

Meeting Date: Tuesday 23 February 2021
Location: Online Audio Visual Meeting
Time: 7.00pm

ATTACHMENTS FOR COUNCIL MEETING

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Meeting Date: Tuesday 29 January 2019
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 8.04pm

Councillors Present: The Mayor, Councillor Laxale and Councillors Brown, Clifton, Gordon, Kim, Lane, Maggio, Moujalli, Pedersen, Purcell and Yedelian OAM.

Note: Councillor Moujalli arrived at the meeting at 8.42pm during Public Participation on Items Listed on the Agenda.

Note: Councillor Kim arrived at the meeting at 9.09pm during Public Participation on Items Listed on the Agenda.

Apologies: Councillor Zhou.

Staff Present: General Manager, Director – Customer and Community Services, Director – Corporate Services, Director – City Planning and Environment, Director – City Works, General Counsel, Manager – Communications and Engagement, Senior Coordinator – Community Engagement, Senior Coordinator – Communications, Communications Coordinator, Executive Assistant to the Director – Customer and Community Services, Senior Coordinator – Civic Support and Civic Support Officer.

PRAYER

Councillor Maggio offered prayer prior to the commencement of the meeting.

NATIONAL ANTHEM

The National Anthem was sung prior to the commencement of the meeting.

DISCLOSURES OF INTEREST

Councillor Lane disclosed a Less than Significant Pecuniary Interest in Notice of Motion 1 – Macquarie Ice Rink, for the reason that his grandparents own a small shareholding in the parent company of AMP Capital, AMP.

TABLING OF PETITIONS

No Petitions were tabled.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Frank Gregg (representing Macquarie Ice Rink)	Notice of Motion 1 – Macquarie Ice Rink
John Dunn (representing Macquarie Ice Rink)	Notice of Motion 1 – Macquarie Ice Rink
Monica MacDonald (representing Macquarie Ice Rink)	Notice of Motion 1 – Macquarie Ice Rink
Jack Willis	Notice of Motion 1 – Macquarie Ice Rink
Dusica Jovanovic-Palic	Notice of Motion 1 – Macquarie Ice Rink
Andrew Rumpel (representing Sydney Bears Ice Hockey Club)	Notice of Motion 1 – Macquarie Ice Rink
Judy Skatssoon	Notice of Motion 1 – Macquarie Ice Rink
Liam Filson	Notice of Motion 1 – Macquarie Ice Rink
John Stuart	Notice of Motion 1 – Macquarie Ice Rink
Graeme Cruise	Notice of Motion 1 – Macquarie Ice Rink
Garry Aghajani	Notice of Motion 1 – Macquarie Ice Rink
Helen Corby	Notice of Motion 1 – Macquarie Ice Rink
Diane Turner (representing Dominoes Ice Skating Team)	Notice of Motion 1 – Macquarie Ice Rink
Rose Torossian	Notice of Motion 1 – Macquarie Ice Rink
Jason Luong (representing Macquarie Ice Rink's skating community)	Notice of Motion 1 – Macquarie Ice Rink
Ada Ke (representing LCLCC Ice Skating Saturday Group – 17 students)	Notice of Motion 1 – Macquarie Ice Rink
Tony Tran	Notice of Motion 1 – Macquarie Ice Rink
Sue Mautner	Notice of Motion 1 – Macquarie Ice Rink
Slav Baboshyn (representing Macquarie Ice Rink)	Notice of Motion 1 – Macquarie Ice Rink
Scott Stephenson (representing Sydney Ice Dogs)	Notice of Motion 1 – Macquarie Ice Rink
Debbie Hockam (representing Macquarie Dominoes Synchronised Skating Team – captain and rate payer)	Notice of Motion 1 – Macquarie Ice Rink
Angela Shao	Notice of Motion 1 – Macquarie Ice Rink
Sarka Barina (representing NSWISA)	Notice of Motion 1 – Macquarie Ice Rink
Lisa Cahill	Notice of Motion 1 – Macquarie Ice Rink
Andrew Robinson (representing Macquarie Ice Rink and Dr Frank Gregg)	Notice of Motion 1 – Macquarie Ice Rink

Name	Topic
Rebecca Rowe (representing iStage – Theatre on Ice Figure skating Team)	Notice of Motion 1 – Macquarie Ice Rink
Francisco Valencia	Notice of Motion 1 – Macquarie Ice Rink
Mark Kirkland (representing AMP Capital Shopping Centres)	Notice of Motion 1 – Macquarie Ice Rink

Note: Paul Gregg (representing Macquarie Ice Rink) was called to address Council, however he was not present in the Chamber.

NOTICES OF MOTION

1 MACQUARIE ICE RINK - Councillor Trenton Brown and Councillor Jordan Lane

Note: Councillor Lane disclosed a Less than Significant Pecuniary Interest in this Item for the reason that his grandparents own a small shareholding in the parent company of AMP Capital, AMP.

Note: Frank Gregg (representing Macquarie Ice Rink), John Dunn (representing Macquarie Ice Rink), Monica MacDonald (representing Macquarie Ice Rink), Jack Willis, Dusica Jovanovic-Palic, Andrew Rumpel (representing Sydney Bears Ice Hockey Club), Judy Skatssoon, Liam Filson, John Stuart, Graeme Cruise, Garry Aghajani, Helen Corby, Diane Turner (representing Dominoes Ice Skating Team), Rose Torossian, Jason Luong (representing Macquarie Ice Rink's Skating Community), Ada Ke (representing LCLCC Ice Skating Saturday Group), Tony Tran, Sue Mautner, Slav Baboshyn (representing Macquarie Ice Rink), Scott Stephenson (representing Sydney Ice Dogs), Debbie Hockam (representing Macquarie Dominoes Synchronised Skating Team), Angela Shao, Sarka Barina (representing NSWISA), Lisa Cahill, Andrew Robinson (representing Macquarie Ice Rink and Dr Frank Gregg), Rebecca Rowe (representing iStage – Theatre on Ice Figure Skating Team), Francisco Valencia and Mark Kirland (representing AMP Capital Shopping Centres) addressed the meeting in relation to this Item.

Note: A document from AMP Capital outlining the community engagement to take place on the Macquarie Centre Redevelopment was tabled in relation to this Item and a copy is ON FILE.

Note: Documentation from Monica MacDonald (representing Macquarie Ice Rink) was tabled in relation to this Item and a copy is ON FILE.

Note: Documentation from resident, Alana Wulff was tabled by Councillor Lane in relation to this Item and a copy is ON FILE.

MOTION: (Moved by Councillors Lane and Brown)

That Council:

- (a) Recognise the strong community opposition to the imminent closure of the Macquarie Ice Rink;
- (b) Express its opposition to the closure of the Macquarie Ice Rink;
- (c) Facilitate urgent mediation between AMP Capital and the existing tenants of the Macquarie Ice Rink to guarantee the retention of this important community facility or one of equivalent Olympic size and features by arranging meetings with the current tenants of the Macquarie Ice Rink;
- (d) Engage a person with appropriate heritage knowledge, skills and experience to investigate whether the Macquarie Ice Rink is of heritage importance and to subsequently prepare a preliminary heritage assessment report with respect to this matter and a report be submitted back to Council with a view to seek an interim heritage order if the report finds grounds of heritage importance.
- (e) Recognise the challenges of opening public consultation during the January 2019 holiday period, when many families are away from Sydney, and extend the public consultation period until 1 March 2019.

AMENDMENT: (Moved by Councillors Purcell and Clifton)

That Council:

- (a) Recognise the strong community opposition to the imminent closure of the Macquarie Ice Rink;
- (b) Express its opposition to the closure of the Macquarie Ice Rink;
- (c) Facilitate urgent mediation between AMP Capital and the existing tenants of the Macquarie Ice Rink to guarantee the retention of this important community facility or one of equivalent Olympic size and features in stage 1, by arranging meetings with the current tenants of the Macquarie Ice Rink;
- (d) Engage a person with appropriate heritage knowledge, skills and experience to investigate whether the Macquarie Ice Rink is of heritage importance and to subsequently prepare a preliminary heritage assessment report with respect to this matter and a report be submitted back to Council with a view to seek an interim heritage order if the report finds grounds of heritage importance.

- (e) Recognise the challenges of opening public consultation during the January 2019 holiday period, when many families are away from Sydney, and extend the public consultation period until 1 March 2019.
- (f) Place a copy of the Ice Rink's public [change.org](https://www.change.org) Macquarie ice rink petition on its website, and paper copies in all public facing council facilities.
- (g) Given that Ryde's local member, The Honourable Victor Dominello MP, failed to prevent the unwanted rezoning of Herring Road (Priority Precinct) in 2014 and his government's planning panel approval of AMPC's concept development application in 2016, that this Council call upon Premier Gladys Berejiklian to urgently intervene to save Macquarie Ice Rink.
- (h) That the General Manager formally notify AMP Capital that Council's official position is for an Olympic sized ice rink to be retained in any stage 1 redevelopment of the Macquarie Shopping Centre.

On being put to the Meeting, the voting on the Amendment was seven (7) votes for and four (4) against. The Amendment was **CARRIED** and then became the Motion.

Record of Voting:

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

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

MOTION: (Moved by Councillors Purcell and Clifton)

That Council:

- (a) Recognise the strong community opposition to the imminent closure of the Macquarie Ice Rink;
- (b) Express its opposition to the closure of the Macquarie Ice Rink;
- (c) Facilitate urgent mediation between AMP Capital and the existing tenants of the Macquarie Ice Rink to guarantee the retention of this important community facility or one of equivalent Olympic size and features in stage 1, by arranging meetings with the current tenants of the Macquarie Ice Rink;
- (d) Engage a person with appropriate heritage knowledge, skills and experience to investigate whether the Macquarie Ice Rink is of heritage importance and to subsequently prepare a preliminary

heritage assessment report with respect to this matter and a report be submitted back to Council with a view to seek an interim heritage order if the report finds grounds of heritage importance.

- (e) Recognise the challenges of opening public consultation during the January 2019 holiday period, when many families are away from Sydney, and extend the public consultation period until 1 March 2019.
- (f) Place a copy of the Ice Rink's public [change.org](https://www.change.org) Macquarie ice rink petition on its website, and paper copies in all public facing council facilities.
- (g) Given that Ryde's local member, The Honourable Victor Dominello MP, failed to prevent the unwanted rezoning of Herring Road (Priority Precinct) in 2014 and his government's planning panel approval of AMPC's concept development application in 2016, that this Council call upon Premier Gladys Berejiklian to urgently intervene to save Macquarie Ice Rink.
- (h) That the General Manager formally notify AMP Capital that Council's official position is for an Olympic sized ice rink to be retained in any stage 1 redevelopment of the Macquarie Shopping Centre.

MOTION: (Moved by Councillors Lane and Yedelian OAM)

That the Motion be dealt with in Seriatim.

On being put to the Meeting, the voting on the Motion was four (4) votes for and seven (7) against. The Motion was **LOST**.

Record of Voting:

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

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

RESOLUTION: (Moved by Councillors Purcell and Clifton)

That Council:

- (a) Recognise the strong community opposition to the imminent closure of the Macquarie Ice Rink;
- (b) Express its opposition to the closure of the Macquarie Ice Rink;

- (c) Facilitate urgent mediation between AMP Capital and the existing tenants of the Macquarie Ice Rink to guarantee the retention of this important community facility or one of equivalent Olympic size and features in stage 1, by arranging meetings with the current tenants of the Macquarie Ice Rink;
- (d) Engage a person with appropriate heritage knowledge, skills and experience to investigate whether the Macquarie Ice Rink is of heritage importance and to subsequently prepare a preliminary heritage assessment report with respect to this matter and a report be submitted back to Council with a view to seek an interim heritage order if the report finds grounds of heritage importance.
- (e) Recognise the challenges of opening public consultation during the January 2019 holiday period, when many families are away from Sydney, and extend the public consultation period until 1 March 2019.
- (f) Place a copy of the Ice Rink's public [change.org](https://www.change.org) Macquarie ice rink petition on its website, and paper copies in all public facing council facilities.
- (g) Given that Ryde's local member, The Honourable Victor Dominello MP, failed to prevent the unwanted rezoning of Herring Road (Priority Precinct) in 2014 and his government's planning panel approval of AMPC's concept development application in 2016, that this Council call upon Premier Gladys Berejiklian to urgently intervene to save Macquarie Ice Rink.
- (h) That the General Manager formally notify AMP Capital that Council's official position is for an Olympic sized ice rink to be retained in any stage 1 redevelopment of the Macquarie Shopping Centre.

Record of Voting:

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

Against the Motion: Councillor Yedelian OAM

The meeting closed at 11.06pm.

CONFIRMED THIS 26TH DAY OF FEBRUARY 2019

Chairperson

COUNCIL REPORTS

11 PLANNING PROPOSAL - Macquarie Ice Rink Heritage Item

Note: Paul Gregg (representing Macquarie Ice Rink), Diane Turner and Mark Kirkland (representing AMP Capital Shopping Centre) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Pedersen and Purcell)

- (a) That the notion and use of an Olympic sized ice rink at Macquarie Shopping Centre is of local heritage significance as outlined in the attached Planning Proposal and, accordingly, Council seeks to place the item on Schedule 5 Environmental Heritage of *Ryde Local Environmental Plan 2014*.
- (b) That Council notes the advice of the Ryde Local Planning Panel to seek a Gateway Determination and amend Planning Proposal Macquarie Ice Rink Heritage Item to give guidance to a site specific Conservation Management Plan.
- (c) That Council forward Planning Proposal Macquarie Ice Rink Heritage Item to the Minister of Planning with a request for a Gateway Determination under 3.34 of the *Environmental Planning and Assessment Act 1979*.
- (d) That, on receipt of the Gateway Determination, the General Manager places the Planning Proposal on community consultation in accordance with NSW planning legislation and any conditions forming part of the Gateway Determination.
- (e) That the outcomes of community consultation are reported to City of Ryde Council as soon as practicable after the conclusion of the exhibition period.

Record for the Voting:

For the Motion: Unanimous

NOTICE OF MOTION

6 POWER OUTAGE SUPPORT - Councillor Jordan Lane

Note: Shweta Deshpande addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Lane and Yedelian OAM)

That Council staff investigate and prepare a plan to be reported back to Council for the rapid deployment of community support in times of extended residential power outages, including but not limited to:-



Gateway Determination

Planning proposal (Department Ref: PP_2020_RYDEC_002_00): to list Macquarie Ice Rink at 197-223 Herring Road, Macquarie Park (Part Lot 100 DP1190494) as a local heritage item.

I, the Acting Director, North District, at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Ryde Local Environmental Plan (LEP) 2014 for the above purpose should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be updated to:
 - (a) remove any references to the proposed new additional local provision which requires the endorsement of a Conservation Management Plan prior to the consent authority determining any redevelopment and/or relocation of the Macquarie Ice Rink;
 - (b) provide a draft LEP Heritage Map consistent with the *Standard Technical Requirements for Spatial Datasets and Maps* (Department of Planning and Environment, August 2017);
 - (c) include extracts of the existing and proposed Heritage Maps in relation to the site; and
 - (d) include a revised project timeline

2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 of A guide to preparing local environmental plans (Department of Planning and Environment, 2018).

3. Consultation is required with the Heritage NSW (Department of Premier and Cabinet) under section 3.34(2)(d) of the Act. Heritage NSW is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, if reclassifying land).
5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **12 months** from the date of the Gateway determination.

Dated 21 day of September 2020



Luke Downend
Acting Director, North District
Greater Sydney, Place and Infrastructure
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning and
Public Spaces

City Planning

Planning Proposal Macquarie Ice Rink Heritage Item

November 2020



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Attachments

1. Council Minutes 29 January 2019
2. Interim Heritage Order No.147 Government Gazette No.10 Monday 4 February 2019
3. GML Heritage Consultants “Macquarie Ice Rink Heritage Assessment” dated September 2019
4. Erratum Government Gazette Friday 8 February 2019
5. State Heritage Register Committee advice 1 December 2019
6. Draft LEP Heritage Map

1.0 Introduction

This Planning Proposal has been prepared by the City of Ryde in response to:

1. A resolution of Council of the 29 January 2019 that reads in part that Council is to:

(d) Engage a person with appropriate heritage knowledge, skills and experience to investigate whether the Macquarie Ice Rink is of heritage importance and to subsequently prepare a preliminary heritage assessment report with respect to this matter and a report be submitted back to Council with a view to seek an interim heritage order if the report finds grounds of heritage importance (See Attachment 1)

and

2. An Interim Heritage Order (IHO) made by the Minister for Heritage over Macquarie Ice Rink, Macquarie Park on the 4 February 2019 (IHO No. 147 Government Gazette No.10– Attachment 2).

In response to both of the above, GML Heritage Consultants were engaged by Council in 2019 to provide a heritage assessment of the Macquarie Ice Rink in order to determine if it meets the criteria for listing as a heritage item within the Ryde Local Environmental Plan 2014.

In a report titled “Macquarie Ice Rink Heritage Assessment” dated September 2019 (GML Report – Attachment 3), GML Heritage Consultants have identified that the Macquarie Ice Rink demonstrates heritage significance at a state level for a number of reasons including:

- It is an important place of public recreation and is highly valued by the community
- As an Olympic – sized rink, it caters to all skating disciplines and is highly valued by people training or competing at an Olympic level as well as to those who use the rink as a recreational facility
- It is associated with prominent figures in the skating industry and sport
- Its inclusion in the design of Macquarie Centre was unusual and unique and a reflection of its time

The GML report recommends in part that:

1. The Macquarie Ice Rink be listed as a heritage item of local significance on Schedule 5 of the Ryde Local Environmental Plan 2014. An application should be made to the NSW Heritage Office for its inclusion on the State Heritage Register
2. The rink should be retained in its current form and location.

“The cultural significance of the ice rink is embodied in its social value to the community as a place of public recreation and as a training ground for past and future Olympic competitors. However, the form, layout, size and location of the ice

rink is an important part of this significance. Although the physical fabric of the place itself is not considered to be significant it cannot be expected that the community sentiment and social values of the existing rink could be transferred to a new rink in an alternative location..." (GML Report page 29).

3. There is scope for future alterations and adaptations of the area in the vicinity of the ice rink (GML Report page 29).

The State Heritage Register Committee considered the GML Report prepared for Macquarie Ice Rink on the 5 November 2019. The committee concluded that the Ice Rink is unlikely to be of state significance however it may be of local heritage significance and that City of Ryde should consider the potential heritage significance of the site when reviewing any future development. (Attachment 5)

This Planning Proposal is generally in line with the recommendations of the GML Report.

1.1 Background

The Macquarie Ice Rink is located on Level 1 of the Macquarie Shopping Centre, 197 – 223 Herring Road Macquarie Park (Map 1). The rink was constructed as part of the original shopping centre which opened in 1981. (Photo 1).

Map 1



(Extract GML Report page 3)



Photo 1

Macquarie Ice Rink 1983. (Source: Photography by Adrian Greer for Sydney Morning Herald (Extract GML Report page 9))

A Development application (LDA 2018/498) was lodged on the 18 December 2018 by AMP Capital Investors Limited relating to the Macquarie Shopping Centre. The DA was part of a staged DA and gave further detail to a concept plan approved in November 2016 for the mixed-use redevelopment of the site. The DA, which involved the demolition of the ice rink, included the redevelopment of the Herring Road Corner Podium site, the delivery of a new publicly accessible Station Plaza and additional deck parking on the Talavera Road frontage.

The DA was placed on exhibition on 16 January 2019.

As a result of the community response to the exhibition Council resolved on the 29 January 2019, in part to:

(d) Engage a person with appropriate heritage knowledge, skills and experience to investigate whether the Macquarie Ice Rink is of heritage importance and to subsequently prepare a preliminary heritage assessment report with respect to this matter and a report be submitted back to Council with a view to seek an interim heritage order if the report finds grounds of heritage importance (See Attachment 1)

Prior to that report being prepared the Minister for Heritage made Interim Heritage Order (IHO) No. 147 on the Macquarie Ice Rink, Macquarie Park (Government Gazette No.10 dated 4 February 2019 – Attachment 2). As a result of an error on the property description in the Gazettal Notice an Erratum to IDO No. 147 correcting the error was made in Government Gazette No.11 on the 8 February 2019 (Attachment 4). The order remained in force until the 4 February 2020.

It should be noted that on the 18 January 2019 the owners of the site requested that Council put on hold the assessment of the LDA to enable the applicant to review the design. As a result, amended plans and documentation were submitted to retain an Olympic-sized ice rink within the development. The amended plans were notified in October and November 2020.

Macquarie Ice Rink Heritage Assessment – GML Consultants

GML Heritage Consultants were engaged by Council in 2019 to provide a heritage assessment of the Macquarie Ice Rink in order to determine if it meets the criteria for listing as a heritage item within the Ryde Local Environmental Plan 2014.

In a report titled “Macquarie Ice Rink Heritage Assessment” dated September 2019, GML Heritage Consultants have identified that the Macquarie Ice Rink demonstrates heritage significance at a state level for the following reasons:

- *It is an important place of public recreation and is highly valued by the community....*
- *As an Olympic-sized rink, it caters to all skating disciplines and is highly valued by people training or competing at an Olympic level as well as to those who use the rink as a recreational facility....*

- *It is associated with prominent figures in the skating industry, including former Olympian Steven Bradbury, and Sydney's AIHL teams the Sydney Bears and Sydney Ice Dogs.*
- *Its inclusion in the design of the Macquarie Centre was unusual and unique for its time. (GML Report page 28)*

It is recommended that:

1. *The Macquarie Ice Rink should be listed as a heritage item of local significance on Schedule 5 of the Ryde Local Environmental Plan 2014. An application should be made to the NSW Heritage Office for its inclusion on the State Heritage Register.*
2. *The rink should be retained in its current form and location. The significance of the ice rink is embodied in the rink itself and the general volume of the space should be retained. The cultural significance of the ice rink is embodied in its social value to the community as a place of public recreation and as a training ground for past and future Olympic competitors. However, the form, layout, size and location of the ice rink is an important part of this significance. Although the physical fabric of the place itself is not considered to be significant, it cannot be expected that the community sentiment and social values of the existing rink could be transferred to a new rink in an alternative location.*
3. *There is scope for future alterations and adaptations of the area in the vicinity of the ice rink, including the surrounding tiered seating or ancillary facilities..... (GML Report page 29)*

Interim Heritage Orders (IHO)

An IHO is a temporary heritage protection measure against the demolition of a potential heritage item. It also provides State Government (when imposed by them) with the time to further assess the heritage significance of a potential item and take the appropriate steps to list the item on the State Heritage Register if warranted.

As stated previously an IHO was made by the Minister for Heritage over Macquarie Ice Rink on the 4 February 2019 (IHO No. 147 Government Gazette No.10– Attachment 2).

The legal effect of the IHO made by the Minister is that approval from the Heritage Council of NSW is required for any works (including demolition) to the Rink for the duration of the Order i.e.4 February 2020.

The State Heritage Register Committee considered the GML Report on the Macquarie Ice Rink on the 5 November 2019. The committee concluded that the Ice Rink is unlikely to be of state significance and recommended that Heritage NSW not proceed with the statutory process for listing on the State Heritage Register. The Committee further stated:

Macquarie Ice Rink may potentially be of local heritage significance. As local heritage is

the responsibility of the local council, the Committee determined to write to the City of Ryde to encourage you to consider the potential heritage significance of the site when reviewing any future development. (Attachment 5)

Conclusions

It is considered that based on the GML Report the key aspects of the Macquarie Ice Rink which must be retained and managed include:

1. The Olympic-sized scale and dimension and competition quality of the ice rink, together with tiered stadium seating
2. The overall volume of the ice rink space with the double height ceiling space and singular indoor arena.
3. The incorporation of the ice rink within the shopping centre complex;
4. The strong relationship between the ice rink and the internal thoroughfares and a food-court of the shopping centre;
5. The strong visual relationship between the ice rink and the external public domain through full-height glazed walls;

2.0 The Planning Proposal

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

The Department of Planning and Environment requires a Planning Proposal to cover five main parts which form the basis of this document as follows:

- Part 1 – Statement of Objectives and Intended Outcomes of the proposed LEP (refer to 3.0 of the Planning Proposal)
- Part 2 – Explanation of the Provisions to be included in the LEP (refer to 4.0 of the Planning Proposal)
- Part 3 – Justification of objectives, outcomes and process for implementation (refer to 5.0 of the Planning Proposal)
- Part 4 – Maps to identify intent and applicable area (refer to 6.0 of the Planning Proposal)
- Part 5 – Community Consultation proposed to be undertaken on the Draft LEP (refer to 7.0 of the Planning Proposal)
- Part 6 – Projected timeline - (refer to 8.0 of the Planning Proposal)

3.0 Objectives and Intended Outcomes

This part of the planning proposal responds to Section 3.33 of the Environmental Planning and Assessment Act 1979 which requires an explanation of what is planned to be achieved by the proposed amendments to RLEP2014.

The Objectives of the Planning proposal are:

- To amend *Schedule 5 Environmental heritage* to include Macquarie Ice Rink at 197 – 223 Herring Road Macquarie Park.

The Intended outcome of the Planning Proposal is to:

- Provide appropriate protection to an item of built, social and cultural heritage to the City of Ryde, through the heritage listing of the Macquarie Ice Rink in *Schedule 5 Environmental heritage* of RLEP 2014.
- ensure greater certainty is provided for in the future development of Macquarie Shopping Centre.

4.0 Explanation of Provisions

The proposed outcomes will be achieved by:

1. **Amending Schedule 5 Environmental heritage of Ryde LEP 2014 as follows:**
 - Including 1 new Heritage item in *Part 1 Heritage Items* as shown below.

Table 1 – HERITAGE ITEM – NEW

Suburb	Item name	Address	Property description	Significance	Item no.
Macquarie Park	Olympic sized Ice Rink with associated facilities (seating, meeting/team areas etc.) integrated with Macquarie Shopping Centre retail/commercial activities and known as Macquarie Ice Rink	197 – 223 Herring Road Macquarie Park	Part Lot 100 DP1190494	Local	345

5.0 Justification

Section 3.33 of the Environmental Planning and Assessment Act 1979 enables the Director-General to issue requirements with respect to the preparation of a planning proposal. This section responds to all matters to be addressed in a planning proposal – including Director-General’s requirements for the justification of all planning proposals (other than those that solely reclassify public land).

5.1 Need for the Planning Proposal

5.1.1 Is the planning proposal a result of any strategic study or report?

The Planning Proposal is a result of:

1. Ryde Council’s ongoing process of heritage identification and protection. Council resolved 29 January 2019 in part to:

(d) Engage a person with appropriate heritage knowledge, skills and experience to investigate whether the Macquarie Ice Rink is of heritage importance and to subsequently prepare a preliminary heritage assessment report with respect to this matter and a report be submitted back to Council with a view to seek an interim heritage order if the report finds grounds of heritage importance (See Attachment 1)

2. An Interim Heritage Order (IHO) being made by the Minister for Heritage over Macquarie Ice Rink, Macquarie Park on the 4 February 2019 (IHO No. 147 Government Gazette No.10– Attachment 2).

In response to both of the above GML Heritage Consultants were engaged by Council in 2019 to provide a heritage assessment of the Macquarie Ice Rink in order to determine if it meets the criteria for listing as a heritage item within the Ryde Local Environmental Plan 2014.

This Planning Proposal is in general accordance with the recommendations of the GML Heritage Consultants report titled “Macquarie Ice Rink Heritage Assessment “dated September 2019 (Attachment 2).

5.1.2 Is the planning proposal the best means of achieving the objectives or intended outcomes?

The Environmental Planning & Assessment Act 1979 requires the orderly development of land. The planning proposal supports that outcome by enabling a transparent process informed by expert advice and comprehensive community participation that enables clear identification of a heritage item.

The Planning Proposal will ensure that the provision of a Macquarie Ice Rink is recognised and protected from development that may adversely affect the significance of the Ice Rink and its contribution to the environmental heritage of the City of Ryde.

5.2 Relationship to strategic planning framework

5.2.1 Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

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

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

Greater Sydney Regional Plan - A Metropolis of Three Cities

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

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

The City of Ryde is located within the Eastern Harbour City. The Plan states that the established **Eastern Harbour City** will be building on its recognised economic strength and addressing liveability and sustainability. (p 8)

The Plan contains:

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

The theme of Liveability has as a direction and objective the following:

Direction – Designing places for people

Objective 13 – Environmental heritage is identified, conserved and enhanced (page 22)

The Regional Plan states:

Conserving, interpreting and celebrating Greater Sydney’s heritage values leads to a better understanding of history and respect for the experiences of diverse communities. Heritage identification, management and interpretation are required so that heritage places and stories can be experienced by current and future generations. Environmental heritage is protected for its social, aesthetic, economic, historic and environmental values.

Environmental heritage is defined as the places, buildings, works, relics, moveable objects and precincts of State or local heritage significance. It includes natural and built heritage, Aboriginal places and objects, and cultural heritage such as stories, traditions and events inherited from the past.

Protection and management of heritage is a community responsibility undertaken by a broad range of stakeholders including Aboriginal people, State and local governments, businesses and communities. (page. 77)

The Planning Proposal which aims to provide appropriate protection to an item of built, social and cultural heritage significance to the City of Ryde i.e. Macquarie Ice Rink (see Report extract below) supports both the direction and objectives of the Plan.

The significance of the ice rink is embodied in the rink itself and the general volume of the space should be retained. The cultural significance of the ice rink is embodied in its social value to the community as a place of public recreation....., the form, layout, size and location of the ice rink is an important part of this significance (“GML Report page 29)

North District Plan (2018)

The *North District Plan* (NDP 2018) sets out the planning priorities and actions for Greater Sydney’s North District, which includes the local government areas of Hornsby, Hunters

Hill, Ku-ring-gai, Lane Cove, Northern Beaches, Mosman, North Sydney, the City of Ryde and Willoughby.

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

This Planning Proposal supports the following Planning Priority in the retention and renewing of local heritage:

Planning Priority N6 – “Creating and renewing great places and local centres, and respecting the District’s heritage”

This planning priority promotes local heritage as an important component of local identity that creates a distinctive built character. The NDP states that *“Identifying, conserving, interpreting and celebrating Greater Sydney’s heritage values leads to a better understanding of history and respect for the experiences of diverse communities. Heritage identification, management and interpretation are required so that heritage places and stories can be experienced by current and future generations.”* (NDP, p49)

The heritage study attached to this Planning Proposal confirms the importance of the Macquarie Ice Rink. The listing of the Ice Rink under the RLEP2014 *Schedule 5 Environmental heritage* supports *Planning Priority N6* of the North District Plan.

Local Planning Study (LPS)

Council adopted the *Ryde Local Planning Study (December 2010)* in response to the NSW Government’s *Metropolitan Strategy* and draft *Inner North Draft Subregional Strategy* to outline a vision for development of Ryde over the next 20 years.

The Local Planning Study was the basis for the preparation of the RLEP 2014. One of the aims of RLEP 2014 that was derived from the Local Planning Study was:

(d) to identify, conserve and promote Ryde’s natural and cultural heritage as the framework for its identity, prosperity, liveability and social development, (RLEP 2014 Clause 1.2(d))

The Planning Proposal is consistent with both the Study and RLEP 2014.

The City of Ryde 2028 Community Strategic Plan

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

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

- Our Vibrant and Liveable City
- Our Active and Healthy City

- Our Natural and Sustainable City
- Our Smart and Innovative City
- Our Connected and Accessible City
- Our Diverse and Inclusive City
- Our Open and Progressive City

The Planning Proposal is in line with the goals and strategies of the Community Strategic Plan 2028. It speaks to both outcome one: Our Vibrant and Liveable City; and to outcome six: Our Diverse and Inclusive City.

Outcome one describes a city “designed with a strong sense of identity and place” (p16), describes the community’s desire to “protect and maintain Ryde’s character and heritage” and includes goals to “uphold and protect its unique character” (p17).

Outcome six describes a city with a “rich social, cultural, historical and creative tapestry [which] provides an enduring legacy for future generations” (p26) and “a distinct local identity built on our city’s character and rich cultural heritage” (p27).

The Planning Proposal responds to the above by protecting Macquarie Ice Rink which contributes to Ryde’s built, social and cultural legacy.

5.2.3 Is the planning proposal consistent with applicable state environmental planning policies?

A summary assessment of the Planning Proposal in terms of State Environmental Planning Policies that are relevant to the City of Ryde is contained in the table below (Table 2).

This assessment indicates that the draft LEP contained in this Planning Proposal is consistent with all relevant State environmental planning policies.

Table 2 – Consistency with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistent		Comment
	YES/NO	N/A	
State Environmental Planning Policy No 19 - Bushland in Urban Areas	Yes		No matters in the PP alter the degree to which bushland will be protected under RLEP 2014
State Environmental Planning Policy No 21 - Caravan Parks.		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy No 33 - Hazardous and Offensive Development		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy No 50 - Canal Estate Development.		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy No 55 - Remediation of Land.	Yes		The PP is consistent with the aims and objectives of the SEPP
State Environmental Planning Policy No 64 - Advertising and Signage.		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy No 70- Affordable Housing (Revised Schemes)		✓	Applies to the whole of the State. Not relevant to this proposed amendment

State Environmental Planning Policies (SEPPs)	Consistent		Comment
	YES/NO	N/A	
State Environmental Planning Policy (Concurrences) 2018		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Primary Production and Rural Development) 2019		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Affordable Rental Housing) 2009	Yes		See below.
The SEPP establishes a consistent planning regime for the provisions of affordable rental housing. Certain areas of the Policy do not apply to properties that are listed as a Heritage Item such as In fill affordable housing and development under the Policy that can occur under complying development provisions.			
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Yes		The PP does not affect BASIX or any provision that relates to building sustainability.
SEPP (Exempt and Complying Development Codes) 2008	Yes		See below.
Complying Development Certificates cannot be issued on heritage items. The property description for the proposed heritage item is Part Lot 100. As such the ability to issue a Complying Development Certificate on land within Lot 100 which does not contain an Ice Rink is not limited.			
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	Yes		The PP does not directly or indirectly affect housing for seniors or people with disability or affect any provision within the SEPP.
State Environmental Planning Policy (Infrastructure) 2007	Yes		Listing of additional heritage items is not considered inconsistent with the provisions of the SEPP. See below for further information.
The SEPP includes provisions relating to development carried out by or on behalf of a public authority where the development is likely to have an impact that is not minor or inconsequential on a local heritage item.			

State Environmental Planning Policies (SEPPs)	Consistent		Comment
	YES/NO	N/A	
State Environmental Planning Policy (State Significant Precincts) 2005		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (State and Regional Development) 2011		✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Education Establishments and Child Care Facilities) 2017	Yes		Applies to the whole of the State. Not relevant to this proposed amendment. See below for further information.
The SEPP includes provisions relating to items of local heritage significance where development carried out by or on behalf of a public authority is likely to affect the heritage significance of a local heritage item or a heritage conservation area and is development that the SEPP provides may be carried out without development consent.			
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	Yes		None of the matters within the PP raise issues with the SEPP.
State Environmental Planning Policy (Coastal Management) 2018	Yes		None of the matters within the PP raise issues with the SEPP.
State Environmental Planning Policy (Concurrences) 2018		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Primary Production and Rural Development) 2019		✓	Applies to the whole of the State. Not relevant to this proposed amendment
Deemed SEPPs			

State Environmental Planning Policies (SEPPs)	Consistent		Comment
	YES/NO	N/A	
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005		✓	Applies to the Sydney Harbour Catchment. Not relevant to this proposed amendment

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

The following is a list of Directions issued by the Minister for Planning to relevant planning authorities under section 9.1 of the *Environmental Planning and Assessment Act 1979*. These directions apply to planning proposals lodged with the Department of Planning and Environment on or after the date the particular direction was issued:

Consideration of Relevant Section 9.1 Directions applying to planning proposals

Table 6 – Ministerial Directions

<u>Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979</u>	Consistent		N/A
	YES	NO	
1. Employment and Resources			
1.1 Business and Industrial Zones Objectives are: <ul style="list-style-type: none"> ○ Encourage employment growth in suitable locations ○ Protect employment land in business and industrial zones and ○ Support the viability of identified strategic centres. 			X
1.2 Rural Zones Objective: To protect the agricultural production value of rural land.			X
1.3 Mining, Petroleum Production and Extractive Industries Objective: To ensure that the future extraction of significant materials is not compromised by inappropriate development.			X
1.4 Oyster Aquaculture Objective: To protect oyster aquaculture from development that may result in adverse impact on water quality.			X

<u>Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979</u>	Consistent		N/A
	YES	NO	
<u>1.5 Rural Lands</u> Objective: To protect and facilitate economic development of rural lands.			X

2. Environment and Heritage			
<u>2.1 Environment Protection Zones</u> Objective: To protect and conserve environmentally sensitive areas.			X
<u>2.2 Coastal Protection</u> Objective: To protect and manage coastal areas of NSW			X
<u>2.3 Heritage Conservation</u> Objective: To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. Comment: This PP aims to heritage list Macquarie Ice Rink The PP will ensure that the identified item will be afforded heritage protection through their addition to Schedule 5 of LEP 2014 and the application of Clause 5.10 Heritage conservation of LEP 2014.	X		
<u>2.4 Recreation Vehicle Areas</u> Objective: To protect sensitive land from adverse impacts from recreation vehicles.			X
<u>2.5 Application fo E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs</u> Objective: To ensure that a balanced and consistnet approach is taken when applying environmental protection zones and overlays to lad on the NSW Far North Coast.			X

3. Housing, Infrastructure and Urban Development			
<u>3.1 Residential Zones</u> Objectives are: <ul style="list-style-type: none"> ○ To encourage a variety and choice of housing types to provide for existing and future housing needs ○ To make efficient use of existing infrastructure and services and endure 	X		

<p>that new housing has appropriate access to infrastructure and services</p> <ul style="list-style-type: none"> ○ To minimise the impact of residential development on the environment and resource lands. <p>Comment: The PP is consistent with the direction as it will protect an item of local heritage significance and does not contain any amendments affecting development standards.</p>			
<p><u>3.2 Caravan Parks and Manufactured Home Estates</u> Objective: To provide a variety of housing types.</p>			X
<p><u>3.3 Home Occupations</u> Objective: To encourage the carrying out of low impact small businesses in dwelling houses.</p>			X
<p><u>3.4 Integrating Land Use and Transport</u> Objectives are:</p> <ul style="list-style-type: none"> ○ Improving access to housing , jobs and services by walking, cycling and public transport ○ Increasing choice of available transport and reduce dependence on cars and ○ Support of public transport services and reduce travel demand. ○ Providing for the efficient movement of freight 			X
<p><u>3.5 Development Near Licensed Aerodromes</u> Objective: To ensure safe and effective operation of aerodromes.</p>			X
<p><u>3.6 Shooting Ranges</u> Objective: To reduce land use conflict, maintain appropriate levels of public safety and amenity.</p>			X

4. Hazard and Risk			
<p><u>4.1 Acid Sulfate Soils</u> Objective: To avoid significant adverse impacts from use of land that contains acid sulfate soils.</p>			X
<p><u>4.2 Mine Subsidence and Unstable Land</u> Objective: To prevent damage to life, property and the environment on land identified as subject to mine subsidence.</p>			X
<p><u>4.3 Flood Prone Land</u> Objective: To ensure an LEP includes consideration of appropriate flood impacts.</p>			X

4.4 Planning for Bushfire Protection Objective: To encourage sound management of bush fire prone areas.			X
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5. Regional Planning			
5.1 Implementation of Regional Strategies (Revoked 17 October 2017)			
5.2 Sydney Drinking Water Catchments Objective: To protect water quality in the Sydney drinking water catchment.			X
5.3 Farmland of State and Regional Significance on the NSW Far North Coast Objective: To ensure the best agricultural land will be available for current and future generations.			X
5.4 Commercial and Retail Development along the Pacific Highway, North Coast Objective: To manage commercial and retail development along the Pacific Hwy.			X
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)			
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)			
5.7 Central Coast (Revoked 10 July 2008.)			
5.8 Second Sydney Airport: Badgerys Creek (Revoked 20 August 2018)			
5.9 North West Rail Link Corridor Strategy Objective: To promote trains oriented development and manage growth around the eight train stations of the North West Rail Link			X
5.10 Implementation of Regional Plans Objective: To give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.			X
5.11 Development of Aboriginal Land Council land Objective: To provide consideration of development delivery plans prepared under <i>State Environmental Planning Policy (Aboriginal Land) 2019</i> .			X

6. Local Plan Making			
6.1 Approval and Referral Requirements			X

Objective: To ensure that LEP provisions encourage the efficient and appropriate assessment of development.			
6.2 Reserving Land for Public Purposes Objective: To facilitate the provision of public services and facilities.			X
6.3 Site Specific Provisions Objective: To discourage unnecessary restrictive site specific planning controls.			X

7. Metropolitan Planning			
7.1 Implementation of the Metropolitan Plan for Sydney. Objective: To give legal affect to the vision contained in A Plan for Growing Sydney. Comment: A Plan for Growing Sydney has been superseded by <i>A Greater Sydney Region Plan – A Metropolis of Three Cities</i> The PP would be consistent with this Direction if it were in place. The Planning Proposal is consistent with the aims of A Greater Sydney Region Plan - A Metropolis of Three Cities and The North District Plan.	X		
7.2 Implementation of Greater Macarthur Land Release Investigation Objective: to ensure development within the Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan			X
7.3 Parramatta Road Corridor Urban Transformation Strategy Objective: To facilitate development within the Corridor that is consistent with the Strategy and the Parramatta Road Corridor Implementation Tool Kit.			X
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan Objective: To ensure development within the North West Priority Growth Area is consistent with the Strategy.			X

<p><u>7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</u> Objective: To ensure development within the Area is consistent with the Implementation Plan.</p>			X
<p><u>7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</u> Objective: To ensure development within the Priority Growth Area is consistent with the Implementation Plan and Back ground Analysis.</p>			X
<p><u>7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor</u> Objective: To ensure development within the precincts between Glenfield and Macarthur is consistent with the plans for these precincts.</p>			X

On 27 September 2018, the Minister for Planning gave an additional direction under 9.1 of the *Environmental Planning and Assessment Act 1979* with the objective of identifying the types of Planning Proposals that are to be advised on by Local Planning Panels on behalf of councils in the Greater Sydney Region and Wollongong and to establish the procedures in relation to those matters. This Direction is relevant to this Planning Proposal, and the proposal was referred to the Ryde Local Planning Panel on 13 February 2020 for advice on whether or not the Planning Proposal should be forwarded to the Minister or Greater Sydney Commission under Section 3.34 of the EP&A Act 1979. The Panel's recommendation was that Council submit the Planning Proposal for Gateway Determination.

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

5.3 Environment, Social and Economic Impact

5.3.1 Impact on Critical Habitat, Threatened Species and Ecological Communities

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

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

No, there is no likelihood for any other significant environmental effects. This planning proposal relates to heritage matters only.

Heritage

The Planning Proposal aims to list Macquarie Ice Rink as heritage item so that it will be protected through *Clause 5.10 Heritage Conservation* of LEP 2014 from work that would adversely affect its heritage significance.

5.3.3 Has the planning proposal adequately addressed any social and economic effects?

It is considered that the planning proposal will have positive social impacts through increased local heritage protection.

The planning proposal is not considered likely to have any significant economic impacts.

5.4 State and Commonwealth interests

5.4.1 Is there adequate public infrastructure for the planning proposal?



The planning proposal will not place additional demands on the existing infrastructure within the City of Ryde.

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

Any State or Commonwealth authority that is identified in the Gateway determination as needing to be consulted will be consulted following that determination.

6.0 Mapping

The existing and proposed mapping changes to the relevant heritage map of the LEP are detailed below. A full draft LEP Heritage Map is included at Attachment 6.

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

7.0 Community Consultation

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

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

- Written notice given:
 - in the local newspaper circulating in the area,
 - on Council's webpage
 - to the property owner
 - to all properties within the vicinity of the proposed heritage item
 - To all submission writers to LDA 2018/498
 - to local state government representatives;
 - to relevant State and Commonwealth authorities as identified in the Gateway Determination.

- The written notice will:
 - provide a brief description of the objectives and intended outcomes,
 - state where the Planning Proposal can be inspected,
 - indicate the last date for submissions, and
 - confirm whether the Minister has chosen to delegate the making of the LEP.

- The following materials will be placed on exhibition in within each library, and Council's Business and Advisory Centre
 - the Planning Proposal,
 - the Gateway Determination.
 - Council resolution and reports
 - GML Heritage Report

8.0 Project Timeline

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

Attachment 1 - Council Minutes 29 January 2019

Meeting Date: Tuesday 29 January 2019
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 8.04pm

Councillors Present: The Mayor, Councillor Laxale and Councillors Brown, Clifton, Gordon, Kim, Lane, Maggio, Moujalli, Pedersen, Purcell and Yedelian OAM.

Note: Councillor Moujalli arrived at the meeting at 8.42pm during Public Participation on Items Listed on the Agenda.

Note: Councillor Kim arrived at the meeting at 9.09pm during Public Participation on Items Listed on the Agenda.

Apologies: Councillor Zhou.

Staff Present: General Manager, Director – Customer and Community Services, Director – Corporate Services, Director – City Planning and Environment, Director – City Works, General Counsel, Manager – Communications and Engagement, Senior Coordinator – Community Engagement, Senior Coordinator – Communications, Communications Coordinator, Executive Assistant to the Director – Customer and Community Services, Senior Coordinator – Civic Support and Civic Support Officer.

PRAYER

Councillor Maggio offered prayer prior to the commencement of the meeting.

NATIONAL ANTHEM

The National Anthem was sung prior to the commencement of the meeting.

DISCLOSURES OF INTEREST

Councillor Lane disclosed a Less than Significant Pecuniary Interest in Notice of Motion 1 – Macquarie Ice Rink, for the reason that his grandparents own a small shareholding in the parent company of AMP Capital, AMP.

TABLING OF PETITIONS

No Petitions were tabled.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Frank Gregg (representing Macquarie Ice Rink)	Notice of Motion 1 – Macquarie Ice Rink
John Dunn (representing Macquarie Ice Rink)	Notice of Motion 1 – Macquarie Ice Rink
Monica MacDonald (representing Macquarie Ice Rink)	Notice of Motion 1 – Macquarie Ice Rink
Jack Willis	Notice of Motion 1 – Macquarie Ice Rink
Dusica Jovanovic-Palic	Notice of Motion 1 – Macquarie Ice Rink
Andrew Rumpel (representing Sydney Bears Ice Hockey Club)	Notice of Motion 1 – Macquarie Ice Rink
Judy Skatssoon	Notice of Motion 1 – Macquarie Ice Rink
Liam Filson	Notice of Motion 1 – Macquarie Ice Rink
John Stuart	Notice of Motion 1 – Macquarie Ice Rink
Graeme Cruise	Notice of Motion 1 – Macquarie Ice Rink
Garry Aghajani	Notice of Motion 1 – Macquarie Ice Rink
Helen Corby	Notice of Motion 1 – Macquarie Ice Rink
Diane Turner (representing Dominoes Ice Skating Team)	Notice of Motion 1 – Macquarie Ice Rink
Rose Torossian	Notice of Motion 1 – Macquarie Ice Rink
Jason Luong (representing Macquarie Ice Rink's skating community)	Notice of Motion 1 – Macquarie Ice Rink
Ada Ke (representing LCLCC Ice Skating Saturday Group – 17 students)	Notice of Motion 1 – Macquarie Ice Rink
Tony Tran	Notice of Motion 1 – Macquarie Ice Rink
Sue Mautner	Notice of Motion 1 – Macquarie Ice Rink
Slav Baboshyn (representing Macquarie Ice Rink)	Notice of Motion 1 – Macquarie Ice Rink
Scott Stephenson (representing Sydney Ice Dogs)	Notice of Motion 1 – Macquarie Ice Rink
Debbie Hockam (representing Macquarie Dominoes Synchronised Skating Team – captain and rate payer)	Notice of Motion 1 – Macquarie Ice Rink
Angela Shao	Notice of Motion 1 – Macquarie Ice Rink
Sarka Barina (representing NSWISA)	Notice of Motion 1 – Macquarie Ice Rink
Lisa Cahill	Notice of Motion 1 – Macquarie Ice Rink
Andrew Robinson (representing Macquarie Ice Rink and Dr Frank Gregg)	Notice of Motion 1 – Macquarie Ice Rink

Name	Topic
Rebecca Rowe (representing iStage – Theatre on Ice Figure skating Team)	Notice of Motion 1 – Macquarie Ice Rink
Francisco Valencia	Notice of Motion 1 – Macquarie Ice Rink
Mark Kirkland (representing AMP Capital Shopping Centres)	Notice of Motion 1 – Macquarie Ice Rink

Note: Paul Gregg (representing Macquarie Ice Rink) was called to address Council, however he was not present in the Chamber.

NOTICES OF MOTION

1 MACQUARIE ICE RINK - Councillor Trenton Brown and Councillor Jordan Lane

Note: Councillor Lane disclosed a Less than Significant Pecuniary Interest in this Item for the reason that his grandparents own a small shareholding in the parent company of AMP Capital, AMP.

Note: Frank Gregg (representing Macquarie Ice Rink), John Dunn (representing Macquarie Ice Rink), Monica MacDonald (representing Macquarie Ice Rink), Jack Willis, Dusica Jovanovic-Palic, Andrew Rumpel (representing Sydney Bears Ice Hockey Club), Judy Skatssoon, Liam Filson, John Stuart, Graeme Cruise, Garry Aghajani, Helen Corby, Diane Turner (representing Dominoes Ice Skating Team), Rose Torossian, Jason Luong (representing Macquarie Ice Rink's Skating Community), Ada Ke (representing LCLCC Ice Skating Saturday Group), Tony Tran, Sue Mautner, Slav Baboshyn (representing Macquarie Ice Rink), Scott Stephenson (representing Sydney Ice Dogs), Debbie Hockam (representing Macquarie Dominoes Synchronised Skating Team), Angela Shao, Sarka Barina (representing NSWISA), Lisa Cahill, Andrew Robinson (representing Macquarie Ice Rink and Dr Frank Gregg), Rebecca Rowe (representing iStage – Theatre on Ice Figure Skating Team), Francisco Valencia and Mark Kirland (representing AMP Capital Shopping Centres) addressed the meeting in relation to this Item.

Note: A document from AMP Capital outlining the community engagement to take place on the Macquarie Centre Redevelopment was tabled in relation to this Item and a copy is ON FILE.

Note: Documentation from Monica MacDonald (representing Macquarie Ice Rink) was tabled in relation to this Item and a copy is ON FILE.

Note: A document from a resident Alana Wulff was tabled by Councillor Lane in relation to this Item and a copy is ON FILE.

MOTION: (Moved by Councillors Lane and Brown)

That Council:

- (a) Recognise the strong community opposition to the imminent closure of the Macquarie Ice Rink;
- (b) Express its opposition to the closure of the Macquarie Ice Rink;
- (c) Facilitate urgent mediation between AMP Capital and the existing tenants of the Macquarie Ice Rink to guarantee the retention of this important community facility or one of equivalent Olympic size and features by arranging meetings with the current tenants of the Macquarie Ice Rink;
- (d) Engage a person with appropriate heritage knowledge, skills and experience to investigate whether the Macquarie Ice Rink is of heritage importance and to subsequently prepare a preliminary heritage assessment report with respect to this matter and a report be submitted back to Council with a view to seek an interim heritage order if the report finds grounds of heritage importance.
- (e) Recognise the challenges of opening public consultation during the January 2019 holiday period, when many families are away from Sydney, and extend the public consultation period until 1 March 2019.

AMENDMENT: (Moved by Councillors Purcell and Clifton)

That Council:

- (a) Recognise the strong community opposition to the imminent closure of the Macquarie Ice Rink;
- (b) Express its opposition to the closure of the Macquarie Ice Rink;
- (c) Facilitate urgent mediation between AMP Capital and the existing tenants of the Macquarie Ice Rink to guarantee the retention of this important community facility or one of equivalent Olympic size and features in stage 1, by arranging meetings with the current tenants of the Macquarie Ice Rink;
- (d) Engage a person with appropriate heritage knowledge, skills and experience to investigate whether the Macquarie Ice Rink is of heritage importance and to subsequently prepare a preliminary heritage assessment report with respect to this matter and a report be submitted back to Council with a view to seek an interim heritage order if the report finds grounds of heritage importance.
- (e) Recognise the challenges of opening public consultation during the January 2019 holiday period, when many families are away from Sydney, and extend the public consultation period until 1 March 2019.

- (f) Place a copy of the Ice Rink's public change.org Macquarie ice rink petition on its website, and paper copies in all public facing council facilities.
- (g) Given that Ryde's local member, The Honourable Victor Dominello MP, failed to prevent the unwanted rezoning of Herring Road (Priority Precinct) in 2014 and his government's planning panel approval of AMPC's concept development application in 2016, that this Council call upon Premier Gladys Berejiklian to urgently intervene to save Macquarie Ice Rink.
- (h) That the General Manager formally notify AMP Capital that Council's official position is for an Olympic sized ice rink to be retained in any stage 1 redevelopment of the Macquarie Shopping Centre.

On being put to the Meeting, the voting on the Amendment was seven (7) votes for and four (4) against. The Amendment was **CARRIED** and then became the Motion.

Record of Voting:

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

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

MOTION: (Moved by Councillors Purcell and Clifton)

That Council:

- (a) Recognise the strong community opposition to the imminent closure of the Macquarie Ice Rink;
- (b) Express its opposition to the closure of the Macquarie Ice Rink;
- (c) Facilitate urgent mediation between AMP Capital and the existing tenants of the Macquarie Ice Rink to guarantee the retention of this important community facility or one of equivalent Olympic size and features in stage 1, by arranging meetings with the current tenants of the Macquarie Ice Rink;
- (d) Engage a person with appropriate heritage knowledge, skills and experience to investigate whether the Macquarie Ice Rink is of heritage importance and to subsequently prepare a preliminary heritage assessment report with respect to this matter and a report be submitted back to Council with a view to seek an interim heritage order if the report finds grounds of heritage importance.

- (e) Recognise the challenges of opening public consultation during the January 2019 holiday period, when many families are away from Sydney, and extend the public consultation period until 1 March 2019.
- (f) Place a copy of the Ice Rink's public change.org Macquarie ice rink petition on its website, and paper copies in all public facing council facilities.
- (g) Given that Ryde's local member, The Honourable Victor Dominello MP, failed to prevent the unwanted rezoning of Herring Road (Priority Precinct) in 2014 and his government's planning panel approval of AMPC's concept development application in 2016, that this Council call upon Premier Gladys Berejiklian to urgently intervene to save Macquarie Ice Rink.
- (h) That the General Manager formally notify AMP Capital that Council's official position is for an Olympic sized ice rink to be retained in any stage 1 redevelopment of the Macquarie Shopping Centre.

MOTION: (Moved by Councillors Lane and Yedelian OAM)

That the Motion be dealt with in Seriatim.

On being put to the Meeting, the voting on the Motion was four (4) votes for and seven (7) against. The Motion was **LOST**.

Record of Voting:

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

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

RESOLUTION: (Moved by Councillors Purcell and Clifton)

That Council:

- (a) Recognise the strong community opposition to the imminent closure of the Macquarie Ice Rink;
- (b) Express its opposition to the closure of the Macquarie Ice Rink;
- (c) Facilitate urgent mediation between AMP Capital and the existing tenants of the Macquarie Ice Rink to guarantee the retention of this important community facility or one of equivalent Olympic size and features in stage 1, by arranging meetings with the current tenants of the Macquarie Ice Rink;

- (d) Engage a person with appropriate heritage knowledge, skills and experience to investigate whether the Macquarie Ice Rink is of heritage importance and to subsequently prepare a preliminary heritage assessment report with respect to this matter and a report be submitted back to Council with a view to seek an interim heritage order if the report finds grounds of heritage importance.
- (e) Recognise the challenges of opening public consultation during the January 2019 holiday period, when many families are away from Sydney, and extend the public consultation period until 1 March 2019.
- (f) Place a copy of the Ice Rink's public change.org Macquarie ice rink petition on its website, and paper copies in all public facing council facilities.
- (g) Given that Ryde's local member, The Honourable Victor Dominello MP, failed to prevent the unwanted rezoning of Herring Road (Priority Precinct) in 2014 and his government's planning panel approval of AMPC's concept development application in 2016, that this Council call upon Premier Gladys Berejiklian to urgently intervene to save Macquarie Ice Rink.
- (h) That the General Manager formally notify AMP Capital that Council's official position is for an Olympic sized ice rink to be retained in any stage 1 redevelopment of the Macquarie Shopping Centre.

Record of Voting:

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

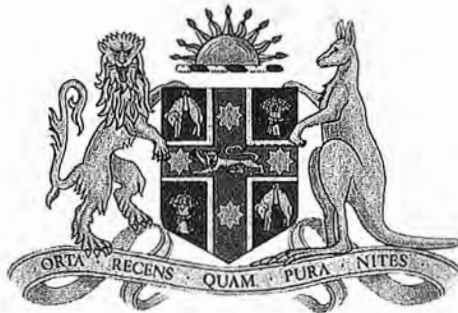
Against the Motion: Councillor Yedelian OAM

The meeting closed at 11.06pm.

CONFIRMED THIS 26TH DAY OF FEBRUARY 2019

Chairperson

**Attachment 2 - Interim Heritage Order No.147 Government Gazette No.10 Monday 4
February 2019**



Government Gazette

of the State of

New South Wales

Number 10

— Monday, 4 February 2019 —

The New South Wales Government Gazette is the permanent public record of official NSW Government notices. It also contains local council, private and other notices.

From 1 January 2019, each notice in the Government Gazette has a unique identifier that appears in round brackets at the end of the notice and that can be used as a reference for that notice (for example, (n2019-14)).

The Gazette is compiled by the Parliamentary Counsel's Office and published on the NSW legislation website (www.legislation.nsw.gov.au) under the authority of the NSW Government. The website contains a permanent archive of past Gazettes.

To submit a notice for gazettal – see Gazette Information.

GOVERNMENT NOTICES
Planning and Environment Notices

HERITAGE ACT 1977

INTERIM HERITAGE ORDER NO. 147

Macquarie Ice Rink

In pursuance of Section 24 of the *Heritage Act 1977* (NSW), I, the Minister for Heritage, do, by this my order:

- (i) make an interim heritage order in respect of the item of the environmental heritage specified or described in Schedule 'A'; and
- (ii) declare that the interim heritage order shall apply to the curtilage or site of such item, being the land described in Schedule 'B'.

The Hon Gabrielle Upton MP
Minister for Heritage

Sydney, 1 Day of February 2019

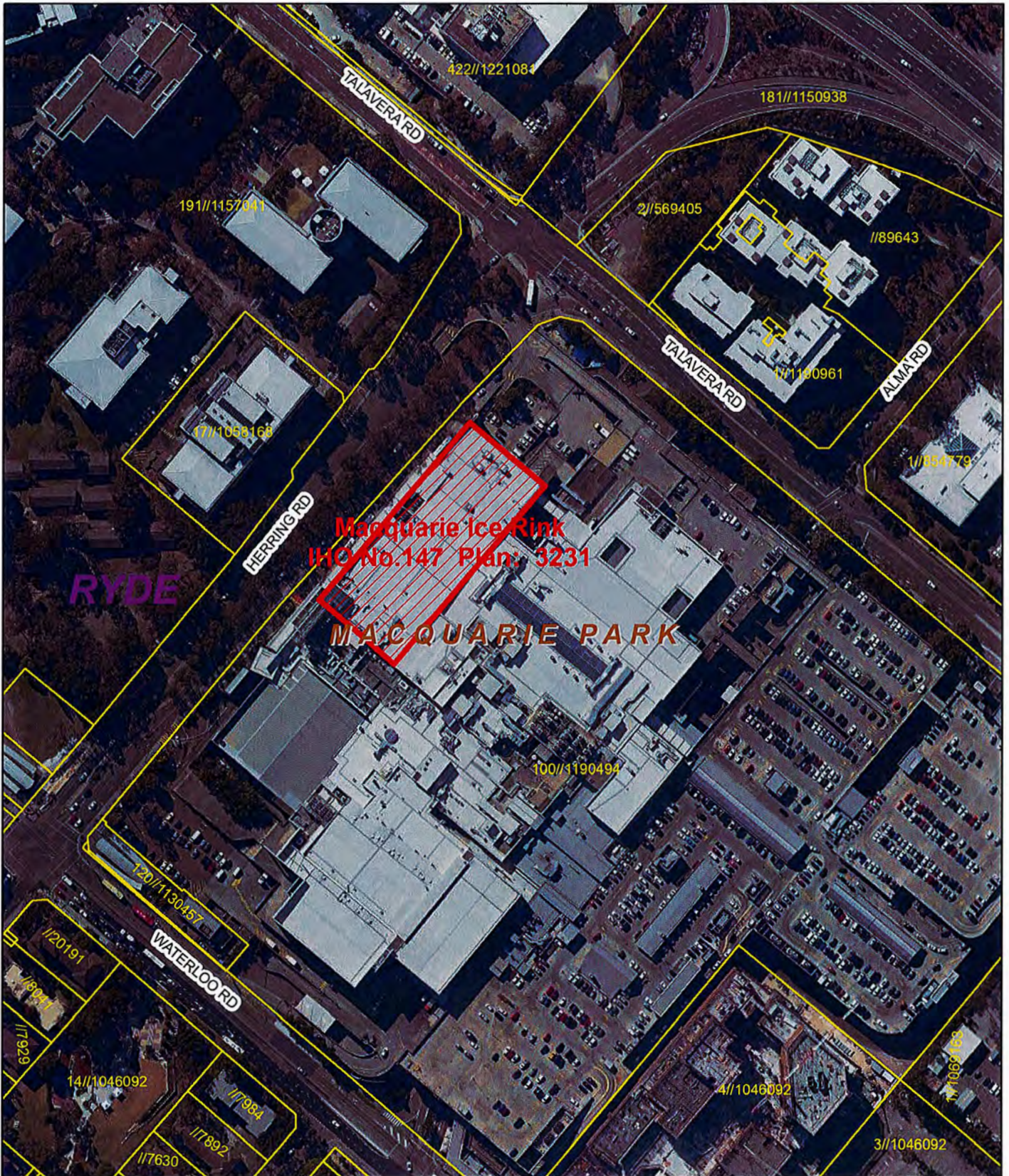
SCHEDULE "A"

The property known as Macquarie Ice Rink, situated on the land described in Schedule "B".

SCHEDULE "B"

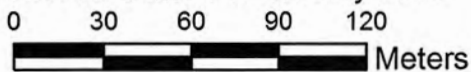
All those pieces or parcels of land known as Part Lot 1 DP 1190494 in Parish of Hunters Hill, County of Cumberland shown on the plan catalogued HC 3231 in the office of the Heritage Council of New South Wales.

(n2019-275)



**Interim Heritage Order
Macquarie Ice Rink. Plan no:3231**

Gazettal Date: 04 February 2019



Scale: 1:2,500

Datum/Projection: GCS GDA 1994

Date: 6/02/2019



Legend

-  IHO Curtilage
-  Land Parcels
-  LGAs
-  Suburbs

Attachment 3 - GML Heritage Consultants “Macquarie Ice Rink Heritage Assessment” dated September 2019

Macquarie Ice Rink

Heritage Assessment

Prepared for City of Ryde Council

September 2019



Sydney Office Level 6 372 Elizabeth Street Surry Hills NSW Australia 2010 T +61 2 9319 4811

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GML Heritage Pty Ltd ABN 60 001 179 362

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Report Register



The following report register documents the development and issue of the report entitled Macquarie Ice Rink—Heritage Assessment, undertaken by GML Heritage Pty Ltd in accordance with its quality management system.

Job No.	Issue No.	Notes/Description	Issue Date
19-0125	1	Draft Report	18 July 2019
19-0125	2	Final Report	13 September 2019

Quality Assurance

GML Heritage Pty Ltd operates under a quality management system which has been certified as complying with the Australian/New Zealand Standard for quality management systems AS/NZS ISO 9001:2016.

The report has been reviewed and approved for issue in accordance with the GML quality assurance policy and procedures.

Project Manager:	Isabelle Rowlatt	Project Director & Reviewer:	Lisa Trueman
Issue No.	2	Issue No.	2
Signature		Signature	
Position:	Heritage Consultant	Position:	Associate
Date:	13 September 2019	Date:	13 September 2019

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GML Heritage

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1.0 Introduction

1.1 Background

GML Heritage Pty Ltd (GML) has been commissioned by City of Ryde Council (Council) to provide a heritage assessment of the Macquarie Ice Rink in order to determine if it reaches the threshold for listing as a heritage item within the *Ryde Local Environmental Plan 2014* (RLEP; Ryde LEP).

The Macquarie Ice Rink is located on Level 1 of the Macquarie Centre, 197–223 Herring Road, Macquarie Park. The ice rink was constructed as part of the original design for the Macquarie Centre, which opened in 1981. The ice rink has operated at this location since its construction.

Council received a development application (LDA2018/0498) in December 2018 from AMP Capital for Stage 1 of the redevelopment of the Macquarie Centre, which involved the demolition of the ice rink and construction of a new four-storey platform for retail premises, two basement levels, two additional levels of parking, and creation of a Station Plaza to link to the nearby railway station.

The proposal to demolish the ice rink resulted in significant backlash from the Ryde local community and beyond. In response, AMP Capital placed the development application on hold. An Interim Heritage Order (IHO) (IHO No. 147) was imposed on the property by the NSW Minister for Heritage on 4 February 2019. The IHO is attached to this report at Appendix B.

The NSW Heritage Office is currently assessing the site's potential state significance. This report considers the significance of the ice rink at the local and state level.

1.2 Identification of Study Area

The subject site is located on Level 1 of the Macquarie Centre, which is in Macquarie Park and is bounded by Talavera, Waterloo and Herring roads. The site is zoned B4—Mixed Use.

The location of the site is identified in Figures 1.1 and 1.2.

1.3 Heritage Context

The site is not currently listed as a heritage item, nor is it within a heritage conservation area.

Nearby listed heritage items are identified in the following table.

Table 1.1 Heritage Items in the Vicinity of the Subject Site.

Item Name	Address	Significance	Listing
Macquarie University (ruins)	73 Talavera Road, Macquarie Park	Local	<i>Ryde Local Environmental Plan 2014</i>

1.4 Limitations

The background research for this report has been limited to a desktop analysis of available information only. No additional primary or archival research has been included in the scope of this assessment.

1.5 Methodology

This assessment has been undertaken in accordance with the NSW Office of Environment and Heritage publication *Assessing Heritage Significance*. It is also consistent with the relevant principles and guidelines of the *Australia ICOMOS Burra Charter, 2013* (the Burra Charter).

1.6 Authorship

This report has been prepared by Isabelle Rowlatt (Heritage Consultant) and Lisa Trueman (Associate). Minna Muhlen-Schulte (Senior Heritage Consultant, Historian) provided the background historical analysis.

1.7 Terminology

The terminology used in this report is consistent with the *NSW Heritage Manual*, prepared by the Heritage Office (now Heritage Division), and the Burra Charter.

Place means site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views.

Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. Places may have a range of values for different individuals or groups.

Fabric means all the physical material of the place including components, fixtures, contents, and objects.

Conservation means all the processes of looking after a place so to retain its cultural significance.

Maintenance means the continuous protective care of the fabric and setting of a place, and is to be distinguished from repair. Repair involves restoration or reconstruction.

Preservation means maintaining the fabric of a place in its existing state and retarding deterioration.

Restoration means returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.

Reconstruction means returning the place to a known earlier state and is distinguished from restoration by the introduction of new material into the fabric.

Adaptation means modifying a place to suit the existing use or a proposed use.

Use means the functions of a place, as well as the activities and practices that may occur at the place.

Compatible use means a use which respects the cultural significance of a place. Such a use involves no, or minimal, impact on cultural significance.

Curtilage is defined as the area of land surrounding an item that is required to retain its heritage significance. The nature and extent of the curtilage will vary and can include but is not limited to lot boundaries and visual catchments.

Setting means the area around a place, which may include the visual catchment.

Related place means a place that contributes to the cultural significance of another place.

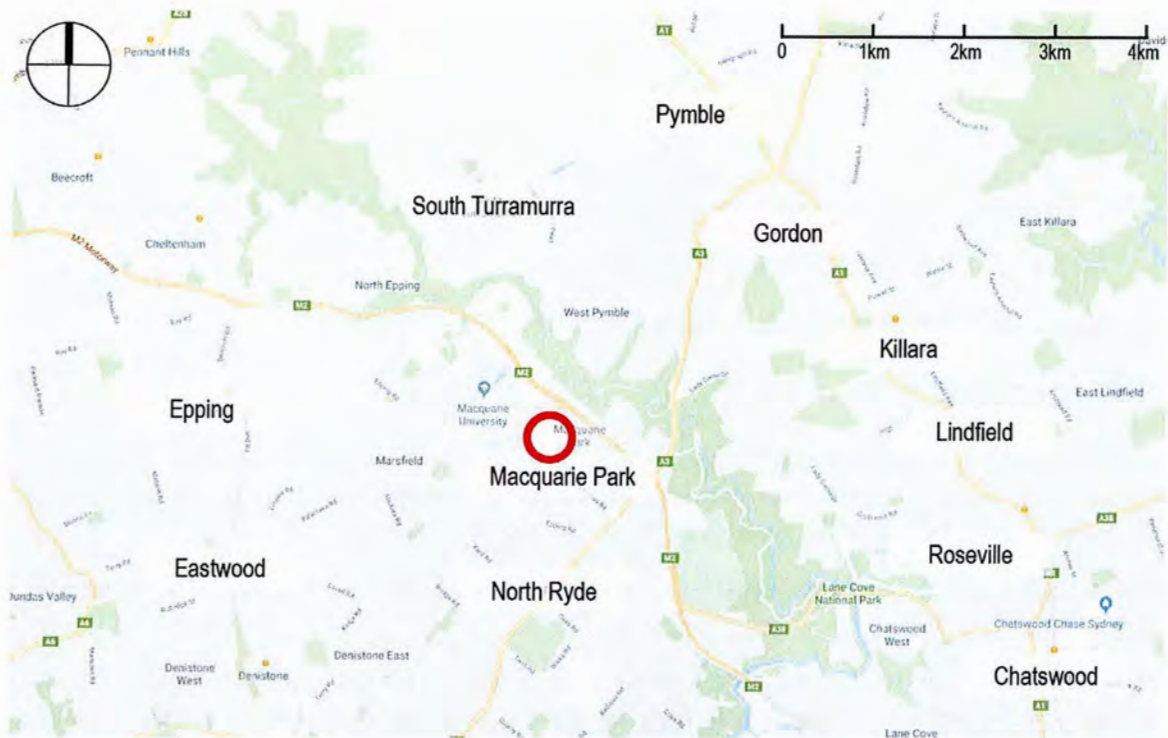


Figure 1.1 Map showing the location of the Macquarie Centre, Macquarie Park. (Source: Google Maps with GML overlay, 2019)



Figure 1.2 Location plan with the Macquarie Ice Rink circled in red and the shopping centre outlined in orange. (Source: SIX Maps with GML overlay, 2019)

2.0 Statutory Context

2.1 Introduction

In NSW, items of heritage significance are afforded statutory protection under the following Acts:

- *Heritage Act 1977* (NSW) (Heritage Act); and
- *Environmental Planning and Assessment Act 1979* (NSW) (EPA Act).

2.2 Heritage Act 1977

The Heritage Act is a statutory tool designed to conserve NSW's environmental heritage. It is used to regulate the impacts of development on the state's heritage assets. The Heritage Act describes a heritage item as 'a place, building, work, relic, moveable object or precinct'.

The subject site is not listed on the State Heritage Register (SHR). There are no items listed on the SHR in the vicinity.

Part 3 of the Heritage Act allows the Minister to make an interim heritage order on a place that the Minister considers may, on further investigation, be found to be of state or local heritage significance. The NSW Minister for Heritage imposed an IHO on Macquarie Ice Rink on 4 February 2019 (IHO No. 147). The IHO is attached to this report at Appendix C.

2.3 Environmental Planning and Assessment Act 1979

The EPA Act is administered by the NSW Department of Planning and Environment and provides for environmental planning instruments to be made to guide the process of development and land use. The EPA Act also provides for the protection of local heritage items and conservation areas through listing on Local Environmental Plans (LEPs) and State Environmental Planning Policies (SEPPs) which provide local councils with the framework required to make planning decisions.

2.3.1 Ryde Local Environmental Plan 2014

Ryde LEP is the principal environmental planning instrument applying to the land. Schedule 5 of the Ryde LEP identifies heritage items and heritage conservation areas. The objectives of Clause 5.10 are as follows:

- (a) *to conserve the environmental heritage of Ryde,*
- (b) *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) *to conserve archaeological sites,*
- (d) *to conserve Aboriginal objects and Aboriginal places of heritage significance.*

The subject site is not currently listed as a heritage item, nor is it within a heritage conservation area, within the Ryde LEP.

3.0 Historical Overview

3.1 Introduction

This history provides an overview of the development of the Macquarie Centre Ice Rink. This history does not cover the Aboriginal occupation of Ryde but acknowledges the Wallumedegal people who have lived in the area for hundreds of generations.

3.2 Macquarie Centre

In 1968, Grace Bros bought 16 acres of land at North Ryde with plans to build a multimillion-dollar centre. David Jones had also developed preliminary plans for a shopping centre, but Grace Bros prevailed, appealing planning decisions at Ryde Municipal Council until approval was granted in 1969. However, a slowed economy stalled progress until an amended development application was approved at the end of 1978.

The design sought to incorporate new philosophies of natural light, interior greenery and extensive leisure and recreation facilities into one centre. The three-level spiral ramp made it one of the longest malls in the world which, while broadening accessibility for users, also confused many consumers when navigating the space.¹ However, the intent of the project architects Whitehead and Payne was to develop an interior that was 'humanised and intimate in scale.'² An estimated 4,500 plants from 40 different species were used throughout the centre and to soften the concrete exterior.

In 1979, the AMP Society became the major shareholder and financed the majority of the \$80 million required for the construction of the complex. In November 1981, the Centre was officially opened by NSW Premier Neville Wran via satellite link from Japan. Facilities included 130 shops and services such as a post office and a medical centre, and although other recreational facilities had not passed through the development stage, the Olympic-sized ice skating rink was approved and constructed.

3.3 Macquarie Ice Rink

3.3.1 Construction of the Rink

At the time the Macquarie Centre was built, the ice rink feature was unique to shopping centres in Australia. The inclusion of this leisure facility was part of a trend of commercial shopping redevelopments in the 1980s to diversify the consumer experience and encourage people to linger in centres longer during their shopping visit. Measuring 60 by 30.5 metres with seating for 1,200 people, it was initially planned to operate for 24 hours a day. The opening times were reduced but it still operated seven days a week, becoming a chief attraction in the marketing of the Macquarie Centre. Touring guest appearances from the Canadian Ice Hockey Team and the Australian Speed Skating Team as well as hosting of the NSW Professional Figure Skating Championships bolstered its appeal.

Despite some early artificial ice rinks appearing in Adelaide, Melbourne and Sydney (all coincidentally called Glaciariums) during the first part of the twentieth century, and subsequent ice parks and rinks built mid-century, there are no surviving examples of ice rinks in Australia built prior to the 1970s. The Canterbury Olympic Ice Rink, opened in 1971, is the longest-running ice rink in Australia.³

3.3.2 Social History

The Macquarie Ice Rink quickly became part of the social experience of visiting the Macquarie Centre. People from throughout Sydney and NSW brought their children to skate or have lessons; schools used the rink for excursions as did students from the neighbouring Macquarie University. Many Sydneysiders learnt to skate at the rink and as a social venue it became especially popular with teenagers, one of whom, Kate, remembers:

... The opening of the Macquarie Centre. It was important for teenage girls to visit the centre in its first month (it was kind of rite of passage at my high school). It was the first major shopping centre I visited without my parents. Because the public transport links to the centre were good, I went regularly after school with a friend: we would window shop and ice skate.⁴

Skating at the rink was a popular pastime, especially with teenagers and older children who could easily visit the shopping centre after school. School holidays saw particularly high patronage, and the rink would often have to turn away people who hadn't brought their own skates as there were no more rental skates available. One former Ryde resident, Katie, remembers that she 'started skating at Macquarie Ice Rink when I was 8 years old ... until I was about 25. I literally grew up at the ice rink.' This is echoed by Kayla, who also grew up at the rink 'as part of the Friday night regulars'.⁵

Over its 40-year lifespan, the rink has also been used for a training ground for figure skaters and Olympians such as gold medallist Steven Bradbury, who trained there as a child and won his first national championship there in 1983, describing the experience as 'one of the highlights of my skating career'.⁸ The rink is also the only venue outside of the northern hemisphere to have hosted a senior World Championship in a skating discipline.⁹

It is the home ground rink for the Australian Ice Hockey League (AIHL), the Sydney Bears and Sydney Ice Dogs. Josie Jerome, secretary of the Sydney Bears Ice Hockey Club, couldn't face telling her sons their dreams of playing hockey for Australia would never come true, as the closure would 'realistically have meant the end of their hockey, which would have pretty much meant the end of the world to them'.

Several Olympic hopefuls have relocated to the Ryde area in order to have better access to the rink and train in preparation for the 2022 Olympic Games.¹⁰ Andrew Dodds, an ice dance competitor, moved to the Ryde area for the opportunities available at the rink. He said of the potential closure: 'Everyone in the skating community around Australia has been a part of this rink at some point, it is a part of all of us, and we are all feeling it today.'

In addition to the Macquarie Ice Rink's own learn to skate programs, a number of skating schools and clubs use the Macquarie Ice Rink as their training base. These include the Sydney Speed Skating Club, one of only two speed skating clubs in NSW; the Sydney Bears Hockey School; iStage Sydney Ice Dancing School; and the Macquarie Ice Skating Club. The ice rink hosts prominent events in the skating community throughout the year, including the Sydney Synch Festival and the Australian Figure Skating Championships.

Local attachment to the rink has been further highlighted in newspaper coverage of its potential closure in 2018. The Member for Ryde and NSW Customer Service Minister Victor Dominello said, 'Growing up in Ryde, I spent many weekends and evenings ice skating with friends and family.'¹¹ The founding secretary of the Macquarie Ice Skating Club, Margaret Coe, posted to the 'Save Macquarie Ice Rink' Facebook page that there are people who are still skating there who had started when the rink opened.¹²

3.3.3 Current Development Pressures

In 2015, the NSW State Government changed the zoning requirements of the area where the Macquarie Centre is located as part of the Macquarie University Priority Precinct. As a result, the permissible building heights at the Macquarie Centre increased from 10 storeys to 65 metres, 90 metres and 120 metres. The permissible building height over the ice rink is now 120 metres. The following year the Ryde LEP was updated to align with these changes.

The Ryde DCP 2014 Part 4.5: Macquarie Park includes controls requiring a station plaza east of Macquarie University Station to enhance commuter experience and create a new outdoor meeting place. The plaza is required to have minimum dimensions of 80 metres by 80 metres.¹³ A concept plan for redevelopment of the Macquarie Centre, including the station plaza and the provision of four new towers, was recommended for approval by the Joint Regional Planning Panel on 10 November 2016 (LDA2015/0655). This concept plan included the demolition of the ice rink in order to facilitate the development of the station plaza, and included development of a 37 storey tower at this location with a retail and outdoor dining precinct. In 2016, Council entered into a Voluntary Planning Agreement (VPA) with owners of the Macquarie Centre, AMP Capital, to build a library and creative hub as part of the redevelopment of the site.

In December 2018, Council received a development application (LDA2018/0498) for the demolition of part of the Macquarie Centre (including the ice rink) and redevelopment of the station plaza (Figure 3.13), and were strongly opposed by the Ryde community. The proposed closure was the subject of national news coverage, and a petition to save the ice rink gathered 31,213 signatures by February. In addition to this, the state member for Ryde, Victor Dominello, sought an IHO on the property which was imposed by the Minister on 4 February 2019 after significant lobbying by the community. In response to the public response to the closure of the Ice Rink, AMP requested that the development application be put on hold on 18 January 2019.

The opposition to the proposed demolition highlights the significance of the ice rink not only to the local Ryde community, but to the wider region. An Extraordinary Meeting of City of Ryde Council held on 29 January 2019 saw attendees fill the council chambers to capacity and out the door. Speakers in support of the Macquarie Ice Rink included representatives from the Sydney Bears Ice Hockey Club, Sydney Ice Dogs, Macquarie Dominoes Synchronised Skating Team, and the NSW Ice Skating Association, who together highlighted the importance of having an Olympic-sized facility catering to competitors at an elite level as well as junior players.¹⁴ Following the news that AMP was withdrawing its application, community responses were wholeheartedly relieved, with many public comments of support for the ice rink and the 'really wonderful news for all those who use the rink and who will use the rink in the future'.¹⁵

¹³ LDA2015/0655



Figure 3.1 Macquarie Centre under construction, March 1981. (Source: Coles Myer Archive, Macquarie Centre newsletter, Vol. 1, No. 1, State Library Victoria)

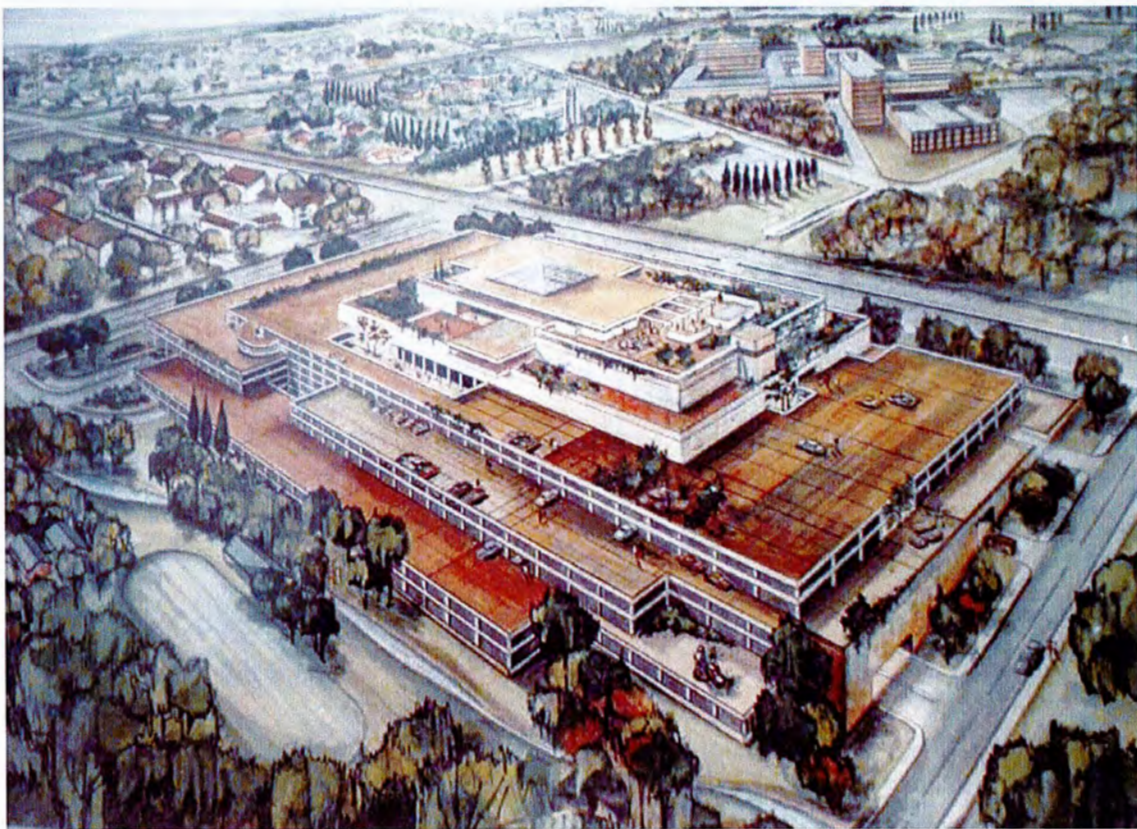


Figure 3.2 Architect's depiction of Macquarie Centre, 1980. (Source: Coles Myer Archive, MS13468, State Library Victoria)



Figure 3.3 Macquarie Ice Rink, 1983. The viewing area from the food court can be seen on the far wall at left. (Source: Photograph by Adrian Greer for *Sydney Morning Herald*)



Figure 3.4 Ice dancers in the Christmas concert at Macquarie Ice Rink. This photograph was undated but likely taken in the 1980s or early 1990s. (Source: Margaret Coe, 'Save the Macquarie Ice Rink' Facebook page, 24 January 2019)



Figure 3.5 The Estonian Dance Troupe performing in the Folkloric Festival, c1980s. (Source: Margaret Coe, 'Save the Macquarie Ice Rink' Facebook page, 24 January 2019)



Figure 3.6 A women's skating team, c1985. (Source: Hayley Smith, 'Save the Macquarie Ice Rink' Facebook page, 30 January 2019)



Figure 3.7 Social skaters at the Macquarie Ice Rink, c1985. (Source: Hayley Smith, 'Save the Macquarie Ice Rink' Facebook page, 30 January 2019)



Figure 3.8 Olympic gold medallist Steven Bradbury at Macquarie Ice Rink, 1991. (Source: *Sydney Morning Herald*)



Figure 3.9 Steven Bradbury (left) on the podium at Macquarie Ice Rink, 1991. (Source: *Sydney Morning Herald*)



Figure 3.10 Children learning to skate at the Macquarie Ice Rink. (Source: Brooke Mitchell for *Sydney Morning Herald*, 2 February 2019)



Figure 3.11 Members of iStage Sydney, an ice dancing troupe who use the Macquarie Ice Rink to train. (Source: Jordan Shields for *Northern District Times*, 6 February 2019)



Figure 3.12 Members of the Sydney Bears Ice Hockey Club gathered at the Macquarie Ice Rink. (Source: Sydney Bears, 2019)

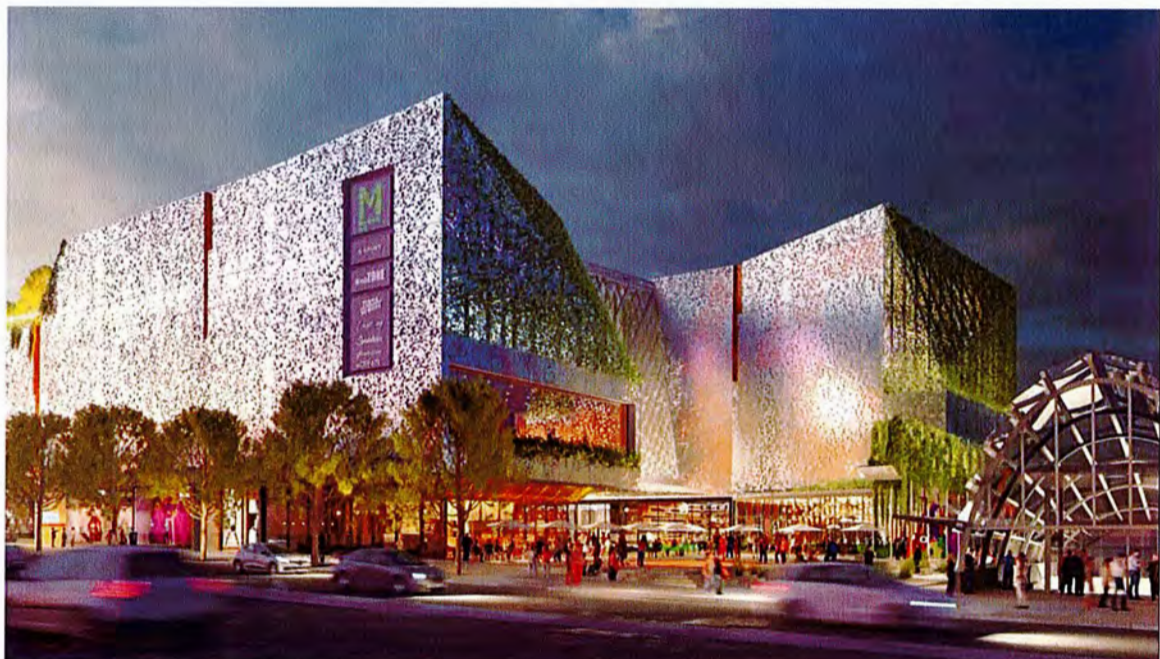


Figure 3.13 An artist's impression of the proposed redevelopment of the Macquarie Centre, showing the entrance to Macquarie University Station at the far right and the outdoor plaza at centre (the current location of the ice rink). (Source: AMP Capital)

3.4 Endnotes

- ¹ Bailey, M 2011, 'Bringing the "city to the suburbs": regional shopping centre development in Sydney 1957 – 1994', Thesis (PhD) Macquarie University, p 171.
- ² Bailey, M 2011, 'Bringing the "city to the suburbs": regional shopping centre development in Sydney 1957 – 1994', Thesis (PhD) Macquarie University, p 167.
- ³ Askew, C, 'History of Ice Rinks and Ice Skating in Australia', *History Matters*, Blogsite for the Department of History at the University of Sydney, viewed 18 June 2019 <http://blogs.usyd.edu.au/historymatters/2016/11/history_of_ice_rinks_and_ice_s.html>.
- ⁴ Bailey, M 2011, 'Bringing the "city to the suburbs": regional shopping centre development in Sydney 1957 – 1994', Thesis (PhD) Macquarie University, p 176.
- ⁵ Kellett, K, public comment on 'Save the Macquarie Ice Rink' Facebook page, 29 January 2019.
- ⁸ Keoghan, S, "Just devastating": Olympic dreams shattered by Macquarie Ice Rink demolition', *Sydney Morning Herald*, 17 January 2019, viewed 15 July 2019 <<https://www.smh.com.au/national/nsw/i-stood-on-the-rink-and-cried-olympic-dream-shattered-by-macquarie-ice-rink-demolition-20190117-p50rvr.html>>.
- ⁹ Morgan, D, 'Speed Skating—A Background', Ice Racing NSW, viewed 15 July 2019 <http://www.iceracingsw.org.au/pdfs/History_of_Speed_Skating_DM.pdf>.
- ¹⁰ Keoghan, S, "Just devastating": Olympic dreams shattered by Macquarie Ice Rink demolition', *Sydney Morning Herald*, 17 January 2019, viewed 15 July 2019 <<https://www.smh.com.au/national/nsw/i-stood-on-the-rink-and-cried-olympic-dream-shattered-by-macquarie-ice-rink-demolition-20190117-p50rvr.html>>.
- ¹¹ Clun, R, 'Petitions launched as Macquarie Ice Rink faces demolition', *Sydney Morning Herald*, 17 January 2019, viewed 18 June 2019 <<https://www.smh.com.au/national/nsw/petitions-launched-as-macquarie-ice-rink-faces-demolition-20190117-p50ru5.html>>.
- ¹² Coe, M, public comment on 'Save the Macquarie Ice Rink' Facebook page, 30 January 2019.
- ¹³ Ryde Development Control Plan 2014 Part 4.5: Macquarie Park Corridor, p 35, viewed 4 September 2019 <<https://www.ryde.nsw.gov.au/files/assets/public/development/dcp/dcp-2014-4.5-macquarie-park-corridor.pdf>>
- ¹⁴ City of Ryde, Minutes of Extraordinary Council Meeting, 29 January 2019, viewed 5 July 2019 <<https://www.ryde.nsw.gov.au/Council/Agendas-and-Minutes/Council/Extraordinary-Council-Meeting-29-January-2019>>.
- ¹⁵ Taylor, M, 'People power prevails in rink fight', *Northern District Times*, 6 February 2019, pp 8–10, viewed 15 July 2019 <<http://newslocal.smedia.com.au/northern-district-times/>>.

4.0 Site Analysis

4.1 Local Context

The subject site is located within the Macquarie Centre in Macquarie Park, bounded by Waterloo Road, Herring Road and Talavera Road. It is approximately 15 kilometres northwest of the Sydney CBD. Macquarie Park is a predominantly commercial area, with a number of corporate business precincts. It is a small suburb defined by the park-like campus of Macquarie University in the northwest, and the Macquarie Park Cemetery and Crematorium in the southeast.

4.2 Macquarie Ice Rink

The ice rink is located on Level 1 of the Macquarie Centre. The Macquarie Centre is a shopping complex with four levels and includes major department stores, a cinema, fitness centres, grocery stores, and over 100 other speciality shops. There are up to 5000 parking spaces available at the centre spread across a number of levels. Nearby stores include Macquarie Medical Imaging, Macquarie Health Professionals, and a range of health insurance shopfronts.

The ice rink's foyer is accessed via a set of stairs leading up from a public walkway and has a carpeted floor, ticketing desk, a waiting area, and windows providing a view of the rink. There is a café located next to the foyer.

The ice rink is located in a double-height space with painted masonry walls and a concrete floor. It measures 60 metres by 30.5 metres and is encircled by a solid barrier with gates to provide access to the ice. There is a full height multi-paned window on the southwestern wall, looking out onto a garden with Waterloo Road beyond. The room is lit by spotlights arranged on the panelled ceiling, where there is also a mirrored ball for events.

The rink has capacity for 1225 spectators. There is tiered seating on both sides of the ice rink, with a long mezzanine with a glass balustrade along the northwestern wall accessed by stairs next to the foyer. The space below the mezzanine is enclosed and houses the shoe-hire desk, male and female toilets, and storage/services. At the southern end of the mezzanine is a raised platform with a large television screen, audio equipment and additional seating.

The ice rink can be viewed from the food court on Level 2 of the Macquarie Centre, which provides a full-height glazed wall overlooking the rink.

During the school term, the ice rink is visited by approximately 3,500 patrons per week. In school holidays, visitation rises to around 6,500–7,000 per week.

The ice rink was upgraded in 2017, including a refurbishment of the rink and laying of new ice.

4.2.1 Photographs of the Macquarie Ice Rink

The following photographs were taken by GML on 3 May 2019.



Figure 4.1 View of the ice rink from the foyer, looking towards tiered seating at the side of the rink.



Figure 4.2 View of the ice rink from the foyer, towards Waterloo Road.

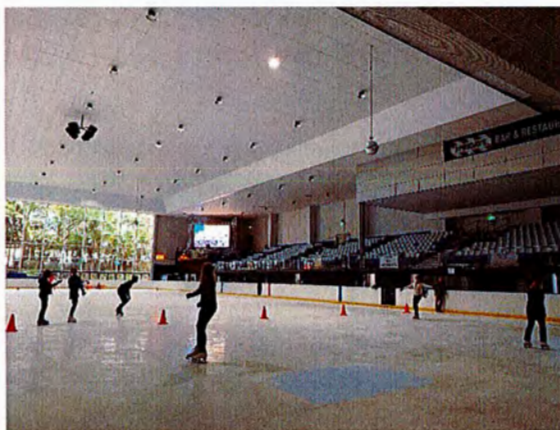


Figure 4.3 View of the ice rink looking towards the mezzanine.



Figure 4.4 View of the entrance foyer and ticketing desk.



Figure 4.5 The kiosk adjacent to the ticketing desk.



Figure 4.6 The skating shoe-hire desk with mezzanine above.



Figure 4.7 Foot measurement guide located next to the stairs to the mezzanine level.



Figure 4.8 View from the spectator seating area over the ice rink. Note the food court viewing area at the rear, on Level 1 of the shopping centre.

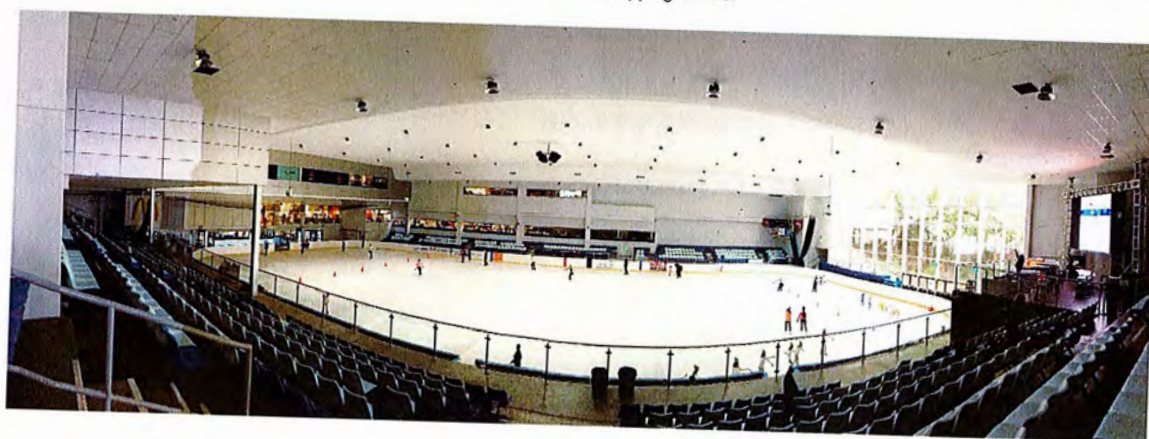


Figure 4.9 Panoramic image of the ice rink, as viewed from the top of the mezzanine. (Source: City of Ryde, 2019)

5.0 Assessment of Significance

5.1 Comparative Analysis

The initial desktop review of currently available information regarding the heritage values of the subject site found limited material able to inform a comparative assessment. In this context, this comparative assessment has sought to identify criteria relevant to assessing the heritage significance of the subject site relative to:

- other ice skating rinks in the Sydney area; and
- built heritage places within the Ryde LGA and Sydney with heritage significance linked to their use as a recreational or sporting facility.

5.1.1 Ice Rinks in Sydney

The Macquarie Ice Rink is one of four Olympic-sized ice rinks (60 metres x 30 metres) in the greater Sydney area. Others include:

- Canterbury Olympic Ice Rink, Canterbury (opened 1971);
- Liverpool Catholic Club Ice Rink, Liverpool (opened 1979); and
- Penrith Ice Palace, Penrith (opened 2000).

Other Olympic-sized ice rinks in NSW include the Hunter Ice Skating Stadium, Warners Bay (2000), and the Erina Ice Arena, Erina (2003).

None of the above ice rinks, or indeed any ice rinks in NSW, have been assessed as having cultural heritage significance and are not included on the State Heritage Inventory.

5.1.2 Heritage-listed Recreational Facilities

A search of the State Heritage Inventory was undertaken to identify sporting and recreational community facilities listed on Schedule 5 of the Ryde LEP. The search was filtered by the following criteria:

- Local Government Area: Ryde;
- Item Type: Built; and
- Item Group: Recreation and Entertainment.

The search found one result: the Eastwood Park Grandstand, an item of local significance (I163). The State Heritage Inventory provides a statement of significance for the place as follows:

The Eastwood Park Grandstand is of aesthetic and historical significance as a highly intact 1933 architect-designed grandstand of high quality.

The search was then widened to identify heritage items across the greater Sydney area. The following comparable recreational sporting facilities with social value to the community were identified.

Luna Park Precinct	
Address	Milsons Point
Date	1935–ongoing
Significance	State
Listing(s)	State Heritage Register (SHR 01811) North Sydney Local Environmental Plan 2012 (I0536)
Statement of Significance	<p><i>The site now known as Luna Park Precinct is historically significant as the site of the first regular ferry transport between Sydney and the North Shore, and later the busiest ferry wharf on the Harbour, with the exception of Circular Quay. The Milsons Point site was a major transport interchange during the later part of the 19th Century connecting ferry, train and trams. The site later became crucial to the construction of the Sydney Harbour Bridge. Fabrication and assembly of steel components for the bridge was done on site at the 1925 Dorman Long and Company workshops.</i></p> <p><i>After removal of the workshops the Luna Park amusement park was constructed on the site in 1935 and became a centre for recreation for generations of Sydney residents and visitors. Luna Park has strong association with former park artists Rupert Browne, Peter Kingston, Gary Shead, Sam Lipson, Arthur Barton, Richard Liney and Martin Sharp. Martin Sharp is an important Sydney artist with an international reputation who was influential in the Australian Pop Art movement in the 1960's and 70's.</i></p> <p><i>The Luna Park Precinct has important aesthetic values in its own right, a celebration of colour and fantasy originally in the art deco style, and as a landmark on Sydney Harbour. Luna Park occupies an important and prominent location on the northern foreshore of Sydney Harbour and is highly visible from Circular Quay and the Opera House and other key harbour vantage points. Luna Park is one of Sydney's most recognisable and popular icons, the Luna Park face in particular is an instantly recognisable symbol of Sydney. The prominence of Luna Park is enhanced by the high quarried cliff face and the fig trees which provide a landscaped backdrop together with the way it is framed by the Harbour Bridge when viewed from the east.</i></p> <p><i>Luna Park includes a rare collection of murals and amusements that demonstrate mid-20th century popular and traditional technologies. These have been complemented by the art works of Martin Sharp, Richard Liney, Gary Shead and Peter Kingston some of which survive as moveable items associated with the park and stored at other locations such as the Powerhouse Museum.</i></p> <p><i>Luna Park is important as a place of significance to generations of the Australian public, in particular Sydney siders who have strong memories and associations with the place. Its landmark location at the centre of Sydney Harbour together with its recognisable character has endowed it with a far wider sense of ownership, granting it an iconic status. Luna Park received considerable attention following the tragic Ghost Train fire of 1979 and the ensuing short-term closure of the park. It became the focus of considerable public action when it was threatened with redevelopment and remains a subject of high public interest.</i></p> <p><i>Luna Park Precinct has very high potential as an archaeological resource that is likely to yield information about all phases of occupation of the site, in particular evidence of the Dorman Long wharf and the railway.</i></p> <p><i>Luna Park is unique as a rare example of an amusement park and fantasy architecture constructed in the 1930s art deco style. The original murals and design of Luna Park demonstrate an amusement park aesthetic that was originally inherited from America and reinterpreted in an Australian context.</i></p> <p><i>The Luna Park precinct includes many individual elements of significance. The most significant</i></p>

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Luna Park Precinct

elements are the Entrance Face and Towers; Midway; the Rotor; Coney Island; Crystal Palace; Wild Mouse; the Cliff Face and the Fig Trees.¹

Dawn Fraser Swimming Pool

Address	Glassop Street, Balmain
Date	1882–1924
Significance	State
Listing(s)	State Heritage Register (SHR 01398), <i>Leichhardt Local Environmental Plan 2013</i> (1237) National Trust of Australia (NSW)
Statement of Significance	<i>The pool is a complete swimming complex extending back to the turn-of-the century. It is an excellent example of pool architecture no longer practiced and a well-known Sydney landmark set in an attractive harbourside location which has become a feature of the pool. It is representative of the development of a harbourside recreational and social facility and is associated with prominent swimming identities and world champions. It provides evidence of the major popularity of swimming as a competitive and recreational sport in Australia.²</i>

North Sydney Oval

Address	2 Fig Tree Lane, North Sydney
Date	c1867
Significance	Local
Listing(s)	<i>North Sydney Local Environmental Plan 2013</i> (11125)
Statement of Significance	<i>The most used and familiar facility in St. Leonards Park and one of the oldest cricket grounds still in use in Australia. Fine example of a traditional Cricket Oval, with Edwardian features and buildings creating an ambience associated with the English cricketing tradition. Contains some interesting buildings, the Grandstand, Scoreboard and three Turnstile buildings all dating from 1928 and the Bob Stand (1895) relocated from the Sydney Cricket Ground.³</i>

Tennis Court and Pavilion

Address	96–108 Kent Street, Millers Point
Date	c1960
Significance	Local
Listing(s)	<i>Sydney Local Environmental Plan 2012</i> (1920)

Tennis Court and Pavilion

Statement of Significance	<p><i>The site is historically significant as it demonstrates the use of the area for early Government quarries and areas of land specifically reserved to supply stone for the completion of Public Works. It is significant for its association with the National School and in providing for the recreational needs of school children and local residents. The continued use of the site as a tennis court since the 1960s is of historical and social significance.</i></p> <p><i>The tennis court and pavilion is a significant streetscape element along Kent Street as an undeveloped space in comparison to the intensity of development surrounding it which comprises of late nineteenth century and early and late twentieth century development. The vacant land allows the dramatic cut (Agar Walls) adjacent the Agar steps to be appreciated and contributes to this important characteristic of the Millers Point area. Retention of the land as undeveloped recreational space in the CBD is rare and provides a break in the intensely developed area.⁴</i></p>
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5.1.3 Summary Comparative Analysis

The heritage items listed in this comparative analysis have been assessed as having historic and social significance at a local and state level. The analysis of the heritage listed sporting facilities across the wider Sydney area has demonstrated that these properties have a number of key similarities with the Macquarie Ice Rink, as follows.

- These heritage items and the Macquarie Ice Rink all have significant landmark qualities within their local context. The Macquarie Ice Rink, although located within the Macquarie Centre and not directly visible from the street, is widely known to be located there and the shopping centre itself is highly distinctive in the streetscape.
- These heritage items and the Macquarie Ice Rink share similar functions to a traditional park, providing a designated space for all members of the community to gather and enjoy leisure time in pursuit of a passive or active recreational activity.
- The ice rink and the above heritage items are important elements in their respective communities' sense of place. Local community members have strong memories associated with the place involving sports events, birthday parties, and other social gatherings and outings.
- These heritage items and the ice rink have social value to their communities as a meeting place for competitive sports events, which is highly valued by spectators and families associated with those events as an important part of their lifestyle and community involvement. As the chosen home rink of Sydney's two AIHL teams, all competitive AIHL games played in Sydney are played at the Macquarie Ice Rink, taking place around once per week during the season.
- The Macquarie Ice Rink and the Dawn Fraser Pool are both associated with prominent Australian sporting identities who have gone on to see international success.



Figure 5.1 Eastwood Park Grandstand. (Source: State Heritage Inventory)



Figure 5.2 Luna Park Precinct, Milsons Point. (Source: State Heritage Inventory)



Figure 5.3 Dawn Fraser Swimming Pool, Balmain. (Source: State Heritage Inventory)



Figure 5.4 North Sydney Oval, c1987. (Source: Stanton Library)



Figure 5.5 Tennis Court and Pavilion, Millers Point. (Source: State Heritage Inventory)

5.2 Assessment

This section sets out an assessment of the heritage significance of the Macquarie Ice Rink in accordance with the standard criteria identified in the NSW Heritage Office guidelines. The evaluation includes consideration of the original and subsequent layering of fabric, uses, associations and meanings of the place, as well as its relationship to both the immediate and wider setting.

The *NSW Heritage Manual* guidelines, prepared by the NSW Heritage Office and Department of Urban Affairs and Planning (July 2001), provide the framework for the assessment and the Statement of Significance in this report. These guidelines incorporate the five types of cultural heritage values identified in the Burra Charter into a specially structured framework, which is the format required by heritage authorities in New South Wales.

Under these guidelines, items (or 'places' in Burra Charter terminology) are assessed in accordance with a specific set of criteria, as set out below. An item is significant in terms of the criterion if the kinds of attributes listed in the inclusion guidelines help to describe it. Similarly, the item is not significant in terms of that criterion if the kinds of attributes listed in the exclusion guidelines help to describe it. The inclusion and exclusion guidelines are checklists only—they do not cancel each other out. The exclusion guidelines should not be applied in isolation from the inclusion guidelines, but should be used to help review and qualify the conclusions reached about the item's significance.

To apply the assessment criteria, both the nature and degree of significance of the place need to be identified. This is because items vary in the extent to which they embody or reflect key values and in the relative importance of their evidence or associations.

The assessment also needs to relate the item's values to its relevant geographical and social context, usually identified as either local or state contexts. Items may have both local and state significance for similar or different values/criteria.

The criteria for assessment established by the NSW Heritage Council in accordance with the Heritage Act is set out in Appendix A of this report.

5.2.1 Criterion A (Historical Significance)

An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)

- Macquarie Ice Rink has historical interest and value as the first ice rink to be constructed in Australia as part of a shopping centre development.
- The ice rink is representative of the trend of shopping centre redevelopments in the 1980s to diversify the consumer experience. Its inclusion in the centre is an unusual design feature which has contributed to the public interest and continuous use of the space since its opening.
- The ice rink is the only venue in the southern hemisphere to have hosted a senior World Championship for the International Skating Union.

Macquarie Ice Rink is considered to be significant at a local level under this criterion.

5.2.2 Criterion B (Historical Association)

An item has strong or special association with the life or works of a person, or group of persons, of importance in the cultural or natural history of NSW (or the cultural or natural history of the local area)

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- The rink has associative significance as the home of the Sydney Bears since the formation of the club in 1982. The Bears won the 1989 championships and were instrumental in developing a hockey school program designed to teach newcomers to the sport and develop their skills into fully fledged ice hockey players. The Sydney Bears Club operates an ice hockey school at Macquarie Ice Rink which is highly valued by its members and young players. The rink is also the home of the Sydney Ice Dogs, Sydney's other team in the AIHL.
- The rink has associative significance with former Olympian Steven Bradbury, who won his first national championship there in 1983 at the age of 10. Bradbury later recalled that the event was one of the highlights of his sporting career. Bradbury spent most of his early years training at the Canterbury Ice Rink, but preferred the Macquarie Rink for training when it came to competition time because of the quality of the rink.

Macquarie Ice Rink is considered to be significant at a local level under this criterion.

5.2.3 Criterion C (Aesthetic Significance)

An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)

- Macquarie Ice Rink is highly recognisable in the local community and is an integral part of the Macquarie Centre. It may be considered to have landmark qualities as an identifiable institution within the Macquarie Centre.
- The rink does not demonstrate particular creative or technical achievement. It is not a major work by an important designer or artist, and is not the inspiration for creative or technical innovation.
- When compared to other ice rinks in Sydney, the Macquarie Ice Rink is not a particularly outstanding or fine example of the ice rink typology, which are typically not built or designed to be aesthetically distinctive.

The Macquarie Ice Rink is not considered to meet the threshold for inclusion under this criterion.

5.2.4 Criterion D (Social Significance)

An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons

- Macquarie Ice Rink is highly valued by the skating community of the local area and NSW generally, as a training facility catering to all levels of skating from recreational, national, international and Olympic skaters since opening. It caters to all skating disciplines, including speed skating, figure skating and ice hockey. It is an important institution as one of few ice rinks in Sydney and NSW built to the international Olympic standard.
- The rink is valued by the wider community as an important and unique recreational facility in Ryde and the wider northern suburbs area. It hosts dances, discos, children's birthday parties and social gatherings. The rink provides the opportunity for people of all ages to interact with their community.
- The rink is especially valued by competitive skaters who spend years training at the facility, many of whom have relocated to the area specifically for better access to the rink. A range of festivals and events are held at the rink each year, and it is the home rink for figure skating, speed skating and ice hockey schools and clubs.

- The rink is significant as the home rink of Sydney's two ice hockey teams in the AIHL, making it the only rink in Sydney where AIHL games are played, hosting teams from across Australia. It has social value to followers of the league in Sydney and the wider region, for whom attending games is a valued part of their lifestyle and community involvement.
- The social significance of the rink is also linked to its location within the Macquarie Centre, which is considered to be a major landmark within the Macquarie Park and Ryde areas. Soon after opening, the rink quickly became part of the social experience of visiting the shopping centre.
- The loss of the ice rink would cause a significant sense of loss to the Ryde community, evidenced by the immense outpouring of support for the ice rink after its demolition was proposed. Demolition of the Macquarie Ice Rink and construction of a new rink in a new location is considered unlikely to recreate this social attachment.

Macquarie Ice Rink is considered to be significant at a state level under this criterion.

5.2.5 Criterion E (Research Potential)

An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)

- At the time it was built, Macquarie Ice Rink was described as being 'the most advanced in the country' for not only its quality and size, but also because it was purposely designed to integrate into a shopping complex built at the same time.
- However, it is not likely to yield new or further scientific and/or archaeological information. Any information the ice rink could contain would be readily available from other sources.

Macquarie Ice Rink is not considered to meet the threshold for inclusion under this criterion.

5.2.6 Criterion F (Rarity)

An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)

- The ice rink is one of only four contemporary Olympic-sized ice-skating rinks in New South Wales and while it is not rare, ice skating rinks are uncommon in Australia, particularly because ice skating is typically associated with northern hemisphere sporting activities due to climate. It is the only ice rink in its local area and its loss would be detrimental to the amenity and lifestyle of its regular visitors.
- The Macquarie Ice Rink is rare as the only known Olympic-sized and world-class standard ice rink to be purposefully incorporated into a retail shopping centre, which is an unusual design feature in itself, and has contributed to the popularity and accessibility of the rink.

Macquarie Ice Rink is considered to be significant at a local level under this criterion.

5.2.7 Criterion G (Representativeness)

An item is important in demonstrating the principal characteristics of a class of NSW's (or a class of the local area's):

- *cultural or natural places; or*
- *cultural or natural environments*

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- The Macquarie Ice Rink is a good example of its type, being one of four Olympic-sized ice rinks in Sydney. It demonstrates attributes typical of activities associated with ice skating and the skating community. It is part of a small group of Olympic-sized ice rinks which are integral to the continuation and popularisation of skating in Sydney and NSW.
- The rink's incorporation into a shopping centre significantly contributes to defining its unique and iconic setting, as well as its accessibility to all members of the community. The rink is held in great esteem by three generations of the local community, evident in the community's reaction to the prospect of its demolition.

Macquarie Ice Rink is considered to be significant at a local level under this criterion.

5.3 Statement of Significance

The Macquarie Ice Rink has cultural heritage significance at a state level as an important place of public recreation since the time of its opening in 1981. Its purposeful incorporation into a shopping centre is unusual and is representative of the growing trend at the time to diversify the retail experience with intimate spaces, open space, recreational facilities and indoor gardens. Macquarie Ice Rink is associated with former Olympian Steven Bradbury and is the chosen home rink for Sydney's two Australian Ice Hockey League (AIHL) teams, the Sydney Bears and Sydney Ice Dogs. It is also the home of many skating schools and training groups for people of all ages. The rink is highly valued by the local and regional community as a place to gather, play, socialise and compete, with its accessibility to people of all ages enhanced by its inclusion in the shopping centre and links to public transport and surrounding facilities. The rink is significant as one of few Olympic-sized ice rinks in Sydney, meaning it is able to cater to all skating disciplines and is particularly valued by those training or competing at an Olympic level, and those associated with the AIHL.

5.4 Endnotes

- ¹ Office of Environment and Heritage, State Heritage Inventory, 'Luna Park Precinct', viewed 5 July 2019 <<https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=5055827>>.
- ² Office of Environment and Heritage, State Heritage Inventory, 'Dawn Fraser Swimming Pool', viewed 5 July 2019 <<https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=1940252>>.
- ³ Office of Environment and Heritage, State Heritage Inventory, 'North Sydney Oval', viewed 5 July 2019 <<https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2180914>>.
- ⁴ Office of Environment and Heritage, State Heritage Inventory, 'Tennis Court and Pavilion', viewed 5 July 2019 <<https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2426279>>.

6.0 Conclusion and Recommendations

This report has assessed the heritage significance of the Macquarie Ice Rink based on historical research and an investigation of its local context. It includes a detailed assessment of the site against the SHR standard evaluation criteria to determine the significance of the place to the Ryde LGA and NSW.

The report concludes that the Macquarie Ice Rink demonstrates heritage significance at a state level for the following reasons.

- It is an important place of public recreation and is highly valued by the community. The rink's location within a shopping centre means that it is highly accessible and has become part of the social experience of the shopping centre since its opening in 1981.
- As an Olympic-sized rink, it caters to all skating disciplines and is highly valued by people training or competing at an Olympic level as well as to those who use the rink as a recreational facility. It is valued well beyond its local area, as the size and quality of the rink attracts people from across the state who relocate to the area in order to train there.
- It is associated with prominent figures in the skating industry, including former Olympian Steven Bradbury, and Sydney's AIHL teams the Sydney Bears and Sydney Ice Dogs.
- Its inclusion in the design of the Macquarie Centre was unusual and unique for its time.

It is recommended that:

1. The Macquarie Ice Rink should be listed as a heritage item of local significance on Schedule 5 of the *Ryde Local Environmental Plan 2014*. An application should be made to the NSW Heritage Office for its inclusion on the State Heritage Register.
2. The rink should be retained in its current form and location. The significance of the ice rink is embodied in the rink itself and the general volume of the space should be retained. The cultural significance of the ice rink is embodied in its social value to the community as a place of public recreation and as a training ground for past and future Olympic competitors. However, the form, layout, size and location of the ice rink is an important part of this significance. Although the physical fabric of the place itself is not considered to be significant, it cannot be expected that the community sentiment and social values of the existing rink could be transferred to a new rink in an alternative location. A new rink would lose the significant association and social significance of the existing rink, and it is unlikely it could recreate these values.
3. There is scope for future alterations and adaptations of the area in the vicinity of the ice rink, including the surrounding tiered seating or ancillary facilities. The rink should be retained in its current location in any future redevelopment proposal of the Macquarie Centre in order to retain its significance and value to the community.

The assessment of the current development application should have consideration for these recommendations.

7.0 Appendices

Appendix A

NSW Heritage Office Assessment Guidelines

Appendix B

Interim Heritage Order No. 147

Appendix A

NSW Heritage Office Heritage Assessment Guidelines

Appendix A—NSW Heritage Office Heritage Assessment Guidelines

The *NSW Heritage Manual* guidelines, prepared by the NSW Heritage Office and Department of Urban Affairs and Planning (July 2001), provide the framework for the assessment and the statement of significance in this report. These guidelines incorporate the five types of cultural heritage value identified in the Burra Charter into a specially structured framework, which is the format required by heritage authorities in New South Wales.

Under these guidelines, items (or 'places' in Burra Charter terminology) are assessed in accordance with a specific set of criteria, as set out below. An item is significant in terms of the particular criterion if the kinds of attributes listed in the inclusion guidelines help to describe it. Similarly, the item is not significant in terms of that particular criterion if the kinds of attributes listed in the exclusion guidelines help to describe it. The inclusion and exclusion guidelines are checklists only—they do not cancel each other out. The exclusion guidelines should not be applied in isolation from the inclusion guidelines, but should be used to help review and qualify the conclusions reached about the item's significance.

The criteria for assessment established by the NSW Heritage Council in accordance with the *Heritage Act 1977* (NSW) (Heritage Act) are set out below.

Criterion (a)—An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)

Guidelines for Inclusion	Guidelines for Exclusion
<ul style="list-style-type: none"> shows evidence of a significant human activity; is associated with a significant activity or historical phase; or maintains or shows the continuity of a historical process or activity. 	<ul style="list-style-type: none"> has incidental or unsubstantiated connections with historically important activities or processes; provides evidence of activities or processes that are of dubious historical importance; or has been so altered that it can no longer provide evidence of a particular association.

Criterion (b)—An item has strong or special association with the life or works of a person, or group of persons, of importance in the cultural or natural history of NSW (or the cultural or natural history of the local area)

Guidelines for Inclusion	Guidelines for Exclusion
<ul style="list-style-type: none"> shows evidence of a significant human occupation; or is associated with a significant event, person, or group of persons. 	<ul style="list-style-type: none"> has incidental or unsubstantiated connections with historically important people or events; provides evidence of people or events that are of dubious historical importance; or has been so altered that it can no longer provide evidence of a particular association.

Criterion (c)—An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)

Guidelines for Inclusion	Guidelines for Exclusion
<ul style="list-style-type: none"> shows or is associated with creative or technical innovation or achievement; is the inspiration for a creative or technical innovation or achievement; is aesthetically distinctive; has landmark qualities; or exemplifies a particular taste, style or technology. 	<ul style="list-style-type: none"> is not a major work by an important designer or artist; has lost its design or technical integrity; its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded; or has only a loose association with a creative or technical achievement.

Criterion (d)—An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons

Guidelines for Inclusion	Guidelines for Exclusion
<ul style="list-style-type: none"> is important for its associations with an identifiable group; or is important to a community's sense of place. 	<ul style="list-style-type: none"> is only important to the community for amenity reasons; or is retained only in preference to a proposed alternative.

Criterion (e)—An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)

Guidelines for Inclusion	Guidelines for Exclusion
<ul style="list-style-type: none"> has the potential to yield new or further substantial scientific and/or archaeological information; is an important benchmark or reference site or type; or provides evidence of past human cultures that is unavailable elsewhere. 	<ul style="list-style-type: none"> the knowledge gained would be irrelevant to research on science, human history or culture; has little archaeological or research potential; or only contains information that is readily available from other resources or archaeological sites.

Criterion (f)—An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)

Guidelines for Inclusion	Guidelines for Exclusion
<ul style="list-style-type: none"> provides evidence of a defunct custom, way of life or process; demonstrates a process, custom or other human activity that is in danger of being lost; shows unusually accurate evidence of a significant human activity; is the only example of its type; demonstrates designs or techniques of exceptional interest; or shows rare evidence of a significant human activity important to a community. 	<ul style="list-style-type: none"> is not rare; or is numerous but under threat.

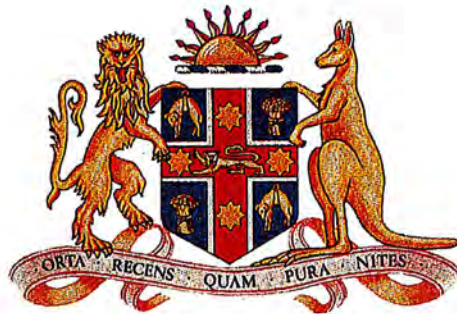
GML Heritage

Criterion (g)—An item is important in demonstrating the principal characteristics of a class of NSW's (or a class of the local area's) cultural or natural places; or cultural or natural environments

Guidelines for Inclusion	Guidelines for Exclusion
<ul style="list-style-type: none">• is a fine example of its type;• has the principal characteristics of an important class or group of items;• has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity;• is a significant variation to a class of items;• is part of a group which collectively illustrates a representative type;• is outstanding because of its setting, condition or size; or• is outstanding because of its integrity or the esteem in which it is held.	<ul style="list-style-type: none">• is a poor example of its type;• does not include or has lost the range of characteristics of a type; or• does not represent well the characteristics that make up a significant variation of a type.

Appendix B

Interim Heritage Order No. 147



Government Gazette

of the State of

New South Wales

Number 10

Monday, 4 February 2019

The New South Wales Government Gazette is the permanent public record of official NSW Government notices. It also contains local council, private and other notices.

From 1 January 2019, each notice in the Government Gazette has a unique identifier that appears in round brackets at the end of the notice and that can be used as a reference for that notice (for example, (n2019-14)).

The Gazette is compiled by the Parliamentary Counsel's Office and published on the NSW legislation website (www.legislation.nsw.gov.au) under the authority of the NSW Government. The website contains a permanent archive of past Gazettes.

To submit a notice for gazettal – see Gazette Information.

GOVERNMENT NOTICES
Planning and Environment Notices

HERITAGE ACT 1977

INTERIM HERITAGE ORDER NO. 147

Macquarie Ice Rink

In pursuance of Section 24 of the *Heritage Act 1977* (NSW), I, the Minister for Heritage, do, by this my order:

- (i) make an interim heritage order in respect of the item of the environmental heritage specified or described in Schedule 'A'; and
- (ii) declare that the interim heritage order shall apply to the curtilage or site of such item, being the land described in Schedule 'B'.

The Hon Gabrielle Upton MP
Minister for Heritage

Sydney, 1 Day of February 2019

SCHEDULE "A"

The property known as Macquarie Ice Rink, situated on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land known as Part Lot 1 DP 1190494 in Parish of Hunters Hill, County of Cumberland shown on the plan catalogued HC 3231 in the office of the Heritage Council of New South Wales.

(n2019-275)

Attachment 4 - Erratum Government Gazette Friday 8 February 2019



Government Gazette

of the State of

New South Wales

Number 11

Friday, 8 February 2019

The New South Wales Government Gazette is the permanent public record of official NSW Government notices. It also contains local council, private and other notices.

From 1 January 2019, each notice in the Government Gazette has a unique identifier that appears in round brackets at the end of the notice and that can be used as a reference for that notice (for example, (n2019-14)).

The Gazette is compiled by the Parliamentary Counsel's Office and published on the NSW legislation website (www.legislation.nsw.gov.au) under the authority of the NSW Government. The website contains a permanent archive of past Gazettes.

To submit a notice for gazettal – see Gazette Information.

GOVERNMENT NOTICES

Planning and Environment Notices

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Order under clause 6 of Schedule 2 to the Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017

Under delegation from the Minister for Planning, I declare the development specified in column 1 of the table in Schedule 1 to this Order on the land specified in the corresponding row in column 2 of the table in Schedule 1 to this Order to be State significant development under clause 6 Schedule 2 to the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017*, for the purposes of the *Environmental Planning and Assessment Act 1979* (the Act).

This Order takes effect upon publication in the New South Wales Government Gazette.

Dated: 1 February 2019

ANTHONY WITHERDIN
Director, Regional Assessments

SCHEDULE 1

Column 1	Column 2
Development	Land
Development known as 'Vincentia District Town Centre- Stage 1 (MP 06_0025), approved by the Minister for Planning, under section 75J of the Act on 7 January 2009 as subsequently modified under section 75W of the Act.	All land identified in Schedule 1 of the approval to carry out the development known as 'Vincentia District Town Centre- Stage 1' (MP 06_0025), as in force on the date of this Order.

(n2019-276)

HERITAGE ACT 1977

ERRATUM

The notice published in the Government Gazette No. 10 of 4 February 2019, relating to Macquarie Ice Rink, Macquarie Park should have read:

In pursuance of Section 24 of the *Heritage Act 1977* (NSW), I, the Minister for Heritage, do, by this my order:

- (i) make an interim heritage order in respect of the item of the environmental heritage specified or described in Schedule 'A'; and
- (ii) declare that the interim heritage order shall apply to the curtilage or site of such item, being the land described in Schedule 'B'.

The Hon Gabrielle Upton MP
Minister for Heritage

Sydney, 1 Day of February 2019

SCHEDULE "A"

The property known as Macquarie Ice Rink, situated on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land known as Part Lot 100 DP 1190494 in Parish of Hunters Hill, County of Cumberland shown on the plan catalogued HC 3231 in the office of the Heritage Council of New South Wales.

(n2019-277)

Attachment 5 - State Heritage Register Committee advice December 2019



Our ref: DOC19/976915

Liz Coad
Director City Planning and Environment
City of Ryde
Locked Bag 2069
NORTH RYDE NSW 1670

By email: cityofryde@ryden.nsw.gov.au

Cc: MEwards@ryde.nsw.gov.au

Dear Ms Coad

Macquarie Ice Rink IHO, Macquarie Park

The State Heritage Register Committee considered the heritage assessment prepared for Macquarie Ice Rink at its meeting on 5 November 2019. After consideration of the available information and discussion, the Committee has concluded that Macquarie Ice Rink is unlikely to be of state significance. We have asked Heritage NSW not to proceed with the statutory process for listing on the State Heritage Register.

The Committee notes that Macquarie Ice Rink may potentially be of local heritage significance. As local heritage is the responsibility of the local council, the Committee determined to write to the City of Ryde to encourage you to consider the potential heritage significance of the site when reviewing any future development.

If you have any questions regarding the above please contact Miranda Firman at Heritage NSW, Department of Premier and Cabinet, on 9995 5477 or miranda.firman@environment.nsw.gov.au.

Yours sincerely





A handwritten signature in blue ink, appearing to read "Colleen Morris".

Colleen Morris
Deputy Chair
State Heritage Register Committee
Heritage Council of NSW
1 December 2019


Attachment 6 - Draft LEP Heritage Map

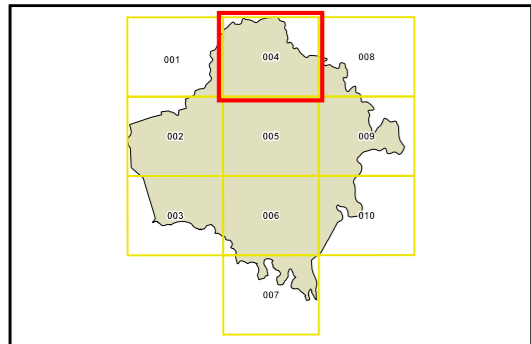
Draft Heritage Map Sheet HER_004

Heritage

-  Conservation Area - General
-  Item - General
-  Item - Archaeological
-  Refer to Schedule 5 Environmental Heritage

Cadastre

 Base data 01/01/1999. © Land Registry Services (LRS) Addendum data 20/10/2020 © City of Ryde.

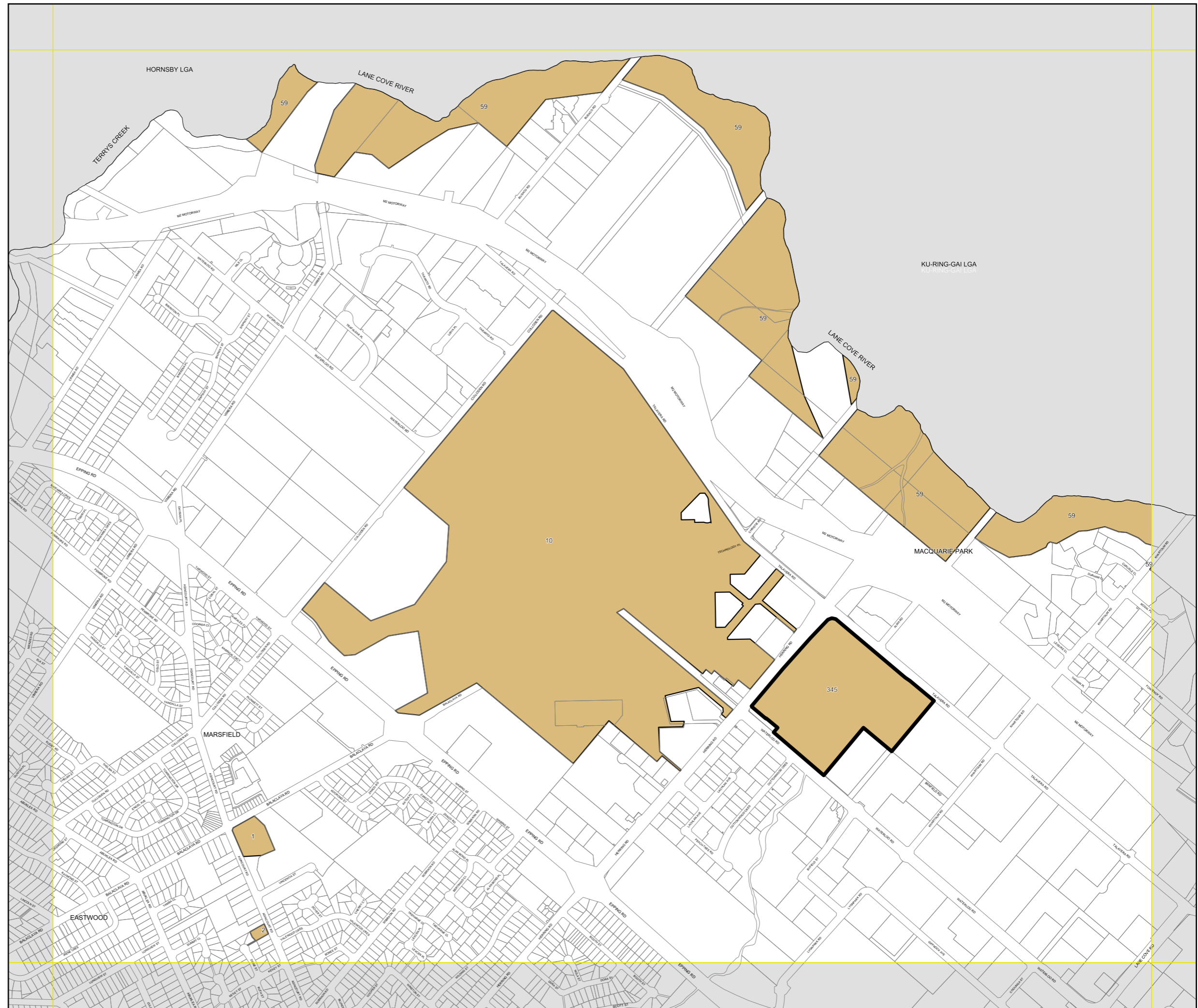


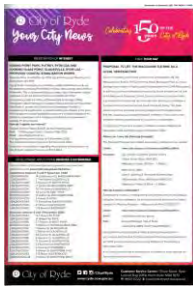
0 200 400 m

Projection GDA 1994
MGA Zone 56

Scale: 1:10,000 @ A3

Map identification number:
6700_COM_HER_004_010_20201022





REGISTRATION OF INTEREST

KISSING POINT PARK, PUTNEY, RYDE LGA AND LOOKING GLASS POINT, GLADESVILLE, RYDE LGA – PROPOSED COASTAL STABILISATION WORKS

National Parks and Wildlife Act 1974 and Environmental Planning and Assessment Act 1979.

City of Ryde is proposing to undertake coastal stabilisation works on the foreshore at Kissing Point Park in Putney and Looking Glass Point in Gladesville. The proposed activity may impact upon Aboriginal objects protected under the *National Parks and Wildlife Act 1974*.

In accordance with the Office of Environment & Heritage (2010) Aboriginal Cultural Heritage Consultation Requirements for Proponents, individuals or groups who hold cultural knowledge relevant to establishing the significance of potential Aboriginal objects in the area of the proposed coastal stabilisation works are invited to register their interest to participate in the heritage consultation and assessment process for the proposal.

How do I register my interest?

Contact Dominic Steele (DSCA) via the following ways:

Post 21 Macgregor Street, Croydon, NSW, 2132

Email dscs@bigpond.net.au

The registration period closes on 9 December 2020.

The consultation period closes on 23 December 2020.

If you have any questions regarding this proposed activity please call City of Ryde Customer Service on 9952 8222.

DEVELOPMENT APPLICATIONS RECEIVED & DETERMINED

For full details of the development applications received and determined visit www.ryde.nsw.gov.au/eServices

Determined between 5 and 11 November 2020

LDA2018/0506	14 Cottonwood Cr MACQUARIE PARK
LDA2020/0115	5 The Strand GLADESVILLE
LDA2020/0208	2 Spooner Pl NORTH RYDE
LDA2020/0250	17 Halifax St MACQUARIE PARK
LDA2020/0324	10 The Strand GLADESVILLE
MOD2020/0042	44 Cox's Rd EAST RYDE
MOD2020/0210	15 Halifax St MACQUARIE PARK
MOD2020/0215	3 Dwyer St RYDE
LDA2020/0240	17 Ferrabetta Ave EASTWOOD
LDA2020/0266	87 Rowe St EASTWOOD
LDA2020/0340	129 Rowe St EASTWOOD

Received between 5 and 11 November 2020

LDA2020/0382	147 Quarry Rd RYDE
LDA2020/0389	31 Wolger Rd RYDE
LDA2020/0390	37 Forsyth St WEST RYDE
MOD2020/0227	11 Khartoum Rd MACQUARIE PARK
LDA2020/0380	1 Meriton St GLADESVILLE
LDA2020/0383	27 Short St GLADESVILLE
LDA2020/0387	4A Gernon St GLADESVILLE
LDA2020/0388	8 Western Cr GLADESVILLE
LDA2020/0391	17 Sturdee St NORTH RYDE
LDA2020/0379	23 Raymond St EASTWOOD
LDA2020/0385	6 Summit Ct MARSFIELD
LDA2020/0392	6 Brebyn St DENISTONE EAST
LDA2020/0393	333 Rowe St EASTWOOD
MOD2020/0228	1 Perkins St DENISTONE WEST

HAVE YOUR SAY

PROPOSAL TO LIST THE MACQUARIE ICE RINK AS A LOCAL HERITAGE ITEM

Council is seeking community comment on a Proposal to list the Macquarie Ice Rink at 197-223 Herring Road, Macquarie Park as a local heritage item under the *Ryde Local Environmental Plan 2014*. Responding to previous community feedback expressing desire to retain an ice rink at the Macquarie Shopping Centre, Council resolved to proceed with a process to list the ice rink as a heritage item. A study commissioned by Council found that the ice rink meet criteria for listing. The State Government has reviewed Council's proposal and has determined that the proposal can proceed to public exhibition. The results of the exhibition will be reported back to Council for consideration.

The Planning Proposal is on public exhibition between Monday 16 November 2020 and Wednesday 16 December 2020.

Where can I view the Planning Proposal?

The Planning Proposal and related explanatory material can be viewed:

Online www.ryde.nsw.gov.au/haveyoursay/McqIceRink

In person City of Ryde Customer Service Centre
1 Pope Street, Ryde, NSW 2112
(Monday to Friday, 10.00am - 5.00pm)

North Ryde Office
Level 1, Building O, Riverview Business Park,
3 Richardson Place, North Ryde NSW 2113
(Monday to Friday, 8.30am - 4.30pm)

How do I make a submission?

Submissions must be in writing to the City of Ryde and can be made by using the online submission, by email or post and they must be clearly marked as 'Planning Proposal - Macquarie Ice Rink LEP2020/17'.

Online www.ryde.nsw.gov.au/haveyoursay/McqIceRink

Email cityofryde@ryde.nsw.gov.au

Post General Manager, City of Ryde,
Locked Bag 2059, North Ryde NSW 1670

All submissions must include a Political Donations declaration in accordance with S10.4 of the *Environmental Planning and Assessment Act 1979* and be received by Council by 4.00pm on December 16 December 2020.

It is Council's policy that all submissions in relation to draft controls will be publicly available on request.



By email

12 November 2020

Our Ref: LEP2020/1/6

Dear Sir/Madam

**Public Exhibition – Have Your Say
Macquarie Ice Rink at 197-223 Herring Road, Macquarie Park – Planning Proposal**

I am writing to you because you are within the vicinity of Macquarie Shopping Centre and/or made a submission during the exhibition of the Development Application (DA) currently being assessed (exhibited January 2019 and October 2020), and/or have previously written to Council regarding the Ice Rink.

Ryde Council is seeking community comment on a Planning Proposal to list the Macquarie Ice Rink at 197-223 Herring Road, Macquarie Park as a local heritage item under the *Ryde Local Environmental Plan 2014 (RLEP)*.

The preparation of the Planning Proposal is the next step in listing the ice rink as a local heritage item.

Please note that AMP has submitted an application for a redevelopment of the centre which would include an upgraded ice rink. The redevelopment application is part of a separate process and is occurring parallel to the process to list the ice rink. The redevelopment application will be assessed in light of the proposed Planning Proposal to list the ice rink as a local heritage item. The proposed listing does not preclude an appropriate upgrade of the ice rink.

The *Environmental Planning and Assessment Act 1979* sets out a process that must be followed to list a local heritage item. The process requires Council to prepare a Planning Proposal that provides information and a justification for the proposed listing; that the Planning Proposal is to be publicly exhibited; and any comments and submissions are considered by Council before finalising. Council has been authorised as the local plan making authority by the Department of Planning, Industry and Environment. As a result, following exhibition of the Planning Proposal, Council will consider the matters raised in the submissions and may determine to proceed with the listing, not proceed with it or to defer a decision.

The Planning Proposal will be on public exhibition from **16 November 2020 to 16 December 2020**.

Where can I get more information?

The Planning Proposal and supporting material can be viewed at:

- City of Ryde Customer Service Centre
1 Pope Street, Ryde, NSW 2112 (Monday to Friday, 8.30am – 5pm)
Note: second Thursday of each month hours are 10am – 5pm
- City of Ryde North Ryde Office
Level 1 Building 0, 3 Richardson Place, North Ryde NSW 2113 (Monday to Friday,
8.30am – 4.30pm)
- www.ryde.nsw.gov.au/haveyoursay

How can I have my say?


You are invited to inspect the Planning Proposal and supporting material and provide comments or submissions which will be received until **4.00pm Wednesday 16 December 2020**. Personal information collected from you is held and used by Council under the provisions of the *Privacy and Personal Information Protection Act 1998*. The supply of information is voluntary, however if you cannot provide, or do not wish to provide the information sought, Council may be unable to consider your submission.

Please note that the exchange of information between the public and Council, may be accessed by others and could be made publicly available under the *Government Information Public Access Act 2009* (GIPA Act). Any person making a submission, or any associate of that person, under the provisions of s10.4 of the *Environmental Planning and Assessment Act 1979*, must disclose any political donations and gifts made within the previous 2 years made to any Councilor or employee of City of Ryde Council via the Disclosure Statement on Council's website.

More Information

Should you have any questions or require further information about the Planning Proposal, please contact Naomi L'Oste-Brown, Senior Strategic Planner or Rachel Hughes, Strategic Planner on 9952 8222.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Dyalan Govender'.

Dyalan Govender
Manager Urban Strategy

Rachel Hughes

From: James Sellwood <James.Sellwood@environment.nsw.gov.au>
Sent: Friday, 11 December 2020 12:08 PM
To: City of Ryde
Cc: Naomi L'Oste-Brown
Subject: Planning Proposal - Local Heritage Listing - Macquarie Ice Rink

Categories: Bhushana

Our ref: DOC20/941686

Planning Proposal - Local Heritage Listing - Macquarie Ice Rink

Dear Mr Dedes

Attention: Ms Naomi L'Oste-Brown, Senior Strategic Planner

Thank you for the opportunity to comment on the planning proposal to list Macquarie Ice Rink as a Local Heritage Item under *Ryde Local Environmental Plan 2014* (LEP).

We have reviewed Council's Planning Proposal and the supporting Heritage Assessment prepared by GML Heritage and note that the assessment indicated that Macquarie Ice Rink met five of the seven heritage significance criteria, as such listing the Ice Rink as a Local item on Council's LEP is an appropriate response.

We encourage the identification and listing of new heritage items on LEPs, provided that all necessary due diligence, assessments and notifications have been undertaken. Prior to finalisation of the planning proposal, Council should be satisfied that this is the case.

We note that the Heritage Assessment considered that the proposed heritage item was of State significance. If Council wishes to pursue listing the Ice Rink on the State Heritage Register, then it can make a nomination at <https://www.heritage.nsw.gov.au/protecting-our-heritage/nominate-listing-on-the-state-heritage-register/>.

If you have any questions regarding this matter, please don't hesitate to contact me on the details below.

Best regards
James

James Sellwood | Senior Heritage Programs Officer, Strategic Planning and Relationships
Heritage Act Programs
Heritage NSW
Department of Premier and Cabinet
Level 6, 10 Valentine Avenue, Parramatta NSW 2150 | Locked Bag 5020 Parramatta NSW 2124
T: 02 9274 6354 | james.sellwood@environment.nsw.gov.au



**Premier
& Cabinet**

I acknowledge and respect the traditional custodians and ancestors of the lands I work across

Heritage NSW

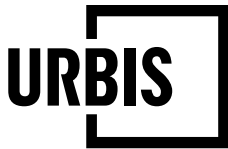
The former Office of Environment and Heritage (Heritage Division) is now Heritage NSW.

Correspondence should be sent to us via email at HeritageMailbox@environment.nsw.gov.au. If you need to provide hard copies, please send to Heritage NSW, Locked Bag 5020, Parramatta NSW 2124.

Please update your records as using an incorrect name and address could cause significant delays or non-delivery of your correspondence.

This email is intended for the addressee(s) named and may contain confidential and/or privileged information. If you are not the intended recipient, please notify the sender and then delete it immediately. Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment and Heritage.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL



**ANGEL PLACE
LEVEL 8, 123 PITT STREET
SYDNEY NSW 2000**

URBIS.COM.AU
Urbis Pty Ltd
ABN 50 105 256 228

16 December 2020

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

Dear Mr Dedes,

AMP CAPITAL SUBMISSION TO DRAFT PLANNING PROPOSAL – MACQUARIE ICE RINK LEP2020/1/7

This submission has been prepared by Urbis on behalf of AMP Capital Investors (AMP Capital), the landowners of Macquarie Shopping Centre, located at 197 – 223 Herring Road Macquarie Park in response to the Draft Macquarie Ice Rink Heritage Planning Proposal, which is on public exhibition until 16 December 2020.

Whilst AMP Capital is not resisting the proposed local heritage listing, we are of the view that the listing should provide for sufficient flexibility such that the recreational facility can be relocated in a way which does not jeopardise the future redevelopment of Macquarie Centre (outlined in section 2), nor result in unintended consequences to the ongoing operation of the Centre, including for its tenants and retailers (outlined in section 3). To avoid those unintended consequences, AMP Capital proposes some amendments to the proposed listing (outlined in section 4).

1. MACQUARIE CENTRE

Macquarie Centre has been managed by AMP and AMP Capital since it was first developed by AMP in the early 1980's. Since then, Macquarie Centre has undergone several well considered redevelopments to become one of the nation's premium shopping destinations located within Sydney's Global Economic Corridor and within Macquarie Park, Sydney's second largest business district. The Centre revenue exceeds \$1.5B and is visited by over 31 million customers each year.

Macquarie Centre is home to a strong and stable agglomerate of international and Australian brands. It is anchored by two major department stores (Myer and David Jones) and more than 400 specialty stores which are located over four retail levels. The Centre also features a large range of entertainment and leisure options including restaurants, cafes and cinemas as well as an Olympic sized ice rink.

2. PLANNING APPROVALS AND FUTURE ASPIRATIONS UNDER CURRENT DA

The site is subject to a Concept Approval (LDA2015/0655) which was approved by the Sydney East Regional Joint Regional Planning Panel on 10 November 2016.

Securing the Concept Approval for the site was a significant milestone for AMP Capital. Typical of shopping centre design of the early 1980's, Macquarie Centre was originally designed as a 'box development' which provided maximum flexibility for the internal layouts of the centre, but resulted in compromised external design outcomes, with minimal street activation and limited connectivity to the public domain or public transport nodes, all of which is inconsistent with Council's desired planning principles relating to street activation, connectivity and accessibility.

The Concept Approval (refer Figure 1 and Figure 2 below) establishes building envelopes for an expanded retail podium and four towers fronting Herring Road. In addition to this, the Concept Approval has been designed to facilitate the delivery of a variety of community benefits on the Macquarie Centre site, including:

- A new public plaza adjacent to Macquarie University Metro Station (Station Plaza, which is located on the corner of Waterloo and Herring Road);
- An improved connection between the Macquarie University Metro Station and the Centre;
- Public domain improvements and the activation of Herring Road; and
- Provision of a library/community hub (subject of a VPA entered into between the owners of Macquarie Centre and Council).

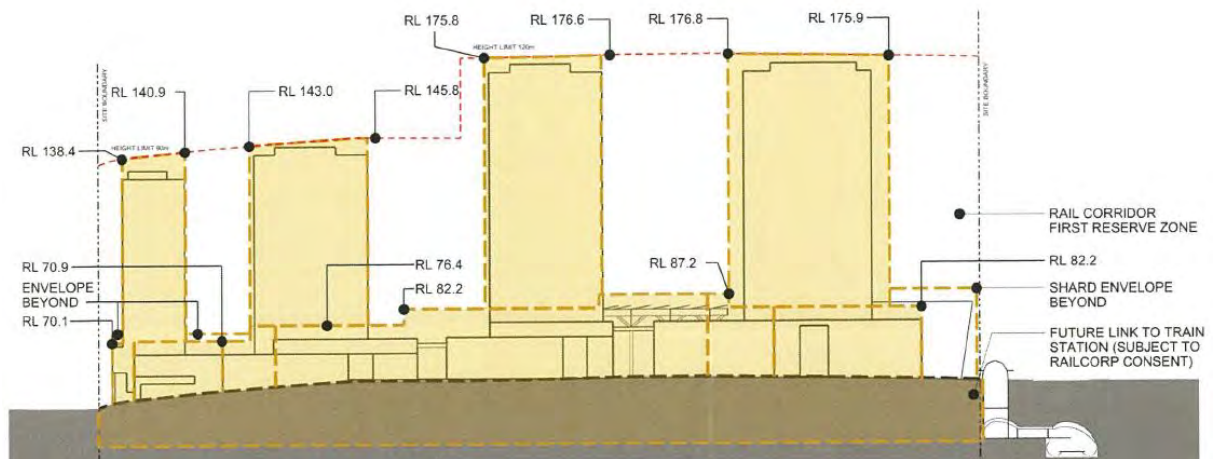


Figure 1 -Concept Approval Envelope (Herring Road Elevation)

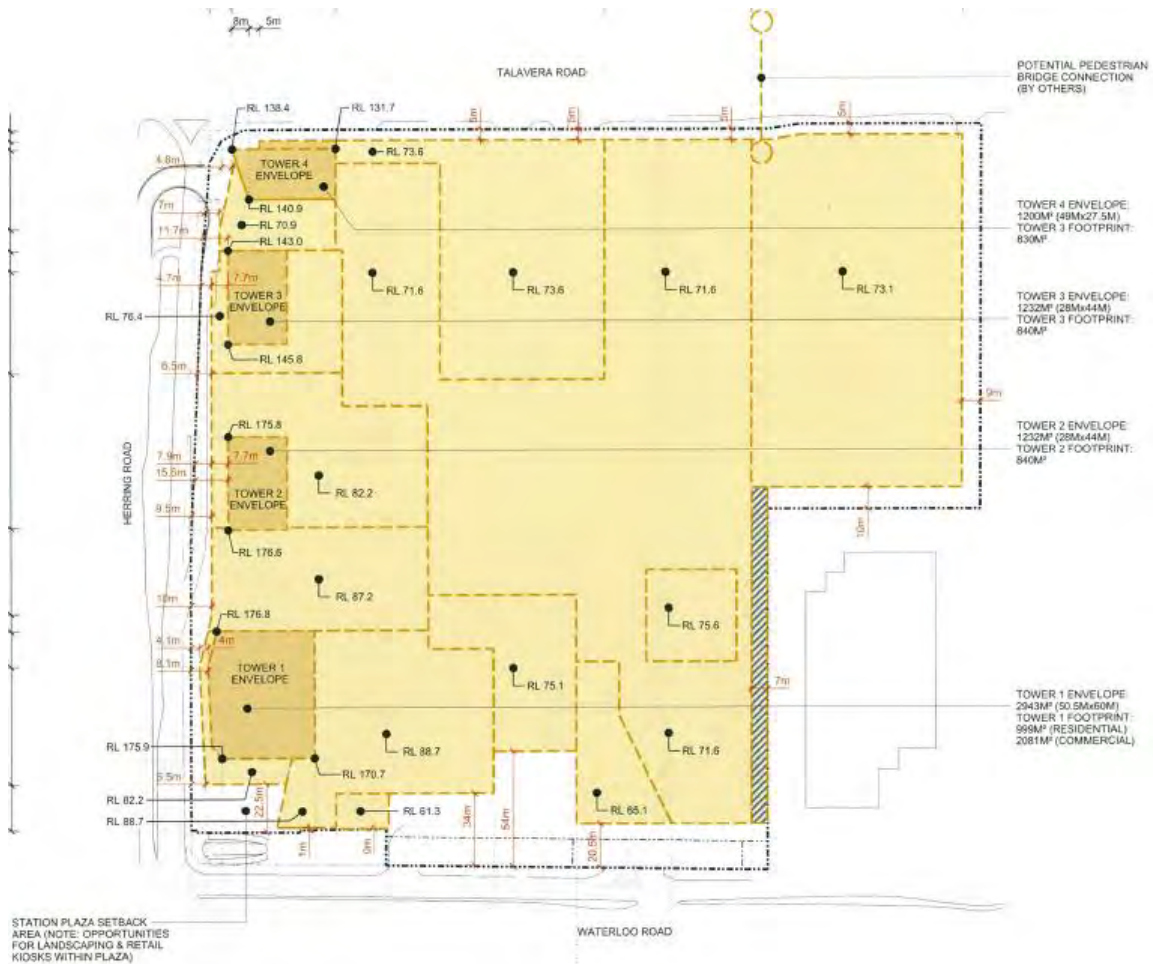


Figure 2 - Concept Approval Envelope (Site Plan)

In December 2018, a detailed Development Application (LDA2018/0498) was submitted to the City of Ryde Council (Council) and was subsequently placed on public exhibition in January 2019. Whilst general support was received for the architectural design of the redevelopment, public sentiment revealed that the community did not want to see the loss of the Macquarie Ice Rink as a result of the redevelopment. AMP Capital requested that Council place the Development Application (DA) on hold to allow their design team to explore options that include a solution for an Olympic-sized ice rink and provides the best outcome for the community, as well as Macquarie Centre.

Under amendments to LDA2018/0498, lodged with Council in September 2020, the development now seeks to provide a relocated Olympic-sized ice rink within the Herring Road Corner Podium site. The amended DA is currently under consideration by Ryde Council. The amended design for the Herring Road Corner Podium redevelopment will significantly transform Macquarie Centre and the surrounding public domain.

Importantly the key elements of the Concept Approval LDA2015/0655 and the DA originally lodged in December 2018 remain integral to the proposal, including the delivery of a new publicly accessible plaza adjacent to Macquarie University Metro Station (Station Plaza), activation of key publicly

accessible spaces, the diversification of retail offerings, growth of lifestyle amenity and a vibrant night-time economy. The Herring Road Corner Podium will become the leisure and food and beverage precinct of Macquarie Centre.

The new position of the Olympic sized ice rink has been acknowledged and strongly supported by Macquarie Centre customers, professional and recreational ice skaters, the community and all levels of Government as detailed in the 20 letters of support to the amended DA, postings on social media and is documented in the Community Consultation Outcome Report prepared by Elton Consulting, which supports the amended DA.

We are of the strong opinion that the relocation of the Ice Rink within the shopping centre provides an opportunity not only for an improved ice skating facility but for a facility which enhances the heritage attributes as assessed by GML Heritage and adopted by Council as follows:

- The retention of the ice rink within the Macquarie Park shopping centre complex will ensure its continued accessibility and use by those clubs and community members.
- The new ice rink would remain an Olympic sized facility with stadium seating, thus enhancing its amenity and value to the community within this context.
- In respect of significant views, the location of a new ice rink would have greater visibility from the public domain when compared to the existing rink. The amended DA would relocate the ice rink to a more prominent location at the primary entrance from the train station where it would front an open plaza at the corner of Waterloo and Herring Roads. Located one level above the new station Plaza, the visual connection with the public domain would be retained through the insertion of the screen at the south-western elevation which would feature a live motion-triggered display of skaters on the ice (refer to Figure 3).
- The amended DA allows for a mezzanine/public viewing deck which extends around the north side of the Ice Rink and a Café to the western end of the mezzanine. Improved, dedicated facilities providing views over the new Ice Rink are a positive outcome in response to Council's assessment of the significance of the visual link with internal spaces.

Overall, the amended DA provides for the continued amenity and community enjoyment of this popular facility which is integrated within the Macquarie Park shopping centre and is supported from a heritage perspective.

Therefore, whilst AMP Capital is not resisting the proposed heritage listing, they are mindful that that the conditions of the listing must allow future flexibility so that the ice rink can be relocated within the Centre and on terms which ensure that the listing does not impact on the day to day operation of a regional shopping centre of this size and nature.



Figure 3 - Station Plaza and new ice rink as proposed under current DA (LDA2018/0498)

3. UNINTENDED CONSEQUENCES OF BUSINESS AS USUAL IN MACQUARIE CENTRE

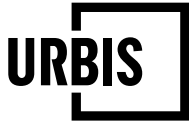
Whilst AMP Capital understood the draft heritage listing was progressing, the proposal as set out in the publicly exhibited planning proposal to map the entire site was unexpected given that only the part of the site which comprised the ice rink has been identified by Council as having social heritage significance.

As stated, Macquarie Centre is a regional shopping centre and is the largest centre in NSW, with more than 400 individual tenants. A typical lease would average 5 years and in any given year AMP Capital would manage and facilitate approximately 80 tenancy modifications with associated fitout works, almost all of which are undertaken through the Complying Development Certificate (CDC) pathway pursuant to *State Environmental Planning Policy (Exempt and Complying Development Codes)* (Codes SEPP).

If the provisions of the Codes SEPP were unintentionally 'switched off' for the site as a result of the heritage listing, this would mean that the only approval pathway which is available for these tenancy modifications would be by way of development applications. This would cause significant inconvenience, delay and additional cost to the many specialty retailers in the centre, as well as resulting in a significantly increased workload for Council in processing DAs for what should be (and have in the past been) routine CDC applications.

Such an outcome also runs contrary to the Government's commitment to streamlining the planning system in order to stimulate COVID recovery.

AMP Capital welcomes the recent advice from Ryde Council that Council is of the view that the land affected by the listing is only that land which is affected by the item as proposed to be described in schedule 5. The proposed item is the rink, it is not the whole lot. Council's view is that it follows from this that the *Codes SEPP* prohibition of exempt and complying development on land affected by a draft heritage item pertains only to the portion of the land affected by the proposed listing of the rink in its current location, and does not apply to the rest of the lot.



This is helpful advice for the many different certifiers who will have to interpret these provisions (in particular CI 1.18(c3) of the Codes SEPP) when considering CDCs for the centre's tenants whilst the ice rink is a draft heritage item.

If the heritage listing is finalised and gazetted in the terms proposed by Council, it will be vital that Council confirm the position again in writing at that time, so that it will be clear for certifiers that a CDC can be issued for the remainder of the site (which does not include an ice rink) in accordance with cl 1.17A(4) of the Codes SEPP.

4. COMMENTS ON THE PROPOSED LEP AMENDMENTS

For the critical reasons highlighted above, AMP Capital proposes some suggested amendments to the proposed listing to provide greater certainty that there will not be any unintended consequence and barriers to the availability of the routine CDC process for Centre retailers in the future. Our recommended suggestions to achieve this are outlined below.

4.1. MAPPING

AMP Capital request that the proposed black line and the reference to the Schedule 5 listing on the proposed draft heritage map is retained in the final updated LEP Heritage Map (Sheet HER_004).

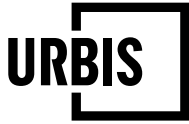
4.2. SCHEDULE 5 HERITAGE LISTING DESCRIPTION

AMP Capital request that Council amend the proposed description provided in the Draft Planning Proposal for listing the Ice Rink under Part 1 of Schedule 5 of the RLEP 2014 to provide even greater certainty that the current proposed listing does not apply to the broader Macquarie Shopping Centre, which means that the balance of the Shopping Centre will still be able to rely on the CDC process.

Please see below the amendments proposed to the description. Our suggested proposed deletions have been marked with a “strike through” and the additions are noted in “red”. Our suggested amendments will give AMP Capital and its tenants greater confidence that complying development under the Codes SEPP can still be carried out on the remainder of the Centre.

Table 1 Suggested Amendments to Schedule 5 Listing

Suburb	Item Name	Address	Property Description	Significance	Item no.
Macquarie Park	<p>Macquarie Olympic sized Ice Rink with associated facilities (seating, meeting and team areas etc) integrated with Macquarie Shopping Centre</p>	197 – 223 Herring Road Macquarie Park	<p>Part That part of Lot 100 DP 1190494 on which the ice rink is situated</p>	Local	345



Suburb	Item Name	Address	Property Description	Significance	Item no.
	retail/commercial activities and known as Macquarie Ice Rink.				

5. CONCLUSION

The designation of the Macquarie Centre site in the Ryde DCP as the retail core of Macquarie Park, reflects its strategic importance in terms of both net employment and the services provided. It is therefore critical that the operational needs of this important regional shopping centre, both now and into the future, are not compromised as an unintended consequence of the heritage listing of the ice rink.

Whilst this submission does not attempt to resist a future listing, we would like any future listing to provide for flexibility (specifically, the ongoing application of the Codes SEPP provisions to the balance of the shopping centre site) in order for the redevelopment of the Macquarie Centre to deliver the public benefits and amenity sought by all stakeholders, as well as allowing the creation of a new Olympic sized ice rink at a new location within Macquarie Centre.

Accordingly, we request the following:

1. The amendment of the proposed listing as outlined in Section 4.2 of this letter; and
2. That another letter is issued by Council at the time of gazettal of any draft LEP amendment so that it is clear for certifiers that a CDC pathway can continue to be utilised for the remainder of the site (which does not include an ice rink) in accordance with cl 1.17A(4) of the Codes SEPP.

Please do not hesitate to contact me to discuss any of the above.

Yours sincerely,

Sarah Horsfield
Director
+61 2 8233 9976
shorsfield@urbis.com.au

DE-IDENTIFIED SUBMISSIONS

D20/19372
(EARLY)

Dear Ryde Council,
I was very saddened to hear that the order to protect the socially and culturally significant ice rink is only temporary. This rink has been used by all members of my family and extended family since it opened and in fact I had ice skating lessons there with many friends as a teen nearly 40 yrs ago . There are so few places people can meet and be active and socialise away from scorching heat - there is virtually no indoor sport You can do if you do not belong to a sporting club and that is not for everyone. With the growing high rise landscape places to move and get fit and active are increasingly important and few .
I urge you to protect the ice rink , what it means to people of Ryde , and the ongoing opportunities it affords for social connection and healthy and active fun for future generations.

Yours sincerely,

[REDACTED]
[REDACTED]
[REDACTED]

Sent from my iPhone

D20/25640
(EARLY)

Hi Karen,
I'm sorry but I am unavailable to attend the meeting on the 25th February however fully support the Macquarie Ice Skating Rink in its endeavours to remain as a full Olympic Rink as it has been for so many years.

i can't believe at this day and age, when all areas of council, government and parents should be supporting any form of sporting activities to encourage health, movement and well being and the current proposal is to reduce it!!! Further, Macquarie Ice Skating Rink is one of two long standing ice skating rinks in Sydney that continues to offer a full rink for training for our future Olympians. Has seeking for the highest dollar come to this!!! It is so disappointing, sad and an injustice to our future children who may aspire to represent Australia one day. I

I only hope that Macquarie Ice Skating Rink win their proposal to remain as a full heritage rink.

With kind regards,

[REDACTED]

D20/96249 (EARLY)	<p>Please do not knock down the ice rink!</p> <p>It's an iconic part of Sydney and we don't want a NEW one, we want the one we have now with all its charms and flaws that make it special.</p> <p>All governments seem to do is now is knock down Sydney's past, so I hope you consider putting people and Sydney first this time, before a developer briefcase full of cash.</p> <p>Thank you,</p> <p>██████</p>
D20/189974	<p>Thanks to Jerome, please.</p> <p>I write in support of heritage listing application Macquarie Park Olympic size ice rink.</p> <p>Kindly acknowledge receipt of email.</p> <p>Thanks - ██████</p>

D20/190159

To whom it may concern

I am writing to express my strong views regarding keeping an Olympic sized ice rink in Ryde and in particular as part of the Macquarie Shopping Centre complex.

It is such an asset to have community facilities like this within the City of Ryde.

Having grown up in the Lane Cove Council area and now living in East Ryde with 2 children I have experienced the joy as a child myself and again more recently through my children of this ice rink facility.

People travel to Ryde to utilise these facilities given how few and far between they are in the greater Sydney area.

I believe enabling positive social and sporting spaces for now and future generations is critical. As such I am all for efforts from the council to ensure in any way possible that we don't lose this great local facility.

Kind regards

██████████
████████████████████
██████████

Sent from my iPhone

D20/190181

Dear Sir or Madam,

I am writing to you today asking for your support of the Planning Proposal to list the Macquarie Ice Rink at 197-223 Herring Road, Macquarie Park as a local heritage item under the *Ryde Local Environmental Plan 2014* (RLEP).

I currently live in New York State, but from June 2004 to December 2005, I lived in Sydney with my husband and then-toddler son. We had just moved from Florida to Sydney and knew very few people in Australia. I found my second home at Macquarie Ice Rink. From the first day I went to the rink, everyone was so welcoming and encouraging. Many rinks here in the United States are not all that welcoming of adult skaters, but Macquarie was one of those rare "all-skater" friendly rinks I had only heard about up until that point. For 18 months I trained happily alongside Australian National Champions and then up-and-coming skaters like Brendan Kerry. Everyone supported and encouraged each other. It was a truly magical place for me and alleviated a great deal of my homesickness.

My son also got his skating start in the Tot class at Macquarie. He went on to become a 2-time United States National Figure Skating Championships competitor, finishing in the top 10 in Juvenile ice dance. He even used his experiences in those Tot classes as the basis for his college essay. He is now in his second year of study at Sciences Po in France and plans to spend his 3rd and last year in Cairo, Egypt, where he hopes to teach young kids there skating, just as he was taught at Macquarie.

To sum up, this rink is not just an ice rink. It is a community, a family, and a supportive training environment for countless Australian champions (and hopefully many more to come). I hope you will be able to keep this wonderful heritage alive for future Australians and future Sydney residents as well.

Sincerely,

██████████
████████████████████
████████████████████



P.S. Attached photo is of my son at the US National Championships.

D20/200393	<p>I agree with the Planning Proposal to list the Macquarie Ice Rink at 197-223 Herring Road, Macquarie Park as a local heritage item under the <i>Ryde Local Environmental Plan 2014</i> (RLEP).</p> <p>The site meets the criteria for listing and is very important to the community</p> <p><i>I have never made any reportable political donations made to any local councillor of Ryde council.</i></p> <p><i>I have never given any gifts to any local councillor or employee of Ryde council.</i></p> <p>regards</p> <p>██████████</p>
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<p>D20/202214 and Online Submission 13</p>	<p>Lord Mayor, Councillors,</p> <p>I submitted my comments already on the relevant website (https://www.ryde.nsw.gov.au/haveyoursay/Have-your-Say/Planning-Proposal—Local-Heritage-Listing-of-Macquarie-Ice-Rink), but don't want to miss the opportunity to send them via email as well.</p> <p>I am writing in support of the Heritage Listing application 'Planning Proposal – Macquarie Ice Rink LEP2020/1/7'.</p> <p>At the same time I support the construction of a new Olympic-size rink as is proposed in the recently submitted redevelopment of the Macquarie Shopping Centre (197-223 Herring Road, Macquarie Park (Macquarie Shopping Centre), Local Development Application No. LDA2018/0498 – AMENDED PLANS).</p> <ol style="list-style-type: none"> 1. I support the Heritage Listing application for the existing rink, under the assumption that this will not prevent a new rink being built, which includes the heritage-relevant features listed in the heritage research report. As I understand it, both can be achieved, as the heritage features from the existing rink can be carried over to a new rink, and in fact the heritage features are already incorporated in the new Olympic-size rink, which is part of the amended LDA2018/0498. 2. I have been part of the ice skating community for nearly a lifetime, initially as a competitive figure skater and coach, and since over 15 years as judge for all disciplines of figure skating. Additionally, I have held various administrative roles in the sport from club to state level. 3. I want to emphasise that Macquarie Ice Rink is not only an integral part of our community's fabric, but also an important recreational and sporting facility for an increasingly dense population in Ryde. Macquarie Ice Rink was always more than just an ice rink. It was a place to meet with friends and family, to exercise and stay fit and healthy, and for some to explore their athletic skills rising onto the global stage of the prestigious sports of figure skating, ice hockey, short track or speed skating. <p>Macquarie Ice Rink also supports our community's diversity as skating easily overcomes generational barriers (skaters from toddler to nonagenarians) barriers of language (skating is based on demonstration rather than language) and ability / disability (catering to abled-bodied skaters as well as those with various disabilities). Why wouldn't we try everything to preserve for our children and future community such a valuable institution that has served our current community in so many ways over several generations?</p>
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	<p>4. The heritage features listed in the heritage report are important for the community. I appreciate AMP's efforts in developing a plan for a new Olympic-sized ice rink within the redevelopment of the Macquarie Shopping Centre (LDA2018/0498 – AMENDED PLANS) incorporating the heritage features as listed in the aforementioned Heritage Listing application.</p> <p>5. In conclusion, Macquarie Ice Rink should be protected through Clause 5.10 Heritage Conservation of LEP 2014 in order to secure an important icon that shaped our community living and has been the hallmark of the Macquarie Shopping Centre since it was established. Moreover, it allowed prominent winter athletes to grow and represent Australia on the world stage. By preserving the Macquarie Ice Rink under the heritage listing, we preserve a common meeting place that brings together our diverse community and will improve the liveability of the City of Ryde for future generations. Macquarie Ice Rink is an essential part within the City of Ryde and thus, I hope the heritage listing will proceed. A heritage listing will allow that the skating rink, which has shaped the lives of so many, can continue to be experienced by current and future generations. It is an investment into a healthy and positive future of our community.</p> <p>Thank you for all your efforts to make the City of Ryde a great place to live in.</p> <p>Kind regards,</p> <p>██████████</p> <p>████████████████████</p> <p>e-mail: ██████████</p>
Online Submission 1	My daughter and I spent many years at the Macquarie ice rink and look forward to returning after university completes. The retention of physical sports venues is a good way to combat technology-centric recreation relating to devices and sitting on couches.
Online Submission 2	I absolutely support the proposal for an Olympic sized ice rink in the Macquarie Centre. It's been an important part of my family's life and of course so many others in our community
Online Submission 3	Lets me Heritage list the Ice Rink

Online Submission 4	Figure Skating has a very rich history that inspires those that choose to enjoy the sport as a recreation or those that aim towards a professional career. When one steps onto the ice they can't help but feel that they have entered that very special world, regardless of their level. Only an Olympic sized rink can provide that feeling. Only an Olympic sized rink can capture the imagination of the public and provide a place where both recreational and professional worlds meet. Please keep Macquarie rink as a dual purpose rink where recreational and professional skaters can come and perform and promote the sport, which gives the shopping complex a very unique dimension.
Online Submission 5	As a young girl I visited the Macquarie Ice Rink and as an adult I have been taking my sons to the Mcquarie Ice Rink. My son is now an Olympic hopeful in the Short Course Speed Skating Discipline. He trains 5 days a week at the Rink. Two days a week from 4:30 to 7am in order to get more time on the ice. It is critical that an Olympic Sized Ice Rink is available not only for him but for others to learn, practice and just have fun on.
Online Submission 6	I strongly support the retention of an olympic sized skating rink at Macquarie Centre and the local heritage listing will be instrumental in making this happen. The ice rink has a long history with the Ryde area and an olympic sized rink must be retained.
Online Submission 7	The ice rink has been a significant part of my life. From learning how to share when i was very young. To making friends and socialising every Friday night for most of high school. It provides exercise, competition and entertainment and is now the only reason I travel to Macquarie Park.
Online Submission 8	Please keep Macquarie Ice Rink
Online Submission 9	I support the ice-rink at Macquarie Centre remaining as either the existing rink or a new same size rink built to replace it. I urge AMP Capital, a company I hold shares with, to view the unique attraction that this ice rink brings to Macquarie Centre and is part of the community. AMP Capital have a wonderful opportunity to make the ice rink a feature of the Centre. Have you considered in your new design having restaurants one floor above looking down through glass windows (similar to the food court). This would be a unique feature for these restaurants and provide a special uniqueness especially during special ice rink shows and events where the restaurants would gain increased patronage (similar to what happens at NYE fireworks around Sydney Harbour). The ice rink is a heritage item because so many people grew up using this rink in so many ways and is an essential part of the fabric of our community. I fully support a full size ice rink being at Macquarie Centre and thank AMP Capital for recognizing the will of the public on this important issue.
Online Submission 10	Lost heritage of Ryde is 18 Rutledge Street Eastwood & 68 Denistone Road Denistone. A modern Ice Rink may also be worthy of some type of listing. However, it seems there is NO heritage in Ryde and nor has there been any for quite some time.

Online Submission 11	I fully support Planning Proposal to list the Macquarie Ice Rink at 197-223 Herring Road, Macquarie Park as a local heritage item under the Ryde Local Environmental Plan 2014 (RLEP). It is a unique facility in Sydney and has provided hundreds of thousands of people healthy exercise, social contact and community evidenced by the huge support submitted when it was at risk of closure. Olympic ice skaters have trained there, putting Ryde NSW on the interntional map.
Online Submission 12	<p>To the General Manager, City of Ryde.</p> <p>I support the application to Heritage list an Olympic sized ice rink located within the Macquarie Shopping Centre, or a rink with similar features, Olympic size, audience seating, glass frontage and able to be viewed from a food court to be located within the Macquarie Shopping Centre location. The Macquarie Ice Rink has been in the area a long time and serves both the local and wider community.</p> <p>Regards, </p>
Online Submission 13	See D20/202214
Online Submission 14	<p>Dear City of Ryde Council</p> <p>I support the Local Heritage Listing of Macquarie Ice Rink as it is is a major community asset that has been used by the local community for many decades.</p> <p>It is situated in a major shopping precinct of Macquarie Park that is used by multiple generations of the local community. Sydney is a large modern city and Macquarie Ice Rink is one of, it not the best ice rink in our city. We cannot allow for this community asset to be lost.</p> <p>The population density of Macquarie Park and other areas of Ryde Council is increasing and physical exercise and sporting space for the general community is reducing relative to this growing population. We can't allow such spaces to disappear.</p> <p>I fully support the Local Heritage Listing of Macquarie Ice Rink</p> <p>Regards </p>

Date of Determination	13 February 2020
Panel Members	Steve O'Connor (Chair) Eugene Sarich (Independent Expert) Ian Stapleton (Independent Expert) Bec Ho (Community Representative)
Apologies	Clr Bernard Purcell
Declarations of Interest	NIL

Public meeting held at the City of Ryde Council Chambers on 13 February 2020 opened at 5:00pm and closed at 6:40pm.

Papers circulated electronically on 5 February 2020.

MATTER DETERMINED

197-223 Herring Road, Macquarie Park (Lot 100 DP1190494)

The Planning Proposal seeks to make the following amendments to Ryde Local Environmental Plan 2014:

- amend Schedule 5 Environmental heritage of RLEP 2014 to include one new item being the Macquarie Ice Rink,
- insert a new local clause which will permit the redevelopment and/or relocation of the Ice Rink within the Macquarie Shopping Centre subject to a Conservation Management Plan (CMP) being prepared for the Centre and endorsed by the consent authority, demonstrating that the current key aspects of the Rink, which give the rink its heritage value and status, can be achieved and maintained in the proposed new location.

The following people addressed the meeting:

1. Dyalan Govender (Manager City Strategy – application intro)
2. Councillor Jerome Laxale – in support
3. Councillor Penny Pederson – in support
4. Councillor Bernard Purcell – in support – did not attend
5. Paul Gregg – Rink owner's son – in support
6. Tony Tran – in support
7. Mark Kirkland – AMPC Shopping Centres – on behalf of Macquarie Centre DA applicant
8. Tim Blythe – Urbis – Macquarie Centre DA applicant

PANEL CONSIDERATIONS AND DECISION

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

PLANNING PROPOSAL

The Panel determined that the Macquarie Ice Rink Heritage Item be submitted for Gateway Determination under 3.34 of the *Environmental Planning and Assessment Act 1979* with the following amendments to Council's recommendation:

Points A & B to be retained and;

Point C to be added:

The five key aspects listed on page 8 of the planning proposal should be incorporated into the proposed new clause to be inserted into the Ryde LEP 2014

Point D to be added:

The Planning Proposal should minimise the impact of the listing on the use of the exempt and complying provisions of the code SEPP

The decision was unanimous.



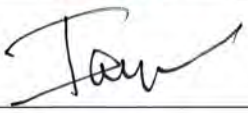

REASONS FOR THE DECISION

The Panel determined the above for the following reasons:

1. The PP provides appropriate protection for the Macquarie Ice Rink which is an item of social and cultural heritage significance within the City of Ryde, through its heritage listings in Schedule 5 Environmental heritage of RLEP 2014.
2. Legislative protection can only be provided to the Macquarie Ice Rink by including it in RLEP 2014, Schedule 5 Environmental Heritage.
3. The PP will provide greater certainty for the future development of Macquarie Shopping Centre.

CONDITIONS

Not applicable

PANEL MEMBERS	
Steve O'Connor (Chair)	
Eugene Sarich	
Ian Stapleton	 13.2.20
Bec Ho	

SCHEDULE 1

1	DA No.	NA
2	Proposal	<p>The Planning Proposal (PP) seeks to make the following amendments to Ryde Local Environmental Plan 2014:</p> <ul style="list-style-type: none"> • amend <i>Schedule 5 Environmental heritage</i> of RLEP 2014 to include one new item being the Macquarie Ice Rink, • insert a new local clause which will permit the redevelopment and/or relocation of the Ice Rink within the Macquarie Shopping Centre subject to a Conservation Management Plan (CMP) being prepared for the Centre and endorsed by the consent authority, demonstrating that the current key aspects of the Rink, which give the rink its heritage value and status, can be achieved and maintained in the proposed new location.
3	Street Address	197-223 Herring Road, Macquarie Park
4	Applicant / Owner	City of Ryde
5	Reason for referral to RLPP	Required by Ministerial Direction made under Section 9.1 of the <i>Environmental Planning and Assessment Act 1979</i> dated 27 September 2018
6	Relevant mandatory considerations	Not Applicable
7	Material considered by the Panel	<ul style="list-style-type: none"> • Council assessment report • Written submissions during public exhibition: NA • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ In support – Clr Jerome Laxale, Clr Penny Pederson, Clr Bernard Purcell, Tony Tran ○ In objection – Nil ○ Council assessment officer – Dyalan Govender ○ On behalf of the applicant – Mark Kirkland & Tim Blythe • AMPCI submission to the Panel
8	Meetings, briefings and site inspections by the Panel	<ul style="list-style-type: none"> • Site inspection: 13 February 2020 • Briefing: 13 February 2020 <p>Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Steve O'Connor (Chair), Eugene Sarich, Ian Stapleton, Bec Ho ○ <u>Council assessment staff</u>: Dyalan Govender, Lexie Macdonald, Michael Edwards, Rachel Hughes, GML consultant <ul style="list-style-type: none"> • Papers were circulated electronically on 5 February 2020
9	Council Recommendation	That the Ryde Local Planning Panel recommend to Council that the planning proposal be submitted for Gateway Determination under 3.34 of the <i>Environmental Planning and Assessment Act 1979</i>
10	Draft Conditions	Attachment 1 to the Council report