

13 DEFERRED MATTERS

13.1 PLANNING PROPOSAL FOR 12 FREDERICK STREET, ST LEONARDS

ATTACHMENTS:	1. COUNCIL REPORT 27 JUNE 2016
RECOMMENDATION:	SUPPORT TO PROCEED TO GATEWAY DETERMINATION AND PUBLIC EXHIBITION
RESPONSIBLE OFFICER:	IAN ARNOTT - PLANNING MANAGER
AUTHOR:	JANE GIBSON - STRATEGIC PLANNER
CITY STRATEGY LINK:	1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY
MEETING DATE:	11 JULY 2016

Purpose of Report

Council previously deferred consideration of this matter at its meeting on 27 June 2016. A copy of the previous report is attached.

OFFICER'S RECOMMENDATION

That Council:

- 1. Support the Planning Proposal and draft amendments to Willoughby Local Environmental Plan 2012 allowing "hospital" use with a Floor Space Ratio up to 3:1 and Willoughby Development Control Plan for 12 Frederick Street, St Leonards (being part Lot 1 DP 591747) for public exhibition.**
- 2. Forward the Planning Proposal to the Department of Planning and Environment seeking a Gateway Determination under Section 56 of the Environmental Planning and Assessment Act 1979.**
- 3. Request the applicant to submit a Stage 3 Remedial Action Plan prior to the exhibition of the Planning Proposal.**
- 4. Advise the Department of Planning and Environment that the Planning Manager, Mr Ian Arnott be nominated as delegate to process and finalise the Planning Proposal.**

GENERAL MATTERS**18.3 PLANNING PROPOSAL FOR 12 FREDERICK STREET, ST LEONARDS**

ATTACHMENTS:	1. CONCEPT PLANS 2. DRAFT AMENDMENTS TO WDCP 3. CONSISTENCY WITH RELEVANT SEPPS
RECOMMENDATION:	SUPPORT TO PROCEED TO GATEWAY DETERMINATION AND PUBLIC EXHIBITION
RESPONSIBLE OFFICER:	IAN ARNOTT - PLANNING MANAGER
AUTHOR:	JANE GIBSON - STRATEGIC PLANNER
CITY STRATEGY LINK:	1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY
MEETING DATE:	27 JUNE 2016

Purpose of Report

To provide Council with an assessment and recommendation in respect of a Planning Proposal for a portion of Lot 1 in DP 591747 at 12 Frederick Street, St Leonards. The Planning Proposal is to allow "Hospital" as a permissible use on the southern portion of the site with a Floor Space Ratio (FSR) of up to 3:1.

Background

12 Frederick Street, St Leonards is owned by Dexu Projects Pty Ltd. Located in the Artarmon Industrial Area. The entire lot is 2.6 Hectares in area and is bound by Frederick Street to the north and Reserve Road to the west. It is shown blue on the location plan (Figure 1) and is referred to as the "parent" lot. The southern part of the parent lot outlined in red on the location plan is the subject of this planning proposal and is referred to as the "subject site" in this report.

The Planning Proposal is to allow a private hospital use on the subject site. A "Hospital" is not a permitted use on land which is zoned IN1 General Industrial under Willoughby Local Environmental Plan 2012 (WLEP 2012). The Planning Proposal also seeks to increase the Floor Space Ratio (FSR) on the subject site from 1.5:1 to 3:1.

A Development Application (DA 2016/211) relating to the parent lot has been submitted and is currently being addressed. It seeks approval for the demolition of existing structures and subdivision into two Lots.

The parent lot currently comprises mixed warehousing, office and recreational uses in buildings ranging in height from 2 to 4 storeys.

Figure 1 Location Plan



Previous Planning Proposal

A previous Planning Proposal for the entire 2.6 Hectare site (the parent lot), was considered by Council on 14 March 2016. The proposal comprised rezoning the parent lot from IN1 General Industrial to B4 Mixed Use with an increase in Floor Space Ratio from 1.5:1 to 3:1. The resultant development was intended to include a private health service facility, direct factory outlet and commercial office / serviced apartments.

At the Meeting of 14 March, 2016, it was resolved that Council:

1. *"not support the Planning Proposal to rezone the land at 12 Frederick Street, St Leonards from IN1 General Industrial to B4 Mixed Use and an increase in the Floor Space Ratio to 3:1, as it is premature to proceed prior to the completion of state and local studies currently being prepared for the St Leonards / Artarmon area;*
2. *not proceed to Gateway Determination for the Planning Proposal;*
3. *notifies the applicant of Council's decision."*

The applicant has submitted a new revised Planning Proposal in response to this resolution.

Current Planning Proposal

The current Planning Proposal only applies to the subject site outlined in red in Figure 1. Following subdivision, the subject site will have an area of 6,194m².

The current proposal does not change the IN1 General Industrial zoning of the subject site but seeks an additional permitted use via Schedule 1 of WLEP 2012.

The subject site is partially occupied by mixed warehousing, office and recreational uses in buildings ranging in height from 2 to 4 storeys. These buildings are set back from Reserve Road and Westbourne Street (within the Royal North Shore Hospital site) due to the significant difference in level from Reserve Road. The south west corner of the subject site (corner of Reserve Road and Westbourne Street) contains a former helipad. The helipad was previously in use for transporting patients to Royal North Shore Hospital (RNSH). It is no longer required with a new helipad provided in the RNSH redevelopment.

The subject site incorporates a steep, partially vegetated embankment that falls from the south west, helipad location, to the north-east corner. This vegetated embankment continues east along Westbourne Street and consists mainly of native regrowth and exotic species, with some areas of significant weed infestation. There are also some mature trees along the Westbourne Street frontage.

There are 2 vehicle access points to the parent site from Reserve Road. An internal driveway runs along the eastern boundary of the larger 12 Frederick Street site (the parent site) which is accessed via Frederick Street. A right-of-way is proposed over this driveway to provide access to the new hospital proposed on the subject site with future subdivision.

Surrounding properties include:

- Australia Post to the east
- Kolling Institute of Medical Research to the south (part of the Royal North Shore Hospital)
- Multi-level car park and North Shore Private Hospital to the west
- The remainder of the site at 12 Frederick Street (the parent lot) to the north.

Properties on the eastern side of the subject site are zoned IN2 Light Industrial, with properties immediately to the west and on the southern side zoned SP2 Hospital. The properties immediately to the north are zoned IN1 General Industrial.

The subject site is zoned IN1 General Industrial under WLEP 2012 which permits, among other uses, general industries, light industrial uses, warehouse or distribution centres and related land uses. Health services facilities (including hospitals) are not permitted in the IN1 General Industrial zone. (Figure 2 – Zoning)

Figure 2 – zoning



Proposed development

The applicant has advised that they intend to construct a private hospital on the subject site comprising the following:

- 128 inpatient beds
- Operating theatres
- Emergency department
- Support services including:
 - Medical records
 - Administration
 - Central Stores
 - Linen Services
 - Waste Management
 - Housekeeping
- Bridge link across Reserve Road to the existing North Shore Private Hospital
- Medical Centre comprising:
 - Radiology / Diagnostic Imaging Centre
 - Specialist medical consulting suites
 - Retail tenancies such as café, florist and pharmacy

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- Landscaping and tree planting along Westbourne Street and Reserve Road
- Approximately 220 on-site car parking spaces (final number to be determined through detailed design for hospital DA submission)

The building would have a height up to 6 storeys. This would comprise a tower form set back from a 2 storey podium over 3 levels of lower ground car parking and basement loading dock. Vehicle access to the car park and loading dock would be provided along the right-of-way from Westbourne Street, while access to the ambulance bay along the northern façade of the building would be provided off Reserve Road.

The Planning Proposal also proposes to increase the Floor Space Ratio from 1.5:1 to 3:1.

Attachment 1 shows indicative concept plans of the intended hospital from Reserve Road and Westbourne Streets.

The applicant has stated the following with regard to the need for the facility and the process for identification of the proposed site:

“ The proposed private hospital will provide the following key benefits:

- Improved access to private emergency and medical and surgical services within the area.*
- Improved options for general practitioners to refer private patients to a local private facility.*
- Reduced waiting times for patients who require emergency care, providing an improvement to the timing of acute and sub-acute emergency services in the region, through the provision of more emergency services.*
- Provide an opportunity to further strengthen the role of the Royal North Shore Campus as a centre of excellence for medical provision.*
- Further employment opportunities and retention of significant medical expertise which is present on the campus.*
- Further synergies across the campus attracting key medical staff, which will help grow and sustain the campus.*
- Opportunities for key specialist services to be co-located within the facility and integrated health services provision.”*

The Planning Proposal is also subject to a Voluntary Planning Agreement which is considered in a separate report on the Council Agenda.

Discussion

Traffic and transport

A Traffic and Parking Assessment prepared by GTA Consultants has been submitted as part of the Planning Proposal.

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Regarding public transport, the report states that:

*".. The subject site is well serviced by high frequency public transport services, being located well within the typical 800m catchment radius of a Railway Station, that being 500m from the St Leonards Railway Station.
The St Leonards Railway Station is serviced by the T1 Line, providing linkage to Richmond / Emu Plains / Epping and Chatswood / Hornsby / Berowra areas. These train services generally operate at a frequency of about 3 minutes during peak times and 5-10 minutes out of peak times. Further to this, numerous high frequency bus services operate within the vicinity, which includes the Metrobus M20 operating every 10 minutes during the peak periods and every 15-20 minutes out of peak..."*

The GTA report does not make reference to Council's Artarmon Loop Bus which would provide a service close to the subject site linking it to St Leonards Station for staff and visitors.

The location of the site, immediately adjoining the public / private hospital precinct provides opportunity to improve pedestrian and cycling connectivity throughout the hospital site and to St Leonards station.

The Traffic and Parking Assessment reviewed the proposed parking provision against the requirements as set out in Willoughby Development Control Plan (WDCP).

For a hospital use, WDCP requires:

1 space / registered medical practitioner
+1 space / 2 other employees
+1 space / 3 beds for visitors

The Traffic Assessment provides that there will be

Size	WDCP Parking rate
20 medical officers	20
146 other employees	73
128 hospital beds	42.67
Total	135.67

The applicant is proposing up 220 car parking spaces (subject to final design) and therefore provides in excess of that required by WDCP.

With regard to Traffic impact, the GTA Report concluded there to be 58 vehicle trips in the Morning Peak and 80 vehicle trips in the Evening Peak. The report concludes that

"..Based on the indicative trip generation estimates associated with the proposed development, the site would generate an additional 58 and 80 vehicle movements in the morning and evening peak respectively, which equates to approximately 1 vehicle every minute.

*It is not anticipated that the additional development traffic following the full development of the site would adversely impact the surrounding local network or result in any operational or safety issues.
However, a detailed traffic assessment would be undertaken in the development application stage to assess the traffic impacts of the additional development traffic on the nominated study intersections in the vicinity of the site...."*

Council's Transport Section commented that proposed parking was adequate and that traffic generation would not be significant.

It is not usual procedure that government agencies to be notified of a Planning Proposal until after the Gateway Determination has been issued. However, Council Officers considered it prudent to obtain initial comments from Roads & Maritime Services (RMS). The RMS responded that it had no objection to the proposal proceeding through the Gateway process, as it is unlikely to have a significant impact on the classified road network. The RMS also recommended that the increase in FSR to 3:1 only apply to the "Hospital" use and that a site specific clause be included in WLEP 2012 to limit the additional FSR to hospital developments only. They further stated that if the increased FSR was to apply to any future development on the subject site, that they recommend the Traffic Impact Assessment also consider the traffic impacts that may arise from a Hardware and Building Supplies store (or the like) being pursued with the proposed FSR of 3:1. They considered that this type of land use to represent the maximum development intensity enabled by the Planning Proposal and "worst case" traffic scenario for the purposes of assessment.

It is intended that WLEP 2012 be amended with such a site specific clause that enables the increase in FSR only for a Hospital Use. This is similar to the clause applied in the case of the recent Planning Proposal at part 10 Herbert Street, St Leonards for a private mental health hospital which restricts an increase in FSR to Hospital Use.

In conclusion, no objections were raised to the proposal from a traffic perspective.

Contamination / Noise

A Preliminary Site Investigation (PSI) prepared by Coffey Geotechnics Pty Ltd.

Council's Environmental Health Officer has advised that the PSI states that the site

"...is suitable for the proposed hospital and medical centre development. The PSI identified a number of sources of potential contamination including its use as a former quarry, fuel storage and fill materials of indeterminate origin.

It is therefore considered that a Stage 3 Remedial Action Plan (RAP) shall be prepared in accordance with relevant legislation. The RAP shall incorporate any findings in any Preliminary or Detailed Site Investigations for the site, it shall clearly state proposed clean-up objectives, and demonstrate how the site can be made suitable for the proposed use.

It is also considered appropriate that a Stage 4 Site Validation Report be prepared by a suitable qualified contaminated land consultant in accordance with the appropriate legislation.

The site validation report shall provide a notice of completion of remediation works, whether there are any ongoing site management requirements .."

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As with the Planning Proposal for a mental health hospital at 10 Herbert Street, Council staff consider that a comprehensive noise assessment should be submitted with any Development Application considering both the impact of noise generated by the proposed use on the surrounding area and the impacts of noise from surrounding development on the proposed use. This is particularly important given the proximity of sites zoned IN1 General Industrial which permit uses such as concrete batching plants. It is important that a new land use does not sterilise future uses of the IN1 land for general industrial uses as intended. This has been addressed through the draft amendments proposed to the Willoughby Development Control Plan Part F.6 at Attachment 2.

Development Planning

The applicant has indicated that as the capital investment value for the proposed hospital is in excess of \$30M, the Development Application will be considered by the Department of Planning & Environment as State Significant Development. As the Development Application will not be considered by Council, Council's Development Planner provided the following comments:

- *" The application for subdivision to create the new lot should be finalised prior to the State Significant Development (SSD) application being approved. This is due to:
 - o the land locked nature of the site, and the necessary changes to the existing access way to North Shore Hospital,
 - o the remaining industrial uses on the existing property,
 - o no conclusive information available on the loss of vegetation and potential local wildlife habitat.*
- *Similar to the proposed subdivision DA, detailed construction and traffic management plans will be required for the proposed works. This is to include but not be limited to proposed spoil routes, access, parking, any conflicts with existing operations on the site, and the adjoining hospital use. Impact on parking and access to the hospital along Reserve Road and Westbourne Street must also be suitably addressed.*
- *There is an opportunity to improve pedestrian connectivity/accessibility, cycling routes and open space/landscaping for the hospital site.*
- *There is sufficient car parking for the proposed hospital, but there is also potential alternative transport options such as the Council Loop Bus from St Leonards Station.*

The Department of Planning & Environment will consult with Council during the Development Application public exhibition stage. Should any of the matters raised by the Development Planner still be outstanding, there will be the opportunity to address these at that time.

Infrastructure and servicing

Council's Development Engineer has provided a number of comments on matters relating to drainage to be addressed at Development Application stage which will be forwarded to the applicant for their information.

Existing IN1 General Industrial Zone

The objectives of the IN1 General Industrial zone are as follows:

- *To provide a wide range of industrial and warehouse land uses.*
- *To encourage employment opportunities.*
- *To minimise any adverse effect of industry on other land uses.*
- *To support and protect industrial land for industrial uses.*
- *To identify and preserve industrial land to meet the current and future general industrial needs of Willoughby and the wider region.*
- *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.*
- *To permit land uses that serve the daily convenience needs of workers employed in the industrial area.*
- *To protect the viability of business zones in Willoughby by enabling development for the purpose of offices if they are ancillary to, and used in conjunction with, industrial, manufacturing, warehousing or other permitted uses on the same land.*
- *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.*
- *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.*

"Health services facilities" is the umbrella term under which "Hospital" use falls. Health services facilities are permitted in most of the Business zones of the City (B2 Local Centre zone, B3 Commercial Core, B4 Mixed Use, B5 Business Development, B7 Business Park) and the Special Uses zone (Hospital). Health services facilities are prohibited in the IN1 Industrial Zone and IN2 Light Industrial zone.

Whilst not meeting most of the objectives of the zone, this planning proposal meets the last objective of the IN1 zone as sites of a suitable size would not be readily available in the zones where hospitals are currently permitted. Furthermore this development will capitalise on the proximity of the RNSH and its existing facilities and provide a range of diverse health-related and supporting employment opportunities within the zone.

The NSW Department of Planning & Environment is currently examining the St Leonards / Artarmon area to determine future land use controls and has commissioned an employment study of the Artarmon Industrial area. Whilst it may be appropriate to defer consideration of any planning proposals in this area until the conclusion of the study, in this particular case, as a departure from employment purposes is not proposed it is considered appropriate to proceed. The employment outcomes that would be generated as a result of the Planning Proposal will not prejudice the study outcome nor set an undesirable precedent, building as it does on the advantages of this particular location at St Leonards near Royal North Shore Hospital and North Shore Private Hospital.

Health service facilities

The definition of health services facilities in WLEP2012 is as follows:

health services facility means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following:

- (a) a medical centre,
- (b) community health service facilities,
- (c) health consulting rooms,
- (d) patient transport facilities, including helipads and ambulance facilities,
- (e) hospital.

Hospital is a subset of the definition of health service facilities. The definition of hospital is as follows:

hospital means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, psychiatric care or care for people with disabilities, or counselling services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), and includes ancillary facilities for (or that consist of) any of the following:

- (a) day surgery, day procedures or health consulting rooms,
- (b) accommodation for nurses or other health care workers,
- (c) accommodation for persons receiving health care or for their visitors,
- (d) shops, kiosks, restaurants or cafes or take away food and drink premises,
- (e) patient transport facilities, including helipads, ambulance facilities and car parking,
- (f) educational purposes or any other health-related use,
- (g) research purposes (whether or not carried out by hospital staff or health care workers or for commercial purposes),
- (h) chapels,
- (i) hospices,
- (j) mortuaries.

The proposed use of the site fits within the definition of hospital.

Height

Under WLEP 2012, the subject site is not subject to a building height control on the Height of Buildings Map (height controls do not apply in the Industrial zones in Willoughby City). The planning proposal does not propose to amend this. The indicative scheme has a building height of up to approximately 6 storeys. No objection is raised to continuing to have no height control apply to the subject site as this is consistent with other properties in the vicinity and overshadowing is not a primary consideration in a zone where residential development cannot occur.

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Floor space ratio

Under WLEP 2012 the floor space ratio for the subject site is 1:1 and it is within Area 5 on the Floor Space Ratio Map. Clause 4.4A of WLEP 2012 permits sites within Area 5 to exceed a floor space ratio of 1:1 if:

- (a) The site is greater than 1000 square metres, and
- (b) The floor space ratio will not exceed 1.5:1.

The planning proposal requests to increase the FSR control for the subject site to 3:1. This would require an amendment to Schedule 1 of WLEP 2012 which only allows the increase in FSR to 3:1 if the subject site is developed for a "Hospital" use.

Department of Planning Requirements

The Planning Proposal is considered to be generally in accordance with the requirements under Clause 55(2) of the Environmental Planning and Assessment Act 1979 and the Department of Planning's (October 2012) '*A guide to preparing planning proposals*'. This document establishes six parts for consideration of a Planning Proposal:

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objectives to support the Planning Proposal are as follows:

- (a) Facilitate the redevelopment of the subject site for a hospital,
- (b) Provide an increased floor space ratio that enables the development of the subject site for a hospital.

PART 2 – EXPLANATION OF PROVISIONS

The outcome proposed in the Planning Proposal will be achieved by preparing an amendment to WLEP2012, which will include:

- (a) Amend Schedule 1 by adding "Hospital" as an additional permitted use at 12 Frederick Street, St Leonards being part Lot 1 DP 591747
- (b) Amend Clause 4.4A Exceptions to floor space ratio to allow an increase in FSR of 3:1 for the development of a Hospital.

To address the concerns of Council Officers with regard to the impact of the proposed use on surrounding properties and of surrounding properties (current and future) on the proposal, a draft amendment to Willoughby Development Control Plan Part F at Attachment 2 has been prepared. This amendment requires a noise assessment as part of any future development application for the subject site. In this respect building design is to ensure noise emitted from future permissible land uses on the IN1 and IN2 surrounding land would not impact on the internal spaces of the proposed hospital use of the subject site.

PART 3 – JUSTIFICATION

Questions to consider when demonstrating the justification

Section A- Need for the Planning Proposal

- 1) *Is the Planning Proposal a result of any strategic study or report?*

The Planning Proposal did not result from a strategic study or report.

- 2) *Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

The planning proposal facilitates the use of the subject site for a use that is currently not permitted within the zone. A Planning Proposal is the only way to enable the use.

Section B- Relationship to strategic planning framework

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

The strategic planning context of the subject site is established by various State planning documents. "A Plan for Growing Sydney" Direction 1.10 aims to plan for education and health services to meet Sydney's growing needs. Direction 1.6 Expand the Global Economic Corridor also applies. The Plan also prioritises for the St Leonards Strategic Centre "work with council to provide capacity for additional mixed-use development including offices, health, retail, services and housing" and "support health-related land uses and infrastructure around Royal North Shore Hospital".

- 4) *Is the proposal consistent with a council's local strategy or other local strategic plan?*

Council's community strategic plan, the Willoughby City Strategy, provides goals and strategies relevant to the planning proposal:

Economic Activity

The goal of the subtheme Sustainable Business Activity is:
"To maintain and promote the City's employment opportunities and the range and quality of businesses, industry and services"

The following relevant strategies are identified:

5.1.1 Local Business

- Facilitate business and employment opportunities servicing local and regional needs.
- Encourage a range of business, retail, office and industrial uses.
- Provide policies to limit commercial and retail activity in industrial areas and ensure long term availability of sites for alternative industrial uses.
- Implement the St Leonards Strategy as a specialist centre for health and education with neighbouring councils.

- 5) *Is the proposal consistent with applicable State Environmental Planning Policies?*

The applicant has provided a Table highlighting consistency with relevant SEPPs and can be viewed at Attachment 3.

The main SEPP which requires addressing is SEPP 55- Remediation of Contaminated Lands.

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The applicant has submitted a Preliminary site investigation which identified a number of sources of potential contamination including its use as a former quarry, fuel storage and fill materials of indeterminate origin.

These matters are discussed in the report under Issues, Contamination above.

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

The Section 117 Directions issued to councils under s.117(2) of the EP&A Act 1979 require that a planning proposal does not conflict with the Directions. The following is a summary of the planning proposal against the relevant Section 117 Directions in this instance.

1. EMPLOYMENT AND RESOURCES

Direction	Relevant?	Consistent?	Comment
1.1 Business and Industrial Zones	Yes	Yes	The planning proposal will support employment generation

2. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT

Direction	Relevant?	Consistent?	Comment
3.4 Integrating Land Use and Transport	Yes	Yes	The site is well located close to public transport linkages

3. HAZARD AND RISK

Direction	Relevant?	Consistent?	Comment
4.1 Acid Sulfate Soils	Yes	Yes	The subject site is identified as Class 5 on the Acid Sulfate Soils Map of WLEP 2012

4. REGIONAL PLANNING

Direction	Relevant?	Consistent?	Comment
5.1 Implementation of Regional Strategies	Yes	Yes	The Planning Proposal is consistent with a Plan for Growing Sydney

5. LOCAL PLAN MAKING

Direction	Relevant?	Consistent?	Comment
6.1 Approval and Referral Requirements	Yes	Yes	The planning proposal does not contain any provisions which require concurrence, consultation or referral to the Minister
6.3 Site specific provisions	Yes	No	The planning proposal intends to permit hospitals on the subject site. The planning proposal does not propose allowing hospitals in the IN1 zone generally.

			The planning proposal relates to a use which is uncommon and is particularly suited to the subject site due to its location. This use is unlikely to be required or be suitable for the Industrial area generally.
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6. METROPOLITAN PLANNING

Direction	Relevant?	Consistent?	Comment
7.1 Implementation of A Plan for Growing Sydney	Yes	Yes	The planning proposal is consistent with A Plan for Growing Sydney as outlined in the report above.

Section C- Environmental, social and economic impact**7 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 subject site and adjoining lands have not been identified as containing any areas of critical habitat or threatened species, populations or ecological communities or habitats.

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

The following environmental impacts of the proposal and their proposed management are discussed in this report:

- Floor space
- Height
- Acoustic impacts
- Traffic and transport
- Contamination

9 Has the planning proposal adequately addressed any social and economic effects?

It is considered that the Planning Proposal has adequately addressed social and economic effects and will provide enhanced health services for the community.

10 Is there adequate public infrastructure for the planning proposal?

The subject site is located within an established industrial area serviced by existing utilities infrastructure, and within walking distance from St Leonards Railway Station.

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

As discussed above, the RMS has been sent an initial consultation on the Planning Proposal and raised no objections.

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PART 4 – MAPPING

As previously noted, this Planning Proposal involves amending the Floor Space Ratio map.

PART 5 – COMMUNITY CONSULTATION

Should Council support the Planning Proposal for public exhibition, it will proceed to the Planning and Infrastructure 'Gateway' process to seek endorsement for the proposal to be placed on public exhibition. Public exhibition will be in accordance with the Department of Planning and Environment's Gateway Determination requirements and should include the draft WLEP 2012 Amendment (written instrument and maps), and the draft WDCP Site Specific Requirements in Part F.6. This would involve appropriate notification and receipt of submissions on the documents from relevant state agencies and the general community.

PART 6 – PROJECT TIMELINE

Planning Proposal Presented to Council	June 2016
Planning Proposal submitted to Gateway	July 2016
Gateway Determination received by Council	July 2016
Community Consultation (28 days)	August 2016
Outcomes of Community Consultation presented to Council	September 2016
Planning Proposal submitted to Department requesting notification on Government website	October 2016

For commercial reasons, the applicant has indicated a preference to complete the Planning Proposal process by December 2016. Council staff have advised that certain aspects regarding the timing of a Planning Proposal are not within Council control, ie Gateway Determinations and final processing by Parliamentary Counsel.

Conclusion

The Planning Proposal to permit an additional use of hospital at 12 Frederick Street, St Leonards is supported for public exhibition. The proposal is consistent with the strategic objectives of a Plan for Growing Sydney and supports new and diverse employment opportunities in Artarmon Industrial Area.

It is considered that the relevant requirements under Section 55 of the Environmental Planning & Assessment Act and the matters identified in the Department of Planning's "*A guide to preparing planning proposals*" are adequately addressed in the Planning Proposal and that the environmental impacts of the Proposal are acceptable. However, the applicant should prepare a Stage 3 Remedial Action Plan (RAP) as recommended by Council's Environmental Health Officer.

The Planning Proposal requires an amendment to WLEP 2012 and the WDCP for industrial zones.

It is therefore recommended that Council forward the Planning Proposal to the Department of Planning and Environment, seeking a Gateway Determination under Section 56 of the Environmental Planning and Assessment Act 1979. It is further recommended that Council advise the Department of Planning and Environment that the Planning Manager, Mr Ian Arnott, be nominated as delegate to process and finalise the Planning Proposal.

OFFICER'S RECOMMENDATION

That Council:

1. Support the Planning Proposal and draft amendments to Willoughby Local Environmental Plan 2012 allowing "hospital" use with a Floor Space Ratio up to 3:1 and Willoughby Development Control Plan for 12 Frederick Street, St Leonards (being part Lot 1 DP 591747) for public exhibition.
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ATTACHMENT 1



Planning Proposal - 12 Frederick Street

VIEW A, From Intersection Of Reserve Rd & Westbourne St

CONCEPT DESIGN ONLY
DRAWING IS SUBJECT TO
DESIGN DEVELOPMENT

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VIEW B, From Westbourne St (South - East)

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DRAWING IS SUBJECT TO
DESIGN DEVELOPMENT

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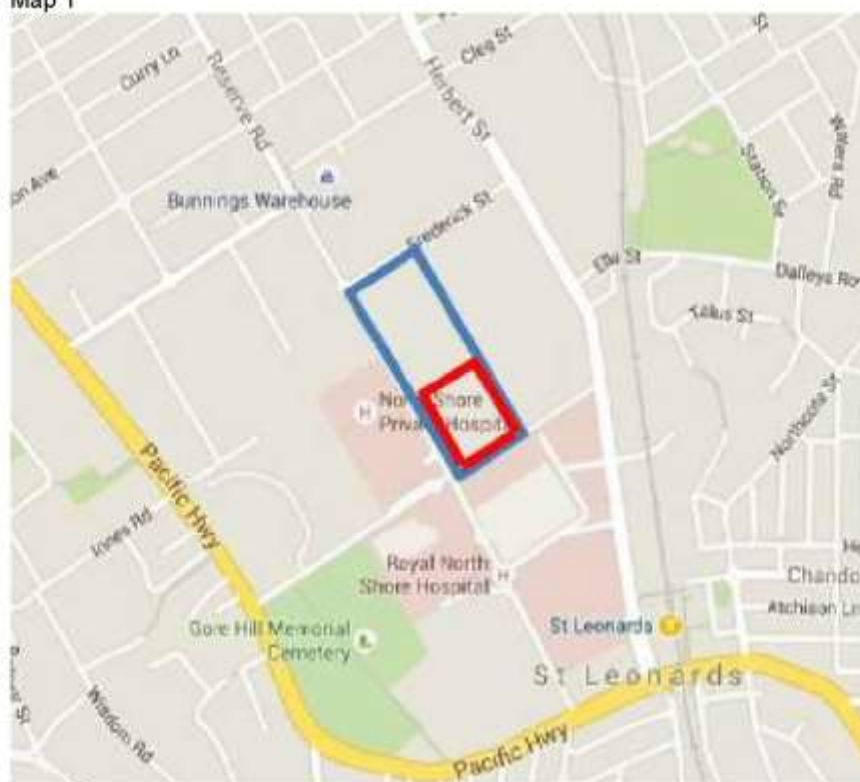
ATTACHMENT 2

DRAFT AMENDMENTS TO WILLOUGHBY DEVELOPMENT CONTROL PLAN

F.6 Planning Principles for Certain IN1 Land in Artarmon and St Leonards

Before granting consent for development for the purposes of a hospital at part 12 Frederick Street, St Leonards (part Lot 1 DP 591747) (see Map below outlined in red), a comprehensive noise assessment considering both the noise impact of the hospital on surrounding uses and the noise impact of surrounding uses on the hospital must be submitted.

Map 1



ATTACHMENT 3



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Planning Proposal, 12 Frederick Street, St Leonards

Consistency with relevant SEPPs

State Environmental Planning Policies	Consistent		N/A	Comment
	Yes	No		
SEPP 1 – Development Standards			N/A	SEPP 1 generally replaced by clause 4.6 of the Standard Instrument
SEPP 19 – Bushland in Urban Areas			N/A	Subject site is not zoned or reserved for public open space and therefore this SEPP is not applicable.
SEPP 32 – Urban Consolidation (Redevelopment of Urban Land)			N/A	Subject site is not zoned or proposed for use for multi-unit housing and therefore this SEPP is not applicable.
SEPP 55 – Remediation of Land	Y		N/A	Compliance with SEPP 55 discussed in detail in Section 6.2.2 of Planning Proposal.
SEPP 64 – Advertising and Signage			N/A	Not relevant to proposed amendment
SEPP 65 – Design Quality of Residential Apartment Development			N/A	Proposal does not relate to residential apartment development and therefore this SEPP is not applicable.
SEPP 70 – Affordable Housing (Revised Schemes)			N/A	Not relevant to proposed amendment
SEPP (Affordable Rental Housing) 2009			N/A	Not relevant to proposed amendment
SEPP (BASIX) 2004			N/A	Not relevant to proposed amendment
SEPP (Exempt and Complying Development Codes) 2009			N/A	Not relevant to proposed amendment
SEPP (Infrastructure) 2007			N/A	Not relevant to proposed amendment. The site is not within a prescribed zone. Referral to the RMS is not required as it is not proposed to provide more than 200 beds.
SEPP (State and Regional Development) 2011	Y			As outlined in Section 6.2.1 of the Planning Proposal, the proposed private hospital development is State significant development under clause 14 of Schedule 1 of SEPP. SEARs were issued on 29 March 2016.

Planning Proposal, 12 Frederick Street, St Leonards