Act 1997. Home based childcare should be permitted with consent only. -	and a number of business zones. It is considered to satisfy the requirements of the RFS home based child care centres should be listed as <i>permitted with consent</i> in all zones.	
	D12/43533	Hornsby Shire Council Thank you for the opportunity to comment. Council has no comment on the draft LEP or draft DCP.	No response required	
	D12/48489 D12/48484	Health – Northern Sydney Local Health District Commends Council on aims and objectives of specific zones and activities such as smoking being prohibited in an outdoor dining area. - Requests the addition of a number of new objectives to zones and the aims of plan relating to healthy life style and healthy design.	Aims and objectives in the LEP have been developed in accordance with the strict guidelines provided by DoPI and in consultation with their Legal team. It is considered that the suggested objectives are more suited	

ITEM 12 (continued)

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>Requests</p> <ul style="list-style-type: none"> - Clause 4.5B(c) Macquarie Park Corridor be expanded to read <i>“To encourage greater public transport and active transport options”</i> - Clause 6.6 (f) – Environmental Sustainability be expanded to include the need for a workplace travel plan - the inclusion of new dictionary terms relating to Health, Healthy Design etc. - Schedule 2 – Exempt Development for signage- a 	<p>to being included in DCP 2011.</p> <p>The requested changes to the objective associated with off street car parking development controls for Macquarie Park Clause 6.6 (f) is considered reasonable. (Note: a submission requesting the same amendment to Clause 6.6(f) has already been supported – see D12/52489</p> <p>DoPI via the Standard Instrument is responsible for determining what terms are included in the dictionary of the LEP. It is considered that DoPI should be advised of the requested inclusions.</p> <p>General advertising is not permitted under DLEP 2011 and therefore any</p>	<p><i>Clause 4.5B(c) Macquarie Park Corridor be expanded to read “To encourage greater public transport and active transport options”</i></p>

ITEM 12 (continued)

ATTACHMENT 7

	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>new control stating advertisements for fast food or unhealthy food outlets etc are not visible from child care centres, pre- schools and schools.</p>	<p>sign must be reflective of the land use or building type of where it is located. It is considered that control over the location of signs associated with unhealthy food or lifestyle choices is a State Government issue and should be directed to DoPI for their consideration.</p>	
	D12/46431	<p>Parramatta City Council Council officers have reviewed plans and have no comments at this time</p>	<p>No response required</p>	
	D12/51448	<p>Ausgrid (Formerly Energy Australia) Supports Council's zoning of the following land as SP2 Infrastructure but requests that the land be more appropriately identified as SP2 Infrastructure (Electricity Transmission or</p>	<p>In accordance with DoPI requirements all SP2 zones have been described on the Land Zoning Map using dictionary terms from the SI dictionary. As the requested land use term is not in the dictionary and DoPI would not support</p>	

ITEM 12 (continued)

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>Distribution)</p> <ul style="list-style-type: none"> - 38 – 42 Pittwater Rd Gladesville - See and Macpherson St Meadowbank - 100 Crimea Rd Marsfield - 181 – 191 Buffalo Rd Ryde <p>Requests confirmation that land at 17 – 21 Waterloo Rd Macquarie Park can still be developed as per previous discussions with Council as an 8 storey office block.</p> <p>Requests the rezoning of the following land (which is surplus to needs) to be rezoned from SP2 to R2:</p> <ul style="list-style-type: none"> - 8 Terry St Eastwood - 3 Sybil St Eastwood - 22a Goulding Rd North Ryde - 71 – 85 Constitution Rd Meadowbank. 	<p>such a change.</p> <p>The subject land is zoned part B3 and part B7. Both zones permit office and business premises. No change to height or fsr is proposed for the land under the draft LEP.</p> <p>Council resolved on 14 February 2012 that an amended s65 Certificate be requested from DoPI that does not rezone any current SP2 land to any other purpose. This request was supported by DoPI.</p> <p>Based on the Council the rezoning of the land to R2 is not supported.</p>	

ITEM 12 (continued)

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/52210	<p>NSW Transport Roads and Maritime Services Buffalo Creek, Shrimptons Creek and Kitty's Creek are zoned W2 Environmental Protection under SREP (Sydney Harbour Catchment) 2005. For consistency we request the areas be rezoned</p>	<p>Under the SI there is no W2 Environmental Protection zone. (closest would be W1 Natural Waterways). The land is zoned E2 Environmental Conservation under DLEP 2011 which adequately protects the areas.</p>	
	D12/52926	<p>NSW Health - Macquarie Hospital North Ryde Common is a portion of land under a 99 year lease to Council (expires 2098) SP2 zoning inappropriate should be rezoned more appropriately.</p> <p>Seek confirmation that health related agencies would continue to be permitted in Macquarie Hospital grounds</p>	<p>A zoning of the North Ryde Common to RE1 Public Recreation is considered acceptable.</p> <p>The land is zoned SP2 Health Service which permits hospitals , medical centres and health consulting rooms – including ancillary development. The agencies listed would be permitted on the land under the zoning.</p>	
	D12/53076	<p>NSW Planning and Infrastructure</p>	<p>The sites are located either in the Macquarie Park Corridor or adjacent to</p>	

ITEM 12 (continued)

ATTACHMENT 7

	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>Requests rezoning of M2 surplus land as follows;</p> <ul style="list-style-type: none"> - 3 lots corner of Talavera and Busaco Rds Marsfield SP2 Classified Rd to R3 and RE1 - Corner Talavera Road and Christie Road B7 to B4 	<p>it – the planning provisions for the corridor and currently under review and are being considered separately to DLEP 2011. The issues raised in the submission will be considered as part of the review of the existing controls in the Corridor (review of DLEP 2010 Amendment 1) this will be reported to Council later in 2012/2013.</p>	
	<p>D12/52854 D12/52872</p>	<p>State Property Authority 3A and 3B Smalls Road Ryde The zoning of land SP2 is:-</p> <ul style="list-style-type: none"> - inconsistent with DoPI LEP PN 10-001 - will hinder the timely and efficient disposal of the site that has been declared surplus. - The land is not public open space <p>Request the land be zoned R2. The R2 zoning does not</p>	<p>Council on 13 December 2011. Council resolved in part that a submission be made to DoPI and State Property Authority expressing Council's concern over the possible sale of Smalls Road school site and requesting the land be retained as either a school site or dedicated as open space. The Mayor and General Manager have pursued meetings with relevant State Government Ministers with respect to this matter. In view of Council resolution it is</p>	

ITEM 12 (continued)

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>preclude the future use of the site as open space should the site be acquired by Council.</p>	<p>considered the requested rezoning should not be supported.</p>	
	<p>D12/52934</p>	<p>The Office of Environment and Heritage have made a submission regarding the following: Support the application of E2 Environmental Conservation zone for public bushland and the restricted land uses</p> <p>Concerned that some areas to be zoned E2 a very small and are anticipated to be at risk over time. It is recommended Council review these small areas to ensure that they contain vegetation that is identified to be protected and consider whether these small patches could be expanded to include areas that could be restored and regenerated to maximise the protection of remnant public bushland. Include a biodiversity overlay and associated provision in the LEP</p> <p>Supports inclusion of Clause 5.9, but</p>	<p>Comments in support of DLEP 2011 amendments are noted.</p> <p>An Integrated Open Space Strategy for the City of Ryde is presently being developed. This is a high level document that once adopted by Council will result in the development of management plans to guide the provisions and use of open space including zoning of land and linkages to active transport corridors.</p> <p>Council's Open Space Unit have commenced a program of reviewing the E2 zones within the City. The review program was a recommendation of the Local Planning</p>	

ITEM 12 (continued)

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>recommends that Council consider including the areas mapped as wildlife habitat, refuges and corridors in the ESL – Biodiversity mapping in the LEP</p>	<p>Study. The work completed to date includes the E2 land along the Parramatta River, Putney Park and Shrimptons Creek. It is anticipated that over time this program will review all the E2 zones in the City.</p> <p>Biodiversity mapping has merit in relation to protecting the environment . However to introduce such provisions requires a comprehensive consideration and research to:</p> <ul style="list-style-type: none"> - defining the biodiversity elements - mapping the corridors in relation to the Council's cadastre - introduction of workable/realistic controls on both public and private lands <p>Council currently has a series of mapping overlays such as urban bushland, foreshore and waterways , overland flow paths, endangered vegetation that are used s part of the development</p>	

ITEM 12 (continued)

ATTACHMENT 7

	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>Recommended that Chapter 5.9 Tree Preservation of the DCP be renamed to be 'Trees and Native Vegetation'</p> <p>Supports Clause 6.7 Environmental Sustainability</p> <p>Section 2.1 Archaeological Sites - discusses consents under the <i>Heritage Act</i> only. Aboriginal objects as defined under the <i>National Parks and Wildlife Act (NPW) Act 1974</i> are also archaeological sites and impacts to these sites will also require consent under the NPW Act</p> <p>Section 2.2 Aboriginal Places of heritage significance – How will the 'local Aboriginal communities' be identified? Does Council have a register of relevant and appropriate Aboriginal communities for locations within the LGA or is there an</p>	<p>assessment process and defining development /built form outcomes.</p> <p>Local Plans of Management , State and Federal Government Legislation relating to endangered flora and fauna also assist in protecting the environment and the elements of biodiversity.</p> <p>Comments in support of DLEP 2011 amendments are noted.</p> <p>All comments made in relation to the DCP have been taken into consider in report for Draft DCP.</p> <p>Comments in support of DLEP 2011 amendments are noted.</p> <p>Development Assessment is required to consider all Federal and State Acts. The provisions of the NPW Act will be taken into consideration at assessment stage.</p>	

ITEM 12 (continued)

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>Aboriginal heritage advisory committee that can identify the appropriate people to be consulted with? How will Council take the Aboriginal communities views into consideration in making its decision?</p> <p>Council needs to ensure that properties which have Section 149 flood tagging within the remaining unmapped areas have appropriate flood planning controls.</p> <p>It is expected that current and proposed flood studies will include modelling of sea level rise coastal inundation and flooding impacts. In addition to the requirement of the LEP's Clause 6.3 Foreshore Building Line, any future amendments to the LEP may require the new Model Provision LEP clauses and mapping relating to land identified as 'projected 2050 flood planning area' and 'projected 2100 flood planning area'.</p> <p>There exists an opportunity to</p>	<p>Such sites are controlled by State Government legislation and the list of sites are confidential.</p> <p>Council is in partnership with the Aboriginal Heritage Office, which has recently completed an assessment and management plan on aboriginal cultural heritage places. The outcomes of this work was forwarded to the NSW Office of Environment and Heritage.</p> <p>DLEP 2011 introduces Clause 6.5 Flooding which is supported by DCP 2011 Part 8.6 Floodplain Management. All Das received for lands identified as flood affected and reviewed by appropriate staff with additional studies being provided where necessary .</p> <p>Comments noted.</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>further develop comprehensive floodplain risk management controls up to the PMF for non-residential development by the addition of a floodplain risk management clause to the LEP</p>	<p>See comments above regarding new clauses relating to flood management that are included in the draft Plans.</p>	
	<p>D12/53071</p>	<p>Housing NSW and the Department of Finance & Services (Land and Housing Corporation) are concerned with: Seniors dwellings and hostels are proposed to be prohibited in the R2 Low Density Residential, R3 Medium Density Residential and R4 High Density Residential zones. It is requested that Council include these types of housing in these residential zones</p> <p>Due to limited medium and high density zones proposed in the DLEP, Ryde will be unable to</p>	<p>Under the Seniors Housing SEPP , Seniors housing including hostels can be approved in all residential zones. The SEPP prevails over the provisions of a local planning instrument.</p> <p>CoR Local Planning Study identified that under DLEP Ryde LGA will achieve its residential housing targets set in the Metro Strategy.</p> <p>The LEP identified that residential growth should occur in close proximity to centres and services. The 3 nominated precincts are located at some distance from a centre.</p>	

ITEM 12 (continued)

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>achieve the target of 12,000 additional dwellings</p> <p>Requests the following three precincts are zoned R3 Medium Density Residential</p> <ul style="list-style-type: none"> -Vicinity of Clayton and Ratcliffe Streets -Vicinity of Larkhard Street, North Ryde -Vicinity of Dora Street, Marsfield <p>Presently the proposed densities for the Ivanhoe Precinct are significantly less than surrounding areas which receive floor space ratios up to 3:1 and height restrictions up to 37.5 metres and are inconsistent with the future character of the area. It is requested that Council consider the preparation of a Masterplan for the Ivanhoe Precinct.</p>	<p>The Macquarie park Task Force, has been formed to advise in the redevelopment of the Ivanhoe Precinct.</p>	
	West Ryde Town Centre			
	D12/46124	Supports the changes made under the draft Plan in particular rezoning to B6 for the property at	Comments in support of DLEP 2011 amendments are noted.	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	<p>D12/46113</p> <p>D12/52520 D12/52523</p>	<p>2A Mellor Street West Ryde.</p> <p>Supports rezoning of land in Victoria Rd and Linton Avenue West Ryde to B6.</p> <p>127, 131, 133 Rydedale Rd, 4,6,10 Terry Rd West Ryde – There is the potential for listed properties to be developed with 129, 135 & 137 Rydedale Road for higher density residential development.</p> <p>This would</p> <ul style="list-style-type: none"> - provide a sense of closure to the West Ryde Town Centre - be consistent with Metro Plan, principles of transit orientated development and contemporary town planning practice. <p>The properties comprise an area of 7500sqm and are zoned R2 under the DLEP.</p> <p>The submission requests</p>	<p>Comments in support of DLEP 2011 amendments are noted.</p> <p>A Draft West Ryde Master Plan was presented to Council on the 3 August 2010 in which land in the north east quadrant of the TC was to undergo the most significant changes as the area was seen as having better traffic and public transport access, high residential amenity and proximity to shops. The draft Masteplan proposed to rezone R4 Terry’s Road/Rydedale Road with similar controls to other areas of the Centre.</p> <p>Council resolved that the land bounded by Rydedale Road and Terry Road be deleted from the Masterplan. It is considered that no further action should be taken with respect to this matter.</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/52697	<ul style="list-style-type: none"> - Land be rezoned to R4 - FSR Map be amended to permit a fsr varying from 1.1 to 1.5:1 (per plans planes contained in Urban Design’s report. - Height Map be amended to permit building heights varying from 9.5m to 15.m. - That Clause 5.6 Architectural Roof features be a provision to apply to all developments within Ryde not just Gladesville - Opportunity to address Council. <p>No more units should be permitted (north west section of West Ryde identified) Secondary dwelling should be permitted. Side access of no more than 2.45m is necessary for vehicular access. Traffic study difficult to read. 8, 10 and 12 Chatham Rd –</p>	<p><i>Clause 5.6 Architectural roof features</i> permits a building to exceed the height set by the Height Map where an architectural roof feature is proposed. In DLEP 2011 the clause only applies to Gladesville, where heights were determined under a Master Plan. As all other heights permitted under the <i>Height of Buildings Map</i> take into consideration roof form and features it is not considered appropriate to apply the clause elsewhere.</p> <p>The West Ryde Master Plan identified that development should be largely located on the eastern side of the railway line due to traffic and other issues elsewhere in West Ryde Town Centre. The Masterplan indicated that further redevelopment the NW quadrant should be re assessed following the completion of the Betts Street carpark.</p> <p>Report recommends secondary dwellings be permitted in residential</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
		reconsideration of rezoning of land to mixed retail and a building height of 1-2 stories.	zones and that design criteria be developed. It is considered that to allow community consideration a planning proposal should be required for any proposed rezoning.	
	Eastwood Town Centre			
	D12/43816 D12/44104 D12/44108	We think the proposed amendment to Glen St /Lakside Rd Eastwood will be great for Eastwood Supports the Small Centre (Glen & Lakeside Rd) Eastwood because we need more car parking and community facilities in Eastwood Eastwood has undergone change in the last 10 years. Council	Comments in support of DLEP 2011 amendments are noted. Comments in support of DLEP 2011 amendments are noted. Car Parking is identified as an issue in the Eastwood area. The proposed	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	<p>D1244111</p> <p>D12/44327</p> <p>D12/45552</p>	<p>needs to create more car parking for the community.</p> <p>Strongly supports LEP (Small Centre Glen St) because we need more community facilities and professional services and car parking.</p> <p>The augmentation of the Eastwood Urban Village to B4 will allow Eastwood to develop consistent with its changing demographic. Such a step will reduce the parking problem. The addition will create more professional service suites for the community and more community facilities.</p> <p>Traffic and parking are an issue</p>	<p>change in zoning to Glen St/Lakeside Rd will enable formalised development with the necessary car parking on site being provided.</p> <p>Comments in support of DLEP 2011 amendments are noted.</p> <p>Comments in support of DLEP 2011 amendments are noted.</p> <p>Comments in support of DLEP 2011</p>	

ITEM 12 (continued)

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	Trim No/ Subject	Issue	Comments	Recommended Action
	<p>D12/45106 D12/45105 D12/45104 D12/45103 D12/45102 D12/45100</p>	<p>in Eastwood – it restricts growth. If a development proposal goes ahead it will go some way to alleviating both problems.</p> <p>Support the draft plan however it should allow the whole of Glen Street to be the same zoning rather than split it. It is already a heavy commercial zone.</p>	<p>amendments are noted.</p> <p>The proposed zoning of the land in Glen Street/Lakeside Road/Shafesbury Road corresponds largely to the zoning of land, existing land uses and built form which is locate opposite i.e. those properties zoned B4 are opposite land zoned B4 which is developed as part of the Eastwood Shopping Centre whilst land zoned R4 is largely opposite land zoned RE1 Public or R2 Low Density Residential.</p> <p>It should be noted that the R4 zone does permit a number of retail uses such as shop top housing, neighbourhood shops and health consulting rooms (which are permitted under the Infrastructure SEPP).</p> <p>The proposed zoning of land is considered appropriate in view of adjacent land use activities.</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/44541	Support the inclusion of the Lakeside/Glen Street area into the Eastwood Urban Village	Comments in support of DLEP 2011 amendments are noted.	
	D12/44532	Support the changes proposed in the draft LEP specifically in Lakeside Rd and Glen Street	Comments in support of DLEP 2011 amendments are noted.	
	D12/46795	Petition (signed by 26 people) In support of the LEP including the Small Centre (Glen St & Lakeside Rd Eastwood because it will bring the following benefits: <ul style="list-style-type: none"> - reduce the parking problems in the area - meet the state government guideline to develop near stations - create more professional service suites for the 	Comments in support of DLEP 2011 amendments are noted.	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	<p>D12/47521 D12/52060</p> <p>D12/43821</p> <p>D12/51363</p>	<p>community</p> <ul style="list-style-type: none"> - create more community facilities - increase business opportunities and job opportunities - create better commercial and residential environments in Eastwood. <p>Supports the draft LEP and think it is of great benefit to the future of Eastwood.</p> <p>Strongly supports the DLEP changes to Glen Street/Lakeside Rd. The change creates the opportunity to do something about traffic flow and parking which has become a real problem.</p> <p>Resident of Eastwood for 25 years supports the Draft LEP for</p>	<p>Comments in support of DLEP 2011 amendments are noted.</p> <p>Comments in support of DLEP 2011 amendments are noted.</p> <p>Comments in support of DLEP 2011 amendments are noted.</p>	

ITEM 12 (continued)

ATTACHMENT 7

	Trim No/ Subject	Issue	Comments	Recommended Action
	<p>D12/51367 D12/44209</p> <p>D12/52416 D12/52060</p> <p>D12/51209 D12/51642</p>	<p>the Eastwood Urban Village as it will</p> <ul style="list-style-type: none"> - reduce parking problems - meet state government guidelines re development near stations - create more professional service suites - create more community facilities - create better environment <p>The submission supports DLEP 2011 relating to Eastwood Urban Village as the changes will benefit the area because existing zoning is restrictive to future growth</p> <p>Supports DLEP – Glen Street is a natural expansion of the commercial area.</p> <p>Objects to houses along Glen Street /Lakeside Drive/ Shaftesbury Road into 4 storey</p>	<p>Comments in support of DLEP 2011 amendments are noted.</p> <p>Comments in support of DLEP 2011 amendments are noted.</p> <p>Zoning, FSR and height changes are proposed under DLEP 2011 to the Glen Street/Lakeside Road Eastwood resulting in 3- 4 storey developments</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/51979	<p>apartments – streets are narrow and there will be traffic congestion.</p> <p>Concerned about the rezoning of Shaftesbury Road properties from R2 to R4- on the original master plan only 3 properties were identified for such a rezoning</p> <p>Concerned about notification process – letters sent out did not mention Shaftesbury Rd only Glen St /Lakeside Rd.</p>	<p>being possible where the amalgamation of sites occur. Traffic impacts were considered as part of the Glen Street/Lakeside Rd Master Plan and each DA submitted will be assessed with respect to traffic and parking issues. It is considered that where mixed use development occurs on street parking issues will be reduced as more adequate off street parking will be required.</p> <p>The Local Planning Study adopted by Council on 7 December 2010 rezoned 173 – 183 Shaftesbury Road from R2 to R4 The additional sites (179 – 183 Shaftesbury Rd were included in the rezoning as a result of their isolation from other residential areas by school lands.</p> <p>Concerns noted.</p>	
	D12/53550	<p>Concerned development will adversely affect traffic in</p>	<p>Traffic impacts were considered as part of the Glen Street/Lakeside Rd</p>	

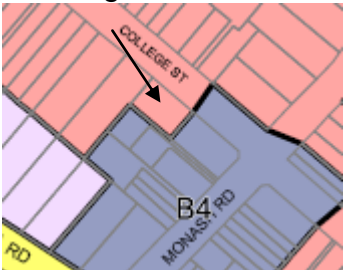
ITEM 12 (continued)

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>surrounding streets – school creates existing bottlenecks Height of 4 storeys is excessive at the northern ends of the site</p>	<p>Master Plan and each DA submitted will be assessed with respect to traffic and parking issues.</p> <p>A 4 storey transition down to 3 storey in Shaftesbury Road is only possible with site amalgamations. The heights are considered appropriate in view of the desired future character of the Eastwood Town Centre.</p>	
	Gladesville			
	<p>D12/44695</p> <p>D12/47758</p> <p>D12/48758 D12/51877</p>	<p>Supports DLEP 2011 with respect to proposed changes to the zoning of properties 11 – 15 Farm Street.</p> <p>Supports DLEP 2011 changes to the zoning of Gladesville</p> <p>Supports DLEP and the additional permitted use of a vehicle sales or hire premises for the property 455 – 459 Victoria</p>	<p>Comments in support of DLEP 2011 amendments are noted.</p> <p>Comments in support of DLEP 2011 amendments are noted.</p> <p>Comments in support of DLEP 2011 amendments are noted.</p>	

ITEM 12 (continued)

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/48760	<p>Rd Gladesville.</p> <p>2 College Street Gladesville. Land adjoins B4 zoned properties to the south – east and south – west.</p> <p>The land is separated from residential properties to the west in College St by a 3.66m right of carriageway over the adjoining property 2A College Street . – carriageway provides vehicular access to 2,4,6 and 6A Monash Rd is paved and has a 1.8m high fence each side.</p> <p>Shape of allotment 30.5m wide 20.3m deep would result in any new residential building being out of character.</p> <p>Submission requests</p> <ul style="list-style-type: none"> - rezoning of land from R2 to B4 Mixed Use - - FSR of 1.8:1 – reflects ratio applying to 10 Monash Rd - Height 12 – 13m – 	<p>The property contains a dwelling house and is zoned R2. Land opposite and adjoining to the west is also zoned R2 with other properties zoned B4 (see below)</p> <p>2 College St</p>  <p>In view of the accessway adjoining to the west separating the property from 2A College Street and the zoning of land to the south and east the rezoning of the land is considered reasonable. However to allow community consideration of such a change and to consider in detail the</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/50981 D12/50981	<p>reflecting adjoining properties</p> <ul style="list-style-type: none"> - Requests opportunity to address Council. <p>Object to the rezoning of Lady Queen of Peace School (14 – 28) Oxford St from R2 to B4. The existing zoning permits the operation of the school and does not unreasonably limit any alterations and permits other development that is appropriate to the street. If the school was closed it could be redeveloped for commercial uses which could diminish the character of the street and amenity of residents. The street which currently receives through traffic cannot take 2 way traffic with on street parking. Permitting development that will increase traffic flow will adversely affect the safety of the street.</p>	<p>appropriate FSR and Height controls for the site as well as its inclusion in the DCP it is considered that a Planning Proposal for the rezoning should be submitted to Council.</p> <p>The Local Planning Study that was adopted by Council on the 7 December 2010 recommended that the subject property be rezoned B4 with a FSR of 1.5:1 and a height of 3 storeys.</p> <p>Ryde LEP (Gladesville Town Centre and Victoria Rd Corridor) 2010 was gazetted in 2011. A number of properties on the periphery of the LEP boundary were not included in the LEP because of timing and technical issues. In the Centres and Corridors Study it was considered appropriate those properties e.g. 14 – 28 Oxford St should now be included in the Gladesville Town Centre with zoning and development controls similar to the surrounding land in the Centre.</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	<p>D12/51378 (D12/52583 – submission from The Hon Anthony Roberts MP enclosing a copy of D12/51378)</p> <p>Includes Pro forma letter 1 D12/51389 D12/51390 D12/51549 D12/51888 D12/52208 D12/53045</p>	<p>Rezoning is inconsistent with aims of LEP .</p> <p>Dissatisfied with DLEP and DDCP in particular increased height limits along Victoria Rd and in surrounding residential areas. Many residents (Gerald St) are against increased heights of 6 and 8 storey which will result in loss of sunlight and stress on infrastructure.</p> <p>Also there is a lack of planning for future schools.</p> <p>Dissatisfied with DLEP 2011 and DDCP 2011 – provisions of plan do not meet the community interest in Gladesville (particular mention of Gladesville and Victoria Road Precinct.)</p>	<p>Any DA for the subject land would require notification of adjoining owners and traffic and amenity issues would be considered on a individual basis.</p> <p>See comments relating to submission D12/50981 above.</p> <p>Educational establishment in DLEP 2011 are permitted in all residential and business zones either under SEPP (Infrastructure) 2007 or the land use table.</p> <p>Changes to zoning, height and FSRs in the Gladesville Town Centre (GTC) have resulted from the gazettal of LEP (Gladesville TC & VRC) on 14 January 2010 and the Local Planning Study adopted by Council in December</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/53005 D12/52991 D12/52987 D12/52984 D12/52982 D12/52978 D12/52972 D12/52968 D12/52946 D12/52944 D12/53090 Includes Pro forma letter 2 D12/51442 D12/51438 D12/51789 D12/51785 D12/51880 D12/51896 D12/51547 D12/52731 D12/52729 D12/52727 D12/52726 D12/52725	(mention of 2/3 storey height Farm St and 4 storey/22m height Victoria Rd in some submissions) Dissatisfied with DLEP and DDCP in particular increased height limits along Victoria Rd and surrounding residential street. Height provisions do not meet the community interest in the Gladesville & Victoria Rd precinct. New heights of 6 and 8 storeys along Victoria Rd and 4 storeys in Farm St will have adverse	2010. The LEP involved extensive community consultation with the Local Study involving more targeted consultation (land owners affected by proposed change). The purpose of the changes are to facilitate the revitalisation of the GTC as a vibrant, attractive and safe urban environment with a diverse mix of land uses. See comments relating to submission D12/50981 and D12/51389 above.	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/52723 D12/52722 D12/52719 D12/52684 D12/52683 D12/52677 D12/52671 D12/52670 D12/52664 D12/52647 D12/52449 D12/52209 D12/52204 D12/52855 D12/52849 D12/53061 D12/53057 D12/53052 D1253054 D12/53052 D12/53051 D12/53048 D12/53046 D1253043 D12/53042 D12/53041	impact on local community due to noise , traffic , road safety , loss of privacy , increased pressure on amenities and public transport and loss of sunlight . Maximum heights of 4 storeys for Victoria and 2 storeys for in surrounding residential are more appropriate.		

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/53040 D12/53036 D12/53033 D12/53029 D12/53027 D12/53023 D12/53021 D12/53017 D12/53016 D12/53009 D12/52999 D12/52996 D12/52995 D12/52994 D12/52992 D12/52988 D12/52977 D12/52974 D12/52971 D12/52966 D12/52963 D12/52961 D12/52960 D12/52945 D12/52943 D12/52928			

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	Trim No/ Subject	Issue	Comments	Recommended Action
	<p>D12/52921 D12/52863 D12/52941 D12/53003 D12/53066 D12/53068 D12/53171 D12/53158 D12/53156 D12/53133 D12/53121 D12/53096 D12/53093 D12/53091 D12/53085</p> <p>D12/51915</p>	<p>Victoria Rd /Monash Rd intersection (parallel to Farm St) – 2 storey height only, commercial/retail land uses are not acceptable due to loss of residential amenity. Traffic and parking in Farm St not addressed.</p> <p>Support of proposed zoning provisions at 456 Victoria Rd Gladesville- bulky goods and a Bunnings Warehouse is a positive step towards redevelopment of large underutilised site.</p>	<p>Residential amenity, traffic management and parking will be addressed as part of any DA. A traffic study was part of the Master Plan work carried out for Gladesville Town Centre and Victoria Rd Corridor. Traffic impact was assessed as being within guidelines and considered acceptable.</p> <p>Comments in support of DLEP 2011 amendments are noted.</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
		Farm St . Requests a uniform approach with Primrose Stie – FSR 2.3:1 and height of 19m.	See comments above D12/53044	
	D12/52948	Dissatisfaction with listing and height of properties in Farm St . Any non residential development abutting Farm St not acceptable Safety issues for pedestrians exist as a result of increased traffic flows.	The zoning allows a mixed use development on the site and the concerns regarding non residential uses on Farm Street are noted. Detailed traffic flows will be dealt with as part of a DA.	
	D12/52941 (listed twice)	There is no off street parking in Eltham Street Traffic and on street parking on going issues. Request reinstatement of full access to the rear of 51 Eltham St.	No changes are proposed to Eltham Street in the DLEP. Parking provision for future developments will be considered at DA stage	
	D12/53003 (listed twice)	Corner Monash Rd /Victoria Rd intersection (running parallel to Farm St – land use mix not appropriate adjacent to residential – maximum 2 storey height should be permitted.	Monash Road development controls were gazetted in January 2010 as part of the Gladesville LEP and are not propose to change as part of DLEP 2011. Amendments to a number of	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/53120	<p>Traffic, on street parking already congested and access out of area very limited.</p> <p>46 Eltham Street Extend the B4 zone to cover 44,46 & 48 Eltham St- due to the adjoining properties being zoned B4 and having height of up to 6 storeys. The redevelopment of adjoining land to 6 storeys will have an adverse impact on the existing development.</p>	<p>properties in Farm Street are proposed changing zoning and development standards to be consistent with the street block within which it is located.</p> <p>The Gladesville and VRC was reviewed as part of the Local Planning Study. Expansion of the B4/B6 zone into Eltham St was not considered as part of the study due to the residential nature of the street and the approach that the non residential uses be contained to Victoria Rd.</p> <p>The B6 zoning applying to 2a & 2b Westminster is to be retained.</p>	
	D12/53026	<p>44- 46 – 48 Eltham Street Request that 2a & 2b Westminster be rezoned from B6 to B4 and 44 – 48 Eltham be rezoned from R2 to B4. Retaining existing zoning will result in undue conflict particularly with regard to residences.</p>	<p>See comments above for submission D12/53120.</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>Rezoning of corner to B4 would be in line with zoning along Monash Rd and adjacent corner.</p> <p>Suggested FSRs and building heights are provided</p>		
	<p>D12/53063 D12/52893</p>	<p>2-14 Tennyson Rd is identified as strategic employment land in Metro Strategy. The submission argues that there is greater demand for white collar jobs and the zoning should change from current IN2 light industrial zone to mixed use to meet local demand for housing and jobs. An FSR of 2.7:1 and 2-9 storey height limits (expressed in RLs)</p>	<p>Demand for white collar jobs in the Ryde LGA can be met in the town centres and Macquarie Park. The IN2 zone provides opportunity for a diverse range of jobs and services in the LGA. However, commercial land uses may assist to expand the jobs diversity of the sites. Any amendment to the land uses to this site would require the submission of a planning proposal. This would allow a comprehensive consideration of the request in relation to Council's policy's, State government programs and directions. A number of additional land uses are proposed for the IN2 zone (refer D12/42929). Demand for housing in the LGA can</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
			<p>be met in the town centres of Ryde, West Ryde, Gladesville, Macquarie Park, Eastwood and Shepherds Bay.</p>	
	D12/53058	<p>2a and 2b Westminster St are proposed to be rezoned from low density residential to B4. The height of building is to be increased from 9.5m to 12m.</p> <p>The submission argues for the B4 mixed use zone to be extended to include author's site (44 Eltham) and the adjacent sites (46 and 48 Eltham which is also contiguous with Victoria Rd sites).</p>	<ul style="list-style-type: none"> ➤ 2a and 2b Westminster St is part of a larger industrial complex that fronts Victoria Rd. The land use zoning of B6 is appropriate for the site and should be retained. ➤ See comments D12/53120. 	
	Meadowbank			
	D12/51702 D12/52442 D12/52621 D12/52622 D12/52627 D12/52633 D12/52689 D12/52690	<p>125 – 135 Church St Ryde</p> <p>Generally supportive however fsr and height controls could be increased on the site with no adverse impacts – particularly corner of Wells and Church St a a signature landmark building.</p>	<p>Under DLEP 2011 a height of 21.5m (6 storeys) with a FSR of 2:1 is proposed. Land on the adjacent corner of Church and Wells St has a height of 15.5m (4 storeys). Heights and FSRs for all of Meadowbank were reviewed in Ryde Local Planning Study 2010 - Centres</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	<p>D12/52852 D12/52920</p> <p>D12/52848 D12/53053</p> <p>Friends of Crowle Homes</p> <p>D12/52646 D12/52733</p>	<p>Requests rezoning of land at 76 Belmore St and 8 Junction St to SP1 (Community Facilities) and Schedule 1 Additional permitted uses be amended to include multi dwelling housing on part of the property.</p> <p>3 – 9 Angus St Meadowbank Request Inconsistency between DCP an LEP controls for Station Precinct. Height of 8 storeys to match adjoining development FSR of 2.7:1 to match adjoining FSRs across the Precinct.</p>	<p>and Corridors that was adopted by Council on 7 December 2010. The controls within DLEP 2011 for the site reflect the recommendations of the Study and are considered appropriate.</p> <p>The land has been zoned B4 Mixed Use (or equivalent) since June 2002. The land is subject to a Part 3A Concept Plan which is to be determined by DoPI .</p> <p>See comments at D12/53148</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/53084 D12/53047	Submission relates to land currently the subject of a Part 3A application. The submission requests that DLEP height controls are amended to be the same as the Part 3A application. The heritage listing is removed from 37 Nancarrow Rd and that a number of changes are made to Draft DCP 2011	<ul style="list-style-type: none"> ➤ As previously noted when considering the Ryde Local Planning Study, Council directed that the LEP building heights in Shepherds Bay should accommodate 6 storeys maximum. ➤ ➤ In 2007 Council resolved to consider demolition of the heritage item in order to upgrade stormwater infrastructure in the event of downstream development. Regardless the building still possesses heritage significance and will be retained on the heritage list. This may result in an archival recording. ➤ ➤ Draft DCP 2011 is not addressed at this time and will be addressed at a later date. 	
	D12/53078	DLEP 2011 proposes an FSR of 2.3:1 and a height of 21.5m for 21-24 Railway Rd Meadowbank. The submission argues for an FSR of 4.5:1 and height of 8-9	When considering the Ryde Local Planning Study, Council directed that the LEP building heights in Shepherd's Bay should accommodate 6 storeys maximum. The council adopted Local	

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	Trim No/ Subject	Issue	Comments	Recommended Action
		storeys (27.5m – 33.5) based on existing development heights and FSRs and proposed Part 3A heights and FSRs	<p>Planning Study formed the basis of DLEP 2011. The DLEP FSRs were derived from the height envelopes and previous master plan studies.</p> <p>It is not certain that Part 3A development applications will be approved and cannot therefore be relied upon to support the argument for additional height and FSR.</p> <p>It is considered that the site is small and unable to sustain floor space of 4.5:1 and provide an appropriate level of residential amenity, car parking etc</p>	
	D12/53148 D12/53119	<p>11-13 Angas St The submission requests on the basis of state and regional plans encouraging growth and residential development near rail stations that the FSR should be increased from 2.5:1 to 3.2:1 and that the height should be increased from DLEP 2011 HOB 21.5m to 29.6m.</p>	<ul style="list-style-type: none"> ➤ The Local Planning Study recommended that heights in Shepherds Bay precinct should be no more than 6 storeys or 21.5m. ➤ Refer also D12/53078 comments. ➤ DCP matters will be addressed separately. 	

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>- Principles of transit orientated development</p> <p>- Strategies proposed by Transport for NSW for land adjacent to railways</p> <p>- Contemporary town planning practice.</p> <p>Height and fsr for the land under DLEP 2011 is not in keeping with the future character of the area in view of development recently approved at 396 Lane Cove Rd and 1 Giffnock Avenue</p> <p>Submission requests</p> <ol style="list-style-type: none"> 1. Shop top housing be added to permitted with consent in B3 zone to facilitate housing in the areas surrounding railway stations 2. FSR for the land be increased to 5:1 3. Height Map be amended to permit buildings ranging from 37m and 70m (per urban design analysis prepared for the site) 	<p>plan for the land , in accordance with the principles of at transit orientate development to activate the precinct.</p> <ol style="list-style-type: none"> 2. That the master plan incorporate the principle of high density living, diverse employment opportunities while integrating adjacent public transport infrastructure. 3. If owner agrees to prepare draft master plan at own cost then they be request to present the outcome to Council in October 2012. <p>It is considered that any changes to the land uses permitted or development controls for the site should be subject to a separate planning proposal.</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/52701 Macquarie University.	<p>4. Opportunity to address Council.</p> <p>The site is a State Significant Site under SEPP (Major Development) and a concept plan exists for future development of the land. There is differences in zoning and development controls between the DLEP and the SEPP.</p>	<p>In September 2009 Macquarie University was identified under SEPP (Major Development) 2005 in <i>Schedule 3 State Significant Sites</i>. Under the SEPP the site (Figure 1) is zoned SP2 Educational establishment and B4 Mixed Use. The SEPP also specifies a Gross Floor Area Map and a Height of Buildings Map for the site. The zoning, fsr and height maps are significantly different to both LEP 2010 and the draft LEP.</p> <p>The DoPI have advised the following</p> <ul style="list-style-type: none"> - <i>The Department does not expect Council to update the maps to incorporate the Major Development SEPP controls for Macquarie University into the DLEP at this stage.</i> - <i>The Department will liaise with Council should the controls for Macquarie University need to be transferred from the Major Development SEPP into the DLEP</i> 	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	<p>D12/53064 D12/53164</p>	<p>137 – 143 Herring Rd The land contains 4 residential flat buildings. The current controls permit FSR 1:1 and maximum building height of 15.5m. The current zoning is B4. Submission request consideration of the FSR and height for the site to be amended to reflect FSR and heights of recent Part 3A applications on land adjoining the site. The submission proposes an FSR 4.5:1 Height 20 storeys.</p>	<p><i>2011. Council's assistance with map changes may be required.</i></p> <p><i>No further action required at this time.</i></p> <p>The site is located in the Macquarie Park Corridor – the planning provisions for the corridor and currently under review and are being considered separately to DLEP 2011. The issue raised in the submission will be considered as part of the review of the existing controls in the Corridor (review of DLEP 2010 Amendment 1) this will be reported to Council later in 2012/2013.</p>	
	<p>D12/53035 D12/52893 D12/53073</p>	<p>86 Blenheim Rd/12 – 14 Epping Rd Request the rezoning of subject land from R2 to R4 with an</p>	<p><i>The site is considered an island site being surrounded by parkland and located on Epping Road. It is recommended that the R2 zone associated planning controls are</i></p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/53166	<p>increase in planning controls from Height 9.5m to 25m FSR 0.5:1 to 2.8:1. The site has an area of over 2000sqm and is occupied by dwelling houses. The land abuts Blenheim Park The site is located in proximity to North Ryde Station and the State Government land, which are the subject of a re – development proposal by the TCA.</p> <p>120 – 126 Herring Rd</p>	<p>retained as :</p> <ul style="list-style-type: none"> - the site is not contextually associated with Macquarie park Corridor . - the surrounding area is zoned R2 and parkland (RE1) - a high density residential development may have an adverse impact on Blenheim Park. - community concerns with the Part 3A development known as Allengrove, which was recently refused by the Planning Assessment Commission. <p>Council’s strategic approach is that the increased housing densities be provided for within our existing centre . Council should also note that the CoR can meet the State Government housing targets through its current planning frameworks.</p> <p>See comments to submission D12/53064 above.</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/52923	Request increased building heights and FSR as existing provisions are not necessarily reflective of the nature of development occurring in the area. Request incentive for new hotel accommodation within N Ryde and Macquarie Park including – Floor space bonuses, transferable development rights , reductions in affordable housing requirement, discounts on tax and contribution requirement, additional height where contributions to public domain occur	Hotel and motel accommodation is permitted in the B4 and B3 zones within Macquarie Park. As identified in previous submissions FSR and Heights for Macquarie Park are presently under review. It is not considered appropriate for Council to be involved in benefiting specific land uses within in any zone.	
	D12/53018	Land owned by Goodman Group in Macquarie Park Corridor. It is noted that the DLEP 2011 makes limited amendments to the controls in MPC. Concerns raised are that; -	The incentive clause was removed from DLP 2011 on the grounds that DLEP 2010 – Amendment 1 would contain the incentive requirements for the provision of the infrastructure – road network and open space. The delay in progression of Amendment 1	

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>Clause 4.4B Macquarie Park Floor space ratio has been deleted. The clause allows the fsr of a development to exceed the fs requirement of the FSR Map where the site is affected by park or road.(the increase in floor space on the site must not exceed the equivalent of the site area provided for the portion of the access network located on the land)</p> <p>The deletion of the clause removes the incentive provisions to provide the access network. The removal of the clause results in an inconsistency with the provision of DCP 2010 Part 4.6 Macquarie Park.</p> <p>The removal of the clause may increase use of Clause 4.6 Exceptions to development standards.</p> <p>The submission requests that an incentive clause be re – instated in the LEP .</p>	<p>to public exhibition has resulted in the need for provision of the draft plan to be revisited/reviewed. This review process is currently underway and it is anticipated that the first stage of the review process will be completed by end of 2012.</p> <p>The concerns in the submission are noted however the issue will be resolved within Amendment 1.</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	<p>D12/53146 Mecone</p> <p>D12/53150,</p>	<p>The planning consultancy Mecone responded to review of LEP 2011 with particular interest in Macquarie Park (Part 4.5)</p> <p>Mixed use development is in line with sub regional strategy and Council interest in activating the precinct.</p> <p>Macquarie Park is well suited to Transit Orientated Development (TODS)</p> <p>Increased residential development will drive demand for services.</p> <p>Increased density will utilise the transport links and reduce congestion.</p> <p>Encourage a change of zoning to permit mixed use (B4).</p> <p>Encourage increased residential development within the precinct.</p>	<p>See response to D12/53064</p> <p>CoR is currently reviewing the planning controls within Macquarie Park and considering how incentives can be used to fund an upgrade to the public domain within Macquarie Park.</p> <p>CoR supports TODS and wants to increase development around the three train stations.</p> <p>CoR believes residential development on the fringes of Macquarie Park is appropriate but not at the expense of the Commercial Core (B3) and B7 Business Park zone.</p> <p>Council should note that the 5 centres – Eastwood, West Ryde , Meadowbank, Ryde and Gladesville allow for high density residential development and are supported by public transport.</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/53209 D12/53086	<p>80 Waterloo Rd and 16 Byfield Street . Supportive of the proposed review of Macquarie Park planning controls; however disappointed Amendment 1 (proposed in 2008) has not progressed.</p> <p>The delays in implementing Amendment 1 has had a negative impact on future planning.</p> <p>Concerned about the split zoning impacting its properties. Wants their site to be zoned B4 Mixed Use.</p> <p>Queried the wording around permissible residential development ...serviced apartments permitted while visitor and tourist accommodation is not permitted?</p>	See comments D12/53064.	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	<p>D12/53259; D12/52959</p>	<p>Draft LEP should be amended to provide greater consistency between FSR and height of building provisions. Car park zone should be consistent across their entire site..1 per 70sqm</p> <p>Progress on Amendment 1 must be a priority.</p> <p>Suggests that Land Use Tables for the B3 and B7 zones should be amended so that Light Industry is permissible in both zones. Clarification of the definition of 'Industries' is required.</p> <p>Suggests a further amendment to the definition of the B7 Zone ...reference to Retail Premises under prohibited uses should be replaced with 'retail Premises other than Neighbourhood Shops.</p>	<p>Light industries are a permitted use in both zones with Council consent.</p> <p>The Land use table has been presented in accordance with DoPI requirements. In this regard Neighbourhood shops are a mandated use in the B7 zone.</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/53072	<p>Comments on DDCP 2011. provided.</p> <p>Level of detail and prescription is not required in the DCP. Request the opportunity for a further submission.</p> <p>Recommends that Council adopt the generic definition of 'Food and Drink Premises' in the B7 zone to provide for greater flexibility of compatible development.</p> <p>Recommends that Council adopt the generic definition of 'Food and Drink Premises' in the B7 zone to provide for greater flexibility of compatible development.</p>	<p>Food and Drink premises includes pubs, restaurants and cafes and take away food and drink premises.</p> <p>The B7 zone permits with Council consent Restaurants and café's. Expansion of such uses could result in the undermining of the intent of the B7 zone.</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	<p>D12/52937 D12/53030 D12/53087</p>	<p>1 and 1a Trafalgar Pla City Plan Services on behalf of Macquarie University raised the following concerns: It is considered inappropriate to decrease the maximum building height below that which is currently on the site (no maximum building height), especially in combination with a proposed increase in the maximum permissible FSR since it would limit the development potential of the site, restricting any efforts to renew and/or redevelop the site consistent with Council's <i>Small Centres Strategy</i>.</p> <p>'Site specific' controls should be developed for the subject site that take into account the existing built form on the site, the surrounding existing built forms and environment, key urban design considerations and the significant opportunity to renew and redevelop the site.</p> <p>To obtain any viable renewal or redevelopment of the existing</p>	<p>The DLEP propped that land zoned B1 have an FSR 0.8:1 and a height of 9.5m this was a recommendation of the Local Planning Study. The Study also acknowledged that a number of neighbourhood centres in the City are under one ownership – Trafalgar Place is one such centre. The study indicated that such centres have the potential for redevelopment and where the land owners intend to develop, the site should be the subject of a master plan undertaken /funded by the owners of the centre. The outcomes of the masterplan may inform a planning proposal and an amendment to the development controls.</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	<p>D12/52443 D12/52628 D12/52624 D12/52856 D12/52919 D12/52920</p> <p>D12/52629 D12/52441 D12/52695 D12/52917d</p> <p>D12/52737</p>	<p>incorporated into the Centres Map as part of Ryde Town Centre.</p> <p>Petition signed by 47 people submitted by Hunter Holden and Artro Management Submission states <i>As workers within the City we wish to express support for DLEP - particularly growth of centres and encourage Council to consider further increases in built form.</i></p> <p>DLEP 2011 has Ryde Civic Precinct at RL130. this was a result of a spot rezoning . Submission requests that height be readjusted to RL90.</p> <p>Parks, open space and reserves are disjointed and isolated. Suitable zoning needs to be</p>	<p><i>LEP 2011 Centres Maps</i> as a result of land being rezoned adjacent to the Ryde Town Centre, West Ryde Town Centre and Gladesville Town Centre.</p> <p>Comments in support of DLEP 2011 amendments are noted.</p> <p>The Height Map indicates heights for the Civic Centre that vary from 75m to 0m. This has been a direct transfer from LEP 2010 (Amendment 2) that was gazetted on 2 March 2012.</p> <p>An Integrated Open Space Strategy for the City of Ryde is presently being</p>	<p>Centre and Gladesville Town Centre.</p>

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>provided to make areas accessible and functional.</p>	<p>developed. This is a high level document that once adopted by Council will result in the development of management plans to guide the provisions and use of open space including zoning of land and linkages to active transport corridors.</p>	
	<p>D12/53075</p>	<p>120-128 Blaxland Rd. The DLEP provides for an FSR of 1.8:1 and height of 18.5m (5 storeys) on 120-128 Blaxland Rd. FSR and height incentives will allow max development of 2.5:1 and 3m if a laneway is provided. Submission argues for increased development potential up to 4.8:1 and height of 30m (9 storeys)</p> <p>Argues that additional FSR and height should be considered on</p>	<p>The arguments for increased height and FSR are based in part on a misreading of the DDCP 2011.</p> <p>Arguments in relation to scale and feasibility carry some weight. The FSR was set low so the incentive would be attractive. It is accepted that the base FSR is too low and proposed to raise this from 1.8:1 to 2:1 but keep the maximum FSR of 2.5:1 as is proposed by the DLEP 2011</p>	<p>Amend base DLEP FSR map to 2:1 for the whole of Precinct 3.</p> <p>Amend FSR map to 2:1 for the whole of Precinct 3 and land within the Ryde Town Centre with an FSR 1.8:1 under the Draft Plan.</p> <p>Amend the HOB map for the corresponding area mentioned above to a height of 18.5 m.</p>

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>this site to address issues relating to feasibility and to ensure that redevelopment occurs that is more in line with the scale of the surrounds.</p>	<p>The height should also be amended. It is suggested that the base height of 18.5:1 be retained but that the height incentive is amended to be a maximum of 6m. This may create taller building forms but will not add to the floor space capacity of the centre (and therefore the traffic generation).</p> <p>To ensure equity the same height and FSR controls should be applied across the whole of Precinct 3 – Main Street (generally retail parts of Blaxland Rd of Church St) and areas in “Ryde Town Centre presently with an FSR of 1.8:1.</p> <p>The height incentives (if taken up) are in the central part of the Top Ryde and will not affect the low density residential areas surrounding the centre.</p>	<p>Amend HOB Map to make area E as referred to in Clause 4.3(2A) to correspond with area described above.</p> <p>Amend FSR Map for Ryde Town Centre by combining area H and I into area H.</p> <p>Amend Clause (4.4)(2A) as follows; Subclause (h) amended to read -(h) 0.5:1 if the building is in area H and if the building is on a site having an area of at least 900sqm and provides laneway access and is mixed development. - Clause 2 (4.4)(2A) (i) to be deleted</p>
	General			
	D12/42929	Manufacturing /warehousing uses	A submission to the community	That the following land uses

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	Trim No/ Subject	Issue	Comments	Recommended Action
	<p>(D12/43544/ D1243691))</p> <p>Submission on behalf of owners of Gladesville Industrial Area (33 – 51 College Street and 46 – 48 & 28 Buffalo Rd)</p>	<p>permitted under the RPS for the last 50 year are no longer appropriate for the IN2 zone.</p> <ul style="list-style-type: none"> ➤ Manufacturing has virtually disappeared from the area – examples of manufacturers relocating outside Ryde area provided. ➤ Warehousing is also rapidly disappearing. Most current and future demand is associated with bulky goods sales and wholesale supplies ➤ As long term tenants relocate they are not being replaced. <p>The solution</p> <ul style="list-style-type: none"> ➤ Expand land uses in zone to include, wholesale supplies bulky goods premises, and recreation facilities (indoor) ➤ Request Council 	<p>consultation of the Draft LEP was also submitted with respect to this issue. Under DLEP 2011 the IN2 zone permits a number of new land uses such as funeral homes, hardware and building supplies, Land scaping material supplies and storage premises. Under SEPP (Infrastructure) emergency service facilities are also permitted in the zone (the use is listed as <i>prohibited</i> in the land use table and should be deleted to be in accordance with the SEPP).</p> <p><i>Wholesale supplies</i> which are defined as a building or place used for the display sale or hire of goods by wholesale only to business that have an ABN registered under a 1999 tax Act is considered to be very similar in nature to a <i>warehouse or distribution</i></p>	<p>be added to IN2 zone <i>Permitted with consent</i></p> <ul style="list-style-type: none"> - Recreation facility (indoor) - Wholesale supplies - Building identification signs <p>The following land use be deleted from IN2 zone <i>Prohibited</i></p> <ul style="list-style-type: none"> - Emergency Service facilities

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>recognise changing demand for premises in IN2 zone</p> <ul style="list-style-type: none"> ➤ Bunnings has been given the right to Bulky Goods premises – long term land owners should be given the same right 	<p><i>centre</i> (defined as a building used for the sorting or handling items pending their sale but from which no retail sales are made). As such it is considered to be a suitable use with council consent in the IN2 zone.</p> <p>Bulky goods premises is defined as a building used for the sale , hire or display of bulky goods being of such size or weight to require a large handling display area and includes goods such as floor and window supplies , furniture , household electrical goods and swimming pools. Under <i>Schedule 1 Additional permitted uses</i> a bulky goods premises is permitted at 461 Victoria Rd. This was based on a recommendation of the Ryde Local Planning Study that was adopted by Council on 7 December 2010. The retail nature of bulky goods and its likely impact on reducing the land available for industrial uses is such that they should be considered</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
			<p>on an individual basis through a Planning Proposal. DoPI on 20 June 2012 advised Council of the following;</p> <p><i>“Our preference is to exclude bulky goods retail from industrial zones as an additional use across the zone because the inclusion of 'bulky goods' is now considered fundamentally to be a retail use that is likely to reduce the amount of industrial land</i></p> <p><i>The preference now is to either:</i></p> <ol style="list-style-type: none"> <i>1. cluster permissibility of these uses in a suitable area (close to commercial is ideal but may not be achievable) and to give them a B5 zoning or</i> <i>2. allow the use by a Schedule 1 amendment for the particular site based on suitability criteria (less preferable but less damaging to the whole zone)</i> <p><i>In either case the PP should assess the proposal against the Employment Lands Development Program Strategic Assessment checklist</i></p> <p>A number of indoor recreation facilities</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/42495	<p>Request a workshop so that representatives of owners can address Councillors.</p> <p>Principles underlying widening of land uses in IN2 zone are</p> <ul style="list-style-type: none"> ➤ To ensure the promotion and co – ordination of the orderly and economic development of the land in accordance with EP& A Act ➤ To establish any use for which there maybe local community demand which is compatible and appropriately located in IN2 zone. <p>Analysis has identified following uses appropriate for the zone</p> <p><i>Bulky goods premises – the site needs and characteristics</i></p>	<p>exist within the industrial areas of Ryde and are considered a use that should be permitted with Council consent.</p> <p>A number of meetings have occurred between Council staff and the author of the submission and other landowners to discuss their issues and land use matters relating to the IN2 zone. It is considered that proposed amendments to the IN2 land use table will address many of the concerns of the submissions.</p> <p>See comments above</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>of the use make it inappropriate in a Business zone – only suitable zone where use can be accommodated is IN2 zone</p> <p><i>Wholesale supplies</i> – use virtually identical to warehouse or distribution centre which is permitted in the IN2 zone. Such a use generally needs large sites. There is a local demand for such uses which can be satisfied in IN2 zone.</p> <p><i>Recreation Facilities (Indoor)</i>. Such facilities have been IN2 zone. The site needs and characteristics of the use make inappropriate in business zones.</p> <p><i>Emergency Service Facilities</i> – there is demand for these facilities and no reason to prohibit them from IN2 zone.</p> <p><i>Building identification signs</i></p>	<p>See comments above</p> <p>See comments above</p> <p>See comments above</p> <p>A <i>building identification sign</i> is a sign that identifies the names a building ,</p>	


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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/40823	<p>There is no rationale town planning reason to prohibit such signs in IN2 zone.</p> <p><i>Storage premises</i> should be identified in the land use table as permitted with consent.</p> <p>The submission states “This draft is much better. Simple effective well laid out draft.”</p>	<p>the street name and number of a building and a logo but does not include general advertising of products etc. Such signs are permitted in the principle business zones and are most in evidence in the Macquarie Park. The introduction of such signage into the IN2 zone is considered reasonable.</p> <p><i>Storage premises</i> are not listed as a prohibited use in the IN2 land use table and as such are permitted with consent. No further listing of the land use is required.</p> <p>Comments in support of DLEP 2011 amendments are noted.</p>	
	D12/43172	<p>Submission seeks a rezoning of properties 131 – 133 Herring Rd & 209 Epping Rd to establish a medical facility on the basis that</p> <p>Request made on the basis that</p>	<p>A submission to the community consultation of the Draft LEP was also submitted with respect to this issue.</p> <p>Approval was given by Council in 1999</p>	<p>Add to <i>Schedule 1 Additional permitted uses</i> 131 & 133 Herring Rd and 208 Epping Road – development for the purposes of a medical</p>

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>such a facility will play important role when approved as it will fill a major need for a primary care centre in area – particularly with projected growth in housing in the area.</p> 	<p>for use of the property 133 Herring Rd Marsfield as a <i>professional consulting room</i>. Access to parking on the site is via Herring Road in close proximity to the intersection of Herring and Epping Roads.</p> <p>Adjoining properties 131 Herring Rd and 208 Epping Rd contain dwelling houses.</p> <p>The property opposite is presently used as a hotel and a planning proposal has been submitted for the expansion of uses on the site to include a retail outlet.</p> <p>The expansion of uses on the three properties to include a medical centre is considered reasonable in that</p> <ul style="list-style-type: none"> ➤ Part of the land is presently being used with Council consent as a doctor's surgery ➤ Development of all three sites would result in a better traffic and parking outcome in that access could be relocated further away from the intersection of Epping and 	<p>centre is permitted with consent.</p>

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	Trim No/ Subject	Issue	Comments	Recommended Action
	<p>D12/44843 D12/44841</p>	<p>Request the ability to strata a flat above a shop at Doig Avenue to enable a family member to purchase the dwelling.</p>	<p>Herring Rds.</p> <p>The subject land is zoned <i>B1 Neighbourhood Centre</i>. Shop top housing is permitted with Council consent in the zone. Shop top housing is defined as one or more dwellings located above ground floor retail or business premises.</p> <p>There is no requirement that the dwelling be used in conjunction with the retail use and as such the strata subdivision of the two uses would be permitted.</p>	
	<p>D12/44570</p>	<p>136 – 138 Pittwater Rd Boronia Park. Boronia Park Shopping Centre has potential for upgrading . Requests that the floor space ratio be changed to 1:1 as this would make it more conducive for</p>	<p>The land is zoned B1 Business Neighbourhood under LEP 2010 and DLEP 2011. A master plan was undertaken for a number of small centres (Small Centre Study) including Boronia Park. Detailed community consultation was undertaken with</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	<p>D12/49701 D12/52885</p>	<p>redevelopment and upgrading. Under the proposed FSR it would be difficult to achieve a viable development concept.</p> <p>Requests that residential accommodation be allowed on the ground floor in neighbourhood shopping areas given oversupply of shops and current shortage of residential accommodation.</p>	<p>residents and landowners of Boronia Park and Council on the 2 November 2010 resolved to remove Boronia Park from the Small Centres Study resulting in no change to the Centre.</p> <p>The Local Study recommended a general increase in FSR for all land zoned B1 from 0.5: to 0.8:1. No further change is considered necessary.</p> <p>The objectives of the B1 Neighbourhood Centre zone are</p> <ul style="list-style-type: none"> - To provide a range of small – scale retail , business and community uses and - To encourage employment opportunities in accessible locations. <p><i>Shop to housing</i> (defined as one or more dwelling located above a ground floor shop) is permitted in the zone with all other residential development prohibited. It is considered that the approval of other forms of residential</p>	

ITEM 12 (continued)

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/51635	<p>DLEP does not incorporate zoning for linking and moving between open space areas in Ryde.</p> <p>The Integrated Open Space Plans need to be incorporated into the LEP. To meet the requirements of all “access to facilities open space and commercial areas need to be linked.</p>	<p>development would undermine the objectives for the zone.</p> <p>An Integrated Open Space Strategy for the City of Ryde is presently being developed. This is a high level document that once adopted by Council will result in the development of management plans to guide the provisions and use of open space including zoning of land and linkages to active transport corridors.</p>	
	D12/52386	<p>On behalf of 142, 144 – 148, 203 – 213 and 215 Cox’s Rd N Ryde Council is considering two master plans for the redevelopment of the Centre and surrounding Council land.</p> <p>Both master plans involve</p>	<p>Council on the 24 April 2012 resolved</p>	

ITEM 12 (continued)

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>significant variations to height and fsr proposed in DLEP 2011.</p> <p>In these circumstances no building height or fsr controls should be applied to the land and Council should rely on the master plan that it adopts to control development.</p> <p>This is consistent with</p> <ul style="list-style-type: none"> ➤ the approach taken for church and council owned land in the Centre under DLEP 2011 ➤ consistent with no building heights under LEP 2010 ➤ consistent with no fsr in the Eastwood Town Centre under LEP 2010 and DLEP 2011. <p>Fsr and height controls should be included in a Centre specific DCP after Council has determined the master plan for redevelopment of centre.</p>	<p>to accept both a landowner's master plan and Council's master plan for public exhibition. The exhibition occurred from the 9 May to the 20 June 2012. The outcomes of the exhibition will be reported to Council later in 2012.</p> <p>The DLEP and the development of the controls for Cox's Road Centre have always been considered two separate processes. Upon a decision being made by Council as to what controls should apply to the Centre a planning proposal amending LEP 2011 will be undertaken.</p> <p>It should be noted that as per the RPSO and LEP 2010 land in DLEP 2011 zoned SP2 has no fsr or height controls.</p> <p>The Local Planning Study adopted by Council recommended a height of 9.5m and fsr of 0.8:1 for land zoned B1 (under LEP 2010 a 0.5:1 fsr exists with no height control).</p> <p>The controls of FSR 0.8:1 and building</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>215 Coxs Rd is zoned SP2 under DLEP 2011 – land is not required for a place of public worship and as it adjoins 203 – 213 Coxs Rd it should be zoned B1.</p> <p>Requests an opportunity to address Council.</p>	<p>height of 9.5m is appropriate for Cox's Road until the Council makes a decision on the future controls for the Centre. FSR controls for Eastwood are currently being developed through a master plan process. The draft master plan should be reported to Council in late 2012,</p> <p>Eastwood Town Centre under LEP 2010 and DLEP 2011 has no fsr controls - development is controlled through height and design criteria. The FSR controls are currently being developed as part of a master planning process for the Centre. The draft master plan will be reported to Council later in 2012.</p> <p>DoPI requires all heights and fsr to be within an LEP not a DCP. A DCP may convert a height in an LEP into storeys.</p> <p>Council resolved on 14 February 2012 that an amended s65 Certificate be</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/52681 D12/52990	<p>Submission expresses concern at</p> <ul style="list-style-type: none"> - lack of biodiversity mapping – DLEP has no supporting maps for high biodiversity land on either public or private lands.- maps are needed to help protect and identify local biodiversity. - lack of defined landscape requirements – requirements for a set amount of landscaping on a site (permeable area) are not included. Landscape requirements are important for a well managed catchments. 	<p>requested from DoPI that does not rezone any current SP2 land to any other purpose. This request was supported by DoPI. Based on this resolution the rezoning of the land to B1 is not supported.</p> <p>Council’s Open Space Unit have commenced a program reviewing the E2 zones within the City. The review program was a recommendation of the Local Planning Study. The work completed to date includes the E2 land along the Parramatta River , Putney Park and Shrimptons Creek. It is anticipated that over time this program will review all the E2 zones in the City.</p> <p>Biodiversity mapping has merit in relation to protecting the environment . However to introduce such provisions requires a comprehensive consideration and research to:</p> <ul style="list-style-type: none"> - defining the biodiversity elements - mapping the corridors in 	

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>The submission supports the proposed rezoning of Bundara precinct to E2. The submission also urges Council to: identify riparian zones and provided necessary buffer areas and states insufficient areas are identified for future open space and improved connectivity</p>	<p>relation to the Councils cadastre/allotment</p> <ul style="list-style-type: none"> - introduction of workable/realistic controls on both public and private lands <p>Council currently has a series of mapping overlays such as urban bushland, overland flow paths , endangered vegetation that are used as part of the development assessment process and defining development /built form outcomes.</p> <p>Local Plans of Management , State and Federal Government Legislation relating to endangered flora and fauna also assist in protecting the Cities environment</p> <p>The landscape requirements relating to a site and development outcomes are matters contained in the DCP. This matter will be considered as part of the outcomes of the exhibition of DDCP 2011 which will be reported to Council</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	<p>D12/52444</p> <p>D12/51969</p>	<p>Submission states it is in support of DLEP Plan.</p> <p>391 Blaxland Rd Ryde Submission requests reinstatement of existing R2 zoning.</p>	<p>at a later date.</p> <p>An Integrated Open Space Strategy for the City of Ryde is presently being developed. This is a high level document that once adopted by Council will result in the development of management plans to guide the provisions and use of open space including zoning of land and linkages to active transport corridors. The request for Council to identify and document riparian zones and buffer areas is noted.</p> <p>Comments in support of DLEP 2011 amendments are noted.</p> <p>The land is currently zoned R2 and is part of a small group of shops on Blaxland Rd. The Local Planning Study adopted by Council 7 December 2010 recommended the group be zoned B1 in accordance with usage. As land is on the edge of the group and adjoining to the east of the subject</p>	<p>Amend the Land Zoning Map for the property 391 Blaxland Rd Ryde to R2.</p>

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/52639	<p>293 – 299 Quarry Rd 117 – 119 North Ryde Denistone East.</p> <p>Submission requests :</p> <ul style="list-style-type: none"> - an increase in building height from 9.5m – 12.5m - an increase in FSR from 0.8:1 to 1:1 - the rezoning of 8 Rocca St from R2 to B1 (land identified in Schedule 1 Additional permitted uses) - Vehicle Repair Stations to included in land use table. 	<p>site is also zoned R2 it is considered reasonable for the zoning to be reinstated.</p> <p>The Local Planning Study adopted by Council 7 December 2010 recommended that the FSR for B1 zone be increased from 0.5:1 to 0.8:1 and that a 9.5m height limit be introduced.</p> <p>The proposed changes apply to all B1 zones and are considered appropriate.</p> <p>The Schedule 1 use applies to 8 Rocca Street and 293 Quarry Rd and permits a car park and road to service adjoining land. It is considered that for the rezoning of the land to occur a planning proposal should be submitted to Council.</p> <p>The subject property contains a service station/vehicle repair station. A service station is a permitted use in the zone and a vehicle repair activity</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/52866	6 Clare St Gladesville Object to RE1 zoning in front of property. Council previously recognised the need for vehicular access from Clare St to property. Requests RE1 zone be amended to include an objective that permits the legal right of access of adjacent properties where the RE1 zoned land is a road.	<p>would be permitted if ancillary to the service station use.</p> <p>Roads are a mandated use in the RE1 zone. Council on the 5 November 2002 resolved that it agrees in principle with the provision of vehicular access from Clare St onto the southern side of the property. As the zoning of land under LEP 2010 did not impact on Council's resolution no further action was taken. The matter now is waiting legal opinion. It is considered that no further action should be taken at this stage.</p>	
	D12/52660 D12/52687	100 – 104 Rowe St Eastwood Objects to zoning of property RE1 as it - adversely impacts on	The Public Work Group advised that in past discussion with the owners of the site - the owner has refused for storm water amplifications works through his property. The design was completed.	

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>family</p> <ul style="list-style-type: none"> - prejudicial as nearby properties have similar flood issues - recent developments have reduced flood risk to Rowe St - Rezoning of land will not address flood risk in area. 	<p>The site was recommended for acquisition</p> <p>A report to Council dated 4 May 2010 titled <i>Potential Property Acquisitions – S94 Funding</i> prepared by Manager – Building and Property outlined a process to be adopted for future acquisitions of land for open space purposes.</p> <p>The subject property was one of 11 properties identified as being of a high priority in terms of future Council acquisition -</p> <p>Council on the 18 May 2010 resolved that all such properties be included in the <i>Land Reservation Acquisition Map in the comprehensive Local Environmental Plan 2011</i> and marked as “Local Open Space.</p> <p>Council on the 21 June 2011 reviewed the properties proposed to be acquired and resolved that 8 of them be deleted from DLEP 2011 and there previous</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/53095	<p>St Michaels Church & School Hughes St & 47 Gaza Rd Meadowbank Request the SP2 zone reflect the correct land uses on the site ie church and school and the cross over use of the land for both purposes. 47 Gaza Rd is presently zoned SP2 Educational establishment and is used for parking for both the church and school. Request that the land also be zoned SP2 educational Establishment & place of Public Worship.</p>	<p>zonings reinstated. The resolution reinforced Council's previous resolution to rezone the subject property for open space purposes.</p> <p>No objection to SP2 zone on the south side of Hughes St being zoned to reflect correct SP2 land use. Council has had a number of issues with adjoining residential properties and the use of the land at 47 Gaza Rd as a car park.</p> <p>It is considered that the zoning of the land at 47 Gaza Rd should remain unchanged.</p>	<p>That the SP2 land being St Michaels Church & School be zoned SP2 Educational Establishment and Place of Public Worship</p> <p>No change to 47 Gaza Rd zoning.</p>
	D12/53065	Ryde Community Alliance		

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/52986	<p>FSRs.</p> <ul style="list-style-type: none"> - The plans should ensure protection of the environment within Ryde and adjoining Council areas. - Natural Environment – the DLEP should identify and protect linkages open space and bushland within COR and adjoining Council areas. Council owned land should remain in public ownership. <p>600 Victoria Rd Ryde (RRCS) Concept Plan was approved by</p>	<ul style="list-style-type: none"> - Recommendations of the Local Planning Study (LPS) adopted by Council on 7 December 2010. <p>The preparation of both the LEP and LPS were researched and involved a range of consultations with the community.</p> <p>The preparation of the Plans were undertaken in consultation with adjoining councils – consideration is given to the zoning of land and the need for environmental protection.</p> <p>The provision of linkages is identified in the Integrated Open Space Strategy presently being developed. This is a high level document that once adopted by Council will result in the development of management plans to guide the provisions and use of open space including zoning of land and linkages to active transport corridors.</p> <p>Council in the development of LEP 2010 was required by DoPI to include</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/53059	<p>the Minister for Planning on the site whilst the site was under SEPP (Major Development) 2005. The provisions of the SEPP have now been repealed and controls put under LEP 2010.</p> <p>A modification to the Concept Plan was lodged in May 2012.</p> <p>Requests that if DoPI approves modification the LEP controls be updated to reflect the modified Concept Plan height and FSR controls</p> <p>20 Waterview Street Putney Site is zoned IN4 Working Waterfront which aims to retain and encourage waterfront industrial and maritime activities . Site has environmental and economic constraints which would inhibit its development for</p>	<p>the zoning, fsr and height permitted under the SEPP for the site.</p> <p>It is not considered appropriate to vary any controls on the site unless directed by DoPI and community comment has been sought.</p> <p>DoPI adopted a master plan for the site in 2003, this was subsequently amended in 2010.</p> <p>In view of the history of the site and the involvement of State controls applying to the land (SREP & master plan), and the nature of the uses</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>such purposes.</p> <p>Request for expansion of uses on the site to include; Marinas Residential flat buildings Food and drink premises Shops and kiosks.</p>	<p>requested it is considered that a planning proposal would be necessary to ensure appropriate consultation with State Government and the community.</p>	
	D12/53079	<p>The following concerns are raised by URBIS on behalf of "Masters" a hardware chain:</p> <ul style="list-style-type: none"> -There is no hardware and home improvement precinct in the Ryde LGA, and this commercial offer is under-represented in the LGA - The exhibited Draft LEP does not provide sufficient zoned land to support a "Masters" use. -The restrictive nature of the IN2 land use permissibility excludes "Masters" which is a compatible use with zone objectives <p>Thus, two options are proposed for consideration by Council</p> <ul style="list-style-type: none"> -More land to be zoned B5 or B6 in 	<p>Comments made in the submission are noted.</p> <p>The DLEP 2011 has been prepared based on the:</p> <ul style="list-style-type: none"> - provisions of LEP 2010 - amendment to S1 - Recommendations of the Local Planning Study (LPS) adopted by Council on 7 December 2010. <p>The LPS recommended a number of areas in the City adjoining Ryde and West Ryde Town centre be zoned B6. The rezoning of land to B5 and B6 and the introduction of bulky goods/garden</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>areas where Council seek to concentrate bulky good uses -Increase the scope of the IN2 zone to include 'garden centres' as a permissible use, consistent with other Sydney metropolitan Councils</p>	<p>centres into the IN2 zone requires further research and consideration, which should be undertaken as part of a planning proposal.</p>	
	<p>D12/53013 D12/53083</p>	<p>1 and 1a Trafalgar Place North Ryde City Plan Services on behalf of Macquarie University raised the following concerns: The subject land is zoned B1</p> <p>The changed zoning/permissible uses that '<i>residential accommodation</i>' is proposed to be prohibited.</p> <p>In prohibiting '<i>residential accommodation</i>', '<i>shop top housing</i>' is prohibited as it is a form of residential accommodation</p> <p>Council is requested to delete '<i>residential accommodation</i>' from the prohibited column.</p>	<p>To comply with the requirements of DoPI the land use table for the B1 zone (and other business and industrial zones) identifies the land uses that are prohibited with all else being permitted.</p> <p>Under LEP 2010 most zones identify the land uses that are permitted all else being prohibited.</p> <p>Under LEP 2010 and DLEP 2011 residential accommodation is a prohibited use in the B1 zone however shop top housing is mandated use permitted with consent in both Plans.</p> <p>Refer to comments on D12/52939.</p>	
	<p>D12/53014 D12/52875</p>	<p>Ryde Environment Group incl. The Friends of Kitty's Creek concerned with the provisions of the draft LEP</p>	<p>Comments made in the submission are noted.</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>and DCP and the scale of development that will/is occurring in the City. Reference is made to:</p> <ul style="list-style-type: none"> - Dress Circle Estate East Ryde - Corridor Strategy to concentrate development along major roads - Macquarie Park, Top Ryde and North Ryde - Small centres, such as Blenheim Road <p>Concerns also raised on:</p> <ul style="list-style-type: none"> - No quantification of population growth in Ryde LGA - Flood studies - Foreshore building line - Protection of urban bushland and trees <p>Points made in the submission:</p> <ul style="list-style-type: none"> - Natural Environment – the DLEP should identify and protect linkages open space and bushland within COR and adjoining Council areas - Council owned land should remain in public ownership 	<p>The DLEP 2011 has been prepared based on the:</p> <ul style="list-style-type: none"> - provisions of LEP 2010 - amendment to S1 - Recommendations of the Local Planning Study (LPS) adopted by Council on 7 December 2010 <p>The preparation of both the LEP and LPS were research and involved a range of consultations with the community. The preparation of the plans were undertaken in consultation with adjoining councils – consideration is given to the zoning of land and the need for environmental protection</p> <p>The provision of linkages is identified in the integrated Open Space Strategy presently being developed. This is a high level document that once adopted by Council will result in the development of management plans to guide the provisions and use of open space including zoning of land and linkages to active transport corridors.</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<ul style="list-style-type: none"> - Failure to undertake a comprehensive Heritage Review 	<p>Council has commissioned three comprehensive heritage studies and informed the preparation of the LPS, in addition to consultation undertaken in conjunction with the preparation of the LPS.</p>	
	<p>D12/52955 D12/52998 D12/53070</p>	<p>Reference is made to:</p> <ul style="list-style-type: none"> - Dress Circle Estate East Ryde - Corridor Strategy to concentrate development along major roads - Macquarie Park, Top Ryde and North Ryde - Small centres, such as Blenheim Road <p>Concerns also raised on:</p> <ul style="list-style-type: none"> - No quantification of population growth in Ryde LGA - Flood studies - Foreshore building line - Protection of urban bushland and trees <p>Points made in the submission:</p> <ul style="list-style-type: none"> - Natural Environment – the DLEP should identify and 	<p>Comments made in the submission are noted.</p> <p>See comments above to D12/53014</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p style="color: red;">protect linkages open space and bushland within COR and adjoining Council areas</p> <ul style="list-style-type: none"> - Council owned land should remain in public ownership 		
	D12/52962	<p>Concerns raised in relation with the provisions of the draft LEP and DCP and the scale of development that will/is occurring in the City.</p> <p>Reference is made to:</p> <ul style="list-style-type: none"> - Social and environmental impacts which have not been addressed in the strategic studies - Essential new infrastructure and facilities to meet current population growth have not been quantified. - No maximum target populations established - Omission of consultation of and respect for the Aboriginal and Torres Strait Islander peoples - Development should protect and enhance the visual amenity of the Local Government Area, especially 	<p>Comments made in the submission are noted.</p> <p>The DLEP 2011 has been prepared based on the:</p> <ul style="list-style-type: none"> - provisions of LEP 2010 - amendment to S1 - Recommendations of the Local Planning Study (LPS) adopted by Council on 7 December 2010 <p>The preparation of both the LEP and LPS were research and involved a range of consultations with the community. The preparation of the plans were undertaken in consultation with adjoining councils.</p> <p>The provision of linkages is identified in the integrated Open Space Strategy presently being developed. This is a high level document that once adopted by Council will result in the development of management plans to guide the provisions and use of open space including zoning of</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>to and around the Sydney Harbour Catchment and to the Parramatta River</p> <ul style="list-style-type: none"> - Council owned land should remain in public ownership - The North Ryde Railway Station Precinct should have specific zoning and planning controls prepared by Council with community consultation to protect existing residential areas 	<p>land and linkages to active transport corridors.</p> <p>The North Ryde station precinct is a State Significant development and the planning process for this area is being undertaken by the State Government.</p>	
	<p>D12/52950 D12/52954 D12/52957</p>	<p>Concerns raised in relation to:</p> <ul style="list-style-type: none"> - rezoning for higher development outside main transport links - concern number of cars parked in proximity to the train station will increase impacting nearby residents 	<p>Comments made in the submission are noted.</p> <p>The DLEP 2011 has been prepared based on the:</p> <ul style="list-style-type: none"> - provisions of LEP 2010 - amendment to S1 - Recommendations of the Local Planning Study (LPS) adopted by Council on 7 December 2010 <p>The LPS included the Housing and Centres and Corridors Study, which reinforced the Council's approach that increased residential densities are focused on centres with good public transport.</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
			<p>The preparation of both the LEP and LPS were research and involved a range of consultations with the community. The preparation of the plans were undertaken in consultation with adjoining councils.</p>	
	D12/53169	<p>Concerns raised in relation to:</p> <ul style="list-style-type: none"> - no reference to protection of Bundara Reserve - neighbouring home-owners and tenants who are separated from proposed major construction. - home occupation may be permitted without consent - Zone E2 Environmental Conservation – How can development be permitted within proximity of Bundarra Reserve - 4.3 Height of Buildings – Objectives includes minimisation of overshadowing. How can this aim be met by a high-rise building throwing shadows on a single-story residence? <p>Includes extensive comments</p>	<ul style="list-style-type: none"> - Bundara Reserve – the E2 zoning on this area/reserve has been expanded - As part of LEP 2010 careful consideration was given to identifying appropriate land uses within the E2 zone. The uses are considered appropriate and are retained in DLEP 2011. - Home occupation – a use permitted without consent is a requirement of SEPP (Exempt and Complying) Code - The point raised regarding the impact of development on adjoining land owners resulting from overshadowing or construction are noted and are matters that are considered as 	

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	Trim No/ Subject	Issue	Comments	Recommended Action
		relating to the Draft DCP	<p>part of developing the controls for an area and are fully assessed as part of the development assessment process.</p> <p>Comments on the DDCP will be addressed as part of the public assessment of the outcomes of the public exhibition for the draft plan.</p>	
	Dual Occupancy/ Multi dwelling housing			
	12/44366	<p>The submission supports strata subdivision of dual occupancy developments. Concern however exists with the following :-</p> <ul style="list-style-type: none"> ➤ The minimum 580sqm 	<p>The reference to 580sqm is to the size of the land parcel that the</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>land size should be the total lot size and not the individual lots</p> <p>➤ Minimum 20m road frontage is way to prohibitive as there are only a few lots in Ryde that would comply. Clause should be removed or reduced to something more practical.</p>	<p>development is located on. It is not a reference to the size of each strata lot.</p> <p>The Ryde Planning Study 2010 – Housing study states the following with respect to the requirement of a 20m frontage for dual occupancy developments.</p> <p><i>A slightly higher minimum lot size together with a 20 metre minimum frontage width would deliver better design outcomes, particularly with regard to compatibility with existing streetscapes, landscape and deep soil areas, as well as the placement of garages and other car parking structures.</i></p> <p><i>If an increased minimum lot size for duplex buildings was introduced, the number of sites available for duplex developments would significantly decrease.(P4 – 72).</i></p> <p>Council on the 7 December 2010</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	<p>D12/44536</p> <p>D12/44515</p> <p>D12/45955</p>	<p>The submission states "We have been hoping for subdivision of dual occupancy for some time and hope this can be passed through by Council in DLEP 2011".</p> <p>The submission states "We welcome strata subdivision proposal for dual occupancy."</p> <p>The submission states – We recently carried out subdivision of land with the intent of building a dual occupancy on the hatched shaped lot. The road frontage of the hatched shaped lot is 3.5m. Concerned the accessway to the hatched shaped block considered to be</p>	<p>adopted the following recommendation from the RPS 2010 <i>Introduce a control to require a minimum street frontage of 20 metres for duplex developments. (P 9- 13).</i></p> <p>Comments in support of DLEP 2011 amendments are noted.</p> <p>Comments in support of DLEP 2011 amendments are noted.</p> <p>Under the RPSO a duplex building was defined as being 2 dwellings each of which is designed so that its front door faces a street. As a result of the definition duplex buildings were prohibited on hatchet shaped allotments. Under the current definition and controls for dual occupancy under LEP</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/48867	<p>the road frontage.</p> <p>We support the proposal for strata subdivision of dual</p>	<p>2010 there are no restrictions preventing a dual occupancy on a hatchet shaped allotment. No approvals for such development has occurred since the gazettal of LEP 2010 in June of 2010.</p> <p>Under DLEP 2011 Clause 4.1C <i>Minimum lot sizes for dual occupancy and multi dwelling housing</i> a minimum road frontage of 20m or greater is required for the development of a dual occupancy development.</p> <p>As such dual occupancy development on a hatchet shaped allotment is prohibited. Refer to comments above re The Ryde Planning Study 2010.</p> <p>The aim of the 20m frontage is to deliver better design outcomes, particularly with regard to compatibility with existing streetscapes and as such should not be amended.</p> <p>Comments in support of DLEP 2011 amendments are noted.</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	<p>D12/50853</p> <p>D12/51335 D12/51394 D12/51701 D12/51698 D12/51282</p> <p>D12/51623</p>	<p>occupancy developments. This will assist the housing shortage and enable more people to utilise the existing infrastructure in Ryde area.</p> <p>Supports very strongly that duplex building should be sold individually. It will bring more people into the City</p> <p>Supports strata subdivision of dual occupancy developments.</p> <p>The minimum lot sizes for dual occupancy and multi dwelling housing if applied to Miriam Rd West Ryde would enable developers to construct multi dwelling housing on almost every lot. This would have many</p>	<p>Comments in support of DLEP 2011 amendments are noted.</p> <p>Comments in support of DLEP 2011 amendments are noted.</p> <p>Under LEP 2010 a density control of 300sqm per 3 bedroom dwelling applies to multi dwelling housing with a minimum lot area of 580sqm required for dual occupancy development.</p> <p>Under DLEP 2011 the following is</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
		<p>detrimental affects including;</p> <ul style="list-style-type: none"> ➤ issues with street parking. ➤ impact on character and streetscape of heritage items in the street <p>Controls are considered inequitable as it would allow numerous developments in one street but would be impossible for development to occur in another.</p>	<p>required</p> <ul style="list-style-type: none"> ➤ minimum lot size of 900sqm for multi dwelling housing ➤ minimum lot size of 580sqm for dual occupancy developments ➤ 20m road frontage for both. <p>The requirement of a 20m frontage does mean that based on existing subdivision patterns certain areas of Ryde will capable of being developed than others.</p> <p>The removal of linear separation for such development from the DCP means that areas such as Miriam Rd (which have large lot subdivision patterns) could result in numerous Das being submitted for such developments.</p> <p>It should be noted that Council in recognition of the streetscape and character of Miriam Rd have attempted on a number of occasions to introduce design and character area controls however due to a lack of</p>	

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	Trim No/ Subject	Issue	Comments	Recommended Action
	D12/52940	<p>Dual occupancy not duplex should be considered ie 2 storey front dwelling and single storey rear dwelling.</p> <p>Multi dwelling developments – controls should be more flexible and assessed on merit.</p> <p>Comments on dwelling housing DA process.</p> <p>Supports concept of duplex as a more affordable housing option</p>	<p>Nothing prevents a dual occupancy which has dwellings located one behind the other.</p> <p>The standards proposed for multi dwelling housing is the same as has been in place for a number of years. Flexibility can occur in design where proven beneficial to the development and surrounding area.</p> <p>The issue is not relevant to the DLEP.</p> <p>Comments in support of DLEP 2011 amendments are noted.</p>	

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Table 3 – Amendments to DLEP 2011

Proposed Amendment	Basis for amendment
1. <i>Wholesale supplies, Building identification signs and Recreation facility (indoor)</i> be added to uses permitted in the IN2 Light Industrial zone.	In response to a submission – see report.
2. <i>Emergency services facilities</i> be deleted from uses prohibited in the IN2 Light Industrial zone.	In response to a submission – see report.
3. <i>Home business and Home industries</i> be added as a permitted use with Council consent in the R2, R3 and R4 zones.	In response to a submission – see report.
4. Add to <i>Schedule 1 Additional permitted uses</i> 131 & 133 Herring Rd and 208 Epping Road – Development for the purposes of a medical centre is permitted with consent.	In response to a submission – see report.
5. Home based child care centres where permitted without consent in the land use table be made development permitted with consent.	In response to a submission – see report.
6. Schedule 2 Exempt Development – Signage (temporary) Additional condition added (d) Must not be illuminated	In response to a submission – see report.
7. Land Reservation Acquisition Map be amended in line with requested R&MS boundary changes (with corresponding changes to the Land Zoning Map) and that the inclusion of land in Vimiera Rd on the Land Reservation Acquisition (LRA) Map be highlighted to DoPI for their consideration.	In response to a submission – see report.

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Proposed Amendment	Basis for amendment
<p>8. 4.5B(c) Macquarie Park Corridor be expanded to read <i>“To encourage greater public transport and active transport options”</i></p>	<p>In response to a submission – see report.</p>
<p>9. Amend Clause 1.2(2)(f) to read “ to improve access to the city, minimise vehicle kilometres travelled, facilitate the maximum use of public transport and encourage walking and cycling”</p>	<p>In response to a submission – see report.</p>
<p>10. Clause 6.6 (f) – Environmental Sustainability be expanded to read <i>“Transport initiative to reduce car dependence such as providing bicycle and pedestrian facilities, car share /carpool/small vehicle parking spaces and public transport information and the development of a workplace travel plan.”</i></p>	<p>In response to a submission – see report.</p>
<p>11. Update the DLEP 2011 Centres map for Ryde Town Centre, West Ryde Town Centre and Gladesville Town Centre .</p>	<p>In response to a submission – see report</p>
<p>12. Amend the Land Zoning Map for the property 391 Blaxland Rd Ryde to R2.</p>	<p>In response to a submission – see report</p>
<p>13. Amend the Land Zoning Map for St Michaels Church & School Huges St Meadowbank to SP2 Educational Establishment and Place of Public Worship</p>	<p>In response to a submission – see report</p>
<p>14. Ryde Town Centre - Amend FSR map to 2:1 for the whole of Precinct 3 and land within the Ryde Town Centre with an FSR 1.8:1 under the Draft Plan.</p>	<p>In response to a submission – see report</p>

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Proposed Amendment	Basis for amendment
<ul style="list-style-type: none"> - Amend the HOB map for the corresponding area mentioned above to a height of 18.5 m. - Amend HOB Map to make area E as referred to in Clause 4.3(2A) to correspond with area described above. - Amend FSR Map for Ryde Town Centre by combining area H and I into area H. - Amend Clause (4.4)(2A) as follows; Subclause (h) amended to read <ul style="list-style-type: none"> - (h) 0.5:1 if the building is in area H and if the building is on a site having an area of at least 900sqm and provides laneway access and is mixed development. - Clause 2 (4.4)(2A) (i) to be deleted 	
<p>15. Update the DLEP 2011 Ryde Civic Precinct map to include additional areas as identified in Draft DCP 2011 - Part 4.4 Ryde Town Centre</p>	<p>Determination of precincts for Ryde Town Centre completed after submission of DLEP to DoPI . Consistency between LEP and DCP required.</p>
<p>16. Amend clause 4.3 (2C) so that the maximum height for dwellings in both multi dwelling housing and dual occupancy development that do not have frontage to a street is 5m.</p>	<p>The clause at present only applies to multi dwelling housing developments and to ensure consistent controls exist governing the height of all rear dwellings the clause should include dual occupancy developments,</p>
<p>17. Schedule 2 Exempt development - Amend controls for Signage (real estate sign for a residential site)</p>	<p>An error occurred in the Schedule in that the controls for <i>Signage (retail premises windows)</i> was repeated for <i>Signage(real estate sign for a residential site)</i>. It is proposed to reinstate the existing controls under LEP 2010 for <i>Signage(real estate sign for a residential site)</i>.</p>
<p>18. Amend LEP 2011 Heritage</p>	<p>Council has one archaeological</p>

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Proposed Amendment	Basis for amendment
<p>Map to be in line with DoPI requirements that Archaeological Heritage Items be identified separately to General Heritage Items</p>	<p>heritage item in Gladesville which is identified in <i>Schedule 5 Environmental heritage</i> as an archaeological item but which has been mapped as a general item.</p>
<p>19. Amend LEP 2011 Lot Size Map to delete all areas from the map which are not zoned in the Land Zoning Map residential</p>	<p>A number of properties have been rezoned in the Land Zoning Map from a residential to a business zone .This change however was not carried through to the Lot Size Map which only relates to residential properties.</p>
<p>20. Amend LEP 2011 Floor Space Ratio Map with respect to 1 Monash Road Gladesville to bring it in line with <i>Ryde LEP (Gladesville Town Centre and Victoria Road Corridor) 2010 Floor Space Ratio Map</i>.</p>	<p>Under Ryde LEP (Gladesville Town Centre and Victoria Road Corridor) 2010 Floor Space Ratio Map the subject property, which is a heritage item has no FSR. An error occurred in the transfer of FSR controls for the site and under DLEP 2011 it has been given a FSR.</p>
<p>21. Amend <i>Schedule 5 Environmental heritage</i> with respect to Item I204 - 36 Hillview Road Eastwood.</p>	<p>To ensure that the entire building is listed as a heritage item, the reference for I204 needs to be expanded to include 34 Hillview Road (Lot 46 DP 8043) and 32 Hillview Road (Lot 47 DP 8043).</p>
<p>22. Add a new clause <i>Macquarie Park Corridor – Serviced apartments in Zone B3 Commercial Core</i> prohibiting the strata subdivision of serviced apartments</p>	<p>In the report of the 27 September 2011 it was stated that Council should make a formal submission to DLEP 2011 once on exhibition requesting the reinstatement of Clause 4.5B(5) with respect to prohibiting the subdivision of such developments</p>
<p>23. Amend Clause 4.5A(b) <i>Density Controls for Zone R2 Low Density Residential</i> by deleting reference to access to private open space.</p>	<p>The clause requires that separate access to private open space from an unbuilt upon portion of the site. This requirement is more appropriately covered in a DCP in that specific ways of achieving such access such as through a garage can be specified.</p>
<p>24. Upon direction from DoPI amend LEP maps relating to Macquarie University as required.</p>	<p>The land is identified as a State Significant site under SEPP (Major Development) 2005. Differences exist between the zoning, height and fsr controls for the land under the LEP and the SEPP.</p>
<p>25. Amend the land use table for the R1, R2, R3 and R4 zones</p>	<p>Secondary dwellings are permitted under SEPP (Affordable Rental</p>

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Proposed Amendment	Basis for amendment
<p>to include secondary dwellings as being permitted with Council consent.</p>	<p>Housing) 2009 in all residential zones. To reduce existing administrative procedures and to ensure the provision of design criteria secondary dwellings should be permitted with Council consent in all residential zones.</p>
<p>Minor amendments to Written document if necessary to incorporate any changes required by DoPI or identified drafting errors</p>	
<p>Minor amendments to Map if necessary to ensure maps are in line with DoPI requirements and to improve legibility of maps</p>	