



New South Wales

Ryde Local Environmental Plan No 129

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S02/01247/S69)

FRANK SARTOR, M.P.,
Minister for Planning

2006 No 48

Clause 1 Ryde Local Environmental Plan No 129

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1 Name of plan

This plan is *Ryde Local Environmental Plan No 129*.

2 Aims of plan

This plan aims:

- (a) to replace the definitions of *height* and *storey* in *Ryde Planning Scheme Ordinance* (the *principal instrument*) with definitions that are more comprehensible and less ambiguous than the existing definitions, and
- (b) to replace the term *villa homes* in the principal instrument (defined as single storey residential flat buildings containing 2 or more dwellings in a group arranged so that each dwelling has attached private open space and separate access from an unbuilt upon portion of the site) with the term *urban housing* (being a residential flat building of the type just described but of up to 2 storeys rather than just a single storey) and to allow, with the consent of Ryde City Council and subject to certain requirements, development for the purposes of the latter in the Residential “A”, the Residential “B1” and the Residential “B2” zones under the principal instrument, and
- (c) to amend the definition of *residential flat building class B* and to insert a definition of *natural ground level* in the principal instrument, and to omit the definition of *floor* from that instrument, and
- (d) to replace the planning controls in the principal instrument relating to villa homes in the Residential “A” zone with planning controls relating to urban housing in that zone.

3 Land to which plan applies

This plan applies to all land to which *Ryde Planning Scheme Ordinance* applies.

4 Amendment of Ryde Planning Scheme Ordinance

Ryde Planning Scheme Ordinance is amended as set out in Schedule 1.

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Schedule 1 Amendments

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(Clause 4)

[1] Clause 3 Interpretation

Omit the definitions of *floor*, *height*, *storey* and *villa homes* from clause 3 (1).

Insert in alphabetical order:

height of a building means the distance measured vertically from any point of the ceiling of the highest storey (or if there is no ceiling, of the roof) of the building to natural ground level immediately below that point.

natural ground level means the level of the land as if no development has taken place on the land.

storey means that part of a building from and including one floor level to the floor level next above or, if there is no floor above, the ceiling or roof above, but does not include a part of a building that does not extend more than 1.2 metres above natural ground level.

urban housing means a building containing 2 or more dwellings in which:

- (a) any dwelling with a frontage to a street or road is not more than 2 storeys in height and not attached to any other 2-storey dwelling, and all other dwellings are not more than 1 storey in height, and
- (b) each dwelling has attached private open space and separate access from an unbuilt upon portion of the site.

[2] Clause 3 (1), definition of “residential flat building class B”

Omit “villa homes”. Insert instead “urban housing”.

[3] Clause 22 Erection or use of buildings or works

Omit “villa homes” from Column 5 of the Table to the clause in the matter relating to Zone No 2 (a).

Insert instead “urban housing”.

[4] Clause 22, Table

Insert “; urban housing” in appropriate order in Column 4 of the matter relating to Zone Nos 2 (b1) and 2 (b2).

[5] Clause 22, Table

Omit “; villa homes” wherever occurring in Column 4 of the matter relating to Zones Nos 2 (b1) and 2 (b2).

[6] Clause 46 Minimum size of residential allotments

Omit “villa homes” from clause 46 (4). Insert instead “urban housing”.

[7] Clause 56 Residential flat buildings—parking

Omit the words in parenthesis from clause 56 (2).

Insert instead “(other than urban housing or duplex buildings)”.

[8] Clause 56A

Omit clauses 56A–56D. Insert instead:

56A Urban housing

The Council is not to consent to the erection of urban housing on land within Zone No 2 (a) unless the site area for the building is comprised of not less than:

- (a) 300m² for each 1, 2 or 3 bedroom dwelling, and
- (b) 365m² for each 4 or more bedroom dwelling.