

City Planning

**330 Rowe Street
Eastwood
Planning Proposal**

January 2018

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1. Ryde Local Environmental Plan 2014 Site Identification Map
2. Interim Heritage Order No. 3 published in Government Gazette No.128 dated Wednesday, 29 November 2017
3. Mayoral Minute – 12 December 2017 MM12/17 “Heritage Protection – 330 Rowe Street, Eastwood”
4. Heritage Study – to be attached
5. Schedule 5 Environmental heritage and Draft Heritage Map

1. Introduction

This planning proposal has been prepared in accordance with the requirements of the Environmental Planning and Assessment Act 1979 (in particular section 55) and relevant guidelines produced by the Department of Planning and Environment. This planning proposal explains the intended effect of a proposed amendment to the Ryde Local Environmental Plan (LEP) 2014 and sets out the justification for making that amendment.

The Department of Planning and Environment requires a planning proposal to contain the following objectives, which form the basis of the document.

Section 55 Part 2 states:

- 2(a) A statement of the objectives or intended outcomes of the proposed instrument, (Refer to 2.0)*
- (b) An explanation of the provisions that are to be included in the proposed instrument, (Refer to 3.0)*
- (c) The justification for those objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will comply with relevant directions under section 117), (Refer to 4.0)*
- (d) If maps are to be adopted by the proposed instrument, such as maps for proposed land use zones; heritage areas; flood prone land—a version of the maps containing sufficient detail to indicate the substantive effect of the proposed instrument, (Refer to 5.0)*
- (e) Details of the community consultation that is to be undertaken before consideration is given to the making of the proposed instrument. (Refer to 6.0)*

1.1 Planning Proposal

This planning proposal aims to amend the existing Ryde LEP 2014 to;

- Conserve and protect the heritage of the built environment of the property to which this plan applies,
- To ensure that any new development on the land does not adversely affect the heritage significance of the building(s) or their setting and
- Include the property 330 Rowe Street Eastwood in LEP 2014 as a Heritage Item in *Schedule 5 Environmental Heritage* and on the *Heritage Map*

1.2 Site Description

This planning proposal applies to the land known as: **330 Rowe Street, Eastwood (Lot 3 DP 18275)** identified on the map titled *Draft Site Identification Map* shown in Figure 1 (Refer also to Attachment 1)



Figure 1: Subject site, 330 Rowe St Eastwood

A site location plan is shown at **Figure 2** and an aerial photo of the site is shown at **Figure 3**

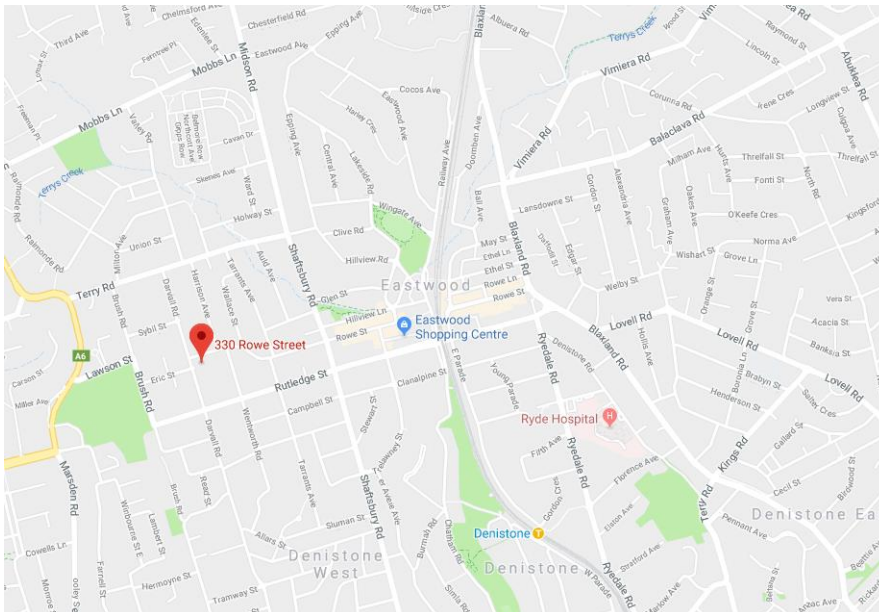


Figure 2: the site located at the red drop pin

The subject site which is approximately 1125m² contains an intact Federation style dwelling and associated gardens as shown in Figures 3 and 4.



Figure 3: Aerial Photograph of the site



Figure 4: Front Façade of 330 Rowe Street, Eastwood (top right) and photographs indicating intact interior and architectural detail of this Federation style building. (Source: <https://www.realestate.com.au/sold/property-house-nsw-eastwood-124977286>)

1.3 Context

The site is located south west of the Eastwood Town Centre near the intersection of Rowe St and Darvall Rd in the suburb of Eastwood. The site is in the vicinity of a number of local heritage items listed under the RLEP 2014.

Excerpt of Ryde LEP 2014 Schedule 5 Environmental Heritage

Suburb	Item name	Address	Property description	Significance	Item no
Eastwood	House	14 Auld Avenue	Lot 6, DP 11568	Local	8
Eastwood	House	4 Auld Avenue	Lot A, DP 342192	Local	7
Eastwood	Fire Station	269 Rowe Street	Lots 29 and 30, DP 7464	Local	107
Eastwood	“Upna” (house)	24 Rutledge Street	Lot B, DP 364839	Local	108
Eastwood	“The Rectory” (house)	25 Clanalpine Street	Lot 45, DP 4231	Local	34
Eastwood	St Philip’s	29 Clanalpine Street	Part Lot A, DP 389661	Local	35
Gladesville	Stone marker	Corner Ashburn Place and Wharf Road		Local	207
Eastwood	Brush Farm Park	2–4 Lawson Street	Lot 7059, DP 1062383	Local	61
Eastwood	“Brush Farm” (house)	19 Lawson Street	Lot I, DP 800471	State	62
West Ryde	Riverview House and outbuildings	135 Marsden Road	Lot 1, DP 218486	State	67
West Ryde	Houses	102 and 106 Rutledge Street	Lots 2 and 4, DP 218486	Local	109
West Ryde	Houses	91, 93 and 95 Winbourne Street	Lots 7–9, DP 218486	Local	177
West Ryde	House	94 Winbourne Street	Lot A, DP 401556	Local	175
West Ryde	House	96 Winbourne Street	Lot B, DP 401556	Local	176
Eastwood	House	11 Coronation Avenue	Lot A, DP 375352	Local	202
Eastwood	“Womerah” (house)	31 Trelawney Street	Lot 2, DP 607291	Local	129

Locations of local heritage items in the vicinity of the site are shown in Figure 5. The subject site is shown red hatched

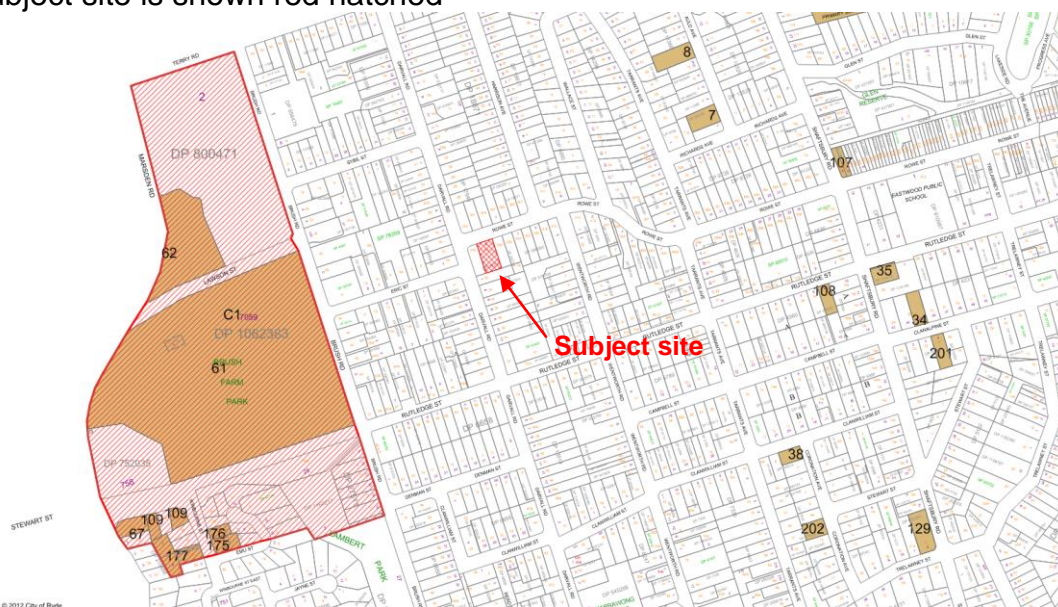


Figure 5: Heritage Items in the properties vicinity

1.4 Current Planning Controls Environmental Planning Instruments

Ryde LEP 2014 is the principle planning instrument applying to the site.

Zoning

The site is currently zoned under the Ryde LEP 2014 as R2 – Low Density Residential (see Figure 6).

Under the zone the following uses are permitted with consent;

Bed and breakfast accommodation; Boarding houses; Business identification signs; Child care centres; Community facilities; Dual occupancies (attached); Dwelling houses; Environmental protection works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Hospitals; Multi dwelling housing; Places of public worship; Recreation areas; Residential care facilities; Respite day care centres; Roads; Secondary dwellings.

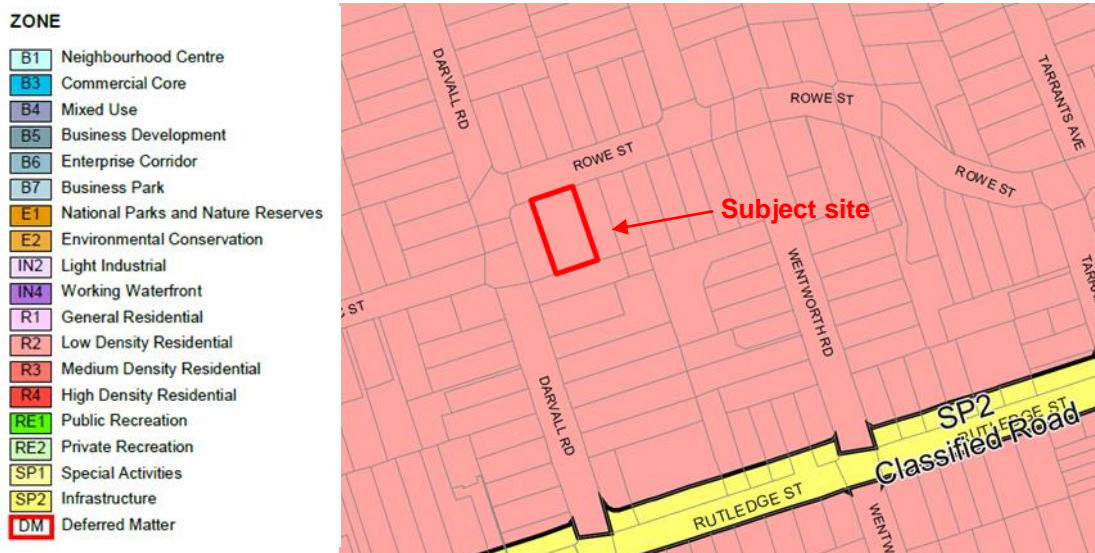


Figure 6: Current Site Zoning (Land Zoning Map – Sheet LZN_002 of the RLEP2014)

Building Height

The maximum building height relating to the site, is 9.5m as per Ryde LEP 2014 Height of Buildings Map. (see Figure 7 below)



Figure 7: Current Height of Buildings (Height of Buildings Map – Sheet HOB_002 of the RLEP2014)

Floor Space Ratio

The maximum floor space ratio relating to the site is 0.50:1 as per Ryde LEP 2014 Floor Space Ratio Map. (See Figure 8 below)



Figure 8: Current Floor Space Ratio as per Ryde LEP 2014

1.5 Background

Ryde Heritage Study 2010 was commenced in 2003 and approximately 71 properties were identified and recommended for heritage listing, together with amendments to existing heritage listings. The site 330 Rowe Street Eastwood was identified in the Heritage Study 2010.

The Heritage Study 2010 recommended that 330 Rowe Street, Eastwood be listed, because it was identified as a substantially intact Federation style dwelling, in excellent condition and a representative example of the architectural style because of its high degree of integrity. It is also aesthetically distinctive within the streetscape, being complemented by its generously proportioned landscaped garden setting, with many mature plantings.

Council, on 17 August 2010 considered the *Draft Ryde Heritage Study 2010*, and resolved not to pursue the heritage listing of any property unless the land owner applied for a heritage listing. The land owner at the time did not request heritage listing and as a result the subject property was not heritage listed under the provisions of LEP 2014.

As a result of the 2010 Ryde Heritage Study, 14 items were heritage listed including 3 dwellings, 2 public buildings and 9 stone markers. Since 2010, a study of the 57 buildings that were recommended but not listed reveals that;

- 1 has been significantly damaged by fire and is beyond salvageable repair,
- 9 have been demolished or consent granted for demolition, and
- Several have been the subject of DAs for alterations and additions.

A Local Development Application (LDA) was received by Council on the 11 October 2017 to demolish the existing dwelling house at 330 Rowe Street Eastwood, and construct a two storey child care centre for 74 children, with basement parking. The LDA was available for community comment between 23 October and 15 November 2017. A petition containing 150 names and several individual submissions were received by Council. Submissions raised concerns regarding the proposed demolition of the building given its heritage significance.

In response Council, on 28 November 2017 resolved;

- (a) *That Council delegate the Acting General Manager to place an Interim Heritage Order over 330 Rowe Street, Eastwood; and*
- Prepare a Planning Proposal to list the property as an item of local heritage significance within Schedule 5 Environmental Heritage of Ryde Local Environmental Plan 2014, and*
 - That the Planning Proposal seeking heritage listing of 330 Rowe Street Eastwood is forwarded to the Department of Planning and Environment with a request for a Gateway Determination, and*
 - That upon receipt of the Gateway Determination, the Acting General Manager places the Planning Proposal on Community Comment, in accordance with the conditions of the Gateway Determination.*
 - That a report on the outcomes of community consultation is presented to Council as soon as practicable.*

An IHO is a temporary heritage protection measure against the demolition of a potential heritage item. It also provides time to assess the heritage significance of a potential item and take the appropriate steps to list the item if warranted. Interim Heritage Order No. 3 (IHO) which relates to the subject property was published in the Government Gazette No.128 dated Wednesday, 29 November 2017

An experienced heritage consultant was subsequently engaged by Council to undertake a heritage assessment of the property. The study concludes that the property at 330 Rowe Street has heritage significance as follows:

The house “Kingsley”, [now known as “Berrilee”] built 1907 and its site are of local historical significance as evidence of the early development of the Eastwood area. The house is of local historical significance as the residence of a prominent Sydney entrepreneur and his family from 1908-1912, and as the work of prominent local architect Charles Robert Summerhayes. ...

The house has local historical association with James Vinrace Vale, mining engineer and entrepreneur, and his wife Adelaide Selina Vale (the original property owner), who commissioned the design and construction of the house and resided at the property 1908-1912....

The house has local historical association with its’ designer, prominent local architect Charles Robert Summerhayes (1860-1948). Summerhayes was responsible for the Eastwood Heights Estate subdivision, ... the design of his own (now heritage listed) house Womerah, at Eastwood, the locally heritage-listed Eastwood Park grandstand, Ryde Park Rotunda, St Phillip’s Anglican Church, Eastwood, a group of three shops in Rowe Street Eastwood known as “Summerhayes buildings” (name on parapet), and the (now State heritage listed) Holy Trinity Greek Orthodox Church in Bourke Street, Surry Hills. Summerhayes was also Mayor of Ryde 1911-1912.

The house is of local aesthetic significance as a fine representative architect-designed example of the Federation Queen Anne style, with two main northern and eastern elevations, distinguished by gable ends and verandahs, reflective of the original setting of the house within extensive grounds. The house retains distinctive characteristics of the style including hipped and gabled slate roof with terracotta ridge capping and tall roughcast stuccoed chimneys ... and a wraparound verandah to north, east and south elevations with elaborate turned timber posts, brackets, freize and balustrading.

The house is locally rare as a house known to have been designed by prominent early 20th century local architect Charles Robert Summerhayes. There is only one other house in the Ryde LGA known to have been designed by Summerhayes, being Summerhayes’ own residence, Womerah.

The heritage study recommends that the City of Ryde Council proceed with the process of heritage listing the site by amending the Ryde LEP 2014 to include the site as a heritage item under Schedule 5 Part 1: Heritage Items of the Ryde LEP 2014 (See attachment 4)

2.0 Objectives and Intended Outcomes

This part of the planning proposal responds to Section 55(2a) of the Environmental Planning and Assessment Act 1979 which requires an explanation of what is planned to be achieved by the proposed amendments to the Ryde LEP 2014.

This Planning Proposal seeks to amend RLEP 2014 by including the property 330 Rowe Street Eastwood as a Heritage item in *Schedule 5 Environmental Heritage* and including the property in *Ryde LEP 2014 Heritage Map*

The intended outcome of the Planning Proposal is;

- To ensure the protection of the dwelling and associated grounds at 330 Rowe Street Eastwood from any development which could adversely affect the heritage significance of the property, and
- To preserve the contribution this site provides to the environmental heritage of Ryde
- To permit future use and development of this property consistent with the cultural significance of the item.

3.0 Explanation of Provisions

The planning proposal seeks to:

- Amend *Ryde LEP 2014 Schedule 5 Environmental Heritage* - to include the property 330 Rowe Street Eastwood (Lot 3 DP 18275) (see Figure 9)
- Amend *Ryde LEP 2014 Heritage Map* – to include 330 Rowe Street Eastwood (Lot 3 DP 18275) (see excerpt below)

A draft Schedule 5 Environmental heritage and Draft Heritage Map are included at **Attachment 5**

Excerpt: Proposed Amendment to Ryde LEP 2014 Schedule 5 Environmental Heritage (Amendment shown in RED)

Schedule 5 Environmental heritage (Clause 5.10)
Part 1 Heritage items

Eastwood	"Summer Hayes" (shops)	119, 123 and 136 Rowe Street	Lot B, DP 338186; Lot A, DP 33186; Lot A, DP 340287	Local	105
Eastwood	Fire Station	269 Rowe Street	Lots 29 and 30, DP 7464	Local	107
Eastwood	"Berrilee" (house)	330 Rowe Street	Lot 3 DP18275	Local	223
Eastwood	"Upna" (house)	24 Rutledge Street	Lot B, DP 364839	Local	108

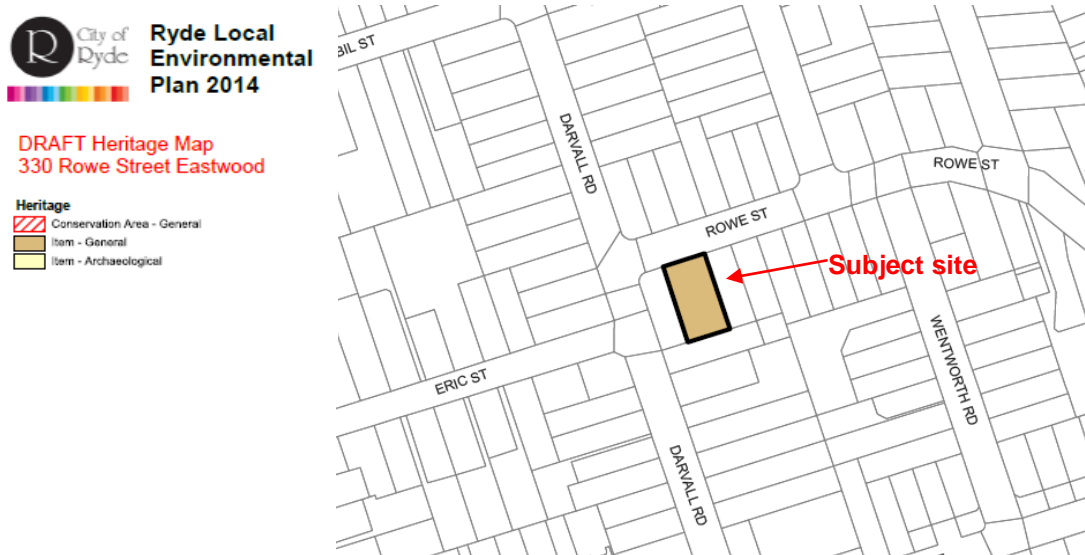


Figure 9: Excerpt of Proposed Heritage Map

4.0 Justification

Section 55 (3) 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).

4.1 Need for the planning proposal

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

The property is the subject of an Interim Heritage Order published in the Government Gazette No. 128 on Wednesday 29 November 2017.

A consultant was subsequently engaged by Council to provide a detailed heritage assessment of the house and site. The findings of this study identify this property as a rare Federation Queen Anne style residence in Eastwood. The study indicates that this is one of two residential properties in the Ryde LGA designed by prominent local architect Charles Robert Summerhayes. It was commissioned by James Vinrace Vale - a mining engineer and entrepreneur - and his wife Adelina Selina Vale who resided at the property from 1908-1912. 330 Rowe Street Eastwood has Local Heritage Significance due to its historic associations and aesthetic qualities. (Attachment 4)

The study concludes that 330 Rowe Street warrants heritage listing under the provision of Ryde LEP 2014 in order to protect its heritage significance.

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

This Planning Proposal represents the only means of ensuring the heritage significance of the site. This will ensure that the site is recognised and protected from development that may adversely affect the significance of the site and its contribution to the environmental heritage of the City of Ryde.

4.2 Relationship to strategic planning framework

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:

Our Greater Sydney 2056 – Revised Draft North District Plan (NDP) October 2017

The Revised Draft North District Plan (NDP) is the Greater Sydney Commissions plan for priorities and actions for growth and development of the Northern District. The Greater Sydney's North District includes the local government areas of Hornsby, Hunters Hill, Kuring-gai, Lane Cove, Northern Beaches, Mosman, North Sydney, the City of Ryde and Willoughby.

The Revised Draft NDP provides the means by which the Greater Sydney Region Plan can be implemented on a local level, by providing opportunities, priorities and actionable growth and development opportunities for 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 important components of local identity that creates a distinctive built character. The Draft North District Plan states “*The conservation and interpretation of places and values of heritage significance is required to give current and future generations a better understanding of history and people’s past experiences.*” (Draft North District Plan pg.46)

The heritage study attached to this Planning Proposal confirms the importance of 330 Rowe Street, Eastwood as a place of heritage significance. The listing of this property under the Ryde LEP 2014 Schedule 5 Part 1 will ensure that future generations can appreciate the unique aesthetic significance of this property. Ensuring this property is protected supports *Planning Priority N6* as a property that respects the Districts heritage and can retain character of Eastwood and the local centres in the City of Ryde.

The recognition and protection of 330 Rowe Street Eastwood as containing a building and grounds which are representative of dwellings at the turn of the twentieth century and are a contributing item to the heritage of the City of Ryde supports the Goals and Directions of *Our Greater Sydney 2056 Revised Draft North District Plan (October 2017)*.

Is the planning proposal consistent with the local council's local strategy, or other local strategic plan?

City of Ryde Strategic Plans:

1. *The City of Ryde 2025 Community Strategic Plan*

The Community Strategic Plan sets out the future vision for the City of Ryde. The plans set the desired outcomes and the aspirations of the community, and the goals and strategies on how they will be achieved. The seven outcomes for the City of Ryde are;

- A City of Liveable Neighbourhoods
- A City of Wellbeing
- A City of Prosperity
- A City of Environmental Sensitivity
- A City of Connections
- A City of Harmony and Culture
- A City of Progressive Leadership

The Planning Proposal is in line with the goals and strategies of the Community Strategic Plan in that it is responding to the community's sense of identity to their neighbourhood and a desire for liveable neighbourhoods by protecting local heritage.

This is reflected through the Community Strategic Plan Goal One; "Our residents are proud of their diverse community, celebrating their similarities and differences." The Plan puts forward the two important strategies of;

"...creating a distinct local identity built on our city's character and cultural heritage." and "...to bring people together in their local neighbourhood to encourage connection and belonging to place" (*Pg. 23 City of Ryde 2025 Community Strategic Plan*)

2. *The City of Ryde Local Planning Study (December 2010)*

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 Ryde LEP 2014. One of the aims of Ryde LEP 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, (Ryde LEP 2014 Clause 1.2(d))

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

Is there a net community benefit?

The Planning Proposal will facilitate the retention of an item of local heritage significance that contributes to the character and identity of the City of Ryde and will assist to connect the local community to place

The inclusion of 330 Rowe Street, Eastwood in Ryde LEP 2014 Schedule 5 Environmental Heritage will enable the Council to ensure;

- The protection of local heritage significance to the City of Ryde from any development that would adversely impact on the heritage value of the buildings and grounds.

The above outcome of the proposal is considered to be in the public's interest and responds to demonstrable community interest.

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 is contained in the table below (Table 1).

This assessment indicates that the draft LEP contained in this Planning Proposal is consistent with all relevant State Environmental Planning Policies

Table 1 – Consistency with relevant SEPP's

State Environmental Planning Policies (SEPPs)	Consistent		N/A	Comment
	Yes	No		
State Environmental Planning Policy No 19 - Bushland in Urban Areas			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy No 21 - Caravan Parks.			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy No 30 - Intensive Agriculture.			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy No 33 - Hazardous and Offensive Development.			✓	Applies to the whole of the State. Not relevant to proposed amendment

State Environmental Planning Policies (SEPPs)	Consistent		N/A	Comment
	Yes	No		
State Environmental Planning Policy No 50 - Canal Estate Development.			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy No 55 - Remediation of Land.			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy No 62 - Sustainable Aquaculture.			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy No 64 - Advertising and Signage.			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development.			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy No 70- Affordable Housing (Revised Schemes)			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy (Infrastructure) 2007			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy (State Significant Precincts) 2005			✓	Applies to the whole of the State. Not relevant to proposed amendment

State Environmental Planning Policies (SEPPs)	Consistent		N/A	Comment
	Yes	No		
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007			✓	Applies to the whole of the State. Not relevant to 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 (Miscellaneous Consent Provisions) 2007			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy (Education Establishments and Child Care Facilities) 2017			✓	Applies to the whole of the State. Not relevant to proposed amendment
Deemed SEPPs				
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005			✓	Applies to the whole of the State. Not relevant to proposed amendment

Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

A summary assessment of the Planning Proposal in terms of the Directions issued by the Minister for Planning under section 117 of the EP&A Act is set out in Table 2.

The following is a list of Directions issued by the Minister for Planning to relevant planning authorities under section 117(2) of the *Environmental Planning and Assessment Act 1979*. These directions apply to planning proposals lodged with the Department of Planning on or after the date the particular direction was issued:

Table 2: Consideration of Relevant Section 117 Directions applying to planning proposal

Ministerial Directions under Section 117 of the Environmental Planning and Assessment Act 1979	Consistent			Comment
	Y	N	N/A	
1. Employment and Resources				
1.1 Business and Industrial Zones Objectives: (a) Encourage employment growth in suitable locations (b) Protect employment land in business and industrial zones and (c) Support the viability of identified strategic centres			*	
1.2 Rural Zones Objective: To protect the agricultural production value of rural land			*	
1.3 Mining, Petroleum Production and Extractive Industries Objective: To ensure that the future extraction of significant materials is not compromised by inappropriate development			*	
1.4 Oyster Aquaculture Objective: To protect oyster aquaculture from development that may result in adverse impacts on water quality, health of oyster health and consumption			*	
1.5 Rural Lands Objective: To protect production value of agricultural land and to facilitate economic development of rural lands			*	
2. Environmental Heritage				
2.1 Environment Protection Zones Objective: To protect and conserve environmentally sensitive areas			*	
2.2 Coastal Protection: Objective: To implement the principles in the NSW Coastal Policy			*	

2.3 Heritage Conservation Objective: to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	✓			This PP aims to heritage list a property of heritage significance
2.4 Recreation Vehicle Areas Objective: To protect sensitive land or land with conservation values from adverse impacts from recreation vehicles.			✘	
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs Objective: To ensure that a balanced and consistent approach is taken when applying environmental protection zones and overlays to land on the NSW Far North Coast			✘	
3. Housing, Infrastructure and Urban Development				
3.1 Residential Zones Objectives: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has (c) appropriate access to infrastructure and services, and (d) to minimise the impact of residential development on the environment and resource lands.			✘	The subject land is zoned <i>R2 Residential Low Density</i> . Residential development is permitted in the zone. No change is proposed to the land use zone. The intent of the PP is to identify the land as a heritage item under Schedule 5 of Ryde LEP 2014. The subject land is currently used as a dwelling house.
3.2 Caravan Parks and Manufactured Home Estates Objective: to ensure opportunities and a variety of housing types			✘	
3.3 Home Occupations Objective: To encourage the carrying out of low-impact small businesses in dwelling houses			✘	
3.4 Integrating Land Use and Transport Objectives: (a) improve access to housing, jobs, and services by walking, cycling and public transport (b) increase choice of available transport and reduce dependence on cars (c) support efficient and viable operation of public transport services while reducing demand on number of trips generated by development			✘	

3.5 Development Near Licensed Aerodromes Objective: (a) to ensure effective and safe operation of aerodromes (b) to ensure operation is not compromised by development (c) to ensure appropriate noise mitigation			*	
4. Hazard and Risk				
4.1 Acid Sulfate Soils Objective: To avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.			*	
4.2 Mine Subsidence and Unstable Land Objective: to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.			*	
4.3 Flood Prone Land Objectives: (a) To ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy			*	
4.4 Planning for Bushfire Protection Objective: To protect life, property and the environment from bushfire hazards and discourage the establishment of incompatible land uses in bush fire prone areas.			*	
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.			*	
5.3 Farmland of State and Regional Significance on the NSW Far North Coast Objective: to ensure that the best agricultural land will be available for current and future generations to grow food and fibre.			*	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast Objective: To manage commercial and retail development along the Pacific Hwy			*	
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)			*	
5.7 Central Coast (Revoked 10 July 2008)			*	
5.8 Second Sydney Airport: Badgerys Creek Objective: The objective of this direction is to avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek.			*	

5.9 North West Rail Link Corridor Strategy Objective: To promote transit oriented development and manage growth around the stations of the North West Rail Link			*	
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.			*	
6. Local Plan Making				
6.1 Approval and Referral Requirements 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 by reserving land for public purposes	✓			
6.3 Site Specific Provisions Objective: to discourage unnecessarily restrictive site specific planning controls.			*	
7. Metropolitan Planning				
7.1 Implementation of the Metropolitan Plan for Sydney 2036 Objective: to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.	✓			The acknowledgement and protection of 330 Rowe Street Eastwood as an item of local heritage significance within the City of Ryde supports the Goals and Directions of A Plan for Growing Sydney
7.2 Implementation of Greater Macarthur Land Release Investigation Objective: to ensure development within the Greater Macarthur Land Release Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan (the Preliminary Strategy).			*	
7.3 Parramatta Road Corridor Urban Transformation Strategy Objective: (a) facilitate development within the Parramatta Road Corridor that is consistent with the <i>Parramatta Road Corridor Urban Transformation Strategy (November, 2016)</i> and the <i>Parramatta Road Corridor Implementation Tool Kit</i> (b) to provide a diversity of jobs and housing to meet the demands of community growth and ensure the delivery of necessary infrastructure			*	

<p>7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan</p> <p>Objective: to ensure development within the North West Priority Growth Area is consistent with the North West Priority Growth Area Land Use and Infrastructure Strategy.</p>			*	
<p>7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</p> <p>Objective: to ensure development within the Greater Parramatta Priority Growth Area is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan dated July 2017</p>			*	
<p>7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</p> <p>Objective: to ensure development within the Wilton Priority Growth Area is consistent with the Wilton Interim Land Use and Infrastructure Implementation Plan and Background Analysis.</p>			*	

4.3 Environmental, social and economic impacts

Impact on critical Habitat, Threatened Species and Ecological Communities

The land is situated in a suburban context and is currently used as a dwelling house. The wider area has historically been developed for low density residential housing within an urban context

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

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

Environmental effects

The subject side is not subject to flooding, bushfire hazard, soil instability, or noise impact. Furthermore, the property does not contain habitat, threatened species populations, ecological communities, or their habitats.

Therefore, this Planning Proposal will not affect any nor is it expect to have any adverse environmental effects

Heritage

The Planning Proposal aims to list the property 330 Rowe Street Eastwood as a heritage item within the Ryde LEP 2014 and as such the property will be protected through *Clause 5.10 Heritage conservation* of LEP 2014 from work that would adversely affect the heritage significance of the site.

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

The Planning Proposal provides an opportunity for the site to be protected from any development that would adversely impact on the heritage significance of this site and as a result the place will continue illustrate the history and development of housing in the City of Ryde. As a result it will contribute to the social fabric of Ryde. The impact of the listing on the value of the property is not known. The listing is not expected to impact on the viability of the area as a residential suburb.

4.4 State and Commonwealth Interests

Is there adequate public infrastructure for the planning proposed?

There is extensive public utility service infrastructure available in this area which supports the existing residential use of the site and the surrounding development.

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.

5.0 Mapping

Proposed Draft Ryde LEP 2014 Heritage Map, indicating the proposed amendment being sought is provided in Attachment 5



6.0 Community Consultation

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

The community consultation process for this Planning Proposal will be undertaken in accordance with the conditions of a Gateway Determination, should it be issued.

It is anticipated that consultation will be for a 28 day period as follows:

Written notice given

- In the local newspaper circulating in the area
 - On Council's webpage
 - To affected landowners
 - To local state government representatives
 - State and Commonwealth authorities as required
- The written notice will
- Provide a brief description of the objectives and intended outcomes of the planning proposal,
 - Indicate the land affected,
 - 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
- The planning proposal and supporting documents
 - The Gateway Determination

8.0 Project Timeline

Following is an indicative timeline

Milestone	Date
1. Resolution of Council to prepare Planning Proposal	November 2017
2. Planning Proposal submitted with request for Gateway Determination	January 2018
3. Gateway Determination received by Council	February 2018
4. Community Consultation (anticipated 28 days)	March/April 2018
5. Outcomes of Community Consultation presented to Council	June 2018
6. Planning Proposal submitted to Department of Planning and Environment requesting notification on Government website	July 2018