



190-200 Boundary Street, Paddington

Planning Proposal

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Executive Summary

Overview

This Planning Proposal (PP) has been prepared for St Vincent's Private Hospital, the owners of the land known as 190-200 Boundary Street, Paddington ("the site"). The site has a legal description of:

- Lot 3 DP 223679 (190 Boundary Street);
- Lot 2 DP 223679 (192 Boundary Street);
- Lot 1 DP 223679 (194 Boundary Street); and
- Lot 3 DP 84504 (196 – 200 Boundary Street).

The site has a total area of approximately 889m² and is zoned R2 Low Density Residential in accordance with the Woollahra Local Environmental Plan (WLEP) 2014.

The site is located opposite the main St Vincent's Private Hospital buildings, on the south eastern side of Boundary Street. It is noted that Boundary Street represents the boundary between the Woollahra Local Government Area (LGA) and the City of Sydney LGA.

St Vincent's Private Hospital seeks to be able to develop and use the site for the purpose of an office premises which is currently prohibited at the site in accordance with the provisions of Clause 6.6 (Use of existing non-residential buildings in residential zones) of WLEP 2014.

The WLEP 2014 provides the following definition for an **office premises**:

"Office premises means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used."

The aim of St Vincent's Private Hospital is to be able to use the site to provide offices for general administrative purposes, including office space for Hospital staff and space for storage of clerical archives and records and the like.

The Proposal seeks to amend Schedule 1 of WLEP 2014 to allow an additional permitted use at the site for the purpose of an office premises ancillary to and associated with St Vincent's Private Hospital.

The Proposal does not require any other consequential amendments to WLEP 2014 or the Woollahra Development Control Plan (WDCP) 2015.

The Proposal is supported by two (2) reports, those being a Built Form & Urban Study prepared by SJB Architects and a Statement of Heritage Impact prepared by Cracknell and Lonergan Architects (refer to Attachment 1). Collectively, the reports consider the constraints of the site, and effectively demonstrate that the site is able to be developed for the purpose of a commercial building (an office premises) within the framework of the existing building height control of WLEP 2014, and the existing built form controls of WDCP 2015.

This Planning Proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act (EP&A Act) 1979* and the two (2) documents prepared by the NSW Department of Planning and Environment titled: *Local Environmental Plans - A Guide to Preparing Local Environmental Plans* (August 2016) and *Planning Proposals - A Guide to Preparing Planning Proposals* (August 2016).

Background

The St Vincent's Private Hospital has owned the properties which comprise the site for a number of years and undertook previous investigations, including consultations with Council officers as long ago as 2007, regarding the concept now proposed.

At that time the site was subject to the provisions of WLEP 1995. In accordance with WLEP 1995 the site was zoned Residential (2a) and the use of the site for the purpose of a hospital was permissible with consent. The use of the site for the purpose of an office ancillary to and associated with the hospital would have also therefore been permissible with consent. The introduction of WLEP 2014 had the effect of prohibiting the proposed land use.

The proposed office use will not be accommodating medical facilities, treatment rooms, clinical facilities or the like, so will not generate public use or access.

Car parking will not increase as the functions to be accommodated are currently occurring in the hospital building and car parking is also provided in the hospital building. Notwithstanding, there is capacity to accommodate car parking onsite with any future development if it is deemed necessary. The large site provides this opportunity, if needed, in the future.

Site and Context Identification

The site is located at 190-200 Boundary Street, Paddington opposite St Vincent's Hospital, north of Oxford Street and 2.3km east of Sydney CBD; and is within the Paddington Heritage Conservation Area, as identified in WLEP 2014. The site does not accommodate any heritage items and there are no heritage items immediately adjacent to the site.

To the west of the site is the main St Vincent's Private Hospital building which is up to eight (8) storeys in scale. The Oxford Street retail corridor is to the south of the site, and extends to the Sydney CBD. Barcom Avenue Park, St Vincent's (Public) Hospital and a St Vincent's Medical Research building are located to the north of the site. The St Vincent's Hospital buildings range between two (2) and ten (10) storeys in scale.

Residential development is generally located to the east, including a four (4) storey residential flat building at 186 Boundary Street.

The site consists of four (4) allotments and accommodates five (5) terrace houses. A considerable portion of 196-200 Boundary Street, being the western most allotment, is unbuilt upon.

The terraces vary between single storey (being Nos. 190-194) and two (2) storey (being Nos.196-200) in scale, and date from the Victorian Filigree – Early Federation period of terrace housing. Two (2) of the five (5) terrace dwellings are located at 196-200 Boundary Street, and are dilapidated and uninhabitable.

The subdivision pattern of the four (4) allotments is generally in keeping with the wider subdivision patterns of the area and is typical of the historical period that they represent.

The locality of the site and the existing terrace dwellings and adjacent buildings are shown in Figures 1 – 7 below.

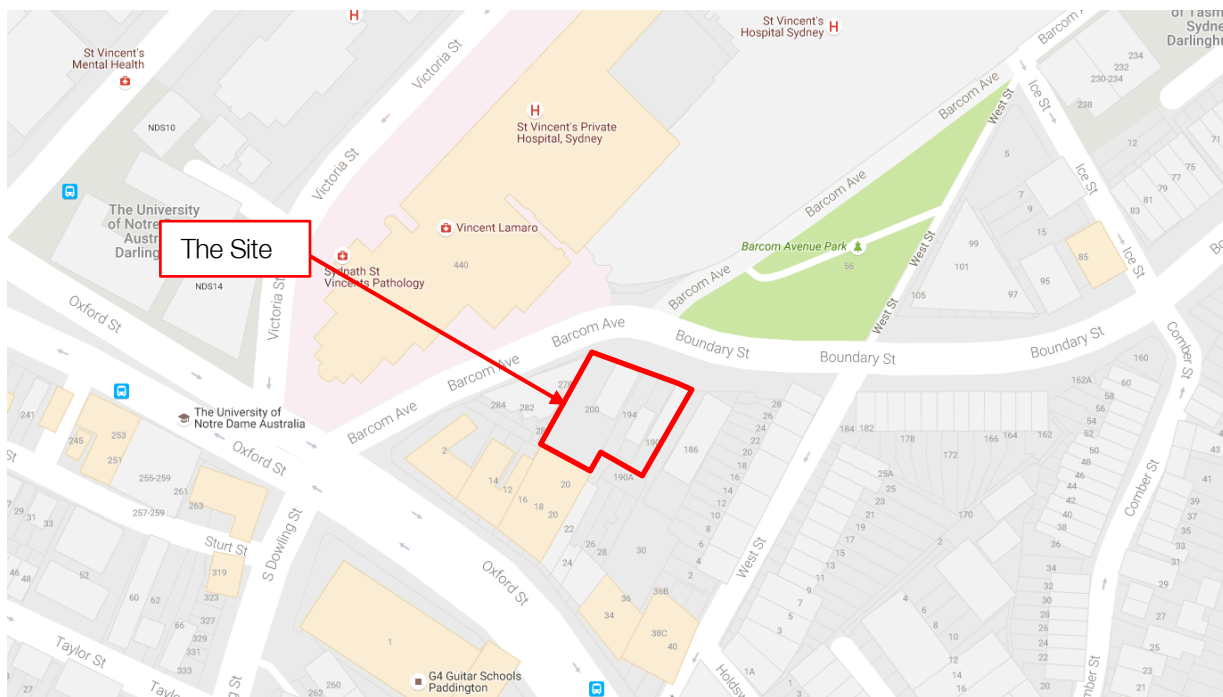


Figure 1: Locality map (Source: Nearmaps)



Figure 2: Aerial photo of site (Source: Nearmaps)



Figure 3: North eastern elevation of existing terraces dwellings at 190 – 194 Boundary Street



Figure 4: North eastern elevation of terrace dwellings at 196 – 200 Boundary Street



Figure 5: South east elevation of St Vincent's Private Hospital



Figure 6: Residential flat building at 186 Boundary Street



Figure 7: St Vincent's Hospital with Barcom Avenue Park in the foreground

1.0 Objectives and Intended Outcome of the Planning Proposal

The objective of this PP is to facilitate the use of the site at 190-200 Boundary Street, Paddington, which is located opposite the St Vincent's Private Hospital, for the purpose of an office premises in conjunction with the St Vincent's Private Hospital. It is intended that the site will remain zoned as R2 Low Density Residential and the proposed office premises use will be in addition to the current permissible uses.

It is intended that the existing built form controls applicable to the site will remain in place; no changes are proposed to those controls (including the maximum height of buildings, floor space ratio (FSR) and setback controls).

Currently, the development of the site for the purpose of an office premises associated with the St Vincent's Private Hospital is at the conceptual stage. The design for a new building at the site will be detailed as part of a future DA and will be consistent with the current applicable built form controls.

2.0 Explanation of Provisions

The proposed outcome will be achieved by amending Schedule 1 (Additional Permitted Uses) of the Woollahra Local Environmental Plan 2014 to include the following provision:

“15 Use of certain land at 190-200 Boundary Street, Paddington

- (1) This clause applies to land at 190-200 Boundary Street, Paddington, being Lots 1, 2 and 3 in DP 223679 and Lot 3 in DP 84504.*
- (2) Development for the purpose of a place of an office premise is permitted with development consent but only if the consent authority is satisfied that the activities proposed are ancillary to and associated with St Vincent’s Private Hospital.”*

3.0 Justification

3.1 Section A – Need for the planning proposal

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

Yes. The applicant held initial discussions with Council and from those discussions a Built Form and Urban Study report has been prepared, as well as a Statement of Heritage Impact report.

The Built Form and Urban Study considers the site's context and the uses and the amenity of neighbouring buildings. In particular the Built Form and Urban Study considers possibilities for the development of the subject site for the purpose of an office premises in a manner that is compliant with the current built form controls which apply to the R2 Low Density Residential zoned land.

The Built Form and Urban Study demonstrates that the development of the site for the purpose of an office premises is able to be undertaken in accordance with the current applicable built form controls without reducing the potential of adjacent sites to be developed in a compliant manner.

As a result, this Planning Proposal has been produced.

Is the planning proposal the best means of achieving the objectives, or is there a better way?

Yes. This PP is the best means of achieving the objectives. Currently, the use of the site for the purpose of an office premises is not permissible in accordance with the provisions of WLEP 2014. A PP is therefore needed to change the permissibility provisions of WLEP 2014 to allow the site to be used for the purpose of an office premises.

There is no other way or better way to allow the site to be used as an office premises.

3.2 Section B – Relationship to strategic planning framework

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

Yes. The Planning Proposal is consistent with the relevant objectives and actions contained in the Metropolitan Strategy – A Plan for Growing Sydney and the East Subregion Draft Subregional Strategy.

Each of these documents is addressed in the subsequent sections of this document.

A Plan for Growing Sydney

On 14 December 2014, the NSW Minister for Planning released the new Metropolitan Strategy – A Plan for Growing Sydney ("the Plan"). The Plan is a State Government strategic document that outlines a vision for Sydney over the next 20 years. It identifies key challenges facing Sydney including a population increase of 1.6 million by 2034, 689,000 new jobs by 2031 and a requirement for 664,000 new homes.

In responding to these and other challenges, the *Plan* sets out four (4) goals, reproduced below:

- “(1) a competitive economy with world-class services and transport;
- (2) a city of housing choice with homes that meet our needs and lifestyles;
- (3) a great place to live with communities that are strong, healthy and well connected; and
- (4) a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.”

To achieve these goals, the Plan proposes 22 Directions and associated Actions, including:

- Direction 1.7: Grow strategic centres – providing more jobs closer to home; and
- Direction 1.10: Plan for education and health services to meet Sydney’s growing needs.

In addition, the Plan outlines priorities for the ‘sub-regions’ of Sydney. The subject site is within the “Central” sub-region.

Specifically, the site is within the City East area of the Central Sydney Sub-region. The Planning Proposal is entirely consistent with the only listed priority for the City East area, which is as follows:

“Support health-related land uses and infrastructure around St Vincent’s Hospital”.

The Planning Proposal is consistent with relevant goals, directions and actions of the plan in that it will:

- Provide the opportunity for additional office space within the Central Sydney sub-region while not sterilising the potential for residential accommodation;
- Facilitate development of a site which is accessible by public transport;
- Improve residents’ access to jobs, services and recreation;
- Support health-related land uses and infrastructure around St Vincent’s Hospital; and
- Plan for the expansion of health facilities to service Sydney’s growing population.

East Subregion Draft Strategy

Strategy A – Economy and Employment		
Objective	Action	Comment on Consistency
Objective A1 Provide suitable commercial sites and employment lands in strategic areas	Action A1.1 Provide a framework for accommodating jobs across the subregion.	The Planning Proposal will: • Increase capacity for employment in a location that is adjacent to and has a strong nexus with, existing employment lands; and • Assist Council to meet the Draft East Subregional Strategy employment target of 300 additional jobs by 2031 for the Woollahra LGA. The Proposal applies to a site that is within an existing residential zone (i.e. R2 Low Density Residential) and that is opposite and adjacent to a B4 Mixed Use Zone and a SP2 Infrastructure (Health Services Facilities) Zone.
	Action A1.2 Plan for sufficient zoned land and infrastructure to achieve employment capacity targets in employment lands.	
	Action A1.4 Contain the rezoning of employment lands to residential zonings across Sydney.	

Strategy A – Economy and Employment

Objective	Action	Comment on Consistency
Objective A2 Increase innovation and skills development	Action A2.2 Strengthen industry clusters	The Planning Proposal will: Facilitate the use of the site for an office premises to be used in association with St Vincent's Private Hospital which is located opposite the site. The Hospital is part of a well-established cluster of health service facilities which includes St Vincent's Private Hospital, St Vincent's Hospital and the Sacred Heart Health Service. The Proposal will reinforce and strengthen this important cluster of health services.

Table 1: East Subregion Draft Strategy

Draft Central District Plan

The Greater Sydney Commission placed six (6) draft District Plans for Greater Sydney on public exhibition on Monday 21 November 2016. The Plans will be on exhibition until the end of March 2017.

The District Plans sit in the middle of the hierarchy of metropolitan, district and local planning for the Greater Sydney Region. The draft District Plans set out "Priorities" and "Actions" and it is understood that in finalising the draft District Plans, the Commission will prepare an implementation plan covering all relevant actions.

The site is located within the area covered by the Draft Central District Plan. It is noted that not all of the Priorities and Actions in the Draft Plan relate to the current Planning Proposal. Nonetheless the Planning Proposal is consistent with those Priorities and Actions that are relevant to the site as detailed below:

Productivity Priorities

Enhancing the Eastern City's role as a global leader

Supporting the growth of health and education super precincts

The site is opposite the St Vincent's Private Hospital and the St Vincent's Hospital. The hospitals have a strong connection to the area and were established over one hundred years ago. The St Vincent's Private Hospital is a leading centre for education and research and the St Vincent's Hospital functions as a full service public teaching hospital.

Together the hospitals provide significant training and research activities housing several specialty units that are internationally recognised as centres of excellence.

Consequently, the locality is widely recognised as a well-established health services precinct and the Planning Proposal will support and consolidate the existing facilities, if even in an incremental manner. The proposal is consistent with the Priority of "Enhancing the Eastern City's role as a global leader" by supporting the growth of an established health services precinct.

Planning for job targets in strategic and district centres

Plan for the growth of centres

The site is located in an area that is categorised by the R2 Low Density Residential land to the east, SP2 Infrastructure (Health Services Facilities) to the north and north east, and B4 Mixed Use zone to the west. The

proposal to allow the land to be used for the purpose of an office premises associated with St Vincent's Private Hospital is likely to result in incremental additional job creation in the locality, which will invariably contribute to employment opportunities within the centre and assist Council in satisfying the relevant employment target.

Protect and manage employment and urban services land

Protect and support employment and urban services land

The proposal will provide the opportunity to allow development at the site which will support the existing health services facilities. The proposal is consistent with this Priority.

Improve 30 minute access to jobs and services

The proposal will allow for development at the site for the purpose of additional office premises floor space and consequentially additional employment opportunities. The site is in a location with good access to public transport and adjacent to residential properties and within a residential zone. The proposal is therefore consistent with the Priority to improve 30 minute access to jobs and services.

Liveability Priorities

Foster cohesive communities in the Central District

- *Conserve and enhance environmental heritage including Aboriginal, European and natural*
- *Conserve heritage and unique local characteristics*

The proposal demonstrates that the expansion of permissible uses to allow the site to be used for the purpose of an office premises will not diminish the significance of the Paddington Conservation Area. Additionally, the Statement of Heritage Impact submitted with the proposal demonstrates that future development of the site for the purpose of an office premises is capable of being undertaken in a manner that will not adversely impact upon the contribution of the existing buildings to the significance of the Paddington Conservation Area.

The proposal is consistent with the Priority to conserve and enhance environmental heritage and unique local characteristics.

Respond to people's need for services

- *Support planning for health networks*
- *Support planning for health facilities and services*
- *Support planning for health infrastructure*

The purpose of the proposal is to provide ancillary offices to support St Vincent's Private Hospital which is a long established and highly regarded health services facility.

The hospital provides an important health service to the local community as well as the wider Sydney Metropolitan community and the proposal will help consolidate and improve that service.

St Vincent's Hospital is specifically recognised under Section 4.8.6 of the Draft Central District Plan. The "*Liveability Priority 12: Support planning for health infrastructure*" in this Section of the Plan outlines that the relevant planning authorities should "*give due consideration to the need to support the co-location of ancillary uses that complement health precincts*", including, amongst other uses, "*commercial uses that are complementary to and service the health precinct*".

The proposal to provide ancillary office premises to the hospital is consistent with this Priority.

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

Yes. The Planning Proposal is consistent with the Council's Community Strategic Plan titled Woollahra 2025 – our community, our place, our plan. Notably, the Proposal is consistent with the goals and strategies of Council's Plan, as set out in Table 2 below:

Theme	Goal	Strategy
<i>Community well-being</i>	Goal 2: A supported community	Strategy 2.1: Increase access to services and information to support the community.
		Strategy 2.4: Protect the health and well-being of residents and visitors to our area.
<i>Quality places and spaces</i>	Goal 4: Well planned neighbourhoods	Strategy 4.1: Encourage and ensure high quality planning and urban design outcomes.
		Strategy 4.2: Promote sustainable design in future private and public development.
		Strategy 4.3: Protect local heritage and residential amenity, including protection of significant architecture and the natural environment.
<i>Local prosperity</i>	Goal 9: Community focused economic development	Strategy 9.1: Encourage vibrant and vital local suburbs, villages and neighbourhoods that support a healthy economy.

Table 2: Woollahra 2025 – Strategic Plan

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

The relevant State Environmental Planning Policies and deemed State Environmental Policies have been addressed at Attachment 2 of this report.

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

The Section 117 Directions applicable to the Planning Proposal have been addressed at Attachment 3 of this report.

3.3 Section C – Environmental, social and economic impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The proposal does not apply to land, or is in the vicinity of land, that has been identified as containing critical habitats or threatened species, populations or ecological communities, or their habitats.

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

It is unlikely that the proposed amendment to WLEP 2014 will result in environmental effects that cannot be managed through the development assessment process. Existing policies, regulations and standards are already in place to ensure environmental impacts are mitigated during the development assessment and the construction phases and as part of the eventual use of the development.

Rather than negative environmental effects, the Planning Proposal presents an opportunity for the development of a scheme that can enhance the existing urban and environmental amenity within and around the subject site. The proposal is likely to result in positive social and economic impacts for the locality by facilitating the better coordination of the office functions of the St Vincent's Private Hospital.

How has the planning proposal adequately addressed any social and economic effects?

It is not anticipated that the PP will have any negative social and economic effects which need to be addressed as part of the Proposal.

There are no likely environmental effects that cannot be managed through the development assessment process. Council and the other land owners are aware of environmental constraints on the land, such as acid sulfate soil and heritage conservation. These matters will be addressed if a development application is lodged.

3.4 Section D – State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

Yes. The Planning Proposal relates to a site within an established urban context serviced by all required utilities and with access to public transport infrastructure. The LEP amendment and subsequent redevelopment of the site would be based upon the sound principles for utilising existing community investment in infrastructure and services.

It is understood that the existing infrastructure has the capacity to accommodate development on the site, subject to any necessary expansion and augmentation at the detailed application stage.

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

This section will be completed following consultation with public. The Gateway Determination will advise the full list of public authorities that will need to be consulted with as part of the Planning Proposal process.

It is requested that public authority consultation be undertaken concurrently with community consultation.

4.0 Mapping

The Planning Proposal seeks an additional permitted use for a site. The WLEP 2014 does not include an Additional Permitted Uses Map. The proposed amendment does not affect any WLEP 2014 Maps.

As such, no maps require amendment as a result of the Proposal.

5.0 Community Consultation

An exhibition period of at least 28 days is intended. This is consistent with part 5.2 of A Guide to Preparing Local Environmental Plans, and due to likely community interest in this Proposal.

Public notification of the exhibition will comprise:

- A weekly notice in the local newspaper (the Wentworth Courier) for the duration of the exhibition period;
- A notice on Council's website;
- A letter to the owners of land which is the subject of the Planning Proposal; and
- A letter to the owners of land owners in the vicinity of the site.

Consultation will also have regard to the requirements set down in the Gateway Determination issued by the Director-General of the NSW Department of Planning and Environment.

During the exhibition period, the Planning Proposal, Gateway Determination and other relevant documentation will be available on Council's Customer Service Centre and on Council's website.

6.0 Project Timeline

The project timeline is to be determined by Council, however a preliminary timeline is outlined in Table 3 below:

Planning Proposal Stage	Estimated Completion
Urban Planning Committee recommends proceeding	February 2017
Submit Planning Proposal to Department of Planning and Environment seeking a Gateway Determination	March 2017
Receive Gateway Determination	April 2017
Government agency consultation	April – May 2017 (28 days)
Public exhibition period	
Submissions assessment	May – June 2017
Council assessment of Planning Proposal post exhibition	June 2017
Submission of Planning Proposal to the DPE finalising the LEP	N/A – Proposal likely to be subject to delegation
Council decision to make the LEP amendment (if delegated)	July 2017
Forwarding of LEP amendment to DPE for notification	July 2017
Notification of the approved LEP	August 2017

Table 3: Preliminary Project Timeline



Attachments

Attachment 1: Built Form & Urban Study prepared by SJB Architects
and Statement of Heritage Impact prepared by
Cracknell and Lonergan Architects

Attachment 2: Consistency against State Environmental Planning Policies

Consistency against State Environmental Planning Policies

SEPP Title	Consistency	Comment
SEPP No 1—Development standards	N/A	
SEPP No 14—Coastal Wetlands	N/A	
SEPP No 15—Rural Landsharing Communities	N/A	
SEPP No 19—Bushland in Urban Areas	N/A	
SEPP No 21—Caravan Parks	N/A	
SEPP No 26—Littoral Rainforests	N/A	
SEPP No 29—Western Sydney Recreation Area	N/A	
SEPP No 30—Intensive Agriculture	N/A	
SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)	Yes	The Planning Proposal does not contradict or hinder the application of this SEPP.
SEPP No 33—Hazardous and Offensive Development	Yes	The Planning Proposal does not contradict or hinder the application of this SEPP.
SEPP No 36—Manufactured Home Estates	N/A	
SEPP No 39—Spit Island Bird Habitat	N/A	
SEPP No 44—Koala Habitat Protection	N/A	
SEPP No 47—Moore Park Showground	N/A	
SEPP No 50—Canal Estate Development	N/A	
SEPP No 52—Farm Dams and Other	N/A	

SEPP Title	Consistency	Comment
Works in Land and Water Management Plan Areas		
SEPP No 55—Remediation of Land	Yes	Clause 6 of SEPP 55 requires the consent authority to be satisfied that the site is or can be suitable for the proposed use of the land. The proposal seeks to amend the WLEP 2014 provisions to allow the use of the site as an office premises. The historical use of the site is for residential purposes and the current approved use of the site is for residential accommodation purposes. Office premise is an equal or less sensitive type of use compared to residential accommodation in terms of land contamination and in this respect the current approved uses demonstrate the sites suitability for office premises. Any future DA for the site will also be subject to the standard assessment requirements under SEPP 55. The Planning Proposal does not contradict or hinder the application of this SEPP.
SEPP No 59—Central Western Sydney Regional Open Space and Residential	N/A	
SEPP No 62—Sustainable Aquaculture	N/A	
SEPP No 64—Advertising and Signage	Yes	Future redevelopment of the site as facilitated by this Planning Proposal may include signage. This signage will be subject to separate future development applications, which will include assessment against this SEPP. This Planning Proposal does not contradict or hinder application of this SEPP.
SEPP No 65—Design Quality of Residential Flat Development	Yes	The Planning Proposal seeks to amend the WLEP 2014 provisions to allow the use of the site as an office premises. Future redevelopment of the site for the purpose of an office premises as facilitated by this Planning Proposal will not require assessment against this SEPP.

SEPP Title	Consistency	Comment
		This Planning Proposal does not contradict or hinder application of this SEPP.
SEPP No 70—Affordable Housing (Revised Schemes)	Yes	This Planning Proposal does not contradict or hinder application of this SEPP.
SEPP No 71—Coastal Protection	N/A	
SEPP (Affordable Rental Housing) 2009	N/A	
SEPP (Building Sustainability Index: BASIX) 2004	Yes	The Planning Proposal does not contradict or hinder the application of this SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Yes	The Planning Proposal is not inconsistent with the SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004	Yes	The Planning Proposal does not contradict or hinder the application of this SEPP.
SEPP (Infrastructure) 2007	Yes	The Planning Proposal does not contradict or hinder the application of this SEPP.
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	N/A	
SEPP (Kurnell Peninsula) 1989	N/A	
SEPP (Major Development) 2005	N/A	
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	N/A	
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	N/A	
SEPP (Rural Lands) 2008	N/A	
State Environmental Planning Policy (SEPP 53 Transitional Provisions) 2011	N/A	
State Environmental Planning Policy (State and Regional Development) 2011	N/A	
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	N/A	

SEPP Title	Consistency	Comment
SEPP (Sydney Region Growth Centres) 2006	N/A	
State Environmental Planning Policy (Three Ports) 2013	N/A	
State Environmental Planning Policy (Urban Renewal) 2010	N/A	
SEPP (Western Sydney Employment Area) 2009	N/A	
SEPP (Western Sydney Parklands) 2009	N/A	

Attachment 3: Section 117 Directions

Section 117 Directions (version 14 April 2016)

S117 Direction Title	Consistency	Comment
1.0 Employment and Resources		
1.1 Business and Industrial Zones	Yes	This direction applies when a relevant planning authority prepares a Planning Proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary). The proposal relates to residential zoned land and will not diminish or affect the amount of business zoned land available in the Woollahra LGA.
1.2 Rural Zones	N/A	Not applicable.
1.3 Mining, Petroleum Production and Extractive Industries	N/A	Not applicable.
1.4 Oyster Aquaculture	N/A	Not applicable.
1.5 Rural Lands	N/A	Not applicable.
2.0 Environment and Heritage		
2.1 Environment Protection Zones	N/A	Not applicable.
2.2 Coastal Protection	N/A	Not applicable.
2.3 Heritage Conservation	Yes	The WLEP 2014 contains provisions that facilitate the conservation of: a) facilitate the conservation of items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area, b) Aboriginal objects or Aboriginal

S117 Direction Title	Consistency	Comment
		places that are protected under the National Parks and Wildlife Act 1974, and c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people. The Planning Proposal does not affect those provisions and any future development at the site will be subject to those provisions.
2.4 Recreation Vehicle Areas	N/A	Not applicable.
3.0 Housing, Infrastructure and Urban Development		
3.1 Residential Zones	N/A	Consistent. The Planning Proposal will provide additional employment opportunities (even if only minimal) within a residential zone, but will not sterilise the potential of the site or adjacent sites to be developed for residential purposes.
3.2 Caravan Parks and Manufactured Home Estates	N/A	Not applicable.
3.3 Home Occupations	Yes	The proposal does not alter the permissibility of home occupations in the zone.
3.4 Integrating Land Use and Transport	Yes	Consistent. The Planning Proposal will provide additional employment opportunities (even if only incremental) in an accessible transport location.
3.5 Development Near Licensed Aerodromes	N/A	Not applicable.
3.6 Shooting Ranges	N/A	Not applicable.
4.0 Hazard and Risk		
4.1 Acid Sulphate Soils	Yes	The site is identified on the WLEP 2014 Acid Sulphate Soils Map as Category 5 and the Planning proposal will not affect this.
4.2 Mine Subsidence and Unstable	NA	Not applicable.

S117 Direction Title	Consistency	Comment
Land		
4.3 Flood Prone Land	Yes	The site is not within an identified Flood Planning Area and the Planning Proposal will not affect this.
4.4 Planning for Bushfire Protection	Yes	The site is not on land identified Bushfire Prone and the Planning Proposal will not affect this.
5.0 Regional Planning		
5.1 Implementation of Regional Strategies	N/A	Not applicable.
5.2 Sydney Drinking Water Catchments	N/A	Not applicable.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	Not applicable.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	Not applicable.
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	N/A	Revoked
5.6 Sydney to Canberra Corridor	N/A	Revoked
5.7 Central Coast	N/A	Revoked
5.8 Second Sydney Airport: Badgerys Creek	N/A	Not applicable.
5.9 North West Rail Link Corridor Strategy	N/A	Not applicable.
5.10 Implementation of Regional Plans	N/A	Not applicable.
6.0 Local Plan Making		
6.1 Approval and Referral Requirements	Yes	The Planning Proposal is consistent with this Ministerial Direction.
6.2 Reserving Land for Public Purposes	Yes	Consistent. This Planning Proposal will not affect any land reserved for public purposes.
6.3 Site Specific Provisions	Yes	Consistent. This Planning Proposal does not introduce unnecessarily restrictive site

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		specific controls and instead offers greater flexibility to achieve an alternative development outcome on the site. The Planning Proposal does not seek to impose any development standards or requirements in addition to those already contained in the WLEP 2014.
7.0 Metropolitan Plan Making		
7.1 Implementation of A Plan for Growing Sydney	Yes	Consistent. This Planning Proposal is consistent with this direction and does not hinder implementation of A Plan for Growing Sydney.
7.2 Implementation of Greater Macarthur Land Release Investigation	N/A	Not applicable.