Mr Andrew Clennell The Australian NSW Parliament 6 Macquarie Street SYDNEY NSW 2000

Dear Mr Clennell

Application for access to government information

I refer to your application made under the *Government Information (Public Access) Act 2009* to Office of the Hon. Victor Dominello MP dated 5 June 2019 and acknowledge that it is a valid application under the GIPA Act.

In your application you made the following request for information:

All correspondence between the Minister, Victor Dominello, and former Planning Minister Anthony Roberts and all correspondence between the minister and the Greater Sydney Commission re planning issues in Ryde from March 2017 to February 2019. Specifically the correspondence relates to Mr Dominello's push for a planning pause in Ryde.

Decision about access

I have today decided your application, under section 58(1) A of the GIPA Act, by providing access to various correspondence between Minister Dominello and Minister Roberts and Minister Dominello and the Greater Sydney Commission. Copies of the records are enclosed.

Statement of reasons

There is a presumption in favour of disclosing government information. You have a legally enforceable right to be provided with access to the information sought, unless there is an overriding public interest against disclosure of the information.

I have decided that the public interest considerations in favour of the release of the information outweigh the public interest considerations against disclosure of the information.

Fees and charges

The GIPA Act entitles agencies (including ministerial offices) to charge for the processing of an application, even in circumstances where a decision is made that the agency does not hold any information falling within the scope of the application.

I have decided that no further charges should be imposed for this application.

Rights of review

This decision is reviewable under section 80 of the GIPA Act. If you are aggrieved by my decision, you may seek review under Part 5 of the GIPA Act. You are entitled to seek an external review by the Information Commissioner or by the NSW Civil and Administrative Tribunal.

Inquiries

Please contact me on telephone (02) 8574 6607 if you have any questions in relation to your application.

Yours sincerely

Matt Dawsor

Office of the Hon Victor Dominello MP

Minister for Customer Service

27-6-19

June 5, 2019

To the GIPA officer

Customer Service Minister Victor Dominello's office

To Whom it may concern,

I wish to apply under the GIPA Act for all correspondence between the minister, Victor Dominello, and former Planning Minister Anthony Roberts and all correspondence between the minister and the Greater Sydney Commission re planning issues in Ryde from March 2017 to February 2019.

Specifically the correspondence relates to Mr Dominello's push for a planning pause in Ryde.

Again, feel free to collect \$30 off me for the GIPA but I request a waiver on public interest grounds.

I can be contacted on clennella@theaustralian.com.au or 0417627200

Regards

Andrew Clennell

The Australian



The Hon. Victor Dominello Minister for Finance, Services and Property Member for Ryde 5-9 Devlin Street RYDE NSW 2112

Dear Minister,

Thank you for your representations on behalf of your community, especially those residents of the Dunbar Estate, about the rezoning of their land.

In terms of the land currently known as the "Dunbar Estate" I can confirm:

- 1. Ryde Council has submitted a Planning Proposal (PP_2018_RYDEC_002_00) to rezone this land from R3 Medium Density Residential to R2 Low Density Residential
- 2. The Department of Planning and Environment ("DPE") has issued a Gateway determination for this proposal
- 3. The Determination includes the following conditions:
 - Council is required to include a new savings transition clause to ensure the proposed zoning does not affect any current development applications or appeal processes
 - b. The proposal is also required to ensure the objectives of the Greater Sydney Regional Plan and the North District Plan are addressed
- 4. Council has now been authorised as the local plan-making authority and will make the determination to finalise the plan.

Council will now have to exhibit the change for a minimum of 28-days. Following this, the Council will then be required to examine issues raised in the public submissions and prepare a report for the elected council who will then make a resolution to proceed or not proceed with the planning proposal.

Should you require any further information or assistance in this matters please do not hesitate to contact Callum Fountain of our office.

Yours sincerely

The Hon Anthony Roberts MP





Friday, 7 December 2018

Dr Sarah Hill Chief Executive Officer Greater Sydney Commission

Dear Dr Hill

Re: Assurance Review - Ryde LGA

Thank you for agreeing to undertake the above review. There is so much happening in Ryde. Without limiting the scope of your review, I would be grateful if you could consider the following.

Macquarie Park (MP)

MP needs a master plan. In my strong view MP should fundamentally remain a commercial hub. There is already ample residential buildings in MP to ensure that there is vitality in the precinct after work hours.

Middle Suburban Ryde

When a property developer buys 2 blocks of land and replaces 2 houses with 5 villas - in essence, they are replacing 4 cars with 10 cars. Our local streets are already under enormous strain. Ryde Council's Local Environmental Plan (LEP) has the highest area zoned for medium density in Sydney. I am advocating that Ryde Council urgently update its LEP so that its zoning reserved for medium density is more aligned with Lane Cove and Hunters Hill Council.

Meadowbank/West Ryde Precinct

We are building the Meadowbank Education Precinct (MEP). This will include a new primary school and high school and major revamp of TAFE. We need to link the MEP with the creation and zoning of a Jobs Park (the area between the TAFE and Victoria Rd).

Traffic movement in and out of the MEP needs to be carefully planned given the increased activity in the area.

Victoria Road is the major pressure point. The pinch point for Victoria Road is under the bridge at West Ryde - where Victoria Road becomes only 2 lanes.

We have an opportunity to rezone the area around the Jobs Park so that we can widen Victoria Road and provide parking for both the Jobs Park and West Ryde station. This rezoning would be strictly for commercial and employment use and under no circumstances not high rise residential development.

This is a major body of work that will require the involvement of Education, TAFE, RMS, Transport, Planning and Council.

Yours faithfully

The Hon. Victor Dominello MP Member for Ryde





State Member for Ryde

Friday, 23 November 2018

The Hon. Anthony Roberts MP GPO Box 5341 SYDNEY NSW 2001

Dear Minister Roberts

Re: 112 Talavera Rd Development Proposal

I am writing to you regarding Ryde Council's voluntary planning agreement negotiated in November 2017, which saw Council support a rezoning from 30 to 63 stories in exchange for financial contributions from the developer. This negotiation opened the gate for this proposal to be considered by the State Government.

On 4 December 2018, Ryde Council will further consider this proposal for a 63 storey residential apartment tower. <u>I am absolutely opposed to this development.</u>

I have been working with the community to ensure this proposed development is defeated. Indeed, thousands of people in Ryde have already signed my petition opposing this development. The community opposition is palpable.

I am hoping that given the overwhelming community opposition to this proposal, that the Mayor and the other relevant councillors will withdraw their support for this proposal.

In the event that Council does reverse its position at the meeting on 4 December 2018, then I ask that you urgently consider and reject this proposal immediately.

I attach for you reference the following documents:

- 1. Ryde Council's resolution dated 28 November 2017 which supports the 63 storey proposal going through to gateway
- 2. Ryde Council's letter dated 18 December 2017 which details their support for the 63 storey proposal
- 3. An NDT newspaper clipping dated 11 April 2018, quoting the Mayor of Ryde Council as "getting the best deal for ratepayers that he could manage".



For the latest updates on Ryde and my portfolio, like my Facebook page; https://www.facebook.com/VictorDominelloMP







State Member for Ryde

I believe that this "deal" secured by the Mayor is a terrible deal for the people of Ryde. It is my strong view that this proposal should never have been entertained by Council.

I ask that after nearly 12 months of community uncertainty and angst, the gate be shut on this proposal.

Yours faithfully

The Hon. Victor Dominello MP

Member for Ryde









Anthony Roberts MP

Minister for Planning, Minister for Housing, Special Minister of State

MDPE18/812

The Hon Victor Dominello MP Minister for Finance, Services and Property Member for Ryde PO Box 736 RYDE NSW 1680

Dear Minister,

Thank you for your correspondence and petition on behalf of your community about the zoning of Dunbar Estate.

I appreciate the community's concerns about the development application before the Land and Environment Court and I note your request to have the area rezoned from R3 Medium Density Residential to R2 Low Density Residential.

The development application for 6 Lexcen Place, Marsfield, is a local planning matter for which City of Ryde Council is responsible. To be of assistance, a Department of Planning and Environment representative contacted Council on your behalf. Council advised that a court hearing has been scheduled for 13 and 14 August 2018 to determine the matter.

As advised in my letter of 15 February 2018, Council lodged a planning proposal with the Department on 15 January 2018 seeking to rezone Dunbar Estate from R3 Medium Density Residential to R2 Low Density Residential. The Department issued a Gateway determination on 13 April 2018 allowing the proposal to proceed to the next stage of the plan-making process subject to certain conditions.

Council is now required to place the planning proposal on public exhibition, and I encourage the community to make submissions at that time. Council staff will then prepare a submissions report. As Council has been authorised as the local plan-making authority, it will make the final determination as to whether to rezone the land.

Should you have any further questions, please contact Ms Amanda Harvey, Director, Sydney Region East, at the Department on 8275 1128.

Yours sincerely,

1 8 MAY 2018

Anthony Roberts MP
Minister for Planning
Minister for Housing
Special Minister of State

15 May 2018

Hon Victor Dominello Minister for Finance, Services and Property Delivered by hand

Dear Minister,

I refer to your letter of 3 May 2018 outlining your concerns that Ryde Council's Local Environment Plan (LEP) is outdated and not satisfactory to control the volume and scale of residential development in the Ryde Local Government Area (Ryde LGA).

I note that in this letter you raised two primary concerns:

- The impact of the recently released Medium Density Housing Code (the Code) on development in the Ryde LGA and the adequacy of the LEP to support development into the future; and
- The ability of the infrastructure in the Ryde LGA to absorb the impact of further high density development.

In relation to these issues I have obtained advice from the Greater Sydney Commission (GSC) with regards to:

- The extent of the impact of current and proposed future development in the Ryde LGA
- The GSC's position on how any of these potential impacts could be better managed

The GSC has advised these issues can be managed in the following manner:

- A deferment in the commencement of the new Low Rise Medium Density Housing Code until July 1 2020 or until such time as Ryde Council has undertaken a review of their Local Housing Strategy and prepared a new LEP informed by this strategy whichever is the sooner. I note that the local housing strategy must be the product of sound community engagement and will clearly establish where different types of residential development (low, medium and high density) can be adequately supported by local infrastructure notably schools, open space, transport and community facilities. I remain conscious that the NSW Government recently committed \$2.5m to assist Ryde Council to complete a comprehensive review of its current LEP and amend it to better reflect desired planning outcomes.
- An instruction to the relevant planning authorities that new planning proposals for
 residential developments not be assessed or progressed until such a time as the Ryde
 councils local planning has been undertaken and appropriate strategies are in place to
 ensure local infrastructure is of sufficient capacity to manage any increases in
 population that may come from additional residential dwellings in the Ryde LGA. It is
 proposed that the GSC would undertake this review.

I have today met with, Mr George Dedes the General Manager of Ryde Council, and discussed at length these concerns and the proposed course of action outlined above. He

has advised that this proposal will be considered by council at its next meeting on Tuesday 29 May 2018.

I encourage you to continue your discussions with the local community concerning development in Ryde, and will continue to keep you informed as to the progress of my discussions with Ryde Council with regards to residential development.

Yours sincerely,

Anthony Roberts MP
Minister for Planning
Minister for Housing
Special Minister of State

Leader of the House, NSW Legislative Assembly

Member for Lane Cove

The Hon. Anthony Roberts MP Minister for Planning Minister for Housing Special Minister of State

By email: office@roberts.minister.nsw.gov.au

Dear Minister Roberts

Ryde Council's planning laws are not in keeping with community's expectations. These laws need updating as a matter of priority. Ryde's Local Environment Plan (LEP) is the blueprint for our community and it is any Council's most important responsibility. I am grateful that your Department has given Ryde Council \$2.5 million to update and prepare a new LEP by 1 July 2020.

I am pleased the Greater Sydney Commission (GSC) will oversight the preparation of the LEP to ensure that development is supported by social infrastructure such as schools and roads.

I am concerned that Ryde Council is now attempting to waste further ratepayer funds on frivolous legal challenges related to timing of the implementation of the Medium Density Housing Code (the Code). I note Ryde Council has the power to address any concerns regarding the Code through the new LEP.

Accordingly, I would ask you to consider aligning the timing of the implementation of the Code with the expected commencement date of the new LEP, so that both documents are completed by 1 July 2020. This provides Council with ample time to consult with community, address any concerns around the implementation of the Code and prepare a more appropriate new blueprint for our community's future.

Yours sincerely

Victor Dominello MP Member for Ryde

Date: | 1 - 18

Printed and Authorised by Victor Dominello MP. Printed using Parliamentary entitlements

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Anthony Roberts MP

Minister for Planning, Minister for Housing, Special Minister of State

MDPE18/863

The Hon Victor Dominello MP
Minister for Finance, Services and Property
Member for Ryde
PO Box 736
RYDE NSW 1680

Dear Minister

Thank you for your representations on behalf of Melrose Park residents about development of the Holdmark site on Wharf Road.

I appreciate the residents' concerns about the potential impacts of the development.

On 16 August 2017, City of Parramatta Council lodged a planning proposal for four sites in Melrose Park North, one of which was at 38-42, 44, and 44A Wharf Road, Melrose Park. This proposal seeks to rezone land for a range of uses, including a new local centre and for employment and residential uses. However, no development application has been lodged.

On 27 September 2017, the Department of Planning and Environment issued a Gateway determination requiring several amendments to the planning proposal. Council has not yet submitted an amended proposal to the Department. Once submitted, the revised proposal will be reviewed and, if endorsed, Council will consult the community. I encourage your constituents to make a submission to Council at that time.

I can assure you that any development within the Melrose Park area will need to consider Stage 2 of the Parramatta Light Rail. The Department and Council have been liaising with Transport for NSW to ensure that any land use planning for the area will be integrated with transport.

If your constituents have any questions about the planning proposal, please advise them to contact Mr Adrian Hohenzollern, Team Leader, Sydney Region West, at the Department on 9860 1505. If they have questions about specific development applications, please advise them to contact Council on 1300 617 058.

Yours sincerely,

8. MAY 2018

Anthony Roberts MP Minister for Planning Minister for Housing Special Minister of State





State Member for Ryde

The Hon. Anthony Roberts MP Minister for Planning Delivered by hand

Dear Minister

RE: Overdevelopment and the Low Rise Medium Density Housing Code ('the Code')

I write to urgently draw your attention to the fact that Ryde Council's Local Environment Plan (LEP), which sets the rules for assessment of planning proposals across our community, has not been reviewed or updated since 2014. These rules are failing our community when it comes to overdevelopment. I note that <u>only Ryde Council</u> has the power to update or change its LEP.

As a result of this failure by Council, as many as 15,000 lots in Ryde could be available for medium density development e.g. duplexes, townhouses and villas when the Code comes into effect on 6 July 2018. By comparison, Lane Cove Council has an LEP that better protects its community from density that is not aligned with community aspirations. Instead of updating its LEP years ago to protect our community, as it should have, Ryde Council is now shifting the blame to the Department of Planning.

Anyone familiar with Ryde understands that overdevelopment is hurting our community. The most recent decision by Ryde Council to support a 60 storey tower in Macquarie Park is sheer madness.

Enough is enough. Things have to change.

As a community leader my job is to stop the blame game between Ryde Council and the Department of Planning and find a solution. I therefore request that:

- 1. The operation of the Code be paused until Ryde Council consults with the community and updates its LEP; and
- 2. The approval of any further high density in the Ryde Council area and immediate surrounds be paused until a proper independent assessment has been undertaken in terms of community impact.

Our community of Ryde is generous and has continued to shoulder more than its fair share of Sydney's growing population. But this growth can only be sustained with adequate investment in critical infrastructure such as roads, parks and schools. As you'd be aware, the NSW Government is delivering the first stage of the North West Metro, the \$100m Herring Rd bus interchange and is opening an unprecedented combination of five new primary and high schools across Ryde.

Ryde Council's support of the 60 storey apartment tower has brought our community to a boiling point. This is evidence that Ryde Council is hopelessly out of touch with community expectations. In order to properly protect our community against rampant overdevelopment, Ryde Council's LEP must change, and Ryde Council must be held to account. I would be grateful if you could consider my request as a matter of urgency.

Yours sipcarely

The Hon Victor Dominello MP

Member for Ryde

3MAY 18



Thursday, 29 March 2018

The Hon. Anthony Roberts MP Minister for Planning 52 Martin Place SYDNEY NSW 2000

By email: office@roberts.minister.nsw.gov.au

Dear Minister

Re: Rezoning of Dunbar Estate from R3 to R2

Rezoning to low density residential (R2)

On 9 February 2018, there was a Land and Environment Court hearing onsite at 6 Lexcen Place. The hearing was in relation to a development application to have units built in a locality that is unquestionably low density. I stood alongside residents, all of whom were opposing the proposed development brought about by Council's erroneous zoning (R3) of this area.

I acknowledge that Ryde Council had the opportunity to have the land zoned low density residential (R2) in both 2010 and 2014 but failed to do so. However, Council's grave planning error should not be allowed to prejudice my local community.

I have asked the community whether they would support an R2 rezoning of the area in question. Over 200 people, local to this area have put their names to the enclosed petition requesting that you have this area zoned R2. Put simply this area cannot cope with any increased density. There is no capacity on our local road network to deal with such.

If an R3 zoning remained it would absolutely destroy the amenity of the local area. It will definitely exacerbate traffic problems and it would defy any appropriate planning principles of placing density in close proximity to public transport and specifically railway stations.

Over-development

The area between Epping Road and Victoria Road should remain suburban, free of high rise. I have stood beside my constituents and vehemently opposed overdevelopment in this area.

I have worked hard for my community in opposing the following:

 Allengrove Development, Part 3A approval from previous government – fought with our community to reduce height and density. 8 storeys reduced to 5 storeys.





State Member for Ryde

- Whiteside Development, Part 3A approval from previous government fought alongside community to reduce height and density. Successful in reducing 11 storeys to 5 storeys.
- Onr Lane Cove Road and Epping Road fought rezoning from R2 to R3.
 Successful in reducing 10 storeys to 5 storeys.
- Meadowbank Foreshore Development 10 stage development Community have fought continued modification requests for 24 storeys and have successfully kept to 10 storeys.
- o I have been told by local constituents that there may be a further 27 storey proposal for residential towers in Meadowbank. If this proposal ever sees the light of day, I will also fight against this.

Open Space

- Blenheim Park 12 storey apartment block requested fought with community and won – no development.
- o Tennis World saved from being rezoned for residential high rise open space retained
- Ryde Hockey Field Waterloo Road, Macquarie Park fought with community and succeeded in delivering continuation of the lease till 2024.
- Smalls Road the old Ryde High School site was saved from being rezoned new Primary school opening 2020.
- I have been informed by local constituents that there may be an application to develop TG Milner fields. I cannot envisage any situation where this would be appropriate. I will also fight against this.

I would be grateful if you could consider this request as a matter of urgency.

Thank you in anticipation for taking the time to consider this matter as I understand your significant workload.

Yours sincerely,

The Hon. Victor Dominello Member for Ryde

MDPF17/966

The Hon Victor Dominello MP
Minister for Finance, Services and Property
Member for Ryde
PO Box 736
RYDE NSW 1680

Dear Minister,

Thank you for your representations on behalf of Mr Peter Raptis and Mr Gary Pilgrim of Marsfield about zoning at the Dunbar Park Estate, Marsfield.

I appreciate Mr Raptis and Mr Pilgrim's concerns about potential apartment developments and their desire to maintain the character of the area.

The Department of Planning and Environment advises that City of Ryde Council submitted a rezoning planning proposal on 15 January 2018. As delegate of Greater Sydney Commission, the Department assessed the proposal's potential impacts and strategic merits.

The proposal seeks to rezone the land at Dunbar Park Estate from R3 Medium Density Residential to R2 Low Density Residential to maintain the character and amenity of the area. The Department determined that the proposal needed more information to demonstrate consistency with state and local strategic plans. Once Council provides this information, the Department will assess the proposal and issue a Gateway determination.

If the Department determines that the proposal has strategic planning merit and should proceed, it will be subject to a minimum 28-day community consultation period. I encourage Mr Raptis and Mr Pilgrim to make a submission to Council then.

If Mr Raptis and Mr Pilgrim have any more questions, please advise them to contact Ms Amanda Harvey, Director, Sydney Region East, at the Department on 8275 1128.

Yours sincerely.

1 5 FEB 2018

Anthony Roberts MP
Minister for Planning
Minister for Housing
Special Minister of State





State Member for Ryde

Wednesday 20 December 2017

The Hon. Anthony Roberts MP Minister for Planning 52 Martin Place SYDNEY NSW 2000

By email: office@roberts.minister.nsw.gov.au

Dear Minister

Re: Ryde Council LDA 2017/0167 - 6 Lexcen Place Marsfield

I write to advocate and fight for the constituents of Marsfield with regard to an antiquated zoning of land known as the Dunbar Park Estate in Marsfield.

The Dunbar Park Housing Estate was originally zoned Residential E which allowed for duplexes and triplexes to be individually titled on completion back in 1983.

The former State Government's introduction of standardised zoning policy in 2010 created an R 3 zoning simply to accommodate the 3 triplexes in the estate surrounded by R2 zoning for the balance of the estate.

Current zoning regulations allow for apartments to be built in some R3 zoned areas and this is now being exploited by the current application to **Ryde Council LDA 2017/0167** to build apartments at 6 Lexcen Place, Marsfield. Having apartments in the middle of a low rise suburban area is **COMPLETELY** out of character for the area and this would be an appalling outcome. I have attached a copy of correspondence from Mr Peter Raptis and Mr Gary Pilgrim for your further information.

The Ryde area, in particular the Macquarie Park area which adjoins Marsfield has been the site for substantial high-rise development with some 15,000 new apartments built or approved to be built since 2015. Ryde had done its fair share of heavy lifting and it has to stop.

I support my residents and strongly object to this invasion of the southern side of Epping Road due to a loophole in zoning regulations and request that this loophole be closed by amending the current R3 zoning to R2.

Yours sincerely,

The Hon. Victor Dominello Member For Ryde



The Hon. Victor Dominello
Minister for Finance, Services and Property
Member for Ryde
5-9 Devlin Street
RYDE NSW 2112

Dear Minister,

Thank you for your interest in the new Low Rise Medium Density Housing Code ("the Code") and how it will apply in the Ryde Local Government Area ("Ryde LGA").

The new code will commence on 6 July 2018 and will allow well designed one and two storey dual occupancies, manor houses and terraces to be carried out under a complying development approval process. This will provide certainty to investors and developers and will reduce workloads for councils – important improvements for ensuring housing supply continues to meet the expanding needs of our city.

Importantly I confirm the new Code has the purpose of providing an alternate approval pathway for medium density housing to a development application, not to increase the amount of land available for medium density housing. Under the Code low rise medium density housing can only be permitted as complying development where the proposed development is already permitted under a council's existing Local Environmental Plans ("LEP").

With respect to the Ryde LGA I can confirm:

- 1. The current LEP permits the type of development covered by the Code in each of its R1, R2 and R3 zones. This LEP was enacted by Ryde Council in 2014.
- 2. Under the existing LEP 23,500 lots are currently available for development for Medium Density housing in the Ryde LGA. Under the Code the available lots for development reduces to 14,900. The attached tables provide an overview of the number of dwellings the code will facilitated. I note this is a reduction on levels permitted by the current LEP.
- 3. Ryde Council can change its LEP at any point to permit or restrict any development type including medium density housing.

Contrary to assertions made by Ryde Council the Code is not increasing the available medium density zoned land in the Ryde LGA. The number of dual occupancies, terraces or manor houses that could be constructed under the Code in Ryde LGA is considerably less than the number of medium density dwellings able to be constructed under a development application through the Ryde LEP.



Should you have any further questions in relation to this matter I have arranged for Ms Alison Frame, Deputy Secretary, Policy and Communications, Department of Planning and Environment to assist. Ms Frame can be contacted at the Department on 9274 6203.

Yours sincerely

The Hon Anthony Roberts MP