



New South Wales

Ryde Local Environmental Plan No 116

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*. (S01/00241/PC)

FRANK SARTOR, M.P.,
Minister for Planning

2005 No 763

Clause 1 Ryde Local Environmental Plan No 116

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under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Ryde Local Environmental Plan No 116*.

2 Aim of plan

This plan aims to vary the controls on development in the City of Ryde that are imposed by certain provisions of the *Ryde Planning Scheme Ordinance* and, in particular, to provide for exempt and complying development in that City.

3 Land to which plan applies

This plan applies to all land within the City of Ryde.

4 Amendment of Ryde Planning Scheme Ordinance

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

5 Amendment of State Environmental Planning Policy No 60

State Environmental Planning Policy No 60—Exempt and Complying Development is amended as set out in Schedule 2.

Schedule 1 Amendment of Ryde Planning Scheme Ordinance

(Clause 4)

[1] Clause 3 Interpretation

Insert in alphabetical order in clause 3 (1):

bed and breakfast establishment means a dwelling in which temporary overnight accommodation is provided for guests, and:

- (a) in which at least breakfast is offered to guests, and
- (b) that does not contain facilities in rooms for the preparation of meals by guests, and
- (c) that is not used for the permanent or long-term accommodation of any persons other than those, and the family of those, who operate and manage the establishment and who would normally reside in the dwelling.

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

Omit “Dwelling-houses” and “Works for the purposes of landscaping, gardening or bushfire hazard reduction” from Column II of the Table to clause 22 wherever occurring.

Insert instead “.....”.

[3] Clause 22, Table

Omit “home occupations;” from Column IV wherever occurring.

[4] Clause 22, Table

Omit the matter in Column IV relating to Zone No 2 (a1).

Insert instead “Bed and breakfast establishments; dwelling-houses; residential flat buildings Class A; residential flat buildings Class B; swimming pools ancillary to dwellings.”.

[5] Clause 22, Table

Omit “Child care centres;” from Column IV wherever occurring in the matter relating to Zones Nos 2 (b1), 2 (b2), 2 (c5) and 2 (e).

Insert instead “Bed and breakfast establishments; child care centres; dwelling-houses;”.

2005 No 763

Ryde Local Environmental Plan No 116

Schedule 1 Amendment of Ryde Planning Scheme Ordinance

[6] Clause 22, Table

Insert “scout halls; swimming pools ancillary to dwellings;” after “Class B;” wherever occurring in Column IV of the matter relating to Zones Nos 2 (b1) and 2 (b2).

[7] Clause 22, Table

Omit “scout halls;” where appearing after “2 storeys;” wherever occurring in Column IV of the matter relating to Zones Nos 2 (b1) and 2 (b2).

[8] Clause 22 Table

Omit “Boarding houses; child care centres;” from Column IV wherever occurring in the matter relating to Zones Nos 2 (c1), 2 (c2) and 2 (c3).

Insert instead “Bed and breakfast establishments; boarding houses; child care centres; dwelling-houses;”.

[9] Clause 22 Table

Insert “swimming pools ancillary to dwellings;” after “scout halls;” wherever occurring in Column IV of the matter relating to Zones Nos 2 (c1), 2 (c2), 2 (c3), 2 (c4), 2 (c5), 2 (d1), 2 (d2), 2 (d3), 2 (d4), 2 (d5), 2 (d6), 2 (d7) and 2 (e).

[10] Clause 22, Table

Omit “Child care centres;” from Column IV of the matter relating to Zone No 2 (c4).

Insert instead “Bed and breakfast establishments; child care centres;”.

[11] Clause 22, Table

Omit “Boarding houses;” from Column IV wherever occurring in the matter relating to Zones Nos 2 (d1), 2 (d2), 2 (d3), 2 (d4), 2 (d5), 2 (d6) and 2 (d7).

Insert instead “Bed and breakfast establishments; boarding houses;”.

[12] Clause 42 Advertising signs

Omit “advertisement sign” from clause 42 (2).

Insert instead “advertising sign”.

[13] Clause 72

Omit the clause. Insert instead:

72 Demolition

Demolition must not be carried out on any land to which this plan applies without the consent of the responsible authority.

[14] Clause 72ZF

Insert after clause 72ZE:

72ZF Exempt and complying development

- (1) Development of minimal environmental impact listed as exempt development in Council's Development Control Plan No 34 relating to exempt and complying development as adopted by the Council on 19 July 2005 is exempt development, despite any other provision of this plan.
- (2) Development listed as complying development in Council's Development Control Plan No 34 relating to exempt and complying development as adopted by the Council on 19 July 2005 is complying development if:
 - (a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and
 - (b) it is not an existing use, as defined in section 106 of the Act.
- (3) Development is exempt or complying development only if it complies with the development standards and other requirements applied to the development by Council's Development Control Plan No 34 relating to exempt and complying development as adopted by the Council on 19 July 2005.
- (4) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in Council's Development Control Plan No 34 relating to exempt and complying development adopted by the Council, as in force when the certificate is issued.

[15] Clause 73 Savings

Omit clause 73 (c).

[16] Schedule 7

Omit the Schedule.

2005 No 763

Ryde Local Environmental Plan No 116

Schedule 2 Amendment of State Environmental Planning Policy No 60—Exempt and
Complying Development

**Schedule 2 Amendment of State Environmental
Planning Policy No 60—Exempt and
Complying Development**

(Clause 5)

Schedule 1 Where does this Policy apply?

Omit the following matter from Part 1:

City of Ryde

BY AUTHORITY
