

Consistency with Section 117 Directions

The proposal's consistency with the relevant Section 117 Directions is demonstrated in **Table 1** below.

Table 1 – Consistency with relevant Section 117 Directions

Section	Requirements	Comment	Consistency
1. Employment and Resources			
1.1 Business and Industrial Zones	<p>(1) The objectives of this direction are to:</p> <ul style="list-style-type: none"> (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. 	<p>The Planning Proposal seeks to retain the current IN2 Light Industrial zoning.</p> <p>The proposed additional use will provide increased employment compared to a general light industrial use.</p>	✓
3. Housing, Infrastructure and Urban Development			
3.4 Integrating Land Use and Transport	<p>(1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <ul style="list-style-type: none"> (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight. <p>(4) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <ul style="list-style-type: none"> (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and (b) The Right Place for Business and Services – Planning Policy (DUAP 2001). 	<p>The planning proposal is consistent with this direction, in that it:</p> <ul style="list-style-type: none"> ▪ will provide a new health facility in close proximity to existing public transport links, including St Leonards railway station, that provide services to the wider metropolitan region ▪ makes more efficient use of space and infrastructure by increasing employment density on an underutilised site 	✓

Section	Requirements	Comment	Consistency
4. Hazard and Risk			
4.1 Acid Sulfate Soils	<p>(1) The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p>(4) The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.</p> <p>(5) When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with:</p> <ul style="list-style-type: none"> (a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Director-General, or (b) such other provisions provided by the Director-General of the Department of Planning that are consistent with the Acid Sulfate Soils Planning Guidelines. <p>(6) A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Director-General prior to undertaking community consultation in satisfaction of section 57 of the Act.</p> <p>(7) Where provisions referred to under paragraph (5) of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with paragraph (5).</p>	<p>The site is identified as Class 5 on the Acid Sulfate Soils Map in Willoughby LEP 2012. Acid sulfate soils are generally not found in Class 5 areas.</p> <p>In addition, Willoughby LEP 2012 Clause 6.1 Acid Sulphate Soils will apply to future DAs for the site, and will require acid sulphate soils to be considered.</p>	<p>✓</p>

Section	Requirements	Comment	Consistency
<p>4.3 Flood Prone Land</p>	<p>(1) The objectives of this direction are:</p> <p>(a) to ensure that development of flood prone land is consistent with the NSW Government’s Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</p> <p>(b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</p> <p>(4) A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).</p> <p>(5) A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to Residential, Business, Industrial, Special Use or Special Purpose Zone.</p> <p>(6) A planning proposal must not contain provisions that apply to the flood planning areas which:</p> <p>(a) permit development in floodway areas,</p> <p>(b) permit development that will result in significant flood impacts to other properties,</p> <p>(c) permit a significant increase in the development of that land,</p> <p>(d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or</p> <p>(e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.</p> <p>(7) A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).</p> <p>(8) For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).</p>	<p>The site is not identified as being flood prone land.</p>	<p>N/A</p>

Section	Requirements	Comment	Consistency
5. Regional Planning			
5.1 Implementation of Regional Strategies	<p>(1) The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.</p> <p>(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), that the extent of inconsistency with the regional strategy:</p> <p>(a) is of minor significance, and</p> <p>(b) the planning proposal achieves the overall intent of the regional strategy and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.</p>	<p>The planning proposal is generally consistent with the objectives and strategies of the subregional strategy in that it will facilitate the delivery of employment and community facilities within the Willoughby LGA.</p>	✓
6. Local Plan Making			
6.1 Approval and Referral Requirements	<p>(1) The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p> <p>A planning proposal must:</p> <p>(a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and</p> <p>(b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:</p> <p style="padding-left: 20px;">(i) the appropriate Minister or public authority, and</p> <p style="padding-left: 20px;">(ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), prior to undertaking community consultation in satisfaction of section 57 of the Act, and</p> <p>(c) not identify development as designated development unless the relevant planning authority:</p> <p style="padding-left: 20px;">(i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and</p> <p style="padding-left: 20px;">(ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.</p>	<p>The planning proposal does not introduce any provisions that require any additional concurrence, consultation or referral.</p>	✓

Section	Requirements	Comment	Consistency
7. Metropolitan Planning			
7.1 Implementation of the Metropolitan Plan for Sydney 2036	<p>(1) The objective of this direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036.</p> <p>(5) A planning proposal may be inconsistent with the terms of this direction only if the Relevant Planning Authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), that the extent of inconsistency with the Metropolitan Plan:</p> <p>(a) is of minor significance, and</p> <p>(b) the planning proposal achieves the overall intent of the Plan and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.</p>	<p>The Planning Proposal is consistent with the objectives and strategies of the Metropolitan Plan in that it will facilitate the delivery of employment and a hospital which will contribute to the vitality of the site.</p> <p>The Planning Proposal also demonstrates consistency with the relevant directions of <i>A Plan for Growing Sydney</i>.</p>	

Willoughby LEP 2012

Consistency with Overall Aims

The proposal's consistency with the overall aims of the Willoughby LEP is demonstrated in **Table 2** below.

Table 2 – Consistency with overall aims of Willoughby LEP

Aim	Proposal	Consistency
<p>(a) for planning framework: (i) to establish a broad planning framework for Willoughby, and (ii) to enable the achievement of the goals and outcomes of the Willoughby City Strategy through planning controls,</p>	<p>By proposing an employment generating use in a light industrial area, the proposal is consistent with the broad planning framework for Willoughby.</p>	<p>✓</p>
<p>(b) for sustainability: (i) to conserve and enhance, for current and future generations, the ecological integrity, environmental heritage and environmental significance of Willoughby, and (ii) to promote an appropriate balance between development and management of the environment, that will be ecologically sustainable, socially equitable and economically viable, and (iii) to better manage the risks associated with climate change through mitigation and adaptation, and (iv) to reduce resource consumption through the planning and control of land use and development, and (v) to reduce potential energy and water consumption and waste materials during the construction, occupation, utilisation and lifecycle of buildings,</p>	<p>The proposal will not result in any significant negative environmental impacts, and the future development will be in accordance with the relevant environmental policies.</p>	<p>✓</p>
<p>(c) for environmental protection: (i) to identify, protect and enhance environmentally sensitive areas such as native vegetation and fauna, foreshore areas, open space and areas of high scenic landscape value, and (ii) to allow development at a scale that is sensitive to environmental constraints, and (iii) to control and manage any adverse environmental impacts of development, and (iv) to prevent loss of life and property by bush fires, by discouraging the establishment of incompatible uses in bush fire prone areas and incorporating as part of compatible developments protective measures that minimise bush fire risk without unacceptable environmental degradation, including: (A) construction techniques and materials to maximise their resistance to bush fire, and (B) adequate measures to enable the safe evacuation of people from the land and enable access to that land by emergency services during a bush fire,</p>	<p>The proposal does not relate to environmentally sensitive land or have any particular environmental constraints.</p>	<p>N/A</p>

Aim	Proposal	Consistency
<p>(d) for urban design:</p> <p>(i) to ensure development embraces the principles of quality urban design, and encourages innovative, high quality architectural design with long-term durability and environmental sustainability, and</p> <p>(ii) to promote development that is designed and constructed:</p> <p>(A) to enhance or integrate into the natural landform and the existing character of distinctive locations, neighbourhoods and streetscapes, and</p> <p>(B) to contribute to the desired future character of the locality concerned, and</p> <p>(iii) to ensure development design contributes positively to, and wherever possible facilitates improvements to, the public domain, and</p> <p>(iv) to preserve, enhance or reinforce specific areas of high visual quality, ridgelines and landmark locations, including significant gateways, views and vistas, and</p> <p>(v) to ensure that development design takes into consideration crime prevention principles,</p>	<p>The detailed design of the development will be the subject of a future development application.</p> <p>The indicative scheme responds to the context of the streetscape and surrounding existing development.</p>	<p>✓</p>
<p>(e) for amenity:</p> <p>(i) to maintain and enhance the existing amenity of the local community, and</p> <p>(ii) to reduce adverse impacts from development on adjoining or nearby residential properties,</p>	<p>The indicative design incorporates adequate setbacks to appropriately preserve the amenity of the surrounding industrial premises.</p>	<p>✓</p>
<p>(f) for housing—to provide opportunities for a range of housing choice in Willoughby to cater for changing population needs in accessible locations,</p>	<p>The proposal does not relate to housing.</p>	<p>N/A</p>
<p>(g) for economic sustainability:</p> <p>(i) to provide opportunities for a range of employment opportunities in Willoughby, and</p> <p>(ii) to strengthen the viability and role of the city centres of Willoughby as places for commercial and cultural activities and services, and</p> <p>(iii) to maintain and encourage a diversity of industry and services in Willoughby,</p>	<p>The proposal provides significant employment opportunities and will strengthen the role of the precinct as an important provider of health care.</p>	<p>✓</p>
<p>(h) for wellbeing—to provide for social, cultural, recreational and community activities to meet the needs of residents, workers and visitors to Willoughby,</p>	<p>The proposal will provide a much needed facility that directly responds to an existing health services shortfall in the region.</p>	<p>✓</p>
<p>(i) for heritage—to conserve items of environmental and cultural heritage and to retain the character of heritage conservation areas,</p>	<p>The proposal does not relate to any heritage items or heritage conservation areas.</p>	<p>N/A</p>
<p>(j) for access:</p> <p>(i) to provide for local and regional transport needs and promote and increase the use of active transport through walking, cycling and the use of public transport, and</p> <p>(ii) to provide appropriate levels of car parking in connection with the location of development and managing the demand for ancillary car parking, where there is good access to public transport nodes and services, and</p> <p>(iii) to provide integrated development design of pedestrian and vehicular access, parking, loading and delivery facilities.</p>	<p>The indicative scheme provides appropriate access for people with a disability, and appropriate accessible parking spaces. The future development will comply with the relevant Australian Standards.</p>	<p>✓</p>

Consistency with Zoning Objectives

The indicative scheme's consistency with the zone objectives under the Willoughby LEP is demonstrated in **Table 3** below.

Table 3 – Consistency with Zone objectives of IN2 zone

Objective	Proposal	Consistency
To provide a wide range of light industrial, warehouse and related land uses.	Although not relating to industrial, warehouse or related uses, the proposal will provide significant employment in a suitable location.	✓
To encourage employment opportunities and to support the viability of centres.	The proposal will provide significant employment and strengthen the viability of the health services precinct.	✓
To minimise any adverse effect of industry on other land uses.	The proposal will not have a significant adverse effect on other land uses.	✓
To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.	The proposal does not relate to the day to day needs of the local workforce.	N/A
To support and protect industrial land for industrial uses.	The proposal does not seek to replace the existing industrial zoning, but rather seeks to permit an additional employment generating use on the site.	✓
To identify and preserve industrial land to meet the current and future light industrial needs of Willoughby and the wider region.	The proposal does not seek to replace the existing industrial zoning that applies to the site.	✓
To accommodate industrial development that provides employment and a range of goods and services without adversely affecting the amenity, health or safety of residents in adjacent areas.	The proposal will provide employment without adversely affecting the health or safety of surrounding residents.	✓
To protect the viability of business zones in Willoughby by enabling development for the purposes of offices if they are used in conjunction with industrial, manufacturing, warehousing or other permitted uses on the same land.	The proposal does not relate to a commercial office.	N/A
To improve the environmental quality of Willoughby by ensuring that land uses conform to land, air and water quality pollution standards and environmental and hazard reduction guidelines.	The proposal will comply with the relevant environmental standards.	✓
To accommodate uses that, because of demonstrated special building or site requirements or operational characteristics, cannot be or are inappropriate to be located in other zones	The proposal has very specific building and site requirements, and extensive searches on the lower North Shore have not resulted in any other suitable sites being identified. Therefore, it is appropriate to locate the proposed hospital in this zone.	✓

Consistency with Floor Space Ratio Objectives

The proposal's consistency with the objectives for floor space ratio under the Willoughby LEP is demonstrated in **Table 6** below.

Table 4 – Consistency with floor space ratio objectives of Willoughby LEP

Objective	Proposal	Consistency
(a) to limit the intensity of development to which the controls apply so that it will be carried out in accordance with the environmental capacity of the land and the zone objectives for the land,	The proposed floor space ratio ensures that the future development of the site as envisaged by this planning proposal will be consistent with the environmental capacity of the land. The proposal's consistency with the zone objectives for the site is demonstrated in Table 3 above.	✓
(b) to limit traffic generation as a result of that development,	The traffic generation of the proposal has been assessed and found to be acceptable (refer to Section 5.3)	✓
(c) to minimise the impacts of new development on adjoining or nearby properties from disruption of views, loss of privacy, overshadowing or visual intrusion,	The proposed development is not located in the vicinity of any residential properties which typically require more protection in terms of view, privacy and overshadowing impact. In any case, the indicative scheme incorporates adequate setbacks to ensure that the amenity of the surrounding industrial premises is appropriately maintained.	✓
(d) to manage the bulk and scale of that development to suit the land use purpose and objectives of the zone,	The bulk and scale of the indicative scheme suits the specific requirements of a modern hospital, while responding to the context of the locality.	✓
(e) to permit higher density development at transport nodal points,	The site is in the vicinity of train and bus services, and is therefore suitable to support a higher density.	✓
(f) to allow growth for a mix of retail, business and commercial purposes consistent with Chatswood's sub-regional retail and business service, employment, entertainment and cultural roles while conserving the compactness of the city centre of Chatswood,	The proposal does not detract from Chatswood's sub-regional role.	✓
(g) to reinforce the primary character and land use of the city centre of Chatswood with the area west of the North Shore Rail Line, being the commercial office core of Chatswood, and the area east of the North Shore Rail Line, being the retail shopping core of Chatswood,	The site is not located in Chatswood.	N/A
(h) to provide functional and accessible open spaces with good sunlight access during key usage times and provide for passive and active enjoyment by workers, residents and visitors to the city centre of Chatswood,	The site is not located in Chatswood.	N/A
(i) to achieve transitions in building scale and density from the higher intensity business and retail centres to surrounding residential areas,	The proposal is not located between commercial and residential areas.	N/A
(j) to encourage the consolidation of certain land for redevelopment,	The proposal does not relate to site consolidation.	N/A
(k) to encourage the provision of community facilities and affordable housing and the conservation of heritage items by permitting additional gross floor area for these land uses	The proposal does not relate to a community facility, affordable housing or a heritage item.	N/A